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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Wednesday 30 November 2022

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

WOMEN AND EQUALITIES

The Minister for Women and Equalities was flanked—

National Disability Strategy

1. **Mohammad Yasin** (Bedford) (Lab): What recent progress the Government have made on implementing the national disability strategy. [902537]

The Minister for Disabled People, Health and Work (Tom Pursglove): In January 2022, the High Court declared the national disability strategy unlawful. We have been granted permission to appeal this declaration, but to ensure compliance with the Court's declaration we are obliged to pause a number of the policies referred to in the strategy or are directly connected with it.

Mohammad Yasin: Research from Scope shows that life costs more for people who are disabled, and 91% of those surveyed are worried about energy bills this winter. As this weekend marks the UN International Day of Persons with Disabilities, would the Minister work with his cross-departmental colleagues to revise the eligibility criteria for the warm home discount to reinstate eligibility for the 300,000 disabled welfare claimants?

Tom Pursglove: I am very grateful to the hon. Member for his question. It is fair to say that this is a Government who have consistently been supporting people during the significant cost of living challenges that they face. Of course, we have the energy price guarantee, which is a significant part of that package, but I am sure that Ministers in Departments across Government would be very happy to engage with him on the particular point he raises about the warm home discount.

Tom Hunt (Ipswich) (Con): We know that a key challenge for many young people with disabilities is getting assessments and getting them funded, so that they and their parents can find out what disabilities they have. I have a constituent who has been told they must wait up to 18 months for an assessment to find out whether they have autism to be completed. Is there an opportunity in the national disability strategy to better enable and fund the accessibility—and accelerate the completion—of those assessments, which can make a life-changing difference to individuals?

Tom Pursglove: I am grateful to my hon. Friend for raising this important point. The autism strategy is in place, having had a refresh launched in July 2021 and £74 million of funding in the first year. With the first year having concluded, we will publish our second implementation plan to make further progress on delivering the actions in the strategy. As part of the deliberations on that, we will consider the interesting point that he raises.

Violence against Women and Girls

2. **Mr Virendra Sharma** (Ealing, Southall) (Lab): What recent steps the Government have taken to help tackle violence against women and girls. [902538]

12. **Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): What recent discussions she has had with Cabinet colleagues on tackling violence against women and girls. [902549]

The Parliamentary Under-Secretary of State for the Home Department (Miss Sarah Dines): Tackling violence against women and girls is a Government priority. We have made significant progress since publishing the cross-Government tackling violence against women and girls strategy and the tackling domestic abuse plan. That includes launching our national communications campaign “Enough”, resulting in tens of thousands of visits to the website, as well as £55 million of extra funding for CCTV and street lighting to prevent these crimes from happening, with £230 million committed cross-Government to tackling this heinous crime.

Mr Sharma: New statistics show that just one in 10 victims of partner abuse reported it to the police last year, which means thousands of victims are suffering in silence with no route to justice. The appalling Solihull murders showed just how important the police response to domestic abuse is; where it falls short, the impact can be fatal. Will the Minister listen to Labour and put a domestic abuse specialist in 999 control rooms so that victims who are most at risk can be identified and helped quickly?

Miss Dines: I am very grateful to the hon. Member for raising this. I remind the House that it is this Government who have acted in the most robust way possible. The landmark Domestic Abuse Act 2021 was introduced in April last year, but this is about many things: prevention, education, supporting victims, pursuing perpetrators and doing good old-fashioned police work sensitively. I will take no lessons from the Opposition in relation to this sort of issue.

Gill Furniss: The levels of racist and sexist abuse uncovered in the London Fire Brigade are truly shocking. The independent review tells of women having to run a daily gauntlet of sexist abuse, and one woman even received video calls from a man exposing himself. Such incidents amount to nothing less than misogynistic hate crimes, so will this finally be the wake-up call that this Government need to class misogyny as a hate crime in law?

Miss Dines: I look forward to Sadiq Khan, Mayor of London, tackling this issue—he has been rather slow on it. This Government are fundamentally in support of proper education to protect people, including women

and all other vulnerable people within the force. The Opposition really need to look at their own leaders first, and this Government will continue to work hard.

Caroline Nokes (Romsey and Southampton North) (Con): In one week it will be exactly a year since the Law Commission recommended that public sexual harassment be made a specific crime. Does my hon. Friend agree with Plan International, the Girl Guides, Soroptimist International, Our Streets Now, and many other organisations, and will she either back the Protection from Sex-based Harassment in Public Bill, or bring forward her own legislation?

Miss Dines: I thank my right hon. Friend for her campaigning and work in this area. I am always impressed when organisations such as the Girl Guides say something, because it usually has merit. I ask her to be just slightly more patient, because I am hoping for some news in this space very soon.

Mr Speaker: I call the shadow Minister, Anneliese Dodds.

Anneliese Dodds (Oxford East) (Lab/Co-op): Following White Ribbon day on Friday, we remember all victims and survivors of violence against women and girls. Last year, only 1.5% of reported rape and sexual violence offences resulted in a conviction. The Minister is right: tackling this issue requires multiple actions, but the Government refuse to take those actions and, sadly, in her responses she was instead seeking to pass the buck. May I ask a straight question? Why will the Government not introduce the following three measures: specialist rape courts, rape and domestic abuse specialists in every police force, and the domestic violence register that Labour has called for?

Miss Dines: This Government have undertaken a committed review of that area. They have committed to the end-to-end rape review. For example, no adult rape crime victim should be left without a phone for more than 24 hours. We are on track to deliver many of those new initiatives, and that work goes across Departments. The hon. Lady asked about specialist rape courts, and as a practising barrister for 30 years I expect all courts to deal with rape properly. All these issues are serious and will be addressed.

Conversion Therapy: Legislation

3. **Dame Nia Griffith** (Llanelli) (Lab): What the Government's planned timetable is for bringing forward legislative proposals on conversion therapy. [902539]

4. **Hannah Bardell** (Livingston) (SNP): If the Government will take steps to help protect trans people from conversion therapy. [902540]

The Minister for Women and Equalities (Kemi Badenoch): The Government are committed to protecting people from these practices. We are carefully considering the responses to the public consultation on banning conversion practices, which closed this year, and we will set out our next steps and the Government's response in due course.

Dame Nia Griffith: That is a deeply disappointing answer, because every day that the Minister delays the Bill, LGBT individuals can be subject to abhorrent and deeply damaging conversion therapy. It is now eight months since the consultation closed, and four years since the Government first promised a ban, so I beg the Minister to bring forward a Bill as soon as possible. Will she reassure the House that the Government's proposed legislation will bring in a comprehensive ban on all forms of conversion therapy, and include the protection of trans people?

Kemi Badenoch: This is a very serious issue, and one reason that it is taking so long is that we are being very considered. Many of the things that people asked for when we first started talking about conversion therapy practices are different from what we are looking at now, so the scope has widened. More importantly, I reassure LGBT people that we can tackle these issues with existing law. We are being very careful in our considerations of what will come into the Bill. The answer that the hon. Lady is requesting will follow on from the consultation, and that will come in due course.

Hannah Bardell: A lot of words and no action. In 2018 a promise was made that conversion practices would be banned. Four years and four Prime Ministers later, this disastrous Tory Government are going backwards with some on their Benches actively fanning the flames of hatred and bigotry towards trans people. When will this Tory Government follow the lead of the SNP Government in Scotland, take action to ban conversion practices, and stop putting trans peoples' lives at risk?

Kemi Badenoch: The hon. Lady from the SNP is, of course, talking absolute nonsense. Government Members are legislators and what we are going to do is bring a robust Bill into law, not one that will be helpful for her to send her tweets. This is about looking after vulnerable people and not about social media campaigning.

Peter Gibson (Darlington) (Con): Does my right hon. Friend understand the LGBT community's anxiety when it comes to the ban? It has appeared in multiple Queen's Speeches, yet we are still to see any draft legislation.

Kemi Badenoch: My hon. Friend asks a good question. I do understand the anxiety. One of the things that I am trying to do is take a lot of the heat out of the debate. Questions such as that from the hon. Member for Livingston (Hannah Bardell), which seek to inflame anxiety and make people worried about what we are doing, are not helpful. This is something that I am committed to doing. He is right that we have raised it and promised it multiple times. The reason it is taking so long is that it is not as simple as Opposition Members would like it to be. This is a very complex area and, when we do it, we will do it right and permanently.

James Gray (North Wiltshire) (Con): My constituent Paula Wren is proud to be trans and proud to be a Conservative. She would call straightforwardly for an end to the absurd practice of conversion therapy. It is completely unnecessary for trans people, and the sooner the Government can bring in the Bill, the better it will be.

Kemi Badenoch: I agree.

Mr Speaker: We come to the SNP spokesperson.

Kirsten Oswald (East Renfrewshire) (SNP): Last year, the right hon. Member for South West Norfolk (Elizabeth Truss)—the most recent former Prime Minister—described conversion therapy as an “abhorrent practice” in the ministerial foreword to the Government’s consultation on banning conversion therapy. Some 11% of trans people in the UK report having been subjected to that so-called therapy by their own families, and those individuals who are subjected to the practice are significantly more likely to have attempted suicide than their peers. I am disappointed in what I have heard, which seems like more kicking into the long grass. Does the right hon. Lady understand that conversion therapy is abhorrent? If so, why will her Government not commit to preventing this harm to trans people by banning the practice for everyone?

Kemi Badenoch: It is quite clear that the hon. Lady did not hear any of the answers that I have given, because she has asked something that I have answered multiple times. I refer her to the answers I gave to all those hon. Members.

Health Disparities White Paper

5. **Liz Twist** (Blaydon) (Lab): Whether she has had recent discussions with the Secretary of State for Health on a timetable for the publication of a health disparities White Paper. [902541]

The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield): The Department continues to review how health disparities can be addressed. In relation to the health disparities White Paper, further information will be available in due course.

Liz Twist: There is a 20-year gap in healthy life expectancy between those who live in the most deprived areas of the country and those who live in the least. In Gateshead, my local authority, healthy life expectancy is 57.9 years for men and 58.5 years for women compared with a national average of over 63 years. The Conservative party promised in its 2019 manifesto to increase “healthy life expectancy by five years by 2035.”

Will the Minister come clean and admit that, according to figures from the Office for National Statistics, the Government are not on track to hit that?

Maria Caulfield: This is the first Government to want to tackle health disparities, which have been in place for generations. It is true that a woman born in Blackpool can expect to live eight fewer years than someone in Wokingham, but that is why the levelling up White Paper included a levelling up health mission to narrow the gap in healthy life expectancy between local areas by 2030. I refer the hon. Lady to the Core20PLUS5 work done by NHS England that is tackling the five single health indicators that are most expanding health disparities in the 20% most deprived communities.

Jo Gideon (Stoke-on-Trent Central) (Con): Does the Minister agree that the health disparities White Paper is fundamentally an equalities White Paper and about levelling up, so areas such as Stoke-on-Trent, where we have significant issues with affordable, healthy food and

an obesity emergency, need to know that the White Paper will cover those recommendations put forward in the national food strategy?

Maria Caulfield: Of course, the health disparities White Paper is important, but work has already started on disparities. As I set out, the NHS has already launched the Core20PLUS5, where the 20% most deprived communities are being targeted with interventions in the five most clinically significant areas. Those are maternity, mental health, respiratory disease, cancer and hypertension. Work has already started, and I know that that is of particular interest in areas such as Stoke.

Yasmin Qureshi (Bolton South East) (Lab): A new World Health Organisation study, published in *The Lancet*, found that poorer women in Britain have some of the highest cancer death rates in Europe. Income levels should not be the marker of someone’s chances of getting and dying from cancer. Does the Minister recognise that that is not acceptable, and will she commit to a cross-Government strategy that tackles health inequalities?

Maria Caulfield: I refer the shadow Minister to the work that the Government are already doing. Cancer in particular is one of the five core areas in which we are investing significant resources to diagnose people earlier. She may be interested in the lung cancer detection vans, which go to those communities with the highest incidence rates and poorer outcomes for lung cancer. Some 70% of people with stage 1 or 2 cancer are being detected, significantly improving their life expectancy.

Women in the Workplace

6. **Joanna Cherry** (Edinburgh South West) (SNP): What steps the Government are taking to help support women in the workplace. [902542]

The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield): I confirm the Government’s commitment to the empowerment of women in the workplace. Over the last few years, the number of women in full-time work has increased and the gender pay gap has fallen considerably. There is more work to be done and we have announced groundbreaking pay transparency pilots, a number of new returners programmes and a taskforce for women-led high-growth enterprises.

Joanna Cherry: I thank the Minister for her answer. The outgoing vice-chancellor of Oxford University, Professor Dame Louise Richardson, says that she has been shaken by the level of threat and harassment experienced by female academics. To be clear, it is not sexual harassment; it is harassment of female academics because of their belief, in particular, that sex matters and their refusal to agree with extreme gender identity ideology. That harassment often comes from students and third parties, and is not confined to universities—it exists in other workplaces. Can the Minister tell me what the Government are doing to address such harassment in the workplace?

Maria Caulfield: I thank the hon. and learned Lady for her work in this space, which is vital. I point her to the private Member’s Bill on workplace harassment that the hon. Member for Bath (Wera Hobhouse) is promoting, with Government support, which will introduce

legal protections giving employers an explicit duty to prevent workplace harassment by third parties. I look forward to working with the hon. and learned Lady on that Bill.

Dame Maria Miller (Basingstoke) (Con): Sexual harassment disproportionately affects women in work. Back in 2020, a Government survey showed that half of those who reported sexual harassment at work were asked to sign a non-disclosure agreement, which effectively silences victims. To support more women in work, will my hon. Friend look at rolling out more widely the Education Secretary's successful campaign to stamp out the use of non-disclosure agreements in universities so that more women can benefit from the approach the Government have already undertaken?

Maria Caulfield: I thank my right hon. Friend for her work on this issue. I will of course speak to my colleague in the Department for Education about it, but I want to reassure my right hon. Friend that specific legislation about sexual harassment in the workplace is going through the House at the moment with Government support.

Topical Questions

T1. [902552] **Dame Nia Griffith** (Llanelli) (Lab): If she will make a statement on her departmental responsibilities.

The Minister for Women and Equalities (Kemi Badenoch): The Equality and Human Rights Commission is key to the advancement of equality in this country, which is why we welcome the United Nations' recent reaccreditation of it as an "A status" national human rights institution. To support Baroness Falkner and her board, I will shortly appoint new commissioners and deputy chairs to the commission. The new commissioners will bring complementary expertise and experience to support the Equality and Human Rights Commission in upholding and advancing equality and human rights across the United Kingdom.

Dame Nia Griffith: Early in the covid pandemic, the Welsh Government commissioned a study that showed how health inequalities affected people from black and ethnic minorities far worse, not just for any supposed medical reasons but for many social reasons. What will the Minister do to try to put right the situation where social inequalities lead to health inequalities in the black and ethnic minority population?

Kemi Badenoch: The hon. Lady may not be aware of the extensive, 18-month piece of work that I produced on covid disparities. Some of the things that she mentioned were picked up in that report and the recommendations. One was about the Office for Health Improvement and Disparities and that work is ongoing. That body will look at many of the issues that she raised.

T5. [902557] **Miriam Cates** (Penistone and Stocksbridge) (Con): The Government's research demonstrates a clear link between viewing violent pornography and violence against women and girls. More and more online pornography depicts gratuitous violence against women and 50% of 12-year-olds have seen it. What assessment has my right hon. Friend made of the

current and future impact of online pornography on the safety of women and girls, and does she think that the Online Safety Bill goes far enough to prevent children from seeing it?

Kemi Badenoch: My hon. Friend raises an extremely important point, and I agree with her. Protecting women and girls and preventing children from accessing harmful content, such as online pornography, is a priority for the Government. The Online Safety Bill will introduce new protections for women and girls online. Under the Bill, all services will need to proactively remove and prevent users from being exposed to priority illegal content. That includes the appalling illegal content that affects women and girls, such as revenge and extreme pornography.

Mr Speaker: I call the shadow Minister.

Anneliese Dodds (Oxford East) (Lab/Co-op): Qatar's record on LGBT+ rights, women's rights and the treatment of migrant workers means that it should never have been awarded the World cup. Although FIFA's capitulation over the One Love armband has been shameful, the least that our LGBT+ fans could expect from our Government is advice and support when travelling to matches, yet there is no advice from the Foreign Office or the Government Equalities Office for LGBT+ fans, nor—

Mr Speaker: Order. These are topical questions—I call the Minister.

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (David Rutley): Qatar has repeatedly committed that everybody is welcome at the tournament. As colleagues are aware, the Minister with responsibility for sports and equalities—my right hon. Friend the Member for Pudsey (Stuart Andrew)—is in Qatar, and I fully respect his decision to wear the One Love armband.

T6. [902558] **Dean Russell** (Watford) (Con): When performing my physics research during my studies more than 20 years ago, I was fortunate that my supervisor was an incredible female professor, Sue Bayliss. The impact that she had on me and the work that she did has encouraged me to support science, technology, engineering and maths for girls in all areas. Will my right hon. Friend confirm what steps the Government are taking to promote STEM in education and as a career pathway for girls so that, one day, many more millions can inspire people like me?

The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield): I thank my hon. Friend for all his work in this space. I reassure him that, to increase the uptake of STEM education by women and girls, we are funding programmes such as the advanced mathematics support programme, the advanced maths premium, the stimulating physics network and the inclusion in schools programme. We have seen a 50% increase in the number of women taking higher education STEM courses since 2011.

T2. [902554] **Apsana Begum** (Poplar and Limehouse) (Lab): In this cost of living crisis, will the Government commit to an emergency domestic abuse fund—[*Interruption.*—]—so that all survivors can access help

with fleeing an abuser and no one is left choosing between ongoing abuse and violence, or poverty and hunger?

Kemi Badenoch: I thank the hon. Lady for her question. We have set out the multiple ways in which we are supporting vulnerable people. I am afraid I did not get all of her question, but if she wants to write to me or a Treasury Minister about a more specific issue, we can look into it in more detail.

T7. [902559] **Mrs Flick Drummond** (Meon Valley) (Con): Will the Minister update the House on what the Government are doing to support women starting up small businesses?

Maria Caulfield: I thank my hon. Friend for her work in this area. It is crucial that we get more women starting up their own businesses. We anticipate that that would bring in £250 billion to the UK economy. The taskforce that we asked Anne Boden to lead will make recommendations to Government in the new year. We know that venture capital is a huge problem stopping women starting a new business: for every pound of venture capital given to a new business, only a penny goes to women, whereas 89p goes to men.

T3. [902555] **Mr Virendra Sharma** (Ealing, Southall) (Lab): The Equality Act 2010 does not have the legal teeth needed for enforcement of the law. The responsibility falls entirely on the individuals who have been discriminated against to pursue legal redress. Will the Minister meet the Guide Dogs for the Blind Association to discuss its Open Doors campaign and stop the shame whereby nearly three quarters of guide dog owners have reported an access refusal in the past 12 months?

The Minister for Disabled People, Health and Work (Tom Pursglove): I would be absolutely delighted to meet Guide Dogs to talk about the campaign. It is an important stakeholder in the disability sector, and we will make sure that that meeting happens.

Michael Fabricant (Lichfield) (Con): My right hon. Friend the Minister for Women and Equalities will have seen in the news today that between 400 and 500 migrant workers were killed building the stadia in Qatar. Does that not make FIFA's decision to choose Qatar as a location even more ridiculous? Will she join me in condemning FIFA for the way it has kowtowed to the Government of Qatar in relation to their anti-LGBT bullying?

Kemi Badenoch: My hon. Friend raises an excellent point. Ministers and senior officials have raised the concerns of LGBT visitors with Qatari authorities at all levels and will continue to engage on the issue during the World cup. In fact, the Minister for Equalities, my right hon. Friend the Member for Pudsey (Stuart Andrew), is out there supporting LGBT people and continuing the engagement to ensure that they are protected.

T4. [902556] **Mr Toby Perkins** (Chesterfield) (Lab): The number of black and ethnic minority students is proportionately higher in further education colleges, but the number of black and ethnic minority lecturers

is small and the number of black and ethnic minority college leaders is tiny. What are the Government doing to address that?

Kemi Badenoch: The hon. Gentleman asks an excellent question. This is one of the issues that we looked at in our Inclusive Britain strategy. The Department for Education and the Government Equalities Office are working to ensure that we get the right proportion and representation of people in the education sector. He is right that there is under-representation; we need to look at ways within the Equality Act, such as positive action, to address that and ensure balance.

Mr Speaker: Before we come to Prime Minister's questions, I would like to point out that the British Sign Language interpretation of proceedings is available to watch on [parliamentlive.tv](https://www.parliamentlive.tv).

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [902522] **Tommy Sheppard** (Edinburgh East) (SNP): If he will list his official engagements for Wednesday 30 November.

The Prime Minister (Rishi Sunak): I am sure that colleagues around the House will want to join me in congratulating England on last night, in commending Wales for inspiring millions and in wishing everyone a happy St Andrew's day.

This morning, I had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall have further such meetings later today.

Tommy Sheppard: In 2014, the Prime Minister's predecessor David Cameron signed up to the Smith commission, which promised among other things that "nothing in this report prevents Scotland becoming an independent country...should the people of Scotland so choose."

Does the Prime Minister share that view? If he does, in the light of last week's Supreme Court judgment, will he bring forward legislation to allow that choice to be exercised?

The Prime Minister: We did have that conversation not so many years ago—it was described as a once-in-a-generation referendum—and we discussed this last week. I think what the people of Scotland want is for us to be working constructively together to focus on their priorities. That is indeed what we are doing in the hon. Gentleman's own area: we are investing hundreds of millions of pounds in a growth deal and ensuring that with the new concert hall we can enshrine Edinburgh's reputation as a city of culture.

Q3. [902524] **Sir Paul Beresford** (Mole Valley) (Con): I have just returned from the south Pacific and—*[Interruption.]* I have resisted the All Blacks jokes. I found a deep concern there about the expanding tentacles of communist China. Does my right hon. Friend agree that China is more than just "a systemic challenge", as he has put it, and is in fact an expanding, serious geopolitical threat?

The Prime Minister: China is indeed a country with fundamentally different values from ours and an authoritarian leadership intent on reshaping the international order, but actions speak louder than words. That is why we passed the National Security and Investment Act 2021. Just recently, we used that Act to block the sale of Newport Wafer Fab, and this week, with our announcement of Sizewell C, we ensured that China's state-owned nuclear energy corporation will no longer be a part of the project. This Government are making sure that we protect our country's security.

Mr Speaker: I call the Leader of the Opposition.

Keir Starmer (Holborn and St Pancras) (Lab): I join the Prime Minister in saying, "Well done England", and I hope we will be able to say that next week and the week after. I also send commiserations to Wales, who I am sure will be back in the World Cup tournament before too long. And, of course, we mark the fact that tomorrow is World AIDS Day.

Winchester College has a rowing club, a rifle club and an extensive art collection. It charges more than £45,000 a year in fees. Why did the Prime Minister hand Winchester nearly £6 million of taxpayers' money this year, in what his Levelling Up Secretary has called "egregious state support"?

The Prime Minister: I am pleased that the Leader of the Opposition wants to talk about schools, because we recently announced billions more in funding for our schools. We are helping millions of the most disadvantaged children to catch up with their lost learning, and we are driving up school standards. During covid, the Leader of the Opposition wanted to keep schools closed—but we should not be surprised, because I listen to parents and he listens to his union pickmasters.

Keir Starmer: The Prime Minister's Levelling Up Secretary, the right hon. Member for Surrey Heath (Michael Gove), who, after all, was Education Secretary for four years—and I see him down there—has said:

"We could scarcely find a better way of doing that"—of ending what he described as "burning injustices"—than scrapping these handouts. The Prime Minister talks about driving up standards. Just down the road from Winchester, in Southampton—and he will know this—four in every 10 pupils failed English or maths GCSE this year. Is that £6 million of taxpayers' money better spent on rifle ranges in Winchester, or on driving up standards in Southampton?

The Prime Minister: The Leader of the Opposition talks about school standards. It is under a Conservative Government, and thanks to the reforms of the former Education Secretary, that now almost 90% of schools are good or outstanding.

Whenever the Leader of the Opposition attacks me about where I went to school, he is attacking the aspiration of millions of hard-working people in this country. He is attacking people like my parents. This is the country that believes in opportunity, not resentment. He does not understand that, and that is why he is not fit to lead.

Keir Starmer: If the Prime Minister thinks that the route to better education in this country is tax breaks for private schools in the hope that they might hand some of that money down to state schools, that is

laughable. Trickle-down education is nonsense. But it is not just the Levelling Up Secretary; his Education Minister, sitting there, asks, "How much better would it be if Conservatives got rid of these handouts?"

The Prime Minister talks about his record. It is simple: he can carry on being pushed around by the lobbyists, giving away £1.7 billion to private schools every year, or we can put that money to good use, and end the Tory scandal. He talks about his record, while hundreds of thousands of children are leaving school without the qualifications that they need. I have made my choice. What is his?

The Prime Minister: We are improving school standards for every pupil in this country. It is our reforms that are leading to our marching up the league tables of the programme for international student assessment—PISA—for reading and writing. There are more good and outstanding schools, and there is more investment in every single school. The Leader of the Opposition talks about choice. This is about supporting aspiration, and that is what this Government are proud to do.

Keir Starmer: The Prime Minister really does need to get out more. He talks about aspiration. They are killing off aspiration in this country, and it is not just about education—why is the dream of home ownership far more remote now than it was when his party came to power 12 years ago?

The Prime Minister: What have we done in those 12 years? We have the highest number of new homes started in 15 years and the largest number of first-time buyers in 20 years. The Leader of the Opposition talked about the Conservative party coming to power 12 years ago. What did we inherit? The lowest level of house building in a century.

Keir Starmer: Would you believe it, Mr Speaker? The simple fact is this: every year, the age at which people can buy their first home goes up. At this rate, under this Government, a child born in the UK today would not be able to buy their first home until they were 45. I love my kids, but I do not want to be cooking them dinner in 30 years' time. I have heard that the right hon. Gentleman is having a relaunch. Apparently it is called Operation Get Tough, so how tough is he going to get with his Back Benchers who are blocking the new homes this country so badly needs?

The Prime Minister: We are delivering record numbers of new homes under this Government. That is what we are doing. The right hon. and learned Gentleman talks about toughness. He is too weak to stop dozens of his own MPs joining the picket lines. If he wants to support those hard-working families and show some leadership, why does he not confirm right now that no Labour MPs are going to join those picket lines?

Keir Starmer: Whichever way you slice it, it is always the same: whether it is private schools, oil giants or those who do not pay their taxes here, every week the right hon. Gentleman hands out cash to those who do not need it. Every week he gets pushed around, and every week he gets weaker. But I can help him with this one. He does not need to do another grubby deal. If he wants to defeat that amendment from his anti-growth

Back Benchers on national targets for housing, Labour will lend him the votes to do so. Country before party—that is the Labour way. Why doesn't he try it?

The Prime Minister: We did hear that the right hon. and learned Gentleman is too weak to confirm there will be no one on the picket lines. It is the same old Labour ideas: more debt, more inflation, more strikes and more migration. He tells his party what it wants to hear. I will take the difficult decisions for this country. That is the choice: it is the politics of yesterday with him, or the future of the country with me.

Q4. [902525] Fiona Bruce (Congleton) (Con): As hosts of this week's international Preventing Sexual Violence in Conflict Initiative conference, the UK again highlighted the need for more action to prevent sexual violence in conflict. Given the heartrending accounts of women in Ukraine being brutalised in this way and the reports that a third of women in conflict zones can be victims, will the Prime Minister champion with me, as his special envoy for freedom of religion or belief, the work being undertaken with young people across the world to stop religion or belief being weaponised, which can later manifest into sexual violence in conflict?

The Prime Minister: I am incredibly grateful to my hon. Friend for her dedicated work in this area. She is absolutely right to highlight the fact that, this week, the UK hosted the Preventing Sexual Violence in Conflict Initiative conference. It was an incredible success and I pay tribute to all those involved. As she said, we managed to reach a new political declaration in the conference where over 50 different countries have agreed to put an end to sexual violence in conflict. She deserves praise for all her work in this area.

Mr Speaker: I call the leader of the SNP, Ian Blackford.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I am sure the whole House will want to join me in sending prayers and condolences to the wife of Doddie Weir, who sadly passed away at the weekend. He was an absolute giant of a man, an inspirational figure in Scottish rugby and someone who raised £8 million for motor neurone disease charities over the past six years. Our thoughts are with Kathy, with Hamish, with Angus and with Ben.

Let me wish everyone a happy St Andrew's day. Those who know anything about St Andrew will know that he is not just the patron of Scotland; he is celebrated right across Europe. That is why it is such a sad sight to watch this Prime Minister ram through a Bill that would rip up 4,000 pieces of European law—laws that protect workers' rights, food standards and environmental protections. And it is an even worse sight watching the leader of the Labour party desperately trying to out-Brexit the Prime Minister, ruling out freedom of movement and any hope of a Swiss-style deal. Brexit is now the elephant in the room that neither the Tories nor Labour are willing to confront. When will the Prime Minister finally see reality and admit that Brexit is a significant long-term cause of the UK economic crisis?

The Prime Minister: I join the right hon. Gentleman in offering our condolences to the family and friends of Doddie Weir, to whom I pay tribute for his campaign to raise awareness of motor neurone disease, which has made a big difference.

Straightforwardly, I was proud to support Brexit, which was the right thing for this country. It allows us, first of all, to get control of our borders, which is incredibly important, and to reduce migration. I agree with the right hon. Gentleman about the slight dexterity of the Leader of the Opposition on the topic of free movement, and I know he will join me in reminding the Leader of the Opposition of his promise to defend the free movement of people, which is not something we support. We are also seizing the economic opportunities, deregulating and signing trade deals around the world. That is how we will drive growth and prosperity.

Ian Blackford: I thank the Prime Minister for his remarks on Doddie Weir.

Once again, what we are seeing on Brexit is “better together”—we are used to that in Scotland. The problem for both the Prime Minister and the Labour leader when it comes to Brexit is that even their own voters do not agree with them. The latest YouGov poll showed that a record 56% now believe it was wrong to leave the European Union, and the figure is 71% in Scotland. One in five people who voted for Brexit have now changed their mind. More and more people across these islands are wise to the fact that “make Brexit work” is just another stupid slogan. Scotland cannot be stuck with a new “Brexit together” coalition of the Tories and Labour, so on this St Andrew's day can the Prime Minister finally tell people in Scotland what is the democratic path to escape Westminster control and deliver independence so that we can get back to the European Union?

The Prime Minister: The right hon. Gentleman talks about democracy and votes. The difference between us is that I respect the result of referendums. Let us remember one thing: we had the fastest vaccine roll-out in the world because of our freedoms after leaving the European Union.

Q5. [902526] Mark Pawsey (Rugby) (Con): Manufacturing remains a key part of the UK economy, and for the west midlands that means automotive, which is important to my Rugby constituency as we have firms in the supply chain and workers at Jaguar Land Rover. The move to all new cars sold in the UK being electric by 2030 means it is critical that we have a battery manufacturing site. Assembly is already taking place elsewhere in the world where batteries are made, so will the Prime Minister support the bid for a gigafactory in Coventry?

The Prime Minister: I pay tribute to my hon. Friend for his efforts to progress this project. We are fully committed to securing investment to grow our electric vehicle supply chain. Although he will know I cannot comment on individual commercial negotiations, we announced £350 million of funding for the automotive transformation fund in the net zero strategy to support the development of that supply chain, and I wish him every success in his bid.

Colum Eastwood (Foyle) (SDLP): Yesterday, BBC Northern Ireland announced cuts to programming and jobs at BBC Radio Foyle, which in my view will leave the station totally unsustainable. The BBC charter places an obligation on the BBC to allow audiences to engage fully on local issues. This decision is a very clear breach

of that obligation, leaving licence fee payers outside the Greater Belfast area without proper local programming. Will the Prime Minister act to defend this very important local public broadcasting service?

The Prime Minister: I believe very strongly in local public broadcasting, and indeed the Government have taken steps to support local media. I will be happy to look at the specific issue the hon. Gentleman raises, and to bring it up with the BBC when I next see them.

Q8. [902529] **Angela Richardson** (Guildford) (Con): The people of Guildford tell me they want women and girls to feel safe, and I am delighted to have had some success in getting lights turned back on, including on Yorkie's bridge on behalf of concerned students at the University of Surrey. Does my right hon. Friend agree that, even in difficult times, we cannot take a single step back from the brilliant work that this Conservative Government are doing to tackle violence against women and girls?

The Prime Minister: Like my hon. Friend, the Government are committed to tackling violence against women and girls, and to making our streets safer. We created the safer streets fund, which funds additional patrols, extra lighting and more CCTV. The StreetSafe online tool allows users, including those in her constituency, to pinpoint locations where they feel unsafe so that local police can take appropriate action. I will continue to support her in her efforts.

Q2. [902523] **Abena Oppong-Asare** (Erith and Thamesmead) (Lab): Two 16-year-old boys, Charlie Bartolo and Kearne Solanke, were tragically killed in my constituency this weekend, and my heart goes out to the families and friends left behind. We really need to come together across the House to address and tackle serious youth violence, so may I ask the Prime Minister what he is doing to address the knife crime epidemic?

The Prime Minister: I thank the hon. Lady for her question and join her in expressing condolences to the family and friends of the two boys; I also read about it and it is an awful tragedy. She rightly asks what we are doing to make our streets safer and stamp out the scourge of knife crime. We are boosting the number of police officers; as she will know, with 15,000, on our way to 20,000. We are also giving them the powers they need to get knives off our streets, including by lifting restrictions on stop and search, and introducing new court orders to target known knife offenders. I agree with her that this is something we need to do more on, and she should know that the Government will be fully committed to tackling it.

Q11. [902532] **Gordon Henderson** (Sittingbourne and Sheppey) (Con): When will my right hon. Friend's Government bring forward any emergency legislation that is needed to deport those migrants who came across the channel illegally in small boats and are now being put up in hotels paid for by hard-pressed British taxpayers?

The Prime Minister: We are determined to do whatever it takes to break the business model of the people smugglers, who are causing the needless loss of life of

people in the channel and putting unsustainable pressure on our asylum system. Our Nationality and Borders Act 2022, opposed by the Labour party, gives us new powers, which we fully intend to use. We will take further measures as required to properly control our borders and reduce the number of illegal crossings.

Q6. [902527] **Andy McDonald** (Middlesbrough) (Lab): It was sad to see in a video from his Oxford days the future Prime Minister saying that he hadn't a single friend who was working class. He is not likely to make any soon, because while he sits on a personal fortune he is refusing the reasonable demands of nurses, railway workers and many others who are forced to take industrial action just to make ends meet. Why doesn't he give them the wage increase they need and fund it by making the rich pay the same rate on unearned income as workers have to pay for their hard graft? While he is at it, why not scrap the non-dom tax loophole that he is all too familiar with, which is costing the public £3.2 billion?

The Prime Minister: I have nothing but admiration and gratitude for our nurses for all the work they do, but it is simply unreasonable and unaffordable to have a 19% pay rise. If that is what the hon. Gentleman thinks is reasonable, I am sure the Labour party can explain to us how it would pay for that and the impact it would have on inflation. If he really wants to support working people, maybe he should get off the picket line and end the strikes.

Q12. [902533] **Esther McVey** (Tatton) (Con): The train service between Wilmslow in my constituency and London was always hourly, direct and took one hour and 50 minutes. Now, we would be very lucky if we got a direct train and the journey time is often double that. And that is not restricted to strike days; it is day in, day out on Avanti trains. Will the Prime Minister tell my constituents what the Government are going to do to sort this out and get the west coast service back to what it used to be, because the service at the moment is completely unacceptable?

The Prime Minister: My right hon. Friend is absolutely right about the unacceptable deterioration in the quality of Avanti's service. The Transport Secretary is rightly monitoring it and holding Avanti to account. There is a plan to increase the number of trains—with the 100 additional drivers—and restore the full direct service between Manchester and London. But what this plan needs—and I hope the Labour party supports it—is trade union co-operation.

Q7. [902528] **Munira Wilson** (Twickenham) (LD): I am sure that Conservative Members felt a sense of déjà vu watching the Welsh defence during last night's match—after all, they know what it feels like to have Marcus Rashford run rings around them. Off the pitch, Marcus Rashford has been a tireless campaigner on child hunger, in the face of fierce Conservative opposition. Given that Marcus Rashford delivered on the pitch last night, will the Prime Minister give him the best thanks possible by delivering free school meals for every child living in poverty?

The Prime Minister: We are supporting almost 2 million children with free school meals. We also, last year, invested hundreds of millions of pounds in the new

holiday activities and food programme, which is broadening that support through the holidays for those kids who need it, on top of our work to roll out breakfast clubs across the country.

Q13. [902534] Mrs Flick Drummond (Meon Valley) (Con): The pandemic has played havoc with school attendance and the Children's Commissioner says that almost 115,000 children are now being home-educated, which is 34% higher than before the pandemic, with little if any monitoring of their educational welfare. Even worse, nine in 10 local authorities believe that they have not been able to identify home-educated children. Will my right hon. Friend bring forward the register of home-schooled children so that they are identified and we can ensure that their needs are looked after and they are not falling through the net?

The Prime Minister: We support the right of parents to home-educate their children and we know that many do well. However, that is not the case for all, which is why local authorities must seek to identify those children missing education. We have published guidance on the arrangements that they should be following and, indeed, ensured that they have oversight of elective home education.

Q9. [902530] Catherine West (Hornsey and Wood Green) (Lab): After record payouts to shareholders last year, the Royal Mail recently—this year—announced huge half-year losses and plans to cut 10,000 jobs, while threatening the cherished universal service obligation that guarantees a minimum six-days-a-week letter delivery service, in the tradition of the Penny Black from 1840. Why have the Government not yet committed to investigating the cack-handed mismanagement of this iconic British service and to protecting its future and loyal postal workers?

The Prime Minister: Again, I have nothing but gratitude and appreciation for the hard work of our postal workers, but it is not the right approach to go on strike, and especially to demand pay, as we have heard, that is simply unaffordable for hard-working British taxpayers. The hon. Lady would do well to see that. In the context that we are in, it is simply not possible to give people the type of pay demands that they are making.

Andrew Percy (Brigg and Goole) (Con): Due to the unique geography of Brigg and Goole and the Isle of Axholme, we are one of the most flood-prone areas of the country. Although I welcome the record £5.4 billion of flood defence money, may I ask the Prime Minister, ahead of next year's Budget, to look at easing the rules around how that money is spent, so that more of it can be spent on maintenance, which is so important to keeping my constituents dry?

The Prime Minister: I am very happy to look at that for my hon. Friend. He is right to highlight the doubling of the investment that the Government have put into flood defences, but it is right that we get the mix right. I will take that matter away with me.

Q10. [902531] Colleen Fletcher (Coventry North East) (Lab): The West Midlands Police chief constable has revealed that a vulnerable child was forced to spend two days living in a police station during a mental health

crisis because the right specialist help could not be found for them. I know that more and more young people are unable to access appropriate mental health support. Will the Prime Minister accept Labour's plans to scrap private school charitable status and use the money to fund a mental health professional in every school?

The Prime Minister: We have already committed to offer all state schools a grant to train a senior mental health lead by the end of this Parliament. Already six out of 10 are doing so. There is funding for all of them to have it. In addition, we are increasing the support that we give to those with eating disorders, because the hon. Lady is right: mental health does affect young people. This Government are backing those people to get the support that they need.

Paul Bristow (Peterborough) (Con): The number of people crossing the channel is a national emergency. The number of migrants in hotels is a national emergency. Is it not time that we had a Cobra-style Committee, involving the Department for Work and Pensions, the Department for Levelling Up, Housing and Communities, and the Home Office and led by No.10, to tackle this crisis?

The Prime Minister: I share my hon. Friend's frustration and I want to reassure him that we will do whatever it takes to reduce the number of illegal crossings to this country and take any new powers that we need to. I look forward to working with him to ensure we can do that, because this is fundamentally about our sovereignty and the proper control of our borders. While the Labour party has tried to oppose every measure we have taken, we will keep going, because we need to ensure that we stop the crossings.

Q14. [902535] Kirsten Oswald (East Renfrewshire) (SNP): Last week the UK Government's Regulatory Policy Committee stated that the Retained EU Law (Revocation and Reform) Bill is "not fit for purpose". The Institute of Directors, the TUC and countless others have urged the Government to scrap the Bill. Businesses across Scotland have already suffered severe economic damage under this Tory Brexit agenda, and they now see the outlook clouded with even more complexity and uncertainty. If the Prime Minister is serious about protecting the economy and looking after small and medium-sized enterprises, why not do the right thing and scrap this disastrous, ideological Bill now?

The Prime Minister: Taking advantage of our freedoms is going to drive growth, jobs and prosperity in the UK, whether in life sciences, in reducing the burdens on data for those SMEs or in the financial services industry in Scotland. That is how we are going to create prosperity across this nation and that is why we are going to get on and deregulate post Brexit.

Paul Holmes (Eastleigh) (Con): My right hon. Friend and the Chancellor have rightly pointed out that levelling up is for the whole of the United Kingdom. As a Southampton man, my right hon. Friend the Prime Minister will know that, since the 1970s, Eastleigh has been promised a much-needed Chickenhall Lane bypass. Will he agree to meet me and Hampshire County Council to finally get the project moving?

The Prime Minister: It is right that we spread opportunity across the country, including in Eastleigh and the south. I understand that it is for Hampshire County Council to bring forward the proposal for the bypass, which I hope it will do at the next funding opportunity, and I will ensure that my hon. Friend and the council have a meeting with a Transport Minister as soon as possible.

Q15. [902536] **Alan Brown** (Kilmarnock and Loudoun) (SNP): Tory ideology has blocked onshore wind development in Scotland for years. The Peterhead carbon capture cluster has lost out on funding twice and is still only classed as a reserve. Pump storage hydro schemes

have been blocked because the UK Government will not discuss a pricing mechanism. If the Prime Minister actually cares about net zero and Scottish jobs, will he at least take action to advance Peterhead carbon capture and storage and pump storage hydro in Scotland?

The Prime Minister: Not only are we supporting in this country carbon capture and storage, hydrogen and offshore wind—all new technologies that will help us to get to net zero and will create jobs in Scotland—but we are supporting our transition. That is good for the Scottish economy and good for Scottish jobs, and something the SNP would do well to support.

Independent Adviser on Ministerial Interests

12.33 pm

Angela Rayner (Ashton-under-Lyne) (Lab) (*Urgent Question*): To ask the Chancellor of the Duchy of Lancaster if he will provide an update on the appointment of an independent adviser on ministerial interests and enforcement of the ministerial code.

The Parliamentary Secretary, Cabinet Office (Alex Burghart): The Government welcome the opportunity to stress again the importance of the role of the independent adviser and this Government's commitment to it. The Prime Minister has been very clear that the appointment of a new independent adviser is a priority and that the appointment process is under way. Hon. Members will understand that an appointment of this nature is significant and has to be done well. Much as hon. Members might wish me to, it would not be appropriate for me to comment further on specifics of what is an ongoing appointments process. Let me assure hon. Members: the adjudication of issues of ministerial conduct does not stop because the independent adviser is not yet in post. Conduct matters and conduct issues will be dealt with quickly and appropriately, irrespective of that appointment process.

That is what hon. Members will have seen with regard to complaints made against the Deputy Prime Minister. On receipt of formal complaints by the Cabinet Office, the Prime Minister requested that an independent investigation be conducted by an individual from outside Government, and Adam Tolley KC has been appointed to conduct the investigation. The terms of reference have now been published. The process is under way, and Mr Tolley will provide his report to the PM in due course. It is right that these matters are investigated fully, but it would not be right to comment further on them when that process is ongoing.

I would also like to reassure hon. Members that the process of managing the interests of Ministers continues in the absence of an independent adviser. The permanent secretary, as the policy expert on each Department's remit, leads the process in their Department in the absence of an independent adviser. The Cabinet Office is able to provide advice in line with precedent. All relevant interests are declared by Ministers upon taking office and are kept up to date at all times. The publication of the list of Ministers' interests is the end point of the ministerial interests process, and it takes place at regular intervals to make the public aware of the relevant interests of Ministers.

I will end by reiterating that as soon as there is an update on the process to appoint an independent adviser on Ministers' interests, the Government will update the House.

Angela Rayner: Thank you, Mr Speaker, for granting this urgent question.

How many times have I heard, "Soon; jam tomorrow; mañana, mañana"? We need the Prime Minister, who promised to appoint an independent ethics adviser as one of his first acts, to actually deal with this issue. Yet despite Ministers being accused of bullying and intimidation, or being reappointed despite security breaches, there is still no adviser. It is clear that ethics and integrity are not a priority for the Government, despite the Prime Minister's words.

We are told that recruitment is under way, but apparently no one will accept this poisoned chalice. So can the Minister tell us how many candidates have been approached and how many have refused the job? Will the Prime Minister follow his disgraced predecessors by denying the so-called independent adviser the power to launch their own investigations? Or does he have no plan to restore standards? Will he just preserve the rotten regime that he inherited?

What on earth is the system in the meantime? Who will investigate the allegations of Islamophobia made by one serving Minister against another? The Minister mentioned the Deputy Prime Minister, who had to demand an investigation into himself because the Prime Minister was too weak to do so. How many formal complaints have now been made? The Minister mentions Adam Tolley. Why is he not allowed to proactively investigate the so-called informal complaints? Will he investigate allegations made by the former permanent secretary? And who will finally get to the bottom of the dangerous use of private emails by Ministers?

No. 10 said in reference to the Home Secretary that it could not investigate breaches under previous Administrations. But that is what is happening now with the Deputy Prime Minister, so why not? Why now is there an excuse for refusing to investigate the Home Secretary's breach? Will the Prime Minister appoint a truly independent watchdog?

Alex Burghart: It is wonderful to hear the right hon. Lady's interest in this matter today. As it happens, we had a debate on this very issue in Westminster Hall yesterday. The House will be shocked to hear—

Mr Speaker: Order. I am here, Minister, not over there—and I hate to say it, but there is nobody even standing on that side.

Alex Burghart: Thank you for the reminder, Mr Speaker.

The House will be shocked to hear that the right hon. Lady was not present at that Westminster Hall debate—*[Interruption.]* Because it was about the ministerial code, which is the subject of the urgent question. The right hon. Lady and her hon. Friends did not bother to show up, and they missed the opportunity to hear the hon. Member for Rhondda (Chris Bryant) speak very pertinently on this subject. Not only was the right hon. Lady not there, but her Front-Bench colleagues did not turn up to ask questions, either.

The right hon. Lady refers to rumours in the press, but let us look at the facts. The Prime Minister has been in office for 31 days.¹ On his first day, he said he would make an appointment. He has made repeated assurances in this place and other places, as have members of the Cabinet, and that has continued in yesterday's debate, at Prime Minister's questions and for this urgent question.

The right hon. Lady talks about the powers of the independent adviser, but I remind her that in May this year, Lord Geidt said that we had come up with "a workable scheme". I have to say that it is starting to sound very much like the Opposition cannot take yes for an answer. We are going to have an independent adviser who will have the powers they need. They are going to be appointed very soon.

Mr Speaker: I call the Scottish National party spokesperson.

1.*[Official Report, 12 December 2022, Vol. 724, c. 5MC.]*

Stewart Hosie (Dundee East) (SNP): When the Government published their policy paper on revisions to the ministerial code on 27 May, it said that there would be “an enhanced process” for the initiation of investigations under the ministerial code, that the independent adviser could initiate his or her own investigations, that there would be a more specific reference to the adviser in the ministerial code, and that there would be a duty on Ministers to provide all the information necessary to allow the adviser to discharge his or her duties. However, it turns out that the Prime Minister is not offering potential candidates any enhanced powers, meaning that advisers will not be able to launch their own investigations, and that confirms the blocking of the expansion of powers by his predecessor. So it is a simple question: why are the Government reneging on their own policy statement of May this year, making it more difficult to appoint an independent adviser?

Alex Burghart: I refer the right hon. Gentleman to the answer I gave a few moments ago. He seems terribly well informed, but he seems to have stopped short of reading Lord Geidt’s response to the changes in the terms of reference, where he said that “this would be a workable scheme”.

Mr Kevan Jones (North Durham) (Lab): I hear what the Minister says, but can he give any timescale of when the appointment will be made? In the meantime, can I ask specifically what advice is being given to Ministers and, more importantly, their special advisers on the use of private email and WhatsApp groups?

Alex Burghart: As I have said, there is a process ongoing to appoint an independent adviser as fast as possible. The Prime Minister has been in post for 31 days, and there is standing advice on the use of WhatsApp and private messaging.¹

Dawn Butler (Brent Central) (Lab): Can the Minister confirm whether the fee paid to Adam Tolley KC to investigate the claims he mentioned earlier is greater than the projected annual cost of an ethics adviser?

Alex Burghart: I do not know the answer to that question. I am happy to write to the hon. Lady to answer.

Christine Jardine (Edinburgh West) (LD): Notwithstanding the Minister’s earlier comments, we have been waiting for five months now for an ethics adviser. Every time the Government fail to appoint one, it further undermines and corrodes this place’s reputation in the public mind. I have tabled a Bill that would give Parliament the power to appoint an ethics adviser if the Government fail to do so. Given the Government’s inability to appoint an ethics adviser, will the Minister now please support that Bill and allow us to get on with re-establishing the good reputation of this place?

Alex Burghart: The hon. Lady will have heard me point out that the Prime Minister, who has said he will appoint an independent adviser, has only been in post for 31 days and that a process is going on at speed. In answer to her other question, it is very much the view of this Government that it is the Prime Minister who appoints the independent adviser to give advice to the Prime Minister, who answers ultimately to Parliament.²

1. [Official Report, 12 December 2022, Vol. 724, c. 6MC.]

2. [Official Report, 12 December 2022, Vol. 724, c. 6MC.]

Andrew Jones (Harrogate and Knaresborough) (Con): Since I became an MP in 2010, we have seen seven current or former Labour MPs, two Conservatives, one Liberal Democrat and one Scottish Nationalist given custodial sentences. We have countless other cases that come before the House, and the hon. Member for Rhondda (Chris Bryant) has spoken eloquently about this previously. We have a by-election tomorrow caused by a Labour MP standing down in disgrace, so there is a big issue to solve with standards in our public life, and it goes right across this House. I am therefore pleased that my hon. Friend the Minister has been able to update the House on the recruitment process that is under way. Does he agree that backing a stronger code of conduct for Members of Parliament is proof that the Government are taking the code of conduct in this place seriously?

Alex Burghart: It is very good to hear from my hon. Friend. He is absolutely right. This Government take the code of conduct for Members extremely seriously.

Afzal Khan (Manchester, Gorton) (Lab): In the absence of an ethics adviser, can the Minister inform the House of the status of the inquiry into Islamophobia that was ordered in January this year?

Alex Burghart: I know that the next independent adviser will want to take that case extremely seriously.

Ronnie Cowan (Inverclyde) (SNP): It is important to point out that the Prime Minister appoints his own ethics adviser. He then determines which investigations can be undertaken, and then he determines what actions are taken depending on the outcome. Is that maybe why the last two ethics advisers have resigned?

Alex Burghart: The hon. Gentleman will have heard me say several times, in reference to whether an independent adviser can initiate proceedings, that Lord Geidt was happy with the proposals made in May; he said that it would be a workable scheme.

Karin Smyth (Bristol South) (Lab): This is a really serious issue that undermines confidence in the ethics of this place and the Government. Lord Geidt gave evidence to the Public Administration and Constitutional Affairs Committee, and resigned two days later, following our questioning. That needs to be taken seriously. We are still very concerned about this issue, the appointment process—Lord Geidt was alighted upon—and the remit. If the Minister does not want to discuss the process in public, will he commit to meeting the Public Administration and Constitutional Affairs Committee in private, if there is no movement on this issue in the next couple of weeks?

Alex Burghart: I am confident that an independent adviser will be appointed very soon, so I am not sure that there will be a need for such a meeting.

Clive Efford (Eltham) (Lab): Is it not in the best interests of ethics for the ethics adviser to be completely independent of the Prime Minister?

Alex Burghart: They are an independent adviser appointed by the Prime Minister because, ultimately, in our system, the Prime Minister has ultimate responsibility.

Rachel Hopkins (Luton South) (Lab): The ethics adviser is required to publish an annual report that sets out their work so the public can see it, alongside a list of ministerial interests twice per year, which sets out the relevant private interests of all Ministers. Can the Minister inform us whether we can expect a report this year and, if so, who is drafting it?

Alex Burghart: An independent adviser will be appointed in the very near future. It will be at the very top of their list, I am sure, to get the ministerial interests published.

Wendy Chamberlain (North East Fife) (LD): I was at the debate secured by the hon. Member for Rhondda (Chris Bryant) yesterday, where he rightly pointed out the difference between the Members' code of conduct and register and what Ministers have. To reiterate what the hon. Member for Luton South (Rachel Hopkins) said, the last printing of the ministerial register was at the end of May; today is 30 November. To be kind to the Government, that is six months today, so surely it is not unreasonable to expect that standards list to come as soon as possible.

Alex Burghart: I have to give credit to the hon. Lady, because she was at the debate yesterday, unlike many of the Labour Members present. She will have heard me say then, as I have just said again, that we will have an independent adviser very soon and they will be expected to prioritise the publication of the ministerial interests.

Jim Shannon (Strangford) (DUP): I thank the Minister for his responses. There are concerns that there is currently no ethics adviser to the PM. The post has been vacant for six months, so there is urgency. Can the Minister confirm that the independent adviser will be appointed and the timescale for that to happen, so that Ministers can refer to that adviser for the guidance, assistance and advice that they need?

Alex Burghart: It is always a pleasure to answer questions from the hon. Gentleman. He will have heard me say that we are in the process of appointing an independent adviser at speed, and they will be able to deal with all relevant issues once they are appointed.

Energy Bills Support Scheme: Northern Ireland

12.48 pm

Carla Lockhart (Upper Bann) (DUP): (*Urgent Question*): To ask the Secretary of State for Business, Energy and Industrial Strategy if he will make a statement on the energy bill support scheme payment for Northern Ireland.

The Minister for Climate (Graham Stuart): I thank the hon. Lady for her question. The Northern Ireland energy bills support scheme will provide £400 to households in Northern Ireland this winter. In addition, it has been decided that the alternative fuel payment of £200 will, unlike in Great Britain, be paid to every household in Northern Ireland because of the high preponderance of the use of heating oil in particular. On top of that, support is already being provided to households in Northern Ireland through the energy price guarantee, which brings an automatic reduction in bills.

Energy is devolved, so this scheme should have been administered by the Executive in Northern Ireland. In Great Britain, my Department has been working since February to deal with this very complex and challenging task. We do not live in a society with a centralised database, so standing up the support has proved extremely challenging. It was not until August that the Executive asked the Government and therefore my Department to take on responsibility for it, which is one reason why we have been behind.

There is also a different system and a different regulator. As energy is a devolved matter, the Department was not used to working with the system on a day-to-day basis. Since then, we have identified that we needed powers that we lacked in the Northern Ireland context and we were able to seek those powers through emergency legislation—the Energy Prices Act 2022. We then sought to find the right route to get through to consumers in Northern Ireland.

We found that working through suppliers, because of their established relationships, is the best way—if not the only way—realistically and in a reasonable timeframe to reach consumers in Northern Ireland. By using those systems, we hope to expedite delivery, but there is a different set of suppliers from Great Britain and they have their own processes that need to be adapted to deliver the support. Detailed work is under way to establish how suppliers can use their systems to pass funds to consumers in a way that will meet consumer needs and ensure that public money is properly protected. That is where the biggest issue has come about.

I would like to see the AFP and the EBSS added together so that a £600 payment can go to households in Northern Ireland, and I would like it to be available for them to use this winter to meet their heating oil bills and the cost of living crisis. I do not want them to have stranded electricity credit that they may not use up until the following winter. That has been the crux of the challenge when dealing with suppliers and that is what we are working on to make sure—

Mr Speaker: Order. I call Carla Lockhart.

Carla Lockhart: I sincerely thank you, Mr Speaker, for granting this urgent question, which I have asked on behalf of the people of Northern Ireland, for whom the cost of living crisis is biting as much as in other parts of our United Kingdom. Across GB, households have received their energy bills support payment, but my constituents, and people across Northern Ireland, have not. That £400 has been dangled in front of them but remains beyond their grasp. The promise of an additional £200 in recognition of our dependence on heating oil also remains unpaid.

The previous Prime Minister, the right hon. Member for South West Norfolk (Elizabeth Truss), assured the people of Northern Ireland that the payment would be issued in November. Today, November draws to a close, but there has been no payment. Hard-pressed families budgeting for the additional pressures of Christmas factored the Government's promise into their budgeting. What has the Minister to say to them?

As temperatures have plummeted over recent days, people in Northern Ireland are waking up to frost on their cars outside, but inside their homes, some people can even see their breath because they are unable to turn their heating on. They need this payment, yet what we get from the Government is delay, doubt and differing stories as to the type of scheme as each day passes. It is not good enough. We need a firm commitment from the Government that the payment will be issued before Christmas. We know it can be done. We saw through covid that where there is a will, the Government can overcome technicalities quickly to deliver support.

The UK Government have been centrally delivering the scheme for England, Scotland and Wales. They say that the budget is there to issue it for Northern Ireland, and the energy companies say that they are ready to administer it, so can the Minister clarify the exact form that the payment will take and when it will come? Furthermore, will changing the model by which the scheme is delivered, as indicated yesterday, create a further delay? I implore the Minister: let there be no more delay. He should make the payment and honour the commitments given to the people of Northern Ireland.

Graham Stuart: As I said, energy is devolved. I understand why the hon. Lady's party is not part of the Executive, but that has consequences. It meant that we did not start until August. We should not be doing this; the Executive in Northern Ireland should be doing it—that is the truth.

I met chief executive officers of the energy suppliers last week. Whatever the hon. Lady may have heard, they are not ready. Their systems do not allow for the dispensing and cashing out. I hope that she agrees about not wanting to see people unable to access stranded credit in their electricity account. I have insisted that we find a way to make sure that people can cash that out and use it to meet their heating oil bills this winter.

We had a roundtable on Monday with my officials and those suppliers, and another yesterday. I am receiving daily updates and I am determined to find a way to ensure that we can allow cashing out this winter. In answer to the hon. Lady's question, however, given the late handing over from the Executive to us and the situation with suppliers, I do not see that we will be able to stand that up before Christmas. We are aiming to

stand it up in January, if we possibly can. That is my aspiration and my aim, and that is what I am seeking to achieve.

Mr Speaker: I call the shadow Minister.

Kerry McCarthy (Bristol East) (Lab): I congratulate the hon. Member for Upper Bann (Carla Lockhart) on being granted this urgent question. I will put on record some statistics from the Northern Ireland Consumer Council to give some context to what we are talking about. Some 44% of households in Northern Ireland have no savings compared with the UK average of 16%. Households in Northern Ireland are the most vulnerable in our country to the cost of living crisis, with a weekly discretionary spend of £93 compared with the UK average of £204.

Even with the Government's measures, the University of York estimates that more than 10 million families will be in fuel poverty. Under the new Government's plans, bills will rise by £900 to £3,000 on average from April. That would mean that 18 million households were in fuel poverty across the UK, with Northern Ireland hit among the hardest. To make matters worse, two thirds of households in Northern Ireland use heating oil, so are not supported by the energy price guarantee.

Providing support for households in Northern Ireland should have been a priority as they will be hit harder by the rise in energy bills. Instead, the Government seem to have forgotten them. The energy market is complicated but the Government have been aware of these issues for six months. In May, the then Chief Secretary to the Treasury, the right hon. Member for Middlesbrough South and East Cleveland (Mr Clarke), wrote in the *Belfast News Letter* to promise that the Government were

"urgently working to ensure that the people of NI receive the equivalent of this"—

energy bill support—

"as soon as possible."

There has been little sign, however, that the Government have been working on the issue at all since then.

A taskforce was set up in August, but has met only twice. The former Prime Minister, during her very short tenure, told the people in Northern Ireland that payment would be delivered in November—today is 30 November. It is not good enough to let the issue drift. The Northern Ireland utility regulator said in August that he believed there was a simple mechanism to get the money out and he had been left frustrated that the Government had not taken it forward. Can the Minister explain why the option put forward by the Northern Ireland utility regulator has not been taken forward? How much longer will people in Northern Ireland have to wait for this support?

Graham Stuart: We are acutely aware of the situation facing households in Northern Ireland. Of course, what they most need is good government in Northern Ireland for and by the people of Northern Ireland. It is the failure to have that Executive in this devolved area of responsibility that is at the heart of the issue. Any statements in May were about getting the Executive to do their job and deliver for the people of Northern Ireland. Looking forward, the people of Northern Ireland need a period of good government and future

prosperity. The regulator does not have the means and certainly has not offered to facilitate the payment to consumers.

I assure the House that whatever people may have heard from suppliers, when I met CEOs last week, they told me that they needed more time and that they did not have the systems to do cashing out. I told them that that was not acceptable, which is why I am holding them to account on a daily basis and making sure that we push so that we can get this support out as early in the new year as possible. Northern Ireland families deserve better than what they have now.

Sammy Wilson (East Antrim) (DUP): I know the Minister will try to pass the blame on to the non-operation of the Executive, but he has known for some time that while electricity transmission may be a devolved issue, this is a national policy issue that can be dealt with nationally.

Let us look at the excuses the Minister has made today. He said we do not have the data. The data was available and has been available, and he knows it has been available, from the four electricity companies for some time. He said he does not have the powers. He has had the powers for some time: the legislation has gone through this House. He said there are different suppliers in Northern Ireland. There are only four suppliers in Northern Ireland, as opposed to a multiplicity of suppliers in the rest of the UK. With a complicated system in Great Britain, the powers that are available, the assurances from the regulator and the assurances from the electricity companies, how come he still cannot get the money out?

Graham Stuart: I am surprised the right hon. Gentleman is not aware that there are more than four energy suppliers in Northern Ireland, so the situation is not exactly as he gives it. I have fully explained exactly what we are doing. As I say, I am updated on a daily basis to make sure that we have a system that will allow families to get hold of the money. It is hardly passing blame to suggest that a devolved area of responsibility should be fulfilled in the area to which such devolution has occurred.

Karin Smyth (Bristol South) (Lab): This really is an unsightly spectacle. The UK Government are blaming the people of Northern Ireland for the political choices they have made and the collapse of devolution, rather than taking responsibility for this. The Minister is really struggling with this brief and with getting this money out to families, and understanding the difference with Northern Ireland and having to deal with the consequences is going to happen across all sectors of the UK Government. What are they doing to support Ministers across all briefs to understand the different situation in Northern Ireland, so that they can support the people of Northern Ireland across all Departments?

Graham Stuart: In so far as I understood the hon. Lady's question, this is complicated and we are working flat out—my officials are working flat out, and I would like to thank them for their support—to overcome this and make sure that families get the support they deserve this winter.

Claire Hanna (Belfast South) (SDLP): Despite this scheme having been announced in May, we will hit December tomorrow without households being supported.

As far back as the spring, my party was proposing a taskforce to address a cost of living crisis that was clear to anybody actually focused on the needs of households in Northern Ireland. We have put forward solutions including a home heating oil subsidy and one based on the voucher scheme rolled out last year. We have always known that people cannot eat a flag, and it is very clear that they cannot heat their home with one either. Is not the hard truth that this is a casualty of ransom politics, and that hard-pressed families—whether Unionist, nationalist, or neither—are paying the price of the decisions of one party, the DUP? Will the UK Government please now step in and ensure that there is not a collective punishment for people the vast majority of whom want to see good government, to move forward and to be able to look after their family this Christmas?

Graham Stuart: I thank the hon. Lady for her question, and we are doing everything we can to support consumers and households in Northern Ireland—for instance, with the energy price guarantee. In fact, rather than the £2,500 average annualised bill this winter in GB, it comes in at about £2,200 in Northern Ireland, and we have sought every step of the way to make sure that we recognise the unique circumstances in Northern Ireland.¹ As I say, it is my aspiration to see, if at all possible, that the alternative fuel payment and the EBSS payment can be made, so £600 should reach families in Northern Ireland before the close of winter—in fact, they should receive it in total ahead of those in GB.

Gavin Robinson (Belfast East) (DUP): Does the Minister accept that, while he is now asking the companies to provide a cash-out facility, they offered Government a process that would allow cash-out in June and July of this year? The Government emphatically said, “No. That is not occurring in GB, and it is not to occur in Northern Ireland”. All the companies were ready to distribute and disburse this money in November, alongside the Government's plan for doing so, and it is only in the last week that he has asked for a new scheme to allow cash-out, which is moving the goalposts. When he talks about an aspiration for January, will he confirm that 17 January is the date he has in mind?

Graham Stuart: I cannot confirm a specific date in January, and I do not recognise what the hon. Gentleman says was offered by suppliers in June and July, but I will write to him and follow up on that to put it on record, at least for him and me.

Jim Shannon (Strangford) (DUP): I thank the Minister for his responses. The Government have been discussing energy support for Northern Ireland for some months now. Northern Ireland residents have been aware of the £600 energy payment, which my hon. Friend the Member for Upper Bann (Carla Lockhart) referred to, yet no payment has been made. Concerns have been raised by those who have prepayment meters, and the three companies I have spoken to—SSE, Budget Energy and Northern Ireland Electricity—have stated that they have experienced difficulties or have been reluctant to sign up to the scheme. Can the Minister advise us of how these problems are being addressed, and—with respect, Minister—can we have a timescale so we can tell our constituents when the money will be delivered?

1. [Official Report, 5 December 2022, Vol. 724, c. 2MC.]

Graham Stuart: Nothing would give me greater pleasure than giving the hon. Gentleman, for whom I have particular affection and respect, an absolutely tight schedule. What I do not want to do is give a date that I cannot have certainty of delivering. This is working through the suppliers, and we are looking to see a scheme.

The hon. Gentleman raises the issue of prepayment meters. It is administratively burdensome if we credit funds on to such a meter and then wish to remove those funds from it. I am told by the suppliers that that could lead, for instance, to the falling over of their call centres, which are not set up for that. We are looking to find workarounds for that to ensure that households in Northern Ireland get the funding, and it is my ambition to see them receive the full quantum—as I say, that will include the £200 for every single household in Northern Ireland, as opposed to GB—ahead of the completion of the EBSS payments in Great Britain.

Prison Capacity

Mr Speaker: Before we come to the statement, I want to make the point that it is not acceptable for either the Opposition or me to get a copy of a statement at 12.59 pm. I have to say that this is not the first time, and it seems to be a continual problem for the Government in that somehow they do not like to be held accountable. Not providing a statement in advance means that the Opposition cannot take the measures that are needed to hold the Government accountable. It is not acceptable, and I say to the Whips and those on the Front Bench that you should get your act together, because you cannot carry on taking the House for granted in this manner. It will not happen, and it is time Ministers were more accountable.

1.7 pm

The Minister of State, Ministry of Justice (Damian Hinds): Thank you, Mr Speaker. May I open with a sincere apology for what you have just referred to? With the way timings have worked out today, we got this wrong, and I apologise for it. I assure you and the Opposition that it was not deliberate. I appreciate that that does not help with the practicalities of this, but I want to assure you and the Opposition that this was not a deliberate move on our part.

The first responsibility of Government is to keep people safe. That means taking dangerous criminals off the streets, and to do that we must always ensure that we have sufficient prison places available to serve the courts. This Government have been decisive in our tough approach to crime. We are well on our way to the recruitment of 20,000 additional police officers. We have legislated to introduce tougher sentences for the most serious crimes, with rape prosecutions having increased by 3% between the year ending June 2021 and now, and by 49% since 2019, and we are committed to driving down the backlog of outstanding court cases following the pandemic.

We have long anticipated the prison population rising as a result of those measures, and that is why we are delivering the largest prison building programme since the Victorian era, with 20,000 additional places. We have already created over 3,100 of them, including the recent change of use of His Majesty's Prison Morton Hall and our brand-new prison, HMP Five Wells. A further 1,700 places are due to come online with occupation in tranches from next spring with the opening of HMP Fosse Way. This is in addition to the thousands of further places that will become available through additional house blocks—for example at HMP Stocken, which is due to finish construction next year—and major refurbishment programmes across the existing estate. Just a few weeks ago, I attended a ground breaking ceremony at the site beside HMP Full Sutton in Yorkshire, where we have started construction for the next new prison, which will hold 1,500 category C prisoners when it opens in 2025.

However, in recent months we have experienced an acute and sudden increase in the prison population, in part due to the aftermath of the Criminal Bar Association strike action over the summer, which led to a significantly higher numbers of offenders on remand. With court hearings resuming, a surge in offenders is coming through the criminal justice system, placing capacity pressure on adult male prisons in particular.

The public rightly expect us to take the action necessary to hold offenders who have been sentenced by the courts. That is why I am announcing today that we have written to the National Police Chiefs' Council to request the temporary use of up to 400 police cells, through an established protocol known as Operation Safeguard. That will provide the immediate additional capacity we need in the coming weeks to ensure the smooth running of the prison estate, and to continue taking dangerous criminals off the streets. I thank the National Police Chiefs' Council for its support in mobilising this operation. We already routinely work hand in glove with police forces across the country to occasionally use police cells to hold offenders overnight. The triggering of Operation Safeguard is not an unprecedented move. It is an established procedure that has been used before to ensure that our prison system can operate effectively and safely during periods of high demand. It last happened in 2006, and then in 2007 to 2008.

With the expected increase in offenders coming into the estate over the coming weeks, it is right that we give police forces as much notice as possible of the short-term need to use their cells, so that together we can safely and adequately ensure availability of the spaces needed. The activation of Operation Safeguard will ensure that His Majesty's Prison and Probation Service and police forces can jointly plan how and where those places will be accessed. We are working with prison governors across the estate to ensure that we safely maximise the places available within our prisons. This plan, alongside our existing plan to provide 20,000 modern places, will ensure that we have enough places to cut crime and keep the public safe.

The capacity pressure is specific to the adult male estate, and there is ample capacity in the women's and youth estates. We have delivered on our commitments to reduce the number of young people and women in our prisons, helping us to tackle the drivers of crime by focusing on rehabilitation. The Government are working to drive down reoffending, and we are investing £200 million a year by 2024-25 to get prison leavers into skills training, work and stable accommodation. We are investing to make prisons safer and more secure, rolling out almost 7,900 next-generation body-worn video cameras to 56 prisons. In March we completed our £100 million security investment programme to fight crime in prisons, including tackling the smuggling of illicit items such as drugs and mobile phones.

In conclusion, I thank the police for their support and pay tribute to the frontline prison staff and police officers who work tirelessly every day to keep the public safe. Taken together with our programme to expand the prison estate, I have every confidence that the commencement of these measures will ensure that we continue to deliver justice, protect the public and reduce reoffending, as the public would rightly expect, and I commend this statement to the House.

1.12 pm

Ellie Reeves (Lewisham West and Penge) (Lab): It was disappointing to have only five minutes' advance notice of the statement today.

This is yet another crisis created by this shambolic Tory Government, and it is hard to think of a more damning indictment of their failure on law and order

than the fact that they have now run out of cells in which to lock up criminals. That is hardly surprising when, under the Tories, 10,000 prison places have been lost. Not only that, but 663 police stations have closed. Who knows how long it will be until this contingency plan needs a contingency plan all of its own?

While we find ourselves with not enough cells, in response to a recent parliamentary question we discovered that over the past five years the Tories have spent more than £1 million on maintaining closed prisons—more evidence that we can no longer afford the cost of the Conservatives. Our prisons are already failing in so many areas—almost every inspectorate report tells us that. Just last week Exeter prison was given an urgent notification, with crumbling estates, dangerous staff shortages, prisoner on prisoner violence, and rehabilitation all but non-existent. Ultimately, the public pay the price and they are being kept less safe.

But that is just part of the story of this Government letting the public down, with burglars and rapists being left to roam our streets, criminals let off, and victims let down. Our communities are now less safe and secure, and people across the country are scared. Women are tired of walking down the street at night with keys between their hands. Pensioners are tired of their homes being broken into. Hard-working people are tired of being hit with fraud.

It did not have to come to this. This prisons crisis is a crisis made in Downing Street, and the result of 12 years of Tory failure. This has not happened because more criminals are being caught, because the opposite is true. Prosecution rates for crimes as serious as rape, burglary and robbery are at historic lows. The justice system stands on the brink of collapse, with 20,000 fewer police, 10,000 prison cells shut and 250 courts closed. Victims are told that there are no police when they dial 999, and then they wait years to get justice, if it comes at all.

This is a Tory Government who are soft on crime,. The Justice Secretary is too focused on fighting for his job, rather than fighting criminals. Once again, the Tories are too busy saving themselves rather than doing what is right for the country. Party first, country second; criminals first, victims second. Our country needs a Government who are serious about protecting victims of crime. A Labour Government will get more police on the streets and allow victims to get their say. A Labour Government will rebuild a justice system that does not see criminals run loose. It is time that the Conservatives moved aside and let the party of law and order take control—the Labour party.

Damian Hinds: The Government make no apologies for all we are doing to keep dangerous criminals off the street, and I make no apologies for the programme to recruit 20,000 more police officers, or for tougher sentences for the most serious crimes. It is good to report that reoffending rates are down, although of course there is further to go. It is good that prosecutions are up by 7% over the last year, and convictions up by 10%, but still, as ever, there is further to go. Our No.1 priority, as the public rightly expect, is to keep our country safe.

At no point in the past five years have fewer than 1,000 cells been available across the entire prison estate, so we have not run out of prison places. This statement does not reflect a failure to plan ahead. We have absolutely

[*Damian Hinds*]

been planning ahead, and we have stuck to our expansion programme and brought forward capital works. There has been a highly unusual acute short-term surge, with increases of more than 700, and more than 800 in the last two months. This is the first time ever that we have seen that sort of increase for two consecutive months. We have a number of capacity increase options, but they are not available in that short a timeframe.

Using the established protocol with the police allows us to manage the surge while continuing to deliver that ambitious expansion. I say it is an established protocol, and the hon. Lady will recognise Operation Safeguard because it was used extensively by the previous Government before 2010. It was last used in October to December 2006, and again between January 2007 and October 2008. On this occasion we are enacting a temporary use of Operation Safeguard to manage short-term pressures, precisely to ensure that we do not run out of places. Meanwhile we are investing record amounts in prison maintenance to ensure that prisons remain safe and decent while complying with modern fire safety standards. We continue with our expansion by 20,000 places, which is the biggest growth since Victorian times.

Mr Speaker: I call the Chair of the Justice Committee.

Sir Robert Neill (Bromley and Chislehurst) (Con): The Minister is right, of course, to take this urgent action, and to say that this is not the first time it has had to be done. Does he recognise that two factors are at play here? One is the underlying upward trend in prisoner numbers over the past couple of decades. Those numbers have risen exponentially, and perhaps there is a case for us to look again at whether it is appropriate to be holding non-violent offenders in custody, as opposed to the dangerous people who we do need to lock up. Secondly, the Minister refers to the levels of investment in maintenance, but as he will know, the Justice Committee has more than once pointed out that even with increased spending on maintenance, there is still a significant backlog and shortfall in the maintenance budget. Many prison cells are therefore out of commission and not usable, when they ought to be brought back into use. What is being done to accelerate the maintenance programme to get more cells back into use?

Damian Hinds: I thank the Chair of the Select Committee for those important questions and points. He is right that the prison population has been growing of late, although it is not at its highest level ever. Part of that is because of tougher sentences for the worst offences, which I think is right and what the public expect and want. For other types of crime, it is important that we utilise alternatives to custodial sentences—for instance, drug desistance and advanced tagging, which is much improved—which can, on occasion, be better for getting certain individuals back on the straight and narrow.

My hon. Friend also rightly asked about maintenance, and accelerated maintenance. In fact, that is precisely what we have done. Two and a half times as many cells are currently undergoing capital works than would ordinarily be the case, precisely because we have brought forward some capital work to improve the estate. We are indeed planning for the future.

Mr Kevan Jones (North Durham) (Lab): I thank the Minister for his statement. I ask him to look at Durham police's model—and I will add that, even with the uplift, Durham constabulary will still have 100 fewer officers than in 2010. The checkpoint scheme was launched by the late Ron Hogg when he was police and crime commissioner, and a University of Cambridge study found that, of the 2,660 offenders who went through it, only 6% reoffended, saving the taxpayer more than £2 million. I suggest that, for low-risk offenders, that is better than just putting them into prison. It has the academic work behind it that proves that it works. It needs now to be expanded elsewhere. I would welcome his coming to Durham to look at the scheme.

Damian Hinds: I will be honest: I was not familiar with that particular scheme. I imagine that, in the right hon. Gentleman's usual fashion, he will ensure that I am fully versed in it by the time I am next at the Dispatch Box. I look forward to learning more.

Rob Butler (Aylesbury) (Con): The recent sudden growth in the adult male custodial population started during my brief tenure in the Ministry of Justice. I know that the excellent staff in HMPPS immediately began planning, and I think that the measures announced today show rightly the preparations that have been undertaken to cater for that future upsurge. Of course, it is essential that we ensure that our prisons can accommodate those whom the courts send to custody. Does my right hon. Friend agree that it is vital that we continue to build the capacity that will be needed now and into the future?

Damian Hinds: I commend my hon. Friend and thank him for everything that he did while he was prisons Minister at the Ministry of Justice, where he is much missed. He is right to identify both the short-term and long-term programmes that are needed, and I agree with him entirely about the value of long-term planning.

Kerry McCarthy (Bristol East) (Lab): Way too many people who are seriously mentally unwell are still being held in prison. I know that Government guidance is that they should be moved to secure hospitals when they have been assessed as needing hospital treatment within 28 days, but that is simply not happening, so they are getting more ill, which is possibly putting their lives at risk, and that makes prisons far harder to govern. Will the Minister assure me that those people will not be among those being held in the 400 police cells and that we can accelerate the transfer out of prison of people who need to be in hospital?

Damian Hinds: The hon. Lady made two important points. First, there is quite rightly screening and prioritisation to do with individual characteristics, including individual risks, when considering where people will go and who might be in the relatively small group of people going to a police cell. Of course, there is prioritisation, with those with underlying mental health issues or perhaps at risk of self-harm going straight to prison. On transfer from prison to secure hospital and the 28-day guidance, as she will know, that will become a statutory right subject to reform of the Mental Health Act 1983 passing through its stages in the House, which is important.

James Daly (Bury North) (Con): Does my right hon. Friend agree that one measure that could be taken to release capacity in the prison estate is to follow the recommendations of the Justice Committee report on imprisonment for public protection prisoners and resentence the 3,000 such prisoners who have been imprisoned for an inordinate length of time and deserve to have their fates decided in a different way, rather than remaining in prison, perhaps indefinitely?

Damian Hinds: As ever, I thank the Select Committee that covers the Department for its work, including on that report. As my hon. Friend knows, a response to that particular report will be coming, and I ought not to cut across that process.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I draw Members' attention to my role as co-chair of the justice unions parliamentary group. In all honesty, using police cells and custody suites to house prisoners for any extended period of time shows the utter failure of Westminster's justice policy. Insufficient capacity to hold prisoners is directly linked to the staffing and workload crisis in probation. Staff under excessive pressure are more risk-averse and therefore more likely to recall offenders to prison. Does the Minister recognise that one key solution to the crisis is for probation to be properly resourced and therefore for workloads to be reduced, because probation can take the pressure off prisons?

Damian Hinds: The right hon. Lady raises an important point about probation, which is an incredibly important profession. It can be an attractive career for many people, with a real, strong sense of public service and wanting to help our whole society. We are recruiting at the moment. We need more people to join the probation service and are keen for them to do so. I hope that she will join me in encouraging that.

I think that the right hon. Lady mentioned the extended use of police cells. I want to reassure her and the House that this is not about long periods of time. It is about one or two nights for an individual. In most cases, it is one night and, the next day, that individual would be prioritised for reallocation to a prison.

Jonathan Gullis (Stoke-on-Trent North) (Con): Mr Speaker, you will be aware that, in Stoke-on-Trent North, Kidsgrove and Talke, we are keen to see scumbags locked up for a longer period of time. But, unfortunately, at this moment in time, 12% of the prison population are foreign national offenders. What is the Ministry of Justice doing to get those people out to serve their sentences elsewhere?

Damian Hinds: Foreign national offenders are a significant minority of the prison population and it is important that we have a good process to remove them. As my hon. Friend will know, in the Police, Crime, Sentencing and Courts Act 2022, we changed the law to enable removal at the nine-month point rather than at 12 months. Of course, we have also signed the agreement with Albania, and we are keen to sign similar agreements with other countries in the EU and the wider world.

Jim Shannon (Strangford) (DUP): I thank the Minister for his answers. In Northern Ireland, the prison population has increased by 3.2% this year. Justice is devolved in

Northern Ireland, as he knows, but nationally prison staff increasingly need help to cope with the prison population. What discussions has he had with his counterpart at the Northern Ireland Assembly in relation to prison capacity, to share ideas and thoughts on how to move forward and on steps to reduce the number of those in the prison population in the next year?

Damian Hinds: The hon. Gentleman is right that this is a devolved policy matter, but I am open—indeed, keen—to speaking to colleagues in the devolved Administrations and other jurisdictions. I always say that there is no practical limit to how much we can all learn from each other.

Dr Julian Lewis (New Forest East) (Con): I believe that the Government have fulfilled their promise to end the automatic release of prisoners halfway through their sentences. Am I right in thinking that that will have added a certain amount of pressure on cells and accommodation? To what extent has pressure been increased by that policy? Can the Minister assure the House that there is no question of people being released earlier than they otherwise should be as a result of such pressure?

Damian Hinds: Yes—twice. We are not embarking on the policy that the previous Labour Government instituted in 2007, along the lines that my right hon. Friend mentioned. He is also right that a later point of release does add pressure. I am afraid that I am not in a position to give a mathematical factorial answer on that, but he is right to identify that as one factor. This is about keeping inside those people who have committed the most serious offences.

Simon Fell (Barrow and Furness) (Con): Two thirds of people released from prison without somewhere to live reoffend within a year. That is far higher than the overall reoffending rate. Does my right hon. Friend agree that if we hope to relieve pressure on prisons and improve outcomes, we need to end the merry-go-round, stop Friday releases for vulnerable people and ensure that people have the room to access statutory services that provide them with better access to accommodation rather than setting them up to fail?

Damian Hinds: The criminal justice system and imprisonment have a number of different objectives, but what they all have in common is public safety. The single most important thing we can do to make people feel safe as they go about their daily business is to reduce reoffending by people who have already been through the system. One aspect of that is making sure that on release people have access in a timely and efficient way to the services they need to get accommodation, to start looking for a job and to receive medical treatment if needed. That is harder when a lot of people are all released at the same time on a Friday. I know that my hon. Friend has a landmark private Member's Bill coming to the House on Friday to address this specific question and I wish him well with that.

Tom Hunt (Ipswich) (Con): The answer to the issue of capacity should never be to soften sentences for people who are not safe to have within our community. However, when I was on the Education Committee, I was very

[Tom Hunt]

concerned to hear that about 30% of those in prison have learning disabilities. The prison education report we published suggested that every prison should have a special educational needs specialist, and that everyone coming into the prison estate should see an educational psychologist. Will my right hon. Friend find time to meet me to discuss the report and how we can work together to try to ensure that more people with learning disabilities do not end up in the criminal justice system because they get the support and diagnoses that they need?

Damian Hinds: It is always a pleasure to meet my hon. Friend and discussing that report would be an admirable reason to do so. There is much more awareness of this issue now than in times past. Whether it is SEN or low prior attainment in English and maths, such characteristics are more represented in the prison population than in the general population. We now have neurodiversity specialists in prisons, and we can do much more with educational materials to recognise SEN and the different ways that people learn. As my hon. Friend suggests, ideally we want to do more of that much earlier in the journey, so that people do not become incarceration cases at all. That is a harder nut to crack, but I would be delighted to talk to him about that.

Point of Order

3.31 pm

Sarah Champion (Rotherham) (Lab): On a point of order, Madam Deputy Speaker. I would like your advice on how my Select Committee can receive timely responses from the Foreign, Commonwealth and Development Office on our reports. The International Development Committee published a powerful and pertinent report on racism in the aid sector on 23 June. The convention is that the Government should respond within eight weeks. It has now been more than 22 weeks: what can I do?

Madam Deputy Speaker (Dame Rosie Winterton): I am grateful to the hon. Lady for giving me notice of her point of order. She is right that the expectation is that the Government should respond to Committee reports within eight weeks. While there may sometimes be exceptional circumstances that justify a later response, that should be negotiated with the Committee concerned. In general, it is very important that the standard response time is met to ensure that Committee reports are dealt with in a timely way. Having to wait 22 weeks for a response is not acceptable. Ministers on the Treasury Bench will have heard these comments, and I hope that FCDO Ministers will ensure that a response is produced quickly. I want to emphasise how important this is, because Select Committees are a key way of holding Government accountable and scrutinising what they do. It is important that this is fed back to the FCDO and that a response is given.

Roadworks (Regulation)

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

1.33 pm

Mr Mark Francois (Rayleigh and Wickford) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about the regulation of roadworks; and for connected purposes.

One of the great frustrations of modern life is queueing for ages in a line of traffic, inching forwards to get through a set of contra-flow traffic lights at the scene of some roadworks, only to then crawl past a large hole in the ground, heavily coned off, with absolutely no one working on the site, as you finally drive past it. According to data highlighted by *The Echo* newspaper, recent freedom of information requests showed that, during the 2021-22 financial year, there were over 77,000 street and roadworks in my county of Essex, making it the most dug up county in Britain and leading it to be infamously dubbed by *UK Daily News* as “the UK’s roadworks capital.”

London also has a major problem. Indeed, a black cab driver told me recently:

“in all my 32 years of driving a black cab Governor, I have never known the roadworks situation in London, to be as bad as this.”

However, the curse of prolonged and over-running roadworks is one that applies across the entire country, from motorways to country lanes, including in the newly bestowed city of Southend. My great friend, the late Sir David Amess, shared many of my frustrations regarding the regulation of roadworks, so while the Bill has 11 sponsors, as is usual, I confess that I like to think that, in cricketering terms, he is my 12th man today. I am also delighted to see his worthy successor, my hon. Friend the Member for Southend West (Anna Firth), in her place.

As we know, sometimes, roadwork delays are due to utility companies carrying out repairs or maintenance, broadband providers laying new fibre or property developers connecting new estates to the power grid. In many cases, however, the common denominator is a lack of any palpable sense of urgency whatever to get the job done, regardless of the inconvenience which is caused to the travelling public. As a constituency MP who has received a growing tide of complaints about the spiralling frequency of roadworks in recent years, I propose legislation to try to finally do something about it. In short, I want to try to can the cones, and I seek the support of the House today in doing so.

The Bill essentially has three key aims. First, it would give local highways authorities much stronger powers to control the granting of permits to anyone who wanted to dig up the highway network. Under the 2004 traffic management scheme, permit arrangements were enabled, allowing utility companies to

“book occupation of the street for specified periods for a specified purpose.”

However, currently highways authorities can only really refuse to grant a permit on safety grounds and, if those applying for one deem the work to be an emergency, the ability of the authority to refuse is even weaker still. The Bill would allow refusal on the grounds of causing unacceptable disruption and would materially strengthen

the hand of councils to negotiate much tighter conditions, including stricter deadlines, when granting permits, so that companies would hopefully be prevented from over-running in the first place.

Secondly, the Bill would mandate highway authorities to take all practicable steps to “deconflict” roadworks in their areas, to prevent multiple works in the same neighbourhood from leading to near gridlock, especially during peak periods. Under section 59 of the New Roads and Street Works Act 1991, local authorities are required to co-ordinate roadworks to minimise disruption to road users. It states that

“local authorities shall use their best endeavours to coordinate the execution of works of all kinds.”

But the truth on the ground—what really goes on in practice, rather than just in abstract policy—is that some local highways authorities are clearly not following those requirements. For instance, a few years ago we had near chaos in my home-town of Rayleigh, when several sets of roadworks, on the main arteries in and out of the town, were allowed to proceed at almost exactly the same time. When we subsequently looked into why, it turned out that the official at County Hall who handed out permits to developers did not communicate with the one who gave them to utility companies. One constituent put it to me at the time that

“there seems to be no forethought or planning and no coordination—it’s ludicrous.”

The Bill would seek to rectify that by trying to ensure a much more joined-up approach, by imposing much stricter procedures on highways authorities that give out the permits, and it would also seek to prevent the same stretch of road from being dug up multiple times, in short succession, by different companies.

Thirdly, the Bill would materially increase the fines for roadworks that overrun. At present, under section 74 of the 1991 Act, local highways authorities have the power to fine utility companies for “unreasonably prolonged” occupation of the highway. The fine tariff is set out in the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) (Amendment) Regulations 2012, which provide for a maximum charge for “traffic-sensitive” streets of £5,000 a day for the first three days of overrun and £10,000 a day thereafter.

However, for streets that fall outside that tightly defined category, the fines fall away dramatically. Crucially, the fines have not been updated or adjusted for inflation since 2012. They are hardly likely to be a deterrent to major utility companies or housing developers, some of whom just accept them—on the rare occasions that they are actually levied—as a cost of doing business. The Bill would significantly increase the penalties for overrunning beyond the schedule agreed when the permit was first granted. Persistent offenders could be fined up to 10% of their annual corporate turnover, which should make even the most tin-earned company sit up and listen.

In the most egregious example that I can cite, at a single junction named Sadlers Farm, which borders my constituency, there have been ongoing roadworks for more than five years, with much of the highway coned off and speed restrictions in place, although with precious little work actually taking place. That is due to an ongoing dispute between Essex County Council and

[Mr Mark Francois]

Balfour Beatty, yet we still have no definitive date for when these so-called “works” will ever be finished. I suspect that my hon. Friend the Member for Castle Point (Rebecca Harris), who is in her place beside me, will have considerable sympathy for my proposal.

As an MP with more than two decades of service, I know that it is a rare thing for a ten-minute rule Bill to make it on to the statute book. Nevertheless, I hope that the Government might yet be minded to grant it Government time to assist its passage. Failing that, I would like a meeting with the Transport Secretary, so that we can seek at last to “can the cones”, either through legislation or, at the very least, by strengthening Government guidance to highways authorities to achieve the same effect.

In summary, no one likes roadworks, but everyone reluctantly accepts that they are sometimes a necessary evil. However, the spirit of the Bill is to say, in essence, “If you really do have to dig up the road network, get in, do what you have to do as quickly and safely as possible, and then get out of the way and get the traffic flowing again.” This is not a partisan issue; it is something on which all Members of Parliament and, even more importantly, their constituents can agree. Let us get the traffic flowing. Let us can the cones.

Question put and agreed to.

Ordered,

That Mr Mark Francois, Sir James Duddridge, Stephen Metcalfe, Sir John Whittingdale, Vicky Ford, Richard Drax, Mrs Emma Lewell-Buck, Mr Marcus Fysh, Mr David Jones, Mr Laurence Robertson, Priti Patel and Craig Mackinlay present the Bill.

Mr Mark Francois accordingly presented the Bill.

Bill read the First time; to be read a Second time Friday 20 January 2023 and to be printed (Bill 203).

Finance Bill

Considered in Committee

[DAME ROSIE WINTERTON *in the Chair*]

Clause 1

INCREASE IN RATE OF TAX

1.44 pm

Question proposed, That the clause stand part of the Bill.

The First Deputy Chairman of Ways and Means (Dame Rosie Winterton): With this it will be convenient to discuss the following:

Amendment 4, in clause 2, page 3, line 3, at end insert—

- “(3) The Chancellor of the Exchequer must lay before the House of Commons reports setting out—
 - (a) an assessment of the revenue that is generated by the energy (oil and gas) profits levy in the period to which the report relates,
 - (b) an assessment of the revenue that would have been generated in the period to which the report relates if the investment allowance had not been in effect, and
 - (c) the names of companies that have made use of the investment allowance and the revenue that would have been generated by them during the period to which the report relates if the investment allowance had not been in effect.
- (4) The first report under subsection (3) shall be laid as soon as practicable after the 1 January 2023, in respect of the period 26 May 2022 to 1 January 2023.
- (5) Subsequent reports under this section shall be laid every three months thereafter, and in respect of the period since the last report.”

This amendment would require the Government to produce an assessment of how much revenue would be generated by the Energy Profits Levy if the relief for investment expenditure had not been in effect, and to produce a quarterly report assessing how much revenue has been forgone because of the investment expenditure relief.

Clause 2 stand part.

Amendment 3, in clause 3, page 3, line 14, at end insert—

- “(3) The Chancellor of the Exchequer must, within six months of this section coming into force, lay before the House of Commons an assessment of the revenue that would have been generated if, in section 1 of the Energy (Oil and Gas) Profits Levy Act 2022 (charge to tax), in subsection (3) (which sets out the accounting periods by reference to which the tax is charged), in paragraph (a), for ‘26 May 2022’, there had been substituted ‘6 October 2021’.”

This amendment would require the Government to produce an assessment of how much revenue would be generated by the Energy Profits Levy if it had been introduced on 6th October 2021.

Clauses 3 and 4 stand part.

Amendment 2, in clause 5, page 4, line 6, at end insert—

- “(5) HMRC must contact every individual affected by the provisions of this section to inform them whether, as a result of the provisions of this section—
 - (a) they have become liable to pay the basic rate of income tax (when they were not previously so liable);
 - (b) they have become liable to pay the higher rate of income tax (when they were not previously so liable); and

- (c) how much additional income tax they will pay as a result of the change.”

This amendment would require HMRC to contact every individual who become liable to pay standard tax or move from standard to higher rate, and how much additional tax they will have to pay as a result.

Clauses 5 to 9 stand part.

Amendment 5, in clause 10, page 7, line 23, at end insert—

- “(8) The Chancellor of the Exchequer must, within six month of this section coming into force, and quarterly thereafter, lay before the House of Commons an assessment of the impact of the changes in this section on—
 - (a) the Secretary of State’s ability to meet the duty set out in section 1 of the Climate Change Act 2008,
 - (b) air pollution in the United Kingdom, and
 - (c) the provision of electric vehicle infrastructure and public transport in the United Kingdom.”

This amendment would require the Chancellor to produce quarterly assessments of the impact of the removal of VED exemption for electrically propelled vehicles on the UK’s climate change duties, air pollution and EV infrastructure and public transport.

Clauses 10 to 12 stand part.

New clause 1—*Assessment of the impact of the investment allowance—*

“(1) The Chancellor of the Exchequer must, within six months of this Act coming into force, publish an assessment of—

- (a) the revenue that the energy (oil and gas) profits levy will yield,
- (b) the revenue that the energy (oil and gas) profits levy would yield if the investment allowance did not have effect in respect of investment expenditure, and
- (c) the revenue that the energy (oil and gas) profits levy would yield if the investment allowance did not have effect in respect of expenditure on decarbonisation by oil and gas companies.

(2) The assessment must cover the whole period that the levy is in effect and also assess the revenue in each tax year.

(3) The assessment must include an evaluation of the impact of the investment allowance on the United Kingdom’s ability to meet its climate commitments, including—

- (a) the target for 2050 set out in section 1 of the Climate Change Act 2008,
- (b) applicable carbon budgets made pursuant to section 4 of the Climate Change Act 2008, and
- (c) the commitment given by the government of the United Kingdom in the Glasgow Climate Pact to pursue policies to limit global warming to 1.5 degrees Celsius.”

This new clause would require the Government to publish an assessment of the impact of the investment allowance on revenue raised by the Energy (Oil and Gas) Profits Levy, including investment by oil and gas companies in UK oil and gas extraction and upstream decarbonisation. The assessment should also cover the impact of the investment allowance on the UK’s ability to meet its domestic and international climate targets.

New clause 2—*Review of revenue from the Energy (Oil and Gas) Profits Levy—*

“(1) The Chancellor of the Exchequer must, within three months of this Act receiving Royal Assent, publish an assessment of the revenue estimated to be generated from the Energy (Oil and Gas) Profit Levy in each of the financial years 2021-22 to 2027-28.

(2) In addition to an evaluation of the revenue forecast to be raised by the Levy, the assessment must include an evaluation showing the estimated revenue that would have been raised if each of the following had been the case—

- (a) the qualifying accounting period specified in section 1(3) of the Energy (Oil and Gas) Profits Levy Act 2022 had begun on 3 January 2022,
- (b) the rate of the levy had been increased to 38% under this Act, and
- (c) the amount of additional investment expenditure had been reduced to 0% by this Act.”

This new clause would require the Chancellor of the Exchequer to publish an assessment of estimated revenue from the energy (oil and gas) profit levy in financial years 2021-22 to 2027-28, and set out how these figures would be affected if levy were backdated to 3 January 2022, and if the rate of levy was increased to 38%, and the amount of additional investment expenditure reduced to 0%, by this Act.

New clause 3—*Research and Development tax relief policy—*

“(1) The Chancellor of the Exchequer must, within three months of this Act receiving Royal Assent, publish an assessment of research and development tax relief for small or medium-sized enterprises.

(2) The assessment must include the Chancellor’s assessment of the effectiveness of R&D tax reliefs and plans he has to further reform of R&D tax reliefs.”

This new clause would require the Government to publish an assessment of their view on the effectiveness of R&D tax reliefs for small and medium-sized enterprises and their intentions for any further reform.

New clause 4—*Research and Development tax relief fraud and waste—*

“(1) The Chancellor of the Exchequer must, within three months of this Act receiving Royal Assent, publish an assessment of research and development tax relief for small or medium-sized enterprises.

(2) This assessment must include the following, in respect of each tax year since 2018-19—

- (a) an evaluation of the amount of money that has been incorrectly deducted as a qualifying cost, or incorrectly paid as a tax credit, as a result of—
 - (i) fraud, and
 - (ii) error,
- (b) set out, in relation to sums incorrectly deducted as a qualifying cost, or incorrectly paid as a tax credit—
 - (i) how many investigations have taken place,
 - (ii) how many prosecutions have been brought,
 - (iii) how many prosecutions have resulted in a conviction, and
 - (iv) how much money has been reclaimed.”

This new clause would require the Government to publish a statement on error and fraud in the SME R&D tax reliefs, including details of what actions they have taken in response.

New clause 5—*Assessment of the impact of changes to the basic rate limit and personal allowance for tax years 2026-27 and 2027-28—*

“(The Chancellor of the Exchequer must, within three months of this Act coming into force, publish an assessment of the expected impact on an average earner of the provisions of section 5 (Basic rate limit and personal allowance for tax years 2026-27 and 2027-28).”

This new clause will require the Chancellor of the Exchequer to publish an assessment of the impact on average earners of the decision to freeze the basic rate limit and personal allowances for tax years 2026/27 and 2027/28.

New clause 6—*Impact assessment of measures in the Act—*

“(1) The Chancellor of the Exchequer must, within three months of this Act coming into force, publish an assessment of the impact of the provisions of this Act.

(2) This assessment must consider the effects of the provisions of the Act on—

- (a) different regions and nations of the United Kingdom,
- (b) people with different protected characteristics under the Equality Act 2010, and
- (c) people with a range of different incomes.”

This new clause will require the Chancellor of the Exchequer to publish an assessment of the impact of the measures in this Act on people in different parts of the United Kingdom, and on groups of people with different protected characteristics and incomes.

New clause 7—Assessment of the impact of measures in the Act on growth—

“(1) The Chancellor of the Exchequer must, within three months of this Act coming into force, publish an assessment of the impact of provisions of this Act on economic growth.

(2) This assessment must consider the forecast impact of measures in this Act on growth of—

- (a) the UK economy as whole,
- (b) the economy of different regions and nations on the UK, and
- (c) average incomes in the UK.”

This new clause will require the Chancellor of the Exchequer to publish an assessment of the impact of measures in this Act on growth in the UK economy, as well as its impact on growth in different regions and nations of the UK, and its impact on growth of average incomes.

New clause 9—Assessment of investment relief on compliance with the climate change target for 2050—

“The Chancellor of the Exchequer must, within six months of this section coming into force, and quarterly thereafter, lay before the House of Commons an assessment of the impact of the effect of the relief for investment expenditure provided in sections 1 and 2 of the Energy (Oil and Gas) Profits Levy Act 2022 on—

- (a) the Secretary of State’s ability to meet the duty set out in section 1 of the Climate Change Act 2008, and
- (b) the additional quantity of carbon dioxide that will be generated in the United Kingdom.”

This new clause would require the Chancellor to produce an assessment of the impact of the relief for investment expenditure in relation to the Energy Profits Levy on the Secretary of State’s ability to meet the target of ensuring that the net UK carbon account for the year 2050 is at least 100% lower than the 1990 baseline. And produce a report each quarter detailing how much additional CO₂ has been produced because of the investment expenditure relief.

New clause 10—Review of effect on small businesses—

“(1) The Chancellor of the Exchequer must lay before Parliament within six months of the passing of this Act a review of the impact of the measures contained in this Act on small businesses.

(2) The review must consider in particular the impact of those measures on the ability of small businesses to—

- (a) meet their energy bills,
- (b) minimise their debt,
- (c) pay their rent,
- (d) remain solvent, and
- (e) employ staff.

(3) The review must include an assessment of the number of small businesses which will become liable to register for VAT as a result of the measures contained in this Act.

(4) In this section, ‘small businesses’ means any business which has average headcount of staff of less than 50 in the tax year 2022-23.”

This new clause would require the Government to produce an impact assessment of the effect of the Act on small businesses.

The Financial Secretary to the Treasury (Victoria Atkins): It is a pleasure to represent the Government in this important Committee. At the autumn statement,

my right hon. Friend the Chancellor set out the significant economic challenges that we face and our plan to ensure that we have economic stability, encourage growth and protect our public services. Securing fiscal sustainability in a responsible and balanced way inevitably requires some difficult decisions. We do not shy away from that, but we have sought to ensure that the heaviest burden falls on those with the broadest shoulders.

The Bill’s first three clauses relate to the energy profits levy. Clause 1 increases the rate of the levy and addresses consequential technical matters. It will ensure that oil and gas companies benefiting from extraordinary profits due to exceptionally high prices will continue to pay their fair share of tax. As hon. Members will know, the Government introduced the levy in May this year as a temporary surcharge on the extraordinary profits being made on the oil and gas sector, driven by global circumstances.

Sir Robert Syms (Poole) (Con): Will the Minister define “extraordinary”—not necessarily now, but during the debate?

Victoria Atkins: I will happily do so. My hon. Friend will know the definition of “extraordinary” in relation to the electricity generators levy. We will come to the profits levy in due course.

The Government are raising the rate of the levy from 25% to 35% from 1 January next year, bringing the headline tax rate for the sector to 75%. That is because commodity prices—particularly gas—are expected to remain above their long-term average for the foreseeable future. However, the Government want the oil and gas sector to reinvest its profits to support the economy, jobs and the UK’s energy security, which is why the levy has an investment allowance that means that businesses overall get a 91p tax saving for every pound that they invest, providing them with an additional, immediate incentive to invest.

Clause 2 makes changes to the rate of the investment allowance within the levy to ensure that the total tax relief remains broadly the same following the increase in rate to 35%. Specifically, the clause reduces the rate of the investment allowance from 80% to 29%, effective, again, from 1 January next year. That will maintain the overall cumulative value of investment reliefs, which means that a company investing £100 will be able to claim £91.40 back in tax relief. To be clear, the investment allowance will remain at 80% for investment expenditure on upstream decarbonisation, so that we continue to support the transition to low-carbon electricity production. That will be legislated for in the spring Finance Bill, following further detailed technical work and consultation with interested parties.

Caroline Lucas (Brighton, Pavilion) (Green): The Minister will know that oil and gas companies are raking in obscene levels of profit. Why does she think it is reasonable to give incentives—through taxpayers’ money—to companies that are already raking in huge profits at a time when a cost of living crisis is driving so many families into real hardship?

Victoria Atkins: Certainly. I hope the hon. Lady will agree that we all want to see more decarbonisation, which is precisely why we have set the net zero landmark

achievement for 2050, as she knows. In relation to energy security, we have to be realistic about where we are. Much as some campaigners would like it, we cannot stop using oil tomorrow. We have to find reasonable and methodical ways of decarbonising, which is precisely what the investment allowances aim to do, while encouraging different businesses, and indeed those businesses, to invest in carbon-free and low-carbon forms of energy production.

Clause 3 will extend the levy so that it ends on 31 March 2028 rather than in 2025. Although the levy remains a temporary measure, the change simply reflects the fact that global factors are now expected to keep commodity prices, particularly gas prices, elevated for longer than was first anticipated. At the same time, the Government recognise that certainty is key for oil and gas investments. There will therefore no longer be an early phase-out of the levy ahead of the new March 2028 end date, according to prices.

Together, the changes introduced in clauses 1 to 3 will raise approximately £20 billion over the next six years. The total revenue now expected from the levy is just over £40 billion over the same period.

Clause 4 relates to rates of research and development tax credits. The changes it makes will ensure that taxpayers' money is spent as effectively as possible. Despite the UK spending the most in the OECD on R&D tax reliefs, the current system does not provide good enough value for taxpayers. The cash value of the scheme that looks after small and medium-sized enterprises is currently three times that of the research and development expenditure credit. The corporation rate change due from April next year will make the issue worse by incentivising less R&D per £1 of taxpayer support. Sadly, the SME scheme's generosity has also made it a target for fraud.

The clause will therefore rebalance the generosity between RDEC and the SME scheme, specifically by increasing the RDEC rate from 13% to 20%, decreasing the SME enhanced deduction from 130% to 86%, and decreasing the SME credit rate from 14.5% to 10%. The changes that the clause will introduce are also a step towards a possible simplified single RDEC-like scheme for all.

Despite raising revenue, this reform is forecast to leave the level of R&D investment in the economy unchanged. More broadly, the Government have recommitted to increasing R&D spending to £20 billion by 2024-25. Ahead of the spring Budget, we will work with industry to understand whether further support is necessary for R&D-intensive SMEs. I know that is the point that most concerns several colleagues; I suspect that we will hear more about it in due course.

Clauses 5 and 6 relate to income tax thresholds. As the autumn statement sets out, the path to fiscal sustainability requires us to ask everyone to contribute a little more towards our public finances, but we are doing so in a fair way: those with more are being asked to contribute more.

Clause 5 will set the personal allowance at £12,570 and the basic rate limit at £37,700 for 2026-27 and 2027-28. Those thresholds, which have already been fixed at the current levels until April 2026, will be maintained for a further two years until April 2028. I hope hon. Members will note that the personal allowance

is still the most generous tax-free personal allowance of any G7 country. Thanks to previous significant real-terms increases, it will still be more than £2,000 higher by April 2028 than if it had been uprated by inflation since 2010, with an estimated 1.6 million more people taken out of paying tax. Approximately 30% of people do not pay tax as a result of the personal allowance. I hope Government Members are proud that we have achieved that.

This Government also enacted the largest ever increase to a personal tax starting threshold in July this year by raising the national insurance starting threshold to £12,570, ensuring that some of the lowest earners do not pay any tax. That means that in 2028 someone on the average salary of £28,000 will still pay almost £900 less in tax than if tax thresholds had gone up with inflation since 2010. The income tax higher rate threshold is still high enough to protect the vast majority of people from paying the higher rate of income tax; approximately 80% of taxpayers pay tax at the basic rate.

Clause 6 will deal with those at the higher end of the income scale, to ensure that our return to sustainable public finances happens in a fair way. It will lower the additional rate threshold from £150,000 to £125,140 from April next year, meaning that income above that level will be taxed at 45%. Only the top 2% of taxpayers will be affected by this measure, which is expected to raise £800 million per year by 2024-25, with the vast majority of revenue—more than 80%—coming from those who earn more than £150,000.

Sir Robert Syms: My hon. Friend is no doubt aware that, because some higher rate taxpayers lose their personal allowance, the marginal rate between about £100,000 and £120,000 can be as high as 60%. Has any thought been given to whether we should smooth that out, particularly if we are lowering the rate when you hit 45p? I think it would make for a better tax system. The artificial level needs to be dealt with, perhaps by ensuring that the withdrawal of the personal allowance happens over a wider income band.

Victoria Atkins: A great deal of thought went into the matter at the Treasury ahead of the autumn statement. The reason for our approach is that there are significant difficulties with the alternatives. I do not think that anyone would want a cliff edge at £100,000 where someone who earned £1 over that amount would suddenly lose the entirety of their personal allowance. We have tried in the past to taper it, although I appreciate that that has led to the situation that my hon. Friend describes. We have brought the 45p rate down to £125,000 precisely because that is the end of the taper rate for the personal allowance. We have tried to make things a little simpler; I will happily admit that the tax system is very complicated, but we have tried to simplify that part of it. I do accept my hon. Friend's point about the marginal tax relief rate, which we genuinely continue to consider because we want to be fair to those who, through hard work, contribute as much to the tax system as they do.

On clause 6, I was saying that the vast majority of revenue—more than 80%—will come from those who earn more than £150,000. We say that the UK remains an attractive place to work and do business. The threshold is still comparable to those of other countries with a

[Victoria Atkins]

similar top marginal rate of tax, but in the circumstances we are in, it is fair that those who earn more contribute more.

Clauses 7 to 9 deal with other allowances. Clause 7 will reduce the tax-free allowance for dividend income from £2,000 to £1,000 in April 2023, and to £500 from April 2024. That will raise more than £3 billion by April 2028 and will make the tax system fairer by bringing the treatment of investment income closer in line with that of earned income. Keeping the dividend allowance at £500 will still ensure that people are not taxed on low levels of dividend income, because the combination of the personal allowance and the dividend allowance will mean that approximately 25% of people with taxable dividend income will continue to pay no dividend tax, even once the measure has come into effect. People will still be able to receive tax-free dividend income from investments made through their individual savings accounts, in which taxpayers can invest £20,000 each year.

Clause 8 makes changes to the capital gains tax annual exempt amount, or AEA. The AEA is the total amount of capital gains that an individual may make free of capital gains tax each year, and is currently set at £12,300. For the tax year 2023-24, the rate will be £6,000 for individuals; it will then be reduced to £3,000 from 2024 onwards. The clause also abolishes the annual uprating of the AEA in line with the consumer prices index, and fixes the capital gains tax reporting proceeds limit at £50,000. Reforming the system to reduce the value of the capital gains tax-free allowance supports strong public finances, and makes the system fairer by bringing the treatment of capital gains closer into line with that of income while still ensuring that individuals are not taxed on low levels of capital gains.

2 pm

Geraint Davies (Swansea West) (Lab/Co-op): May I ask a simple question? Why has capital gains tax not been brought completely into line with income tax? I know that it is converging, but are there any plans for it to converge further, for equity's sake—in terms of working and investment?

Victoria Atkins: We acknowledge that there may be people who receive very small amounts of capital gains—through historic investments in shares, for example—but for some there is also an element of risk taking, perhaps when they are starting their own businesses. We want to reflect that, but we are mindful of the need for a closer relationship between the two systems, which is why we have tried to achieve a fair balance between those who earn their incomes through paid employment or self-employment and those who obtain theirs through dividends and capital gains.

Clause 9 maintains the current levels of inheritance tax thresholds for two years longer than previously planned, until 2028. Despite these changes, qualifying estates will still be able to pass on up to half a million pounds tax free, and the estates of surviving spouses and civil partners will still be able to pass on up to £1 million tax free. More than 93% of estates will continue to have no tax inheritance liability in each of

the next five years; only 6% are expected to have a liability in 2022-23, and it will still only be 6.6% in 2027-28.

Let me now turn to the clauses relating to the taxation of electric vehicles. The transition to EVs continues apace, with new electric car registrations increasing by 76% between 2020 and 2021. Given the OBR's forecast that 50% of all new vehicles will be electric by 2025, it is right that we seek to bring those vehicles into the motoring tax system.

Matt Rodda (Reading East) (Lab): Can the Minister update the Committee on what research is being carried out by her colleagues in Government on the future impact of this measure? There has been a healthy take-up of electric vehicles so far, but she has not mentioned the future.

Victoria Atkins: I shall come to that in a moment, but we have been committed since 2020 to supporting the transition to electric vehicles; in fact, we have committed ourselves to £2.5 billion of support. We are giving the industry certainty about the scale of its ambitions through the zero-emission vehicle mandate. We will continue to incentivise low-emission vehicles through the company car tax, to which I am about to refer. We already publish data on air pollution, electric charging infrastructure and vehicle registrations by fuel type. That information will be available for the House to scrutinise—and, indeed, available to anyone who is interested—over the coming years.

Clause 10 will equalise the vehicle excise duty treatment of electric, petrol and diesel vehicles from April 2025, applying to both new and existing electric vehicles. The VED system will continue to support the transition to electric vehicles through favourable first-year VED rates for the lowest-emission vehicles, and owners of new zero-emission cars registered on or after 1 April 2025 will be liable to the lowest first-year VED rate, which is currently £10 a year. From the second year of registration onwards they will move to the standard rate, which is currently £165 a year. The expensive car supplement exemption for electric vehicles is also due to end in 2025. Eligible new vehicles, which are currently those with a list price exceeding £40,000, will therefore also be liable for the supplement. Those changes will raise more than £1.5 billion a year by 2028.

However, we continue to provide, and want to provide, appropriate incentives for the transition to electric cars. Clause 11—here I come to the point raised by the hon. Member for Reading East (Matt Rodda)—therefore makes changes to secure long-term certainty on company car tax rates, which have been effective in incentivising the take-up of low and zero-emission vehicles. According to figures from the British Vehicle Rental and Leasing Association, about 60% of electric vehicles on UK roads are company-registered. We have tried to ensure that that continues by increasing the appropriate rates up to 2028, and in a modest fashion. These rates are used for the purpose of calculating the taxable benefit of a company car, and we are setting them out now to provide certainty about the tax incentives available for the transition to electric vehicles. This measure supports the continued take-up of lower-emission vehicles and, therefore, our broader commitments on climate change and air quality.

Matt Rodda: I thank the Minister for her extensive description of the current policy, but it still appears that the Government are not yet planning to assess the likely decline in the take-up of electric vehicles as a result of the tax changes. Will she please write to me to clarify the position?

Victoria Atkins: I will happily write to the hon. Gentleman, who I know takes a close interest in this issue, but I must challenge the assumption that the measure will lead to a decline in the take-up of electric vehicles. This is an example of the Government's boosting interest in electric vehicles at quite a delicate stage in their development. I say that as a proud early adopter of an electric vehicle—and even a few years ago, the number of charging points was far lower than it is now.

Of course there is much more to be done over the coming years, but I think the public will begin to gain even more confidence in the range of electric vehicles, especially as companies are able to improve their range and we build an infrastructure of charging points around the United Kingdom. That in itself will help to encourage take-up, along with, of course, the bold commitment to prohibiting the sale of new petrol and diesel cars in 2030. We wanted very much to encourage this in its early days, but we think we have now reached a stage at which the 7 million or so electric vehicles on the road should be contributing their piece towards keeping the road network in the state that we would expect.

Geraint Davies: Is the Treasury looking into the possibility of higher taxes on SUVs? These much larger vehicles consume more petrol and diesel, but also take up more parking space and kill more children and other pedestrians. They also stick out in the road and obstruct cyclists. The number of SUVs is increasing enormously. Is there any reason for the fact that the Minister did not look into that higher taxation, perhaps some political reason? It would clearly be a good environmental and economic initiative.

Victoria Atkins: We introduced the expensive car supplement some time ago, and a great many of the cars that the hon. Gentleman has described would fall into that category, particularly if they were bought new. Notwithstanding his assertion, there is no ideological reason for this. We are very conscious of the pressures on the majority of road users, and although, as the hon. Gentleman fairly pointed out, the use of SUVs has increased, that certainly does not mean that everyone who buys a third-hand or fourth-hand SUV is among the wealthiest in society. So we have tried to balance the rights and interests of those who are already paying car tax and also of those driving electric vehicles, who we think, after a certain period of time, should be contributing more towards the tax system than they do at the moment.

As I was saying, clause 11 deals with company car tax rates in order to provide businesses with the certainty they need to plan in relation to vehicle provision. Finally, clause 12 simply sets out the short title of the Bill in the usual manner for such legislation. I hope that hon. Members will not have anything to say about that, but I look forward to any comments on clause 12. I have stuck to the Bill itself because I want to listen to those hon. Members who have kindly put down amendments,

which will be debated now. I will attempt to answer some of those challenges, questions and points as I wind up the Committee stage of the Bill in due course.

The First Deputy Chairman of Ways and Means (Dame Rosie Winterton): I call the shadow Minister.

James Murray (Ealing North) (Lab/Co-op): Thank you, Madam Deputy Speaker, for this opportunity to consider the details of the Bill and speak to the amendments and new clauses in my name and that of my hon. Friend the Member for Erith and Thamesmead (Abena Oppong-Asare).

As we have heard from the Minister, the first three clauses of the Bill relate to the energy, oil and gas profits levy—or, as everyone in the country apart from Conservative Ministers calls it, the windfall tax. It has been a painful journey to get this windfall tax on the statute book. As I set out on Second Reading, it took five months for the Government to finally support the principle of a windfall tax after my right hon. Friend the Member for Leeds West (Rachel Reeves) first called on them to introduce one in January this year.

The current Prime Minister, who was Chancellor at the time, was dragged kicking and screaming into introducing a windfall tax before the summer, but even then he decided to couple it with a massive tax break for oil and gas giants. We do not believe it is right to let that large untargeted and unnecessary tax break continue. It is a tax break that the current Prime Minister introduced and that has left some oil and gas giants paying no windfall tax at all this year. That is why we have been pressing the Conservatives to remove that loophole.

We have also pressed the Government to strengthen the windfall tax by raising its rate from 25% to 38%, a move that would align the overall rate with the taxation of oil and gas profits in Norway. We have also pressed them to extend its period of impact by backdating it to January 2022, the month when the shadow Chancellor first proposed it, and by extending it to 2027-28. We therefore welcome at least some strengthening of the windfall tax in clause 1, which increases its rate to 35%, and clause 3, which extends the period it affects to the end of 2027-28. These clauses do not go as far as we have proposed. They fall short of our plans to increase the rate of the windfall tax to 38% and to backdate it to January 2022, but they do confirm a frequent and recurring pattern when it comes to the windfall tax: Labour leads with the ideas while the Tories object, only ultimately to be dragged kicking and screaming into a U-turn.

Clause 2 highlights one respect in which the Government are still resisting following our lead. In that clause, they have made changes to the rate at which additional investment expenditure is calculated. As the explanatory notes make clear, this rate has been carefully set to

“maintain the overall cumulative value of relief for investment expenditure”.

Let us be clear what this means. The rate of the windfall tax might be going up, but the Government are making sure that the tax break for oil and gas giants is safe. As we see time and again, even when the Government are forced to legislate on a windfall tax, they cannot bring themselves to do it properly.

[James Murray]

It is for this reason that we have tabled new clause 2, which would require the Chancellor to publish an assessment of the revenue that is estimated to be generated by the windfall tax and show how much more it would raise if it were backdated to January 2022, if it were increased to 38% and if the additional investment expenditure were reduced to zero—a move that would remove at least some of the oil and gas giants' tax break. We urge hon. and right hon. Members from all parts of the Committee to support this new clause and help us to push the Government for a stronger and more effective windfall tax that no longer includes such a huge giveaway to the oil and gas giants.

Clause 4 of the Bill concerns tax relief for expenditure on research and development. As we have heard from the Minister, the clause reduces the additional deduction for R&D costs incurred by small and medium-sized enterprises and reduces the rate at which qualifying losses can be surrendered by such companies. At the same time, it increases the rate of R&D expenditure credit, which is mainly claimed by large companies. On this side of the House, we recognise the need to support R&D as a crucial part of driving growth in our economy. It is critical for the Government to have in place a system of R&D tax relief that is effective, that provides as much certainty as possible for businesses to make the investments that our economy so badly needs, and that provides crucial support to key growth sectors in the UK.

2.15 pm

However, we also firmly recognise the need for public money to be spent wisely. We know that this Government have overseen a surge in fraud and error, so we have tabled new clause 4, which would require the Government to make clear the extent of fraud and waste in relation to R&D tax reliefs for SMEs, alongside details of what action they have taken in response. In the autumn statement, the changes that are being legislated for in this Bill that relate to R&D tax reliefs were described as being a step towards a new, simplified scheme. We believe there is an urgent need for a new scheme that tackles fraud and supports R&D, so we have tabled new clause 3, which would explicitly require the Government to publish details of the Chancellor's plans for reform. We know that firms in key growth sectors such as life sciences are anxious to know what the Government are planning, and they deserve a straight answer as soon as possible, given the uncertainty that the changes in the Bill create. We urge hon. Members across the House to support new clause 3 today to help to make this happen.

I will address clause 5 in a moment, as we will be seeking a vote on that part of the Bill. First, I will make a few remarks relating to some of the remaining parts of the Bill. We will not be opposing the other clauses in the Bill, but I would like to raise questions that arise in relation to some of them about what the Government's wider plans might be. For instance, in clause 6, the additional rate threshold is lowered. We support a fairer tax system that sees those with the broadest shoulders paying their fair share. I would be grateful if the Minister could confirm that, as a result of clause 6, the Government expect the additional rate threshold to rise if and when the personal allowance begins to rise again. Our

understanding of the proposed legislation is that it would reduce the extra tax paid by top earners as a result of future decisions to increase the personal allowance, even if such a decision was intended to help lower earners. Can the Minister confirm whether that is the case? Likewise, in relation to clause 10, which removes the VED exemption for electric vehicles, we urge the Government to set out more clearly where this decision sits within a wider strategy to increase the take-up of electric vehicles.

I turn now to clause 5, on which we will be seeking a vote. We know that clause 5 represents the latest stealth tax on working people from this Government. Freezes to the income tax personal allowance that this Government have implemented will leave an average earner paying over £500 more in income tax a year by 2027-28. That is what it looks like when working people are being made to pay the price for the Conservatives' economic failure over the past 12 years and their economic chaos of the past 12 weeks.

It is all the more galling for people to be asked to pay more when the Conservatives are so slapdash with public money. Earlier this week, new figures showed that the current Prime Minister lost £6.7 billion to covid fraud as a consequence of ignoring warnings about the lack of basic checks. Extraordinary sums of public money are now in the hands of fraudsters, organised criminals and drug gangs. It is more galling still for working people to be asked to pay more tax when the Government are refusing to make the fairer choices on taxation that are staring them in the face. The truth is that as a result of this Bill, working people will be hit by stealth tax rises while UK residents with non-dom status will not be asked to pay a penny more on the income they earn overseas. We believe that non-dom status is a fundamental unfairness in the tax system. It leaves the public purse missing out on £3.2 billion a year. We believe that if you make Britain your home, you should pay your taxes here.

On Second Reading, I asked Ministers to confirm, at the end of the debate or in writing, whether the Prime Minister had been consulted on the option of abolishing non-dom status. I asked them to confirm whether abolishing non-dom status was ever considered as an option for this Bill. I asked whether, when the current Prime Minister was Chancellor, he ever recused himself from discussions on this matter. I thought I saw the Exchequer Secretary to the Treasury acknowledge my request. However, when the Financial Secretary, who is here today, closed the debate, she neither answered my questions nor promised to write to me. I am sure that was an inadvertent oversight, so I ask her to correct it today, either by answering my questions directly or by agreeing to write to me with answers following today's debate.

We know the Finance Bill derives from an autumn statement with no plan for growth. We know it makes unfair choices and raises stealth taxes on working people while failing to end the tax break that benefits oil and gas giants and doing nothing to stop those who benefit from non-dom status dodging millions of pounds in tax.

As I set out, hon. and right hon. Members on both sides of the Committee have the opportunity to vote against clause 5 on the personal allowance freeze, to vote for our new clause on the windfall tax and to vote to support businesses that want to grow by supporting our new clause on R&D.

I hope Members will join the Opposition in supporting fairer choices on the tax system in our country and in pressing the Government on the urgent need for growth in our economy.

Sir Robert Syms: I rise, as I did on the autumn statement resolutions, broadly to support what the Government are trying to do. I am pleased that the Minister is in listening mode, which is good because not everything is perfect in these debates. Even if things are not quite right in the autumn statement, there will be further Budgets in the years ahead. I am sure she will have a very successful career and will be in the Treasury for a while, and I therefore hope she will take our comments on board.

Clearly, at a time when money is short and the demands of struggling people are high, it is more difficult to redesign the tax system in an ideal way. I raised in my second intervention the difficulty in which those earning between £100,000 and £120,000 find themselves, and I hope their marginal rate of 60% will be reviewed at a future date.

I have some sympathy with the comments about research and development. The Treasury has a habit of introducing incentives and then worrying about losing too much tax. Actually, research and development should be a priority for this Government. A business investing in new technology wants to know what will happen three, five or seven years ahead. Sudden changes to the research and development rate may undermine the funding model of new businesses. I am sure there will not be a change this year, but I hope we will review this area very carefully, because it was one of our better measures in previous Budgets.

My main remarks are about the windfall tax. I do not like windfall taxes, but the way in which the Government have designed this windfall tax is good because of the investment allowance, which is the subject of a number of amendments. The objective has to be to keep companies investing. We are blessed as a nation, as we have oil all the way around our coastline. The only question is, at what oil and gas price is it worth recovering?

What has happened in the North sea in my lifetime is a tremendous British success story. Getting oil and gas from the great depths of the North sea made us, at one point, self-sufficient. We still have a lot of oilfields that we can develop, but eking out further discoveries needs incentives. I am a bit worried about the windfall tax, but I understand the current political need to have one. I am pleased with the investment allowance, because it will encourage companies to invest, and that investment should help us to produce more oil and gas and should help the British economy.

Something else that has occurred in my lifetime is that Aberdeen and many other areas of the United Kingdom that are near oilfields have created thousands of jobs. Those people may no longer be working in our oilfields, but they are working in oilfields abroad. This is an area that we need to develop.

My concern about extending the windfall tax to 2028—I raised the word “extraordinary” in my first intervention—is that there will come a point at which prices fall, perhaps because there is peace in Ukraine or because other forms of energy come on tap. If we maintain the windfall tax, we will then do great damage

to the oil and gas industry. We need a way of assessing what the Government do and do not consider to be extraordinary.

Some years ago, the Wood review of the North sea looked at what could be done to extend the life of the North sea fields. It would be helpful if the Government reported on where they stand on the oil price and the windfall tax. It might be better if they employed an expert, independent of both the Government and the oil and gas industry, to look at what is being done to assess whether investment is being hurt and whether the rates are appropriate. We assume a rate of 35% all the way up to 2028; we are not assuming a reduction, even if oil prices reduce.

I see the autumn statement as a little like a business plan that we might show to our bank manager. It does not mean that everything will necessarily happen as set out until 2028. If we expect the industry to invest, it is important that it knows what will happen to the tax rate if oil and gas prices change. North sea oilfields and gas fields are five, 10, 15 or 20 years' worth of investment, so they are long-term, not short-term, investments. We need to focus on the short-term need to raise money, which even the oil and gas industry probably understands. The investment allowance is good, and it will encourage short-term investment, but there will be long-term damage if we are not flexible enough either to reduce the rates or to abolish the windfall tax when we get back to more normal gas prices.

Caroline Lucas: I am grateful to the hon. Gentleman for giving way, because my anger is becoming so extreme that I might burst at any moment. Does he recognise that this country has the world's most generous tax regime for oil and gas companies? Does he recollect that BP's CEO said the company is raking in more money than it knows what to do with? He compared his company to a cash machine.

Does the hon. Gentleman not think his constituents in Poole might be rather more impressed if some of the money that has been forgone by the Treasury instead went into making sure we have enough teachers in our schools and enough health workers in our hospitals?

Sir Robert Syms: I am glad the hon. Lady is irritated by my comments, because I think I am right. We want a very successful oil and gas industry. My constituency is on top of the Wytch Farm oilfield, which has been going for 40 years. Most of my constituents do not know they are on top of an oilfield, so they keep writing to me about oil and gas. The reality is that we will need oil and gas over the next 30 or 40 years. Apart from power, many products derive from oil and gas.

Oil and gas is a very successful industry for the United Kingdom. The hon. Lady and I probably disagree on most things, but we need to ensure that we keep the industry growing, which will create lots of jobs. This very successful industry creates a lot of wealth, which does not undermine the fact that many oil companies are now investing heavily in renewables. The North sea investments of Shell and many other major companies are consistent with decarbonisation. What we can do in producing more North sea oil and gas and in decarbonising a lot of that production is very exciting.

That is my main concern for the Minister. This has been a difficult year for the Government, partly because of worldwide factors. I look around the world and see

[Sir Robert Syms]

shipping costs falling and inflation starting to tail off. I hope there will be peace in Ukraine, and I hope the Ukrainians win, which may well improve the economic situation over the next two years. The Treasury needs to be flexible in how it looks at the situation. When I listen to Opposition Members, I feel they have a very inflexible view of the oil and gas industry that I think would do us great damage. I am glad the Government are in listening mode, and I hope they listen further to the comments of Back Benchers.

The First Deputy Chairman of Ways and Means (Dame Rosie Winterton): I should have reminded colleagues that when we are in Committee I am to be referred to as “Chair” or “Dame Rosie”.

I call the SNP spokesperson.

Richard Thomson (Gordon) (SNP): Thank you, Dame Rosie, for calling me at this point. We are discussing this Finance Bill still against a backdrop of problems with our energy security, the climate crisis and the cost of living crisis. Sadly, despite the rapid turnover in personnel in recent weeks and months at No. 10 and No. 11 Downing Street, there are still no signs in this Bill that the Government have any inclination to go about getting to grips with those three crises and challenges of our age.

2.30 pm

The theme of the autumn statement, in as much as it had one, was fiscal consolidation, through a combination of fiscal drag and—where there were not direct spending cuts—spending increases in cash terms only, which failed to keep pace with inflation and therefore represented cuts in real terms. In discussing the autumn statement resolutions on Monday 21 November, I pointed out that there were a few measures the Chancellor could have taken if he genuinely wished to place the burden of an increased tax take on the shoulders of those best able to carry it.

One such possible measure we drew attention to was how non-domiciled UK residents could be taxed. In that regard, we particularly welcomed seeing new clause 8, on non-doms, on the amendment paper. According to the London School of Economics, the UK’s non-doms receive at least £10.9 billion-worth in offshore income and capital gains each year, which they are not required to report to His Majesty’s Revenue and Customs or to pay tax on in the UK. Instead, those who enjoy that status can pay an annual charge of either £30,000, if they have been here for at least seven of the previous nine tax years, or £60,000, if they have been here for at least 12 of the previous 14 tax years. Those are inconsequential sums, given what would, in most cases, have had to have been paid if those earnings had been subject to UK rates of taxation.

The non-dom status is anomalous. The rules originate from Britain’s colonial history, and those with that status are entitled to claim a special tax treatment not available to ordinary taxpayers on this “remittance basis”. That means that even though they might spend most of their time in the UK, and might even have lived here for several years, unlike other UK residents they can avoid paying tax on their investments by locating them offshore.

A joint study by the University of Warwick and the London School of Economics showed that on average a non-dom using the remittance basis tax break has about £420,000 in unreported income and capital gains, which is more than 10 times their UK investment income and gains, which do not receive a tax break. That highlights the scale of what is being missed out on. The LSE estimates that if this loophole had been closed, £3.2 billion would have been raised for the public purse. It is inexplicable that this status is still allowed to exist, so we firmly believe that the Treasury should be looking at carrying out its own analysis of the matter, in line with new clause 8, and that future policy decisions should be informed by that.

I turn to new clause 2 and windfall taxes. We very much believe such taxes have their place, although we have concerns about the disjointed manner in which they seem to be being applied across the energy sector and about the fact that the Government seem to have given no consideration to applying a similar tax on other industries, outside the energy sector, that are also experiencing significant increases in profits as a result of current market conditions.

With a windfall tax we need to make sure that the revenues being taken are proportionate and are not harming investment, particularly in renewables, where we will find our energy security and where we can make a significant impact on the reduction in emissions that we all know we need. Amendments 2 to 4 and new clauses 2 and 1 would not necessarily lead to the gathering of all the information we would like, but they would contribute considerably to the evidence base needed to properly assess the policy of the windfall tax and how effective it has been. On that basis, those provisions meet with our approval.

New clause 7 calls for the Chancellor to publish an assessment of the provisions of this Bill on economic growth, on the UK economy as a whole, on individual nations and regions, and on average incomes. If the last two Conservative Administrations had any kind of thought base on which they were trying to establish their credentials, it was growth, whether that was in terms of levelling up or the ill-fated “dash for growth” that saw the rest of us who were not supporters of the previous Prime Minister risibly being tarred as being somehow part of an “anti-growth coalition”.

SNP Members might be sceptical in many ways about some of the intentions behind these initiatives and their efficacy, but as a broad point of principle, taking steps to share prosperity and wealth more fairly and to encourage a more even and sustainable pattern of growth are objectives to be welcomed. It seems unclear, to me at least, where this current Administration stand on these matters, because if anything, given some of their choices, it looks as though the UK Government seem much more intent on the tired old strategy of squeezing every last drop of growth they can possibly get out of London and the south-east in preference to encouraging other local economies to grow and develop to their fullest possible extent. New clause 7 and the information it would bring would enhance the evidence base on that.

Finally, one thing I hope we can all agree on is that a key driver of an effective growth strategy is the effective use of R&D incentives. The UK as a whole has lagged behind its major competitors, such as France and Germany, in the proportion of GDP invested in R&D. In achieving

growth, an increase in well-targeted R&D is important, but it is important to recognise that you do not fatten the pig the day before market. This is a long-term objective that needs to be followed if we are to start getting the benefits that R&D should be able to bring in innovation, new jobs, the driving of exports and all the other virtuous cycles we would expect.

Even in a picture of a UK lagging behind major industrial competitors, the story within the UK is shockingly imbalanced. Again, it is almost as though there were a vortex effect sucking R&D into London and the south-east. Scotland punches above its weight in many respects, but there are other regions of England to consider, and Wales achieves only about half the R&D that we would expect it to get on the basis of its population share. So in a UK that is already underperforming in R&D, there are significant imbalances, which are again distorting the regional and national growth picture. So it is perfectly reasonable that we should understand which businesses are benefiting from R&D credits, what areas these businesses are in and where they are geographically located. New clauses 3 and 4 would help to build that evidence base, which can help us to judge whether the Government are achieving their intentions on R&D.

I will draw my remarks to a close simply by observing that this is a poor Bill that fails to meet the trials of the present. It does not set us on the course we should be trying to set ourselves on to meet the challenges of the future.

Anthony Browne (South Cambridgeshire) (Con): I feel that I should first explain why I have a teddy bear on the Bench beside me, because various people have been making eyes at me. The bear is the prize for my Christmas card competition. As I am en route between the gift shop and having a photograph taken with the Prime Minister, I thought that I would sit him there.

As I said on Second Reading, I very much welcome the whole thrust of this Bill, which is needed to balance the books. I will not repeat what I said then, but I have a few comments on some of the amendments. First, amendment 2 to clause 5, tabled by the hon. Member for Richmond Park (Sarah Olney), is about trying to publish the number of taxpayers who get caught in higher rate bands as a result of this Bill. I very much welcome tax transparency, and I very much welcome His Majesty's Revenue and Customs telling people how much tax they will pay. There are many measures that we could take to promote tax transparency, but I can say with a high degree of confidence that, if this amendment were to pass, HMRC would not need to write to one single member of the public, because it is fundamentally based on a complete misunderstanding of how fiscal drag works.

The Bill keeps the personal allowance and the higher rate thresholds as they are, so somebody earning, say, £12,000 a year will not pay the base standard rate of income tax now and they will not pay it next year. The way that fiscal drag works is that people get pay rises, which push them into a higher rate band than if they had not got that pay rise, but that is not as a result of a change in the Bill. The wording of the amendment says that

“they have become liable to pay the basic rate of income tax (when they were not previously so liable)”.

It is mathematically impossible to have someone not liable at the moment who will then become liable as a result of the Bill.

Sarah Olney (Richmond Park) (LD): I just want to clarify that what we are talking about in this amendment is where people are getting pay rises, and even though most people are not getting inflation-rate pay rises, they are nevertheless getting higher cash rises than they normally would have done because of the rate of inflation. For some people that will mean that they will be paying income tax for the first time if their rise takes them above the personal allowance threshold, or, indeed, if it takes them above the higher rate threshold. That is what the amendment is designed to address—the fact that there will now be some people paying 40% tax on their increased salary, which, if the thresholds had risen in line with inflation, they would not have done. I am pleased to have had the opportunity to clarify that.

Anthony Browne: I am well aware of how fiscal drag works. I have been studying it, reporting on it and commenting on it for about 20 years. My point was that, as the amendment is worded, the person would have become liable to pay the base rate of income tax when they were not previously so liable. If they are not liable now, they will not become liable as a result of this Bill. The hon. Lady could have changed the wording of the amendment—she would need to go to lawyers to work out the wording—but, as it stands, literally no one falls into that category. The one category in which people could end up in higher tax bands as a result of the Bill is not actually mentioned, which is the lowering of the threshold for the additional rate of tax from £150,000 a year to £125,000 a year. So for example, if a person was earning £130,000 a year, they would not be liable for the additional rate of income tax—the 45p rate—now, but they will be as a result of the Bill. However, the hon. Lady's amendment does not mention that; it mentions the standard rate and the lower rate, for which the thresholds are kept stable.

New clause 8 has not been selected, but the hon. Members for Ealing North (James Murray) and for Gordon (Richard Thomson) both talked about non-doms. I just point out that there is a lot about non-doms that I would tidy up. It is clearly not a perfect system, and I do not think that anybody would defend it. None the less, it was there throughout the time of the last Labour Government. They did many reviews on it—I remember those reviews—and they sort of tinkered with it a little bit, but fundamentally left it the same. They agreed with the arguments currently put out by the Government that it is an overall net gain for the UK economy and for the UK taxpayer.

Peter Grant (Glenrothes) (SNP): I am wondering whether the teddy should be moved on to the Front Bench. It could become one of the most effective Members of the present Cabinet.

The hon. Gentleman mentioned his belief in tax transparency, which is clearly something that we would all welcome. In his autumn statement, the Chancellor made a great deal of the fact that it would mean that somebody working full time on a minimum wage would get a pay rise of about £1,900. He did not mention that the Treasury would then take back almost £500 of that because of the increased tax they would have to pay.

[Peter Grant]

Does he believe that it would have been more transparent for the Chancellor to admit how much additional tax somebody on a minimum wage would be paying as a result of there being no increase in the tax bands in this Finance Bill?

2.45 pm

Anthony Browne: When the current Prime Minister, then Chancellor, initially froze the tax thresholds in the Budget earlier this year, he was very transparent; he said upfront that the Government were freezing the thresholds. He wanted to make sure that no one could accuse him of introducing a stealth tax rise. Previously when thresholds were frozen, Chancellors tended not to mention it during the Budget speech. They just let it pass through and it really was a stealth tax rise.

I want to make one general comment about the different amendments. They all call on the Government to publish documents and reviews of one form or another. I know that amendments are not allowed to commit the Government to new expenditure, or to change their tax take, but there are, literally, no new policies here whatever. As far as I am aware, the Opposition agree with basically all the measures in the Bill, which makes it quite difficult to suggest amendments that change any of them or to make a speech about changing them. However, fundamentally, I have a problem with legislation that urges Government to publish documents and tries to tell Ministers what to do in their jobs, because that is not the role of legislation normally. There is one easy way to get the Government to do what the Opposition want, which is to win an election; that is a little suggestion for them. If they want to get the Government to publish documents, become the Government. I do not particularly want them to, but that is the easier way to do it than trying to pass amendments.

New clause 3, which the hon. Member for Ealing North mentioned, calls for a review of the effectiveness of the research and development tax credits. I have a lot of sympathy with the broad thrust of that. I talked about that on Second Reading. Clearly, it is a big issue for my constituency. I have many life science companies that depend heavily on that tax credit. Their whole cash flow depends on it. They do research for 10 or 15 years before they earn any revenue—before they have any chance of getting money in through the door. They are funded by investors and part of their funding model is getting that tax credit. It has been alarming for them to see it being cut off in April.

Clearly, the Government are, rightly, worried about fraud in tax credits. There is a lot of fraud in that area, and a whole industry effectively encourages it, so the Government are right to tackle it. I know that the Government are committed to promoting research and development and championing the life sciences. The Minister has been generous with her time and we talked about it this morning. What the chief executives and leaders of all these life science companies want is reassurance from the Government that they are really committed to making sure that research and development in small and medium-sized enterprises is not adversely affected by this measure. I also urge her to meet the industry urgently to get to the bottom of this and to work out a regime to help them.

Victoria Atkins: I thank my hon. Friend for the constructive and eloquent way in which he has represented the interests of his constituents and those critical businesses in his constituency. I genuinely take this matter very seriously. In addition to a wider roundtable meeting that I am having next week with a broader range of sectors that may be affected by this, I wonder whether it would meet with his approval if we could have a meeting before Christmas specifically with the life sciences industry to try to ensure that we continue to see the thriving industry he has described, while also bringing about these much-needed changes to the R&D tax reliefs.

Anthony Browne: I thank the Minister for that positive and constructive response. I would be absolutely delighted, and I know that the industry would be delighted, to sit down with her urgently in the next few weeks to go through the different options.

My last comment on the R&D tax credits is on evaluation. Various people have mentioned in this debate and on Second Reading the effectiveness of those and whether they lead to more research and development. Clearly, we do not want to give good taxpayers' money to businesses if they do not end up doing what we want them to do, which is doing more research and development. New clause 3 asks for evaluations. There are various published evaluations by His Majesty's Revenue and Customs and other bodies already about this, but I would just caution against reading too much into the headlines, because the evaluations I have read combined the whole spectrum of businesses that claim research and development tax credits, including the fraudsters, the chancers and the people who are just doing stuff they would do anyway and trying to get a tax credit for it, and all the knowledge-intensive companies in life sciences and other sectors that are doing the valuable research we want to encourage.

I would caution the Government to base any policy on an evaluation of how the tax credit is spent on the businesses that they want to encourage, as opposed to the fraudsters and the chancers that they do not. Any change to the regime needs to try to separate and distinguish between those two branches. As a result of the constructive approach taken by the Government, who I know want to sort this out, I do not think new clause 3 is necessary and therefore I will not be supporting it. I do support the Finance Bill, however, and commend it to the Committee.

Helen Morgan (North Shropshire) (LD): Thank you for your flexibility in allowing me to speak this afternoon, Dame Rosie.

I rise to speak to amendment 2, tabled in my name and that of my hon. Friend the Member for Richmond Park (Sarah Olney), and to amendments 3, 4 and 5, tabled in her name. This Bill is an unfair stealth raid on millions of hard-working low and middle-income earners during a terrible cost of living crisis. Thanks to the Conservatives' threshold freezes, 6 million people will be dragged into a higher tax band by the end of 2028. Those stealth tax rates are not particularly obvious in someone's monthly payslip, but that does not mean they are not going to hurt people struggling with the cost of living.

Basic rate taxpayers will pay an additional £340 this year due to the freeze of the personal allowance, and higher rate taxpayers are estimated to pay an extra

£1,700. Amendment 2 would require HMRC to write to all those affected by those income tax threshold freezes, to tell them whether they are paying more tax than they normally would and, crucially, whether they have been dragged into a higher tax band. It is vital that the British public have clarity on the Conservative increases to their tax liabilities from April and for that reason I wish to push amendment 2 to a vote.

The Conservatives promised not to raise taxes, as written in their own 2019 manifesto:

“This is a tax guarantee that will protect the incomes of hard-working families across the next Parliament.”

Three Prime Ministers and five Chancellors later, the Conservative Government have delivered an autumn statement with £24 billion in tax rises, all to fill a black hole—or indeed a blue hole—that they have created through their own incompetence. The Prime Minister and his Government are now breaking the Conservative manifesto pledge and the Prime Minister has no mandate for that. The Conservatives could at least make the British public aware that their promise to the country has changed by accepting amendment 2.

In 2019, the Conservatives promised voters a high-wage, high-skilled, low-tax economy. At a time when real-terms wages continue to fall, the tax burden has reached its highest level since the second world war and we have a chronic skills shortage, I would appreciate some clarity from the Prime Minister on the delivery of his party's manifesto commitments.

I will also speak briefly to amendments 3 and 4. The Liberal Democrats were the first party to call for a windfall tax back in October 2021, when gas prices first began to soar. Through their delay in taking action, the Government allowed fossil fuel giants to get away with half a year's-worth of untaxed super-profits. Amendment 3 would require the Government to produce an assessment of how much revenue has been lost through their delay. I am pleased that the Government are finally raising the rate of the windfall tax, but I am afraid it does not go far enough. If Shell paid nothing when the rate was 25%, it will still pay nothing when the rate is 35%.

Amendment 4 would require the Government to produce a quarterly assessment of how much revenue has been forgone through the investment allowance and publish the names of the companies that have benefited from the tax break. The lost revenue could have gone to supporting struggling households or protecting our public services, and the British people deserve to know how the money has been spent. I am also concerned about the environmental impact of the investment allowance. The Government state that they are committed to net zero, but at the same time the allowance promotes oil and gas exploration, while refusing renewable generators an equivalent tax relief.

Lastly, I draw attention to amendment 5. At a time when petrol and diesel prices are sky high, the Government should not be making it more expensive to own an electric vehicle. They have already scrapped the plug-in car grant and now they are extending vehicle excise duty to electric cars, which will only slow the road to electrification. I urge hon. Members to support these amendments to improve this Bill and to be honest about the impact it will have on British people.

Christian Wakeford (Bury South) (Lab): It is a pleasure to serve under your chairship, Dame Rosie. I rise to support new clause 2, new clause 5 and amendment 1,

which would remove clause 5, as set out by my hon. Friend the Member for Ealing North (James Murray) on the Front Bench.

During the autumn statement, we heard a lot about blaming global issues. While there are global issues, there are also political choices that have got us to where we are right now. We have had the best part of a year of political instability. We have also had the run on gilts caused by the mini-Budget and an increase in mortgage rates. That was not a global issue—it was very much created here in Parliament.

We were promised an autumn statement based on fairness. People are really struggling. Fran has bravely taken on and beaten breast cancer twice. She is now unfortunately terminally ill with bone cancer that has spread to her brain. Instead of making special memories with loved ones, she is spending her final moments worrying about money. She is unable to heat her home, surviving on her husband's part-time wages, universal credit and her disability payments.

While there was some help with benefits increasing in line with inflation, we had been calling for that commitment for months in order to remove that worry and anxiety. Unfortunately, it took until the autumn statement for the Government to come out and reassure the public who were struggling. Leighane, a 27-year-old mother, was due in court over her unpaid bills. She owed £334 in electricity and £638 on the gas bill, and her rent arrears were £1,500. Sadly, because she thought she had no support and nowhere to turn, she stepped in front of a train with her three-year-old daughter. There was no support for anyone like her in the autumn statement.

John was described as a well-liked man, who was homeless and struggled with drugs—I reiterate my commitment in this place that no one chooses to be an addict and we need to do more to tackle addiction. There was nothing to tackle addiction and no talk about how we are going to fund that through the NHS at any point during this Finance Bill or in the autumn statement. Last week, he made a final bed for his trusted dog and died outside in freezing temperatures.

I will get on to the particular amendments now, Dame Rosie. We have heard about fairness, but the question is, fairness for who? We have a lot of measures about keeping the triple lock and increasing benefits with inflation. I welcome those—I really do—it is just a shame it has taken Opposition day debates, numerous questions on the Floor of this House and numerous written questions to get to that stage.

In new clause 5, we want to make sure that there are particular impact assessments and that the documents are provided. When we think that the autumn statement ultimately included £60 billion of spending cuts or tax rises, not to be able to share any of those documents just seems like ridiculously poor management. The mind boggles that we are not considering any of those elements.

There are also amendments on the Order Paper regarding the increase in tax allowances. Is it fair that the wealth of the top 1% of earners has gone up 185%? No. What are we doing to help low earners? We are freezing tax allowances. I listened quite earnestly to the hon. Member for South Cambridgeshire (Anthony Browne); I know him very well and I know his background in the field, so

[*Christian Wakeford*]

I will probably have a chat with him over a cup of coffee in the Tea Room about what we can do. However, the people of this country have been clobbered with £25 billion-worth of tax rises.

We have heard slogans before—I know a few things about those—saying “We are all in this together”, but are we really? We have seen no attack on non-dom tax status and no tax on private equity managers. We see a recession that will go on for longer than a year, and all the Government could talk about was softening the blow. Well, I am sorry, but I want to aspire to better than that for this nation. I want us to talk about growth, but I have seen nothing—on Second Reading, in any of the amendments or in the Minister’s speech—that goes in any way towards addressing growth.

We keep hearing a lot of talk and rhetoric about investment. I agree that we need investment, but that is why we have to focus on one of the loopholes and ensure, as the new clauses would, that a windfall tax actually delivers meaningful impact and that large oil generators and producers cannot just get away with investing money back into their own system. They get 90p of support for every £1 they are taxed, and that does not seem fair. It does not seem fair for the people whom I have just spoken about—the people of Bury South and the people of this country—and that is why the amendments are needed.

At the same time, real household disposable income is likely to be at its lowest level, with an estimated fall of 4.3% next year alone. We hear that the Conservatives are the party of sound money, but I just do not see that at the moment. Only Labour can provide the real growth and change that the country needs. Business believes it and the public believe it, and my God, we need it. That is why we should back new clauses 2, 3 and 5, and the plethora of other new clauses tabled by the Labour Front-Bench team, and I urge all colleagues to do so.

3 pm

Caroline Lucas (Brighton, Pavilion) (Green): I rise to speak in support of my new clause 1, on an assessment of the impact of the investment allowance.

When the Chancellor delivered his autumn statement, he did so not just against a backdrop of recession and rising inflation, but in the context of the twin challenges of the climate and energy crises—both of which have fossil fuels at their core—and while millions of households face fuel poverty and unimaginable hardship this winter. The UN Secretary-General memorably warned at COP27 that:

“We are on a highway to climate hell with our foot on the accelerator.”

My new clause would address the continuation of a policy that locks us further into fossil fuels at the expense of the taxpayer and at the cost of exacerbating climate breakdown.

Although I welcome the strengthening of the windfall tax to 35%, bringing the total tax on oil and gas to 75%, which is still notably lower than Norway’s 78%, it is genuinely incomprehensible that the Government have failed to close the gaping loophole that lies at the heart of this windfall tax.

Peter Grant: Does the hon. Lady agree that the Government have missed a huge opportunity in limiting the windfall tax to oil and gas companies? They could have introduced a windfall tax on other companies that have, fortuitously, made massive profits as a result of the pandemic.

Caroline Lucas: I certainly agree with the hon. Gentleman. If I had to make a suggestion about where the Government should look next, it would be the distribution network operators—the companies that run the grids. There has been no spotlight on them at all even though they are making massive profits right now.

The hole at the heart of the windfall tax has led Shell—the UK’s fourth largest oil and gas producer—to pay no windfall tax or, indeed, any normal oil and gas tax at all. Indeed, oil and gas companies, which have made frankly grotesque profits, will still be able to claim £91.40 in tax relief for every £100 invested in oil and gas infrastructure. What is more, from January 1 a company spending £100 on upstream decarbonisation—which essentially translates as reducing emissions from the process of extracting oil and gas that goes on to be burned—will now be eligible for £109 relief. In other words, the taxpayer is actually paying the oil companies, which are already raking in massive profits—not the other way around.

The Government plan to make real-terms cuts to Departments that have already been starved of funding. They talk about “sacrifices” and “difficult decisions”, as the Chancellor has. Charities warn of a humanitarian crisis, and new research published this weekend shows that almost 200,000 additional young families will be pushed into fuel poverty come April when the energy price guarantee rises to £3,000. In that context, how can the Government possibly justify a situation in which taxpayers are supporting oil and gas companies, whose profits have absolutely ballooned, to fulfil obligations that they can perfectly well afford to pay for themselves.

It is also worth comparing this tax with the one on low-carbon electricity generators, which will be subject to a windfall tax of 45% for revenues above £75 per MWh, yet will not be eligible for investment relief at all. That leads to a ludicrous situation whereby companies will get a bigger tax break for building a wind turbine to power an oil rig than for building one that generates power for the energy grid. I simply cannot see how that is defensible in any shape or form.

The autumn statement should have been the moment where the Chancellor launched a transformation of our economy, powered by abundant renewable energy and with good green jobs. Instead, we had continued support for a costly and slow nuclear white elephant, and for the fossil fuels choking our planet. The so-called investment allowance—it is better termed “obscene subsidy”—is, frankly, a disgrace that fails to tax oil and gas companies properly and comes at huge cost to the public purse. Indeed, it has been estimated that if Rosebank—the UK’s largest undeveloped oilfield—is developed, its owners would effectively receive more than £500 million in taxpayer subsidies.

To put that figure into context, it would be enough to extend free school meals to every child whose family receives universal credit, to pay the annual salaries of more than 14,000 nurses, or to build one new medium-sized hospital. Choosing between genuinely improving our

society or subsidising a climate-wrecking project—Rosebank, in this case, which would produce more emissions than 28 low-income countries combined—should not be a difficult choice.

Make no mistake, it is a subsidy—including, it would appear, according to the Government's own definition in the Subsidy Control Act 2022. I am sure the Government will deny that, but perhaps they will be more inclined to take note of the Institute for Fiscal Studies, which has stated that the investment allowance

“means that North Sea investment will be massively subsidised”, through which loss-making investments could be rendered commercial.

Put simply, my new clause would require the Government to publish an assessment of the impact of the investment allowance on revenue raised by the windfall tax. The Government estimate that the oil and gas sector will pay around £80 billion in tax over the next six years, but it is essential that we have greater transparency on how much revenue will be forgone. That revenue could help to finance a real retrofit revolution to upgrade the UK's leaky homes so that we get off gas for good.

Of course, I welcome the £6 billion investment in energy efficiency from 2025, but that will be of little comfort to households that are struggling to heat their homes right now. Crucially, my amendment would also require the Government's assessment to cover the impact of the investment allowance on the UK's ability to meet its domestic and international climate targets. The Glasgow climate pact, which the UK presided over, includes the commitment to pursue efforts to limit global heating to 1.5°C degrees, but the UN has made it clear that Governments plan to produce more than double the amount of fossil fuels in 2030 than would be consistent with staying below that critical threshold. I am aware that a number of amendments seek that kind of assessment of the investment allowance, and I welcome them, but I believe mine goes further because it would require the assessment to consider the impact on the 1.5° target, in addition to net zero and the UK's carbon budgets.

It is no longer acceptable for the Government to look at its policies in isolation from our planet's shared carbon budget. Not only does oil and gas extracted in the UK add to global emissions regardless of where it is burned, but, as the Committee on Climate Change has acknowledged, further extraction

“will support a larger global market overall”—

I remind hon. Members that that global market already has more oil and gas planned than we can possibly burn in keeping below 1.5°, and that is before we start extracting more. I therefore urge the Government not only to accept my new clause but to scrap the investment allowance once and for all, for the sake of our climate and the lives of so many people who are struggling with the cost of living crisis.

Victoria Atkins: I thank hon. Members for their thoughtful contributions to today's Committee of the whole House. I will take a few moments to set out our views on the proposed amendments and the reasons why we will not support them.

I will deal first with amendments 3 and 4 and new clauses 1, 2 and 9, which relate to the energy profits levy clauses in the Bill. Starting with the amendments, my hon. Friend the Member for Poole (Sir Robert Syms)

asked how “extraordinary” profits are defined, and we have not had a chance to draw that out in the course of the debate so far. The definition for the energy profits levy applies only to the profits that companies make from producing oil and gas in the UK and on the UK continental shelf. That is why we see reports in the newspaper about certain companies not contributing to the levy this year. I am not allowed to speak about individual taxpayers, but we have had to specifically focus it on UK business because we are raising taxes for the UK Treasury. That is how we are defining it.

My hon. Friend expressed concern, it is fair to say, about what will happen with the levy if prices go down, as we sincerely hope they will. Through this difficult announcement in the autumn statement, we are expanding the time in which the levy will operate until March 2028. We have done that to provide companies with certainty, because the latest OBR autumn statement price expectations for oil and gas across the forecast horizon exceed average predictions when the levy was first introduced. Commodity prices, particularly for gas, are expected to remain above their long-term average for the foreseeable future, but we will continue to keep the levy under review, as we do with all forms of taxation, while it is in place.

Moving on to amendment 3, the Government reject the premise that the levy should have been in place earlier. In the early months of this year, three significant things changed: first, there was a new war driven by Putin in Ukraine, which introduced significant instability to global energy markets; secondly, inflation was considerably higher than was previously expected; and thirdly, the Government had concrete information on the autumn and winter energy price cap. We therefore introduced the levy in response to these fast-moving conditions.

I welcome to her place the hon. Member for North Shropshire (Helen Morgan), whom I have not had the pleasure of seeing across the Chamber, if she can look up from her phone. Just to give a little context to the statistics, before covid the British economy spent £40 billion a year on energy costs. Today, the annual figure is closer to £200 billion. That means the British economy has to pay an additional £160 billion a year on energy. That is like withstanding a pressure equivalent to an entire second NHS. That is why we have had to make many of these very difficult decisions in the autumn statement, but in particular we introduced the energy profits levy and are now increasing it because of this difficult financial situation.

Amendment 4 and new clause 1 would require the Government to report on how much additional revenue would have been generated without the investment allowance. We have always been clear that we want to see significant investment from the sector to help protect our energy security. The North sea will continue to be a foundation of our energy security, so it is right that we continue to encourage investment in oil and gas. The levy will raise substantial revenues following the changes introduced by this Bill—more than £40 billion over the next six years. That takes into account the tax relief available through the investment allowance. Figures on the amount of tax raised through the levy will be published periodically, in line with other taxes, and His Majesty's Revenue and Customs also publishes data on the costs of reliefs, and that is likely to include the investment allowance once data is available.

[Victoria Atkins]

Although it is important to note that many companies already publish tax data through voluntary transparency schemes, the Government respect the commercial confidentiality of taxpayers. Companies within scope of the levy will be reporting information on their taxable profits in their tax returns. New clause 1 also refers to the impact of the investment allowance on the UK's climate commitments, as does new clause 9. Supporting our domestic oil and gas sector to boost energy independence is not incompatible with these commitments, as we will need these fuels for decades to come as we transition to clean energy.

Our domestically produced gas generates lower emissions than imported seaborne liquefied natural gas, so supporting home-grown hydrocarbons helps to reduce emissions overall. When the upstream industry has reduced its overall emissions by 11% since 2018, it would not make sense to remove support towards further progress. The industry has agreed with the Government's stretching targets towards 2030, and the investment allowance will provide additional relief to support that.

3.15 pm

On new clause 2, tabled by the hon. Member for Ealing North (James Murray), I have already noted that the Government reject the premise that the levy should have been in place earlier. New clauses 3 and 4 concern research and development tax reliefs. With regard to new clause 3, studies published in 2019 and 2020 show that while the R&D expenditure credit incentivises £2.40 to £2.70 for every £1 of taxpayer money, the SME scheme incentivises just 60p to £1.28 for every £1. He asked about wider plans for R&D, and I am happy to tell him that we will continue the review into the R&D tax reliefs and publish a consultation on the new single scheme in due course. These reports are already public, so including new clause 3 would be of limited added value.

New clause 4 concerns error and fraud in the SME R&D tax reliefs. The most recent error and fraud statistics were set out and published in July in the HMRC annual report. We also have an ongoing inquiry into levels of error and fraud in the SME scheme. The analysis has not finished, but when that has finished, we will publish it. Since April, HMRC has written to more than 1,600 claimants who it is believed may have tried to claim money fraudulently. So far, 80% of those claimants have failed to respond within the 30-day response window, while a further 15% required further investigation after they had replied to the letter. That means that HMRC has protected at least £46 million of public money to date, with work ongoing that will see that updated.

In relation to the impact on life sciences in particular, my hon. Friends the Members for South Cambridgeshire (Anthony Browne) and for Poole both set out concerns for this vital industry within the UK economy. I hope that we will be able to resolve those concerns working with the bio industry, the Federation of Small Businesses and other R&D-intensive small businesses ahead of the Budget in the spring.

Moving to personal tax thresholds, in relation to amendment 1, the Government have been clear that clause 5 is a fair measure. The current personal allowance of £12,570 is still significant higher than it would have been if uprated by inflation from 2010. It means that

hard-working people keep more of their income each year. My hon. Friend the Member for South Cambridgeshire rather demolished the wording of amendment 2, but I can reassure the House that HMRC already takes forward such information in practice by informing employed people and pensioners of changes to their tax code. Self-employed people will receive assessments informing them of their tax liabilities and HMRC has an existing online service where people can check their income tax estimates and tax codes at any time.

In relation to new clause 5, we already publish assessments of income tax threshold changes. The tax information and impact note on the measure is available on gov.uk, and we have published distributional analysis on the impact on households for the measures announced in the autumn statement.

I move now to electric vehicles and amendment 5. The Government already publish data on air pollution, electric charging infrastructure and vehicle registrations by fuel type. It would therefore not be proportionate for the Treasury to reproduce data published elsewhere. Quite fairly, Opposition and Government Members asked about the uptake of electric vehicles in the future. The independent Office for Budget Responsibility expects uptake to continue to be strong, forecasting that around half of new car registrations will be electric by 2025. The other measures in the Bill are helping to support those 60% of registrations that occur through company car schemes.

New clause 6 deals with the broader impact of the Bill. It would require various reviews on the regional impacts across the UK on people with protected characteristics and different incomes levels. The impact of all legislation on different nations and regions of the UK is carefully considered by the Treasury. I note, again, that it publishes analysis of the impact of the Government's measures on households at different levels of income in the "Impact on households" report, which has been published separately alongside each Budget. Our most recent analysis, published alongside the autumn statement, has shown that Government decisions made at the fiscal event are progressive. Low-income households will receive the largest benefit in cash terms and as a percentage of income. The Treasury and HMRC publish equality impacts in summary form for tax measures in tax information and impact notes.

We reject the need for new clause 7. The independent Office for Budget Responsibility provides economic and fiscal forecasts and is required to provide an assessment of the impact of Government policy. It has done so in relation to the autumn statement and it will continue to monitor the impact of the measures in future forecasts. Another report is therefore unnecessary.

New clause 10, tabled by the hon. Member for Richmond Park (Sarah Olney), seeks a review of the Bill's impact on small businesses. Small businesses are shielded from many recent tax changes. For example, the small profits rate for corporation tax means that around 90% of companies will not pay the main rate. The employment allowance is now at its highest level of £5,000 since spring. It means that 40% of businesses will be unaffected by the national insurance changes. Businesses will also benefit from a generous business rates package announced in the statement, which introduced a supporting small business scheme to cap bill increases at £600 per year for

businesses losing eligibility for some or all small business rate relief at the 2023 revaluation. *[Interruption.]* The hon. Member for Richmond Park seems to be laughing at that support for small business. I hope her small businesses in Richmond benefit from the help that central Government are giving them.

To give businesses certainty, VAT registration thresholds will not change for a further period of two years from 2024. The UK's VAT registration threshold is the second highest in the OECD, at £85,000, keeping the majority of businesses out of VAT altogether. We are setting the annual investment allowance at its highest ever level of £1 million from 1 April. That amounts to full expensing for an estimated 99% of UK businesses. We are also protecting businesses from soaring energy costs via the energy bill relief scheme, providing them with the certainty that they need to plan through this winter. The impact of all policy changes, including on small businesses, are considered and monitored as part of the usual decision-making process. We publish the tax information and impact notes, which include the impact of tax changes on business.

I hope that I have been able to provide some reassurances to hon. Members. I urge the House to reject the proposed amendments, and I commend clauses 1 to 12 to the House.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 to 4 ordered to stand part of the Bill.

Clause 5

BASIC RATE LIMIT AND PERSONAL ALLOWANCE FOR TAX YEARS 2026 AND 2027-28

Amendment proposed: 2, page 4, line 6, at end insert—

“(5) HMRC must contact every individual affected by the provisions of this section to inform them whether, as a result of the provisions of this section—

- (a) they have become liable to pay the basic rate of income tax (when they were not previously so liable);
- (b) they have become liable to pay the higher rate of income tax (when they were not previously so liable); and
- (c) how much additional income tax they will pay as a result of the change.”—(*Helen Morgan.*)

This amendment would require HMRC to contact every individual who become liable to pay standard tax or move from standard to higher rate, and how much additional tax they will have to pay as a result.

Question put, That the amendment be made.

The Committee divided: Ayes 55, Noes 285.

Division No. 102]

[3.24 pm

AYES

Bardell, Hannah	Chapman, Douglas
Black, Mhairi	Cherry, Joanna
Blackford, rh Ian	Cooper, Daisy
Blackman, Kirsty	Cowan, Ronnie
Bonnar, Steven	Crawley, Angela
Brock, Deidre	Docherty-Hughes, Martin
Brown, Alan	Doogan, Dave
Callaghan, Amy (<i>Proxy vote cast by Owen Thompson</i>)	Dorans, Allan (<i>Proxy vote cast by Owen Thompson</i>)
Cameron, Dr Lisa	Edwards, Jonathan

Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Foord, Richard
Gibson, Patricia
Grady, Patrick
Grant, Peter
Green, Sarah
Hosie, rh Stewart
Lake, Ben
Law, Chris
Lucas, Caroline
MacNeil, Angus
Brendan
Mc Nally, John
McDonald, Stuart C.
McLaughlin, Anne
Monaghan, Carol
Moran, Layla
Morgan, Helen
Newlands, Gavin

Nicolson, John (*Proxy vote cast by Owen Thompson*)
O'Hara, Brendan
Olney, Sarah
Oswald, Kirsten
Qaisar, Ms Anum
Saville Roberts, rh Liz
Shannon, Jim
Sheppard, Tommy
Smith, Alyn
Stephens, Chris
Thewliss, Alison
Thompson, Owen
Thomson, Richard
Whitford, Dr Philippa
Wilson, Munira
Wishart, Pete

Tellers for the Ayes:

Wendy Chamberlain and
Mr Alistair Carmichael

NOES

Clark, rh Greg
Clarke, rh Mr Simon
Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
Clarke-Smith, Brendan
Clarkson, Chris
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crouch, Tracey
Daly, James
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davis, rh Mr David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drummond, Mrs Flick
Duddridge, Sir James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Ellis, rh Michael
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick

Ford, rh Vicky
 Foster, Kevin
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Graham, Richard
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Heald, rh Sir Oliver
 Heappey, rh James
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, Tom
 Javid, rh Sajid
 Jenkin, Sir Bernard
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kniveton, Kate
 Kruger, Danny
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris

Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Longhi, Marco
 Lopez, Julia
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, rh Wendy
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryl
 Murrison, rh Dr Andrew
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robinson, Mary
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Simmonds, David

Skidmore, rh Chris
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Streeter, Sir Gary
 Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trott, Laura

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

Tellers for the Noes:
Robert Largan and
Andrew Stephenson

Question accordingly negated.

Question put, That the clause stand part of the Bill.

The Committee divided: Ayes 285, Noes 210.

Division No. 103]

[3.38 pm

AYES

Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Anderson, Lee
 Anderson, Stuart
 Ansell, Caroline
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Badenoch, rh Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Bell, Aaron
 Beresford, Sir Paul
 Berry, rh Sir Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Buchan, Felicity

Buckland, rh Sir Robert
 Burghart, Alex
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartledge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crouch, Tracey
 Daly, James
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinanage, Dame Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Double, Steve
 Dowden, rh Oliver

Doyle-Price, Jackie
 Drummond, Mrs Flick
 Duddridge, Sir James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, rh Vicky
 Foster, Kevin
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Graham, Richard
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, rh James
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, Tom
 Javid, rh Sajid
 Jenkin, Sir Bernard

Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kniveton, Kate
 Kruger, Danny
 Kwarteng, rh Kwasi
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Longhi, Marco
 Lopez, Julia
 Loughton, Tim
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, rh Wendy
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryl
 Murrison, rh Dr Andrew
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Pow, Rebecca
 Prentis, rh Victoria

Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robinson, Mary
 Knight, rh Sir Greg
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shapps, rh Grant
 Sharma, rh Alok
 Simmonds, David
 Skidmore, rh Chris
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Streeter, Sir Gary
 Sturdy, Julian

Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wood, Mike
 Wragg, Mr William
 Young, Jacob
 Zahawi, rh Nadhim

Tellers for the Ayes:
Andrew Stephenson and
Robert Largan

NOES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Bardell, Hannah
 Barker, Paula
 Baron, Mr John
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Buck, Ms Karen
 Byrne, Ian
 Cadbury, Ruth
 Callaghan, Amy (*Proxy vote cast by Owen Thompson*)
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair

Chamberlain, Wendy
 Champion, Sarah
 Chappman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Crawley, Angela
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davies-Jones, Alex
 De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Doogan, Dave
 Dorans, Allan (*Proxy vote cast by Owen Thompson*)
 Doughty, Stephen
 Dowd, Peter
 Duffield, Rosie
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence

Esterson, Bill
 Evans, Chris
 Farron, Tim
 Fellows, Marion
 Ferrier, Margaret
 Fletcher, Colleen
 Foord, Richard
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Grady, Patrick
 Grant, Peter
 Green, Sarah
 Greenwood, Margaret
 Griffith, Dame Nia
 Haigh, Louise
 Hamilton, Mrs Paulette
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Henderson, Gordon
 Hendrick, Sir Mark
 Hillier, Dame Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Johnson, rh Dame Diana
 Jones, Darren
 Jones, rh Mr Kevan
 Kane, Mike
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Law, Chris
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Liddell-Grainger, Mr Ian
 Lightwood, Simon
 Long Bailey, Rebecca
 Lucas, Caroline
 Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Maskell, Rachael
 Mc Nally, John
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McLaughlin, Anne
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol

Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morgan, Stephen
 Morris, Grahame
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John (*Proxy vote cast by Owen Thompson*)
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Qaisar, Ms Anum
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, rh Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheppard, Tommy
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Sir Stephen
 Trickett, Jon
 Twigg, Derek
 Twist, Liz
 Wakeford, Christian
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia

Wilson, Munira
 Wilson, rh Sammy
 Wishart, Pete
 Yasin, Mohammad

Zeichner, Daniel

Tellers for the Noes:
 Mary Glindon and
 Gerald Jones

Question accordingly agreed to.

Clause 5 ordered to stand part of the Bill.

Clauses 6 to 12 ordered to stand part of the Bill.

New Clause 2

REVIEW OF REVENUE FROM THE ENERGY (OIL AND GAS) PROFITS LEVY

“(1) The Chancellor of the Exchequer must, within three months of this Act receiving Royal Assent, publish an assessment of the revenue estimated to be generated from the Energy (Oil and Gas) Profit Levy in each of the financial years 2021-22 to 2027-28.

(2) In addition to an evaluation of the revenue forecast to be raised by the Levy, the assessment must include an evaluation showing the estimated revenue that would have been raised if each of the following had been the case—

- (a) the qualifying accounting period specified in section 1(3) of the Energy (Oil and Gas) Profits Levy Act 2022 had begun on 3 January 2022,
- (b) the rate of the levy had been increased to 38% under this Act, and
- (c) the amount of additional investment expenditure had been reduced to 0% by this Act.”—(James Murray.)

This new clause would require the Chancellor of the Exchequer to publish an assessment of estimated revenue from the energy (oil and gas) profit levy in financial years 2021-22 to 2027-28, and set out how these figures would be affected if levy were backdated to 3 January 2022, and if the rate of levy was increased to 38%, and the amount of additional investment expenditure reduced to 0%, by this Act.

Brought up, and read the First time.

Question put, That the clause be added to the Bill.

The Committee divided: Ayes 212, Noes 292.

Division No. 104]

[3.50 pm

AYES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackford, rh Ian
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn

Buck, Ms Karen
 Byrne, Ian
 Cadbury, Ruth
 Callaghan, Amy (*Proxy vote cast by Owen Thompson*)
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Crawley, Angela
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davies-Jones, Alex

De Cordova, Marsha
 Debbonaire, Thangam
 Dhesi, Mr Tanmanjeet Singh
 Docherty-Hughes, Martin
 Dodds, Anneliese
 Dorans, Allan (*Proxy vote cast by Owen Thompson*)
 Doughty, Stephen
 Dowd, Peter
 Duffield, Rosie
 Eagle, Dame Angela
 Eagle, Maria
 Eastwood, Colum
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elmore, Chris
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Farron, Tim
 Ferrier, Margaret
 Fletcher, Colleen
 Foord, Richard
 Foxcroft, Vicky
 Foy, Mary Kelly
 Furniss, Gill
 Gardiner, Barry
 Gibson, Patricia
 Gill, Preet Kaur
 Grady, Patrick
 Grant, Peter
 Green, Sarah
 Greenwood, Margaret
 Griffith, Dame Nia
 Haigh, Louise
 Hamilton, Mrs Paulette
 Hardy, Emma
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Healey, rh John
 Hendrick, Sir Mark
 Hillier, Dame Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hollern, Kate
 Hopkins, Rachel
 Hosie, rh Stewart
 Howarth, rh Sir George
 Huq, Dr Rupa
 Hussain, Imran
 Johnson, rh Dame Diana
 Jones, Darren
 Jones, rh Mr Kevan
 Jones, Sarah
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Khan, Afzal
 Kinnock, Stephen
 Kyle, Peter
 Lake, Ben
 Lavery, Ian
 Law, Chris
 Leadbeater, Kim
 Lewell-Buck, Mrs Emma
 Lewis, Clive
 Lightwood, Simon
 Linden, David
 Long Bailey, Rebecca
 Lucas, Caroline

Lynch, Holly
 MacNeil, Angus Brendan
 Madders, Justin
 Mahmood, Mr Khalid
 Malhotra, Seema
 Maskell, Rachael
 Mc Nally, John
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McLaughlin, Anne
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morgan, Stephen
 Morris, Grahame
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John (*Proxy vote cast by Owen Thompson*)
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owatemi, Taiwo
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Qaisar, Ms Anum
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, rh Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie
 Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sheppard, Tommy
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark

Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Sir Stephen
 Trickett, Jon
 Twigg, Derek
 Twist, Liz
 Wakeford, Christian
 Webbe, Claudia

West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Wilson, Munira
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Ayes:
 Mary Glindon and
 Gerald Jones

NOES

Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Anderson, Lee
 Anderson, Stuart
 Ansell, Caroline
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Badenoch, rh Kemi
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Bell, Aaron
 Beresford, Sir Paul
 Berry, rh Sir Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Buchan, Felicity
 Buckland, rh Sir Robert
 Burghart, Alex
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire
 Cox, rh Sir Geoffrey
 Crouch, Tracey
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Dame Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Double, Steve
 Dowden, rh Oliver
 Doyle-Price, Jackie
 Drummond, Mrs Flick
 Duddridge, Sir James
 Duguid, David
 Duncan Smith, rh Sir Iain
 Dunne, rh Philip
 Eastwood, Mark
 Ellis, rh Michael
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Ford, rh Vicky
 Foster, Kevin
 Frazer, rh Lucy
 Freeman, George
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Graham, Richard

Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, rh James
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, Tom
 Javid, rh Sajid
 Jenkin, Sir Bernard
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kniveton, Kate
 Kruger, Danny
 Kwarteng, rh Kwasi
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cherilyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa

Mayhew, Jerome
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, rh Wendy
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robinson, Mary
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, rh Alok
 Simmonds, David
 Skidmore, rh Chris
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob

Streeter, Sir Gary
 Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond
 Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Robin
 Wallis, Dr Jamie

Warman, Matt
 Watling, Giles
 Webb, Suzanne
 Whately, Helen
 Wheeler, Mrs Heather
 Whittaker, Craig
 Whittingdale, rh Sir John
 Wiggin, Sir Bill
 Wild, James
 Williams, Craig
 Williamson, rh Sir Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wragg, Mr William
 Young, Jacob
 Zahawi, rh Nadhim

Tellers for the Noes:
Robert Largan and
Andrew Stephenson

Question accordingly negated.

New Clause 3

RESEARCH AND DEVELOPMENT TAX RELIEF POLICY

“(1) The Chancellor of the Exchequer must, within three months of this Act receiving Royal Assent, publish an assessment of research and development tax relief for small or medium-sized enterprises.

(2) The assessment must include the Chancellor’s assessment of the effectiveness of R&D tax reliefs and plans he has to further reform of R&D tax reliefs.”—(*James Murray.*)

This new clause would require the Government to publish an assessment of their view on the effectiveness of R&D tax reliefs for small and medium-sized enterprises and their intentions for any further reform.

Brought up, and read the First time.

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

The Committee divided: Ayes 212, Noes 290.

Division No. 105]

[4.3 pm

AYES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Ali, Rushanara
 Allin-Khan, Dr Rosena
 Anderson, Fleur
 Antoniazzi, Tonia
 Ashworth, rh Jonathan
 Bardell, Hannah
 Barker, Paula
 Beckett, rh Margaret
 Begum, Apsana
 Benn, rh Hilary
 Betts, Mr Clive
 Black, Mhairi
 Blackman, Kirsty
 Blake, Olivia
 Blomfield, Paul
 Bonnar, Steven
 Bradshaw, rh Mr Ben
 Brennan, Kevin
 Brock, Deidre
 Brown, Alan
 Brown, Ms Lyn
 Buck, Ms Karen
 Byrne, Ian
 Cadbury, Ruth

Callaghan, Amy (*Proxy vote cast by Owen Thompson*)
 Cameron, Dr Lisa
 Campbell, rh Sir Alan
 Carden, Dan
 Carmichael, rh Mr Alistair
 Chamberlain, Wendy
 Champion, Sarah
 Chapman, Douglas
 Charalambous, Bambos
 Cherry, Joanna
 Clark, Feryal
 Cooper, Daisy
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Crawley, Angela
 Cruddas, Jon
 Cryer, John
 Cummins, Judith
 Cunningham, Alex
 Daby, Janet
 Davies-Jones, Alex
 De Cordova, Marsha
 Debbonaire, Thangam
 Docherty-Hughes, Martin
 Dodds, Anneliese

Dorans, Allan (*Proxy vote cast by Owen Thompson*)
Doughty, Stephen
Dowd, Peter
Duffield, Rosie
Eagle, Dame Angela
Eagle, Maria
Eastwood, Colum
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Foord, Richard
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Grady, Patrick
Grant, Peter
Green, Sarah
Greenwood, Margaret
Griffith, Dame Nia
Haigh, Louise
Hamilton, Mrs Paulette
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hillier, Dame Meg
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Johnson, rh Dame Diana
Jones, Darren
Jones, rh Mr Kevan
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lavery, Ian
Law, Chris
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lightwood, Simon
Linden, David
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Maskell, Rachael
Mc Nally, John
McCarthy, Kerry
McDonagh, Siobhain
McDonald, Andy
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McLaughlin, Anne
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John (*Proxy vote cast by Owen Thompson*)
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Osamor, Kate
Oswald, Kirsten
Owen, Sarah
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Qaisar, Ms Anum
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Reeves, rh Rachel
Reynolds, Jonathan
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Stephens, Chris
Stevens, Jo
Streeting, Wes
Sultana, Sarah
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Gareth
Thomas-Symonds, rh Nick

Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Timms, rh Sir Stephen
Trickett, Jon
Twigg, Derek
Twist, Liz
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Matt

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

Tellers for the Ayes:
Mary Glendon and
Gerald Jones

NOES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy
Anderson, Lee
Anderson, Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, Victoria
Bacon, Gareth
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Bell, Aaron
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Blunt, Crispin
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Karen
Brady, Sir Graham
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Buchan, Felicity
Buckland, rh Sir Robert
Burghart, Alex
Butler, Rob
Cairns, rh Alun
Carter, Andy
Cartledge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chishti, Rehman
Churchill, Jo
Clark, rh Greg
Clarke, rh Mr Simon
Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
Clarke-Smith, Brendan
Clarkson, Chris
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Coutinho, Claire
Cox, rh Sir Geoffrey
Crouch, Tracey
Daly, James
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davis, rh Mr David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Docherty, Leo
Double, Steve
Dowden, rh Oliver
Doyle-Price, Jackie
Drummond, Mrs Flick
Duddridge, Sir James
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Ellis, rh Michael
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Fletcher, Katherine
Fletcher, Mark
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Fysh, Mr Marcus
Gale, rh Sir Roger
Garnier, Mark
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian

Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Harris, Rebecca
 Harrison, Trudy
 Hart, Sally-Ann
 Hart, rh Simon
 Hayes, rh Sir John
 Heald, rh Sir Oliver
 Heappey, rh James
 Henderson, Gordon
 Henry, Darren
 Higginbotham, Antony
 Hinds, rh Damian
 Hoare, Simon
 Holden, Mr Richard
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holmes, Paul
 Howell, John
 Howell, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Eddie
 Hunt, Jane
 Hunt, Tom
 Javid, rh Sajid
 Jenkin, Sir Bernard
 Johnson, Dr Caroline
 Johnson, Gareth
 Johnston, David
 Jones, Andrew
 Jones, rh Mr David
 Jones, Fay
 Jones, Mr Marcus
 Jupp, Simon
 Kawczynski, Daniel
 Keegan, rh Gillian
 Knight, rh Sir Greg
 Kniveton, Kate
 Kwarteng, rh Kwasi
 Latham, Mrs Pauline
 Leadsom, rh Dame Andrea
 Leigh, rh Sir Edward
 Lewer, Andrew
 Lewis, rh Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Loder, Chris
 Logan, Mark (*Proxy vote cast
 by Mr Marcus Jones*)
 Longhi, Marco
 Lopez, Julia
 Lord, Mr Jonathan
 Loughton, Tim
 Mackinlay, Craig
 Mackrory, Cheryllyn
 Maclean, Rachel
 Mak, Alan
 Malthouse, rh Kit
 Mangnall, Anthony
 Mann, Scott
 Marson, Julie
 May, rh Mrs Theresa
 Mayhew, Jerome
 McCartney, Jason
 McCartney, Karl
 Menzies, Mark
 Mercer, Johnny

Merriman, Huw
 Metcalfe, Stephen
 Millar, Robin
 Miller, rh Dame Maria
 Milling, rh Amanda
 Mills, Nigel
 Mohindra, Mr Gagan
 Moore, Damien
 Moore, Robbie
 Mordaunt, rh Penny
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morrissey, Joy
 Mortimer, Jill
 Morton, rh Wendy
 Mumby-Croft, Holly
 Mundell, rh David
 Murray, Mrs Sheryll
 Murrison, rh Dr Andrew
 Nici, Lia
 Nokes, rh Caroline
 Norman, rh Jesse
 O'Brien, Neil
 Offord, Dr Matthew
 Opperman, Guy
 Pawsey, Mark
 Penning, rh Sir Mike
 Penrose, John
 Percy, Andrew
 Philp, rh Chris
 Pow, Rebecca
 Prentis, rh Victoria
 Pritchard, rh Mark
 Pursglove, Tom
 Quin, rh Jeremy
 Quince, Will
 Raab, rh Dominic
 Randall, Tom
 Rees-Mogg, rh Mr Jacob
 Richards, Nicola
 Richardson, Angela
 Robinson, Mary
 Rowley, Lee
 Russell, Dean
 Rutley, David
 Sambrook, Gary
 Saxby, Selaine
 Scully, Paul
 Seely, Bob
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, rh Alok
 Simmonds, David
 Skidmore, rh Chris
 Smith, rh Chloe
 Smith, Greg
 Smith, Henry
 Smith, rh Julian
 Solloway, Amanda
 Spencer, Dr Ben
 Spencer, rh Mark
 Stafford, Alexander
 Stevenson, Jane
 Stevenson, John
 Stewart, rh Bob
 Streeter, Sir Gary
 Stuart, rh Graham
 Sturdy, Julian
 Sunderland, James
 Swayne, rh Sir Desmond

Syms, Sir Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Trott, Laura
 Tugendhat, rh Tom
 Vara, rh Shailesh
 Vickers, Martin
 Villiers, rh Theresa
 Walker, Mr Robin
 Wallis, Dr Jamie
 Warman, Matt
 Watling, Giles

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

Tellers for the Noes:
Robert Largan and
Andrew Stephenson

Question accordingly negated.

The Deputy Speaker resumed the Chair.

Bill reported, without amendment.

Third Reading

4.15 pm

Victoria Atkins: I beg to move, That the Bill be now read the Third time.

The House has had a great number of opportunities over the last two weeks to debate the autumn statement and the Finance Bill that underpins it. We had extensive and comprehensive questions to the Chancellor when he delivered the autumn statement, and we then had two days of debate on the measures in the statement. We had Second Reading on Monday and Committee of the whole House today. I humbly submit that the House probably does not need to hear any more from me about the Bill.

I will quickly summarise the autumn statement. My right hon. Friend the Chancellor was honest about the difficult decisions this Government will need to take to tackle the cost of living crisis and rebuild our economy. The Finance Bill takes forward important tax measures to help stabilise the public finances, to provide certainty to markets and businesses, and to support growth. We are legislating rapidly on this small number of measures because we are serious about fiscal sustainability, which is essential for stability and growth.

I take a moment to thank colleagues on both sides of the House for their scrutiny of this small but important Bill on Second Reading and in Committee. I also put on record my thanks to the Bill team in the Treasury, to the policy and legal officials across the Treasury, HMRC and the Office of the Parliamentary Counsel and, of course, to my private office—every Minister knows the important role our private offices play in supporting the passage of any Bill.

I commend the Bill to the House.

4.17 pm

James Murray: On Second Reading on Monday, the Opposition made it clear that this Bill comes from a Government who have made the wrong choices time and again. In this Bill, the Conservatives have chosen to freeze the income tax personal allowance, which is the latest of the Government's stealth taxes and will leave an average earner paying more than £500 a year more in

income tax. Yet while raising stealth taxes on working people, they have also chosen to leave billions of pounds on the table by maintaining a tax break given to oil and gas giants for doing the things they were going to do anyway.

Furthermore, as we have discussed several times, this is a Bill that leaves non-dom tax status unaffected. The Prime Minister has chosen to preserve a £3.2 billion tax break for UK residents on their overseas income—a tax break that should have no place in the UK tax system in 2022. I ask the Minister, for a third time this week, to answer my various questions on this matter, including whether the Prime Minister was consulted on the option of abolishing non-dom tax status.

On Second Reading, we made it clear that the Government could have taken fairer choices in this Bill. In Committee, we gave hon. Members a chance to vote against the stealth tax rise on working people, but Conservative MPs refused to do so. We gave hon. Members a chance to press the Prime Minister and the Chancellor on ending tax breaks for the oil and gas giants but, again, Conservative MPs refused to do so. We are disappointed that, having had these chances to improve the Bill, we are debating the same unamended Bill we had on Monday.

As well as the unfair choices that this Bill makes, we also know it comes from a Government with no plan to grow our economy or halt the decline in living standards. Over the past 12 years, the UK economy has grown by a third less than the OECD average—a third less than during the Labour years before. We are now the only G7 economy that is still smaller than it was before the pandemic, and over the next two years we are forecast to have the lowest growth of any country in the G20, bar Russia. In the coming two years, living standards are forecast to fall by 7%—the biggest fall on record—taking incomes down to the levels of a decade ago.

The truth is that a plan for growth in the UK has been missing for a decade and its absence is now having a greater impact than ever. That is why we have used the debate on this Finance Bill not only to argue in favour of the fairer choices Labour would take when it comes to taxation, but to set out our plan to escape the doom loop of Conservative economic failure and incompetence.

Under Labour's plan, we would grow the economy, including by replacing business rates with a fairer system to support high-street businesses; by implementing our modern industrial strategy to work hand in hand with businesses to succeed; by supporting start-ups, so that Britain becomes the best place to start and grow a new business; by fixing the holes in the Brexit deal so our businesses can export more abroad; and by creating good jobs across the country with our green prosperity plan, while making sure people have the skills they need to work in the industries of the future.

Twelve years of the Conservatives has given us chronic economic stagnation. Their reckless incompetence earlier in the autumn crashed the economy, imposed a Tory mortgage premium, put pensions in peril and trashed our reputation around the world. Now, our country faces tax hikes on working people, the biggest drop in living standards on record and no prospect of our growth rate rising from its position at the bottom of the league. We cannot afford another decade like the last, and I urge all hon. Members to join us in voting against this Finance Bill today.

Madam Deputy Speaker (Dame Eleanor Laing): I pause, lest there be any further contribution. I see none, so I will put the Question.

Question put, That the Bill be now read the Third time.

The House divided: Ayes 280, Noes 205.

Division No. 106]

[4.22 pm]

AYES

Afolami, Bim
 Afriyie, Adam
 Aiken, Nickie
 Aldous, Peter
 Allan, Lucy
 Anderson, Lee
 Anderson, Stuart
 Ansell, Caroline
 Argar, rh Edward
 Atherton, Sarah
 Atkins, Victoria
 Bacon, Gareth
 Bailey, Shaun
 Baillie, Siobhan
 Baker, Duncan
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, rh Steve
 Baron, Mr John
 Bell, Aaron
 Beresford, Sir Paul
 Berry, rh Sir Jake
 Bhatti, Saqib
 Blackman, Bob
 Blunt, Crispin
 Bottomley, Sir Peter
 Bowie, Andrew
 Bradley, Ben
 Bradley, rh Karen
 Brady, Sir Graham
 Brereton, Jack
 Bridgen, Andrew
 Brine, Steve
 Bristow, Paul
 Britcliffe, Sara
 Browne, Anthony
 Buchan, Felicity
 Buckland, rh Sir Robert
 Burghart, Alex
 Butler, Rob
 Cairns, rh Alun
 Carter, Andy
 Cartlidge, James
 Cash, Sir William
 Cates, Miriam
 Caulfield, Maria
 Chishti, Rehman
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Simon
 Clarke, Theo (*Proxy vote cast by Mr Marcus Jones*)
 Clarke-Smith, Brendan
 Clarkson, Chris
 Clifton-Brown, Sir Geoffrey
 Coffey, rh Dr Thérèse
 Colburn, Elliot
 Collins, Damian
 Costa, Alberto
 Courts, Robert
 Coutinho, Claire

Cox, rh Sir Geoffrey
 Crouch, Tracey
 Daly, James
 Davies, rh David T. C.
 Davies, Gareth
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Davison, Dehenna
 Dinenage, Dame Caroline
 Dines, Miss Sarah
 Djanogly, Mr Jonathan
 Docherty, Leo
 Double, Steve
 Doyle-Price, Jackie
 Drummond, Mrs Flick
 Duddridge, Sir James
 Duguid, David
 Dunne, rh Philip
 Eastwood, Mark
 Ellis, rh Michael
 Elphicke, Mrs Natalie
 Eustice, rh George
 Evans, Dr Luke
 Evennett, rh Sir David
 Everitt, Ben
 Fabricant, Michael
 Farris, Laura
 Fell, Simon
 Firth, Anna
 Fletcher, Katherine
 Fletcher, Mark
 Fletcher, Nick
 Foster, Kevin
 Frazer, rh Lucy
 Freer, Mike
 French, Mr Louie
 Fuller, Richard
 Fysh, Mr Marcus
 Gale, rh Sir Roger
 Garnier, Mark
 Gibb, rh Nick
 Gibson, Peter
 Gideon, Jo
 Girvan, Paul
 Glen, rh John
 Goodwill, rh Sir Robert
 Gove, rh Michael
 Graham, Richard
 Gray, James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Griffith, Andrew
 Grundy, James
 Gullis, Jonathan
 Halfon, rh Robert
 Hall, Luke
 Hammond, Stephen
 Harris, Rebecca
 Harrison, Trudy

Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Henderson, Gordon
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holmes, Paul
Howell, John
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane
Hunt, Tom
Javid, rh Sajid
Jenkin, Sir Bernard
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate
Kruger, Danny
Kwarteng, rh Kwasi
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Lewer, Andrew
Lewis, rh Brandon
Liddell-Grainger, Mr Ian
Loder, Chris
Logan, Mark (*Proxy vote cast by Mr Marcus Jones*)
Longhi, Marco
Lopez, Julia
Lord, Mr Jonathan
Loughton, Tim
Mackrory, Cherilyn
Macleane, Rachel
Mak, Alan
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
May, rh Mrs Theresa
Mayhew, Jerome
McCartney, Jason
McCartney, Karl
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Milling, rh Amanda
Mills, Nigel
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny

Morris, Anne Marie
Morris, David
Morris, James
Morrisey, Joy
Mortimer, Jill
Morton, rh Wendy
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryl
Murrison, rh Dr Andrew
Nici, Lia
Nokes, rh Caroline
Norman, rh Jesse
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Philp, rh Chris
Pow, Rebecca
Prentis, rh Victoria
Pursglove, Tom
Quin, rh Jeremy
Quince, Will
Raab, rh Dominic
Randall, Tom
Rees-Mogg, rh Mr Jacob
Richards, Nicola
Richardson, Angela
Robinson, Mary
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Shannon, Jim
Shapps, rh Grant
Sharma, rh Alok
Simmonds, David
Skidmore, rh Chris
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stevenson, John
Stewart, rh Bob
Streeter, Sir Gary
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Throup, Maggie
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trott, Laura
Vara, rh Shailesh
Vickers, Martin
Villiers, rh Theresa
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne

Whately, Helen
Wheeler, Mrs Heather
Whittaker, Craig
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, Craig
Williamson, rh Sir Gavin

Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Young, Jacob
Zahawi, rh Nadhim

Tellers for the Ayes:
Andrew Stephenson and
Robert Largan

NOES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
Ali, Rushanara
Allin-Khan, Dr Rosena
Anderson, Fleur
Antoniazzi, Tonia
Ashworth, rh Jonathan
Bardell, Hannah
Barker, Paula
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bonnar, Steven
Bradshaw, rh Mr Ben
Brennan, Kevin
Brock, Deidre
Brown, Alan
Brown, Ms Lyn
Buck, Ms Karen
Byrne, Ian
Cadbury, Ruth
Callaghan, Amy (*Proxy vote cast by Owen Thompson*)
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Charalambous, Bambos
Cherry, Joanna
Clark, Feryal
Corbyn, rh Jeremy
Cowan, Ronnie
Crawley, Angela
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Davies-Jones, Alex
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan (*Proxy vote cast by Owen Thompson*)
Doughty, Stephen
Dowd, Peter
Duffield, Rosie
Eagle, Dame Angela
Eagle, Maria
Eastwood, Colum

Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Ferrier, Margaret
Fletcher, Colleen
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Grady, Patrick
Grant, Peter
Green, Sarah
Greenwood, Margaret
Griffith, Dame Nia
Haigh, Louise
Hamilton, Mrs Paulette
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Johnson, rh Dame Diana
Jones, Darren
Jones, rh Mr Kevan
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Kinnoch, Stephen
Kyle, Peter
Lake, Ben
Leadbeater, Kim
Lewell-Buck, Mrs Emma
Lewis, Clive
Lightwood, Simon
Linden, David
Long Bailey, Rebecca
Lucas, Caroline
Lynch, Holly
MacAskill, Kenny
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Malhotra, Seema
Maskell, Rachael

Mc Nally, John
 McCarthy, Kerry
 McDonald, Andy
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McLaughlin, Anne
 McMorris, Anna
 Mearns, Ian
 Miliband, rh Edward
 Mishra, Navendu
 Monaghan, Carol
 Moran, Layla
 Morden, Jessica
 Morgan, Helen
 Morgan, Stephen
 Morris, Grahame
 Murray, James
 Nandy, Lisa
 Newlands, Gavin
 Nichols, Charlotte
 Nicolson, John (*Proxy vote
 cast by Owen Thompson*)
 Norris, Alex
 O'Hara, Brendan
 Olney, Sarah
 Onwurah, Chi
 Osamor, Kate
 Oswald, Kirsten
 Owen, Sarah
 Peacock, Stephanie
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Phillipson, Bridget
 Pollard, Luke
 Qaisar, Ms Anum
 Rayner, rh Angela
 Reed, Steve
 Rees, Christina
 Reeves, Ellie
 Reeves, rh Rachel
 Reynolds, Jonathan
 Ribeiro-Addy, Bell
 Rimmer, Ms Marie

Rodda, Matt
 Russell-Moyle, Lloyd
 Saville Roberts, rh Liz
 Shah, Naz
 Sharma, Mr Virendra
 Sheppard, Tommy
 Slaughter, Andy
 Smith, Alyn
 Smith, Cat
 Smith, Nick
 Smyth, Karin
 Sobel, Alex
 Spellar, rh John
 Stephens, Chris
 Stevens, Jo
 Streeting, Wes
 Sultana, Zarah
 Tami, rh Mark
 Tarry, Sam
 Thewliss, Alison
 Thomas, Gareth
 Thomas-Symonds, rh Nick
 Thompson, Owen
 Thomson, Richard
 Thornberry, rh Emily
 Timms, rh Sir Stephen
 Twigg, Derek
 Twist, Liz
 Wakeford, Christian
 Webbe, Claudia
 West, Catherine
 Western, Matt
 Whitehead, Dr Alan
 Whitford, Dr Philippa
 Whitley, Mick
 Whittome, Nadia
 Wilson, Munira
 Wishart, Pete
 Yasin, Mohammad
 Zeichner, Daniel

Tellers for the Noes:

**Mary Glendon and
 Gerald Jones**

*Question accordingly agreed to.
 Bill read the Third time and passed.*

Business without Debate

ADJOURNMENT (CHRISTMAS AND FEBRUARY RECESS)

Motion made, and Question put forthwith (Standing Order No. 25),

That this House, at its rising on Tuesday 20 December 2022, do adjourn until Monday 9 January 2023; and, at its rising on Thursday 9 February 2023, do adjourn until Monday 20 February 2023.—(*Penny Mordaunt.*)

Question agreed to.

STANDING ORDERS ETC. (LIAISON COMMITTEE POWER TO TRAVEL)

Ordered,

That Standing Order No. 145 be amended as follows: in paragraph (4), after “House,” insert “ to adjourn from place to place.”.—(*Penny Mordaunt.*)

STANDING ORDERS ETC (NATIONAL PLANNING POLICY STATEMENTS COMMITTEES)

Ordered,

That the Environmental Audit and Science and Technology Committees be added to the list of Committees in paragraph (2)(a) of Standing Order No. 152H (Planning: national policy statements).—(*Penny Mordaunt.*)

DELEGATED LEGISLATION

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

SOCIAL SECURITY

That the draft Social Security (Class 2 National Insurance Contributions Increase of Threshold) Regulations 2022, which were laid before this House on 7 November, be approved.—(*Fay Jones.*)

Question agreed to.

Pulmonary Embolisms: Diagnosis

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

4.35 pm

Helen Hayes (Dulwich and West Norwood) (Lab): I am grateful for the opportunity to bring to the House the issue of the diagnosis of pulmonary embolism. Given the content of this debate, I put on the record that my husband is employed by the NHS.

I applied for the debate on behalf of my constituent Tim Edwards, who is watching the debate from the Public Gallery. Tim's mother, Jenny, taught for 27 years in Lewes, East Sussex, before retiring in 2012. Jenny sadly lost her life to pulmonary embolism in February 2022. My speech is about the experience of Jenny and her family, and the research that Tim has undertaken in the aftermath of his mother's death, which points to a significant issue with preventable deaths occurring as a consequence of misdiagnosed pulmonary embolism.

First, I want to put on the record my sincere condolences to Tim and his family on the loss of his beloved mother. I understand that in the weeks immediately prior to her death, Jenny had been enjoying time with her first grandchild. I am sure that, as Tim and his wife watch their daughter grow, they are constantly reminded of the relationship that she will now not be able to enjoy with her grandmother. Tim is motivated by his loss to seek to ensure that positive learning is derived from his mother's case and many similar cases, so that diagnosis and the prompt treatment of pulmonary embolism is improved.

Globally, venous thromboembolism, which presents clinically as either deep vein thrombosis or pulmonary embolism, is the third most frequent acute cardiovascular syndrome behind heart attack and stroke. Pulmonary embolism is a blood clot in the vein passing to the lung and causing heart failure. The disease is serious but eminently survivable—if it is promptly diagnosed and treated, the death rate is 8%. Unfortunately, many pulmonary embolisms are misdiagnosed and attributed to other acute cardiovascular conditions because of the overlap of symptoms and the greater ease in identifying heart attacks and strokes.

My constituent has undertaken considerable research since his mother's death, working with the charity Patient Safety Learning. He has estimated that there was a minimum of 400 excess pulmonary embolism deaths across England from April 2021 to March 2022, and that that excess figure is attributable to cases that were missed. He also looked at the age-adjusted mortality rates for pulmonary embolism across counties in England and Wales. There are some regions where the number of fatalities from the condition is almost three times the national average. The Minister may want to inquire as to what drives that discrepancy.

Let me give a sense of what can and does go wrong. In early February 2022, despite exhibiting risk factors and sudden symptoms, including fainting and collapse, my constituent's mother, Jenny, was wrongly misdiagnosed in the care of an emergency department as having had a heart attack. She was then needlessly fitted with a stent. Upon her discharge from hospital, Jenny's condition got worse again at home. She was dying. Yet she was reassured by a cardiac nurse who, over the phone,

missed the clinical signs that indicate pulmonary embolism: shortness of breath, chest pain in the centre of the chest and fainting. The nurse advised that if these symptoms continued, Jenny should call her GP, and she did so, but she never made her GP appointment. My constituent does not want this to happen to other family's loved ones, because it was entirely avoidable.

Jenny was waiting in accident and emergency for more than 12 hours, and there were nine independent decision-making points, at any one of which pulmonary embolism could and should have been diagnosed, but the condition was only discovered in an autopsy. My constituent has subsequently been motivated to write a report about what went wrong, given the mistakes that Jenny experienced and his sense that the NHS trust involved was unable to learn from what happened. His background is in the financial services sector, working in reinsurance, and he has a strong understanding of risk management. From a review of Jenny's case and a report released by the Healthcare Safety Investigation Branch on this topic, part of the problem contributing to misdiagnosis appears to be that many emergency departments are frequently under-resourced and over-reliant on junior staff who may be ill-equipped to reliably suspect, assess and then treat pulmonary embolism, which is a relatively complex condition. That is supported by information provided by the Royal College of Radiologists, which commented on the lack of workforce sufficiency and a shortage of equipment.

Clinical staff in these settings have commented that either they do not have time or, astonishingly, do not feel that they need to follow clinical guidelines on how best to diagnose pulmonary embolism. On that last point, my constituent observes that there appears sometimes to be a culture of excessive leeway for clinicians to make their own decisions and a reluctance to follow clinical best practice. This is a source of concern.

My constituent has also discovered by interviewing a leading European professor in this area that the British clinical guidelines for diagnosing pulmonary embolism are out of step with those adopted across Europe and appear to exacerbate the risk of misdiagnosis, because the guidelines are thought of as subjective. He welcomes the news that these clinical guidelines are currently being reviewed. My constituent is also concerned that prior covid-19 infection has complicated the process of diagnosis in recent years, because some symptoms may be dismissed as linked to covid. However, this is inexcusable, as covid-19 was first established as an additional risk factor for pulmonary embolism by studies across Europe and the US in 2022. Prior covid-19 infection should give rise to greater, not lesser suspicion for patients presenting with symptoms.

In Jenny's case, well-documented symptoms of pulmonary embolism were discounted because of her prior covid-19 infection, although it had been asymptomatic and she had made a full recovery. My constituent reports that it seemed that clinicians were assuming that covid-19 had been beneficial to Jenny's health. Upon my constituent's complaint to the NHS trust responsible for Jenny's care, a serious incident report was commissioned and an inquest took place. However, in my constituent's opinion, the NHS trust appears to have exhibited what he describes as a "shrug of the shoulders, these things happen" conclusion, inhibiting sufficient learning.

My constituent demonstrates in his report that the clinicians who treated his mother are at odds with academic literature on the symptoms of pulmonary embolism when they discuss the rationale behind their decisions. That is deeply troubling, given the alarming rise in pulmonary embolism fatalities across the country. The trust used the lowest level of investigation to contribute to its serious incident report, meaning that the subject matter experts chosen to contribute to the report were all involved in Jenny's original care. The report's conclusion was that a pulmonary embolism could not have been detected, even though Jenny displayed symptoms consistent with 90% of pulmonary embolisms. My constituent disagrees with the report conclusions, and he is concerned that it lacks objectivity and that there is insufficient learning to prevent such misdiagnosis from happening again. A higher level of investigation would have ensured independent contributors to the report, and the lack of that gives rise to concern about how many other cases may have been inadequately reviewed.

The sadness and frustration that my constituent feels at the circumstances of his mother's death have been compounded by the intransigence he has witnessed in the NHS trust responsible for her treatment and the discovery that Jenny's case was not alone. My constituent has been working with the charity Patient Safety Learning and his report will be published in December. The report contains nine calls for action. I have read the report and I have also received a response from NHS England to the recommendations in the draft. I share my constituent's concerns that the response falls back on existing guidelines and current practice. It does not acknowledge my constituent's finding of around 400 potentially preventable deaths a year due to misdiagnosed pulmonary embolisms. It makes no commitment to any process of review or change.

The Royal College of Radiologists has also expressed concerns consistent with my constituent's observation about resourcing issues in emergency departments, and workforce and equipment sufficiency to enable scans to be undertaken. It stated that clinicians do not always have the equipment necessary to provide optimum care. The current vacancy rate in clinical radiology consultants is 8%.

My constituent's research on this issue following the tragedy that his family has suffered is commendable. It highlights serious problems with excess deaths and misdiagnosis, raises serious questions about a postcode lottery, workforce sufficiency and the availability of equipment, and raises concerns about the culture of learning in the context of misdiagnosis.

I ask the Minister to agree to work with NHS England to commission a review of the data set out in my constituent's report and the concerns raised by the Royal College of Radiologists, with a view to ensuring that the rate of misdiagnosis of pulmonary embolism is greatly reduced, and fewer families have to suffer the loss that my constituent and his family have suffered.

4.46 pm

The Minister of State, Department of Health and Social Care (Helen Whately): I commend the hon. Member for Dulwich and West Norwood (Helen Hayes) on securing this debate. She is quite right to bring this issue before the House, as pulmonary embolisms are

not widely known about and are extremely challenging to diagnose. When diagnosed and treated, the survival rate is very high, and that makes misdiagnosis all the more tragic.

Let me express my condolences to Tim Edwards and his family for the loss of his mother earlier this year. I thank him for the research that he carried out into deaths from pulmonary embolisms, including the information that he has gathered about the variation in the figures around the country. The hon. Member set out clearly the sad facts of Jenny Edwards' death, particularly how her pulmonary embolism was not diagnosed and unknown until the autopsy. I recognise the need for better diagnosis and I agree with her about the importance of that. I will talk about what we can and are doing, taking on board the hon. Member's points. I will also talk about reducing deaths from pulmonary embolism by preventing their occurrence. We can never completely remove the risk of embolism, but we can all take action, especially younger people, to reduce the risk.

The NHS has guidance from the National Institute for Health and Care Excellence about diagnosing and treating pulmonary embolisms effectively, which states that patients with symptoms or signs of pulmonary embolisms who see a clinician should have a full medical history, physical examination and chest X-ray. Where there are signs, a D-dimer blood test and the Wells score should be used to determine the likelihood of pulmonary embolism. The challenge is often for the clinician to see the signs and symptoms in the first place, which is increasingly difficult in older patients or those with co-morbidities such as bronchopneumonia, chronic obstructive pulmonary disease, asthma or covid-19. The hon. Member talked about that a moment ago.

That challenge is very much the focus of the Healthcare Safety Investigation Branch's national investigation into the timely recognition and treatment of pulmonary embolisms in emergency departments. Its report was published in March this year, and it focuses on clinical decision making and improving diagnoses. HSIB notes that the majority of pulmonary embolisms were correctly identified and treated, but it felt that the risk of serious harm or death warranted further exploration. The report found that recognising pulmonary embolism is particularly challenging for less experienced staff, especially when the signs and symptoms may be non-specific or atypical. The decision to initiate treatment is one that balances risks, and the decision can benefit from expert knowledge and skill. The report also notes that, despite expertise and the available tools to identify patients who may have a pulmonary embolism, a small number may always sadly be missed.

During the investigation, HSIB found that emergency department staff had asked for further guidance on the diagnosis of pulmonary embolism. The fact that staff sought that information is a good thing and the right thing to do. HSIB made three safety recommendations on improving guidance and training for clinical staff. First, it recommended that NICE should review the report in relation to its thrombosis guidance. In response, NICE carried out a review of the guidance and has decided to update it to include recommendations for people with covid-19. NICE currently expects to publish the updated guidance in July.

[Helen Whately]

Secondly, HSIB recommended that the Royal College of Emergency Medicine promotes best practice for diagnostic decision making. The royal college is reviewing its guidance, which will be done by the end of this year. In addition, it is reviewing safety information about pulmonary embolism and has education activities planned, including e-learning.

Finally, HSIB recommended that Health Education England develops a strategy to support the training of clinicians to develop their decision-making skills. Health Education England is working closely with professional bodies and provides them with simulation-based interventions to support improved outcomes in patient safety.

Getting a diagnosis of pulmonary embolism is by far the most critical issue to address, as treatments are effective provided that they are administered quickly. Anticoagulation medicines are the main treatment for suspected and confirmed pulmonary embolism. These medicines reduce the formation of further blood clots. After a diagnosis is confirmed, patients continue treatment with longer-term anticoagulant medicines to prevent the formation of future clots.

The importance of effective diagnosis and treatment for people with pulmonary embolism cannot be overstated. While we are on the topic, however, we can all take steps in our day-to-day lives to avoid an embolism—I am not making these comments in relation to any individual case, including the sad death of Jenny Edwards that the hon. Lady has been talking about, but for wider society.

Smoking raises the risk of unwanted blood clots and makes it more likely that platelets will stick together. Smoking also damages the lining of the blood vessels, which can cause clots to form. Stopping smoking

significantly reduces those risks. Sitting or being sedentary for long periods, such on a long-haul flight or working at a desk, increases the risk of clots forming. Because the blood is not flowing as much, the cells and proteins in blood settle out and form clumps. Taking regular breaks and moving around reduces the risk of clot formation. Regular exercise, staying hydrated, eating healthily and maintaining a healthy weight are actions that we can all take to reduce the risk of blood clots, which may lead to a pulmonary embolism.

GPs have an important role to play in helping to identify people at risk. The quality and outcomes framework and the investment and impact fund incentivise GPs to deliver proactive case finding and early intervention for patients at higher risk, as well as the ongoing management of patients with long-term conditions that put them at greater risk of blood clots.

In conclusion, raising awareness of pulmonary embolisms in clinical settings, and the significance of early diagnosis, is important but challenging. These challenges must be overcome, as timely and accurate diagnosis of pulmonary embolisms will save lives. Today's debate has been an important opportunity to talk about how the healthcare system is working hard to improve on the issue. The hon. Member mentioned some research, and I would be happy for her to send it to me so that I can make sure that it is taken on board in some of the work that is going on in this area. I again pay tribute to her constituent, Mr Edwards, who has turned his personal tragedy into action to prevent future deaths due to pulmonary embolism, and for that he should be proud.

Question put and agreed to.

4.54 pm

House adjourned.

Westminster Hall

Wednesday 30 November 2022

[SIR GEORGE HOWARTH *in the Chair*]

Avian Influenza Outbreak

9.30 am

Sir John Whittingdale (Maldon) (Con): I beg to move,

That this House has considered the avian influenza outbreak.

It is a pleasure to serve under your chairmanship, Sir George, and I am grateful for the opportunity to debate avian influenza, which is an incredibly important issue. Avian influenza is not a new phenomenon—the industry and wild birds have been affected by it for a long time—but the current outbreak is by far the worst on record. Since the beginning of October, 136 cases of H5N1 have been identified, with millions of birds dying or being culled. The outbreak is affecting every part of the country, but particularly East Anglia. In my constituency of Maldon we have already had three cases in the past few weeks.

The disease spreads rapidly, possibly because the mutated virus that is affecting the population has an increased ability to replicate, and is extending to infect a broader range of species. That issue is not specific to this country, but global. In America, a record outbreak has led to more than 49 million birds in 46 states either being culled or dying since the beginning of the year. Across Europe, the disease has been found in 37 countries, with about 48 million birds being culled. Every country across the globe is affected, including even penguins in South Africa.

An epidemic on such a scale is a disaster for wildlife and agriculture. The Royal Society for the Protection of Birds reports that 65 species of wild bird have tested positive, with tens of thousands of birds dying every day. For a number of species, there is what the RSPB describes as a population impact, and guillemots, kittiwakes and Svalbard barnacle geese are all dying in such numbers that those species are being put at risk in this country.

However, the disease is not only affecting wild birds; it is having a dramatic effect on the poultry industry—a major industry worth £2 billion to our economy. It employs more than 34,000 people and provides about half the meat consumed in Britain. The industry has already had to cope with serious challenges: the seasonal labour shortage, which came about immediately after we left the EU and remains a challenge, as the Minister is aware, and, following that, covid. Just as the industry was beginning to recover from those blows, along came avian influenza. It now faces an existential threat.

We need a clear plan. The Government have rightly identified biosecurity as crucial in trying to stop the spread of the disease, and I welcome the move that has required mandatory housing of birds since the beginning of November, but the spread is extremely rapid, and a single wild bird can infect thousands in a short time. It is right that we have established protection zones around areas where the disease has been identified, and there are more measures that we can take, particularly around the collection and disposal of the carcasses of wild birds—one infected wild bird can massively affect a

flock in a short time. We probably need to improve oversight of those backyard businesses involving a small number of chickens that supply eggs for families or perhaps for neighbours. They are equally at risk and the disease is equally likely to spread from them. Those businesses need to be more visible to regulators.

We have to accept that, although biosecurity is tremendously important, it will not stop the spread of this disease. The Government have instituted a policy of culling, which has already led to the death of thousands, if not millions, of birds. In the case of the very biggest producers, the entire flock in a shed will be culled if the disease is identified there, but at least they will have some remaining birds in other sheds, and of course compensation will help if there needs to be a cull.

However, smaller producers can lose their entire flock overnight, and the compensation available is totally inadequate. Under the Animal Health Act 1981, compensation is payable following culling, but it was passed at a time when there was a relatively low pathogenic strain that did not kill all the birds in a very short time. That has now changed: birds die extremely rapidly, which means that smaller producers can lose almost their entire flock without being eligible for compensation.

In my constituency, I have KellyBronze Turkeys—arguably the finest turkey producer in the country, as vouched for by Jamie Oliver, Nigella Lawson and so on. In one flock, it had 10,000 birds. It identified the disease on a Thursday evening, informed the Animal and Plant Health Agency, which said that it would send vets round, but by the time the vets arrived on Monday morning 9,850 of the 10,000 birds were dead. It was likely therefore to get compensation for the 150 remaining. That is the situation facing poultry farmers right across the country.

The answer is that compensation needs to be payable from the moment of the identification of the disease or notification. The change that has taken place is welcome, but it will not make a great deal of difference: 48 hours post confirmation is simply not enough. We need compensation to be paid on the same basis as it is paid for four-legged species. I understand that that requires an amendment to the law, but it is absolutely essential if we are to preserve the poultry industry in this country.

In the longer term, the answer is likely to be vaccination. At the moment, there is not an effective vaccination, but we need to work on that as rapidly as possible. We saw what could be done during the covid epidemic. We need to identify an effective vaccine, and we need to talk to our international partners to ensure that trade restrictions are lifted. This disease is affecting every country, and the answer is likely to be the same in every country. It is notable that the head of virology at the APHA, who previously was not in favour of vaccines, is now saying that we have to establish an effective vaccine rapidly.

We are in the run-up to Christmas—a time when millions of families will want to eat turkey or goose. This year, we are already seeing dramatic shortages of turkeys, and geese are almost impossible to find. The situation next year is likely to be even more serious, because unless the Government give farmers some confidence, who will invest in a turkey flock for Christmas production when they could lose the entire thing due to an outbreak of disease and have no compensation payable?

[*Sir John Whittingdale*]

We have just emerged from the covid crisis; this is the equivalent of the covid crisis for birds. Biosecurity is important to stop its spread, but ultimately will not be successful. Vaccination is probably the key, and in the meantime the Government need to step in to support the businesses affected. Those things happened under covid. They now need to happen again if we are to have a viable poultry industry in this country.

Several hon. Members *rose*—

Sir George Howarth (in the Chair): Order. I do not intend to impose a formal time limit, but if Members could stick to five minutes, it should be possible to get everybody in. That is an informal time limit.

9.40 am

Tim Farron (Westmorland and Lonsdale) (LD): It is an honour to serve under your guidance, Sir George. I want to pay a genuine and heartfelt tribute to the right hon. Member for Maldon (Sir John Whittingdale), who has successfully secured this debate on a hugely important and significant issue for us all, particularly in communities such as mine.

Animal diseases pose an enormous threat to UK farming, trade and rural communities. We are in the midst of the worst outbreak of avian influenza that we have ever seen. H5N1 has stayed with us all year round for the first time ever, and it is more virulent than previous strains. Yesterday, the Environment, Food and Rural Affairs Committee heard evidence on this; I am grateful for the work it does, and many of its members are here today. There have already been more than 140 confirmed avian influenza cases in poultry and captive birds in the UK—in previous years, getting to double figures was considered to be bad news. The fact that we are well into three figures is terrifying.

As of 20 November, 1.6 million birds had been culled directly because of bird flu on farms. Half of the free range turkeys produced for Christmas in the UK have been culled, as we have heard. British farmers are under immense pressure, both emotional and financial. Poultry farmers often rely on the Christmas trade to pull their annual income out of the red and into the black, but that Christmas trade has been wiped out in an instant, and the small independent farmers, particularly in Westmorland, are bearing the brunt of it, fearing that their businesses will be wiped out completely.

It is not just avian flu that we should worry about. The UK faces real threats from bovine tuberculosis, new diseases such as African swine fever and, of course, diseases affecting domestic pets, including rabies. These outbreaks do not just threaten our food security, trade and farming; they also threaten our natural environment. All birds are being culled, not just those sold for meat—the great skua population, for example, has declined by between 55% and 80% in the UK this year. The species has immediately been placed on the red list, and its population will not recover for decades. If the Government do not intervene effectively, the ecosystems and food chains we rely on—the very fabric of Britain's countryside—will be changed forever.

A report from the Public Accounts Committee this month found that the Animal and Plant Health Agency has been

“left to deteriorate to an alarming extent.”

It said that the Department for Environment, Food and Rural Affairs had “comprehensively failed” in its management of the agency's Weybridge site. That is the site where the science happens—surveillance testing, disease tracking and so on.

We have seen what the consequences of inaction and not learning from the past can be. The foot and mouth disease outbreak in 2001 devastated communities in Cumbria, not just financially and economically but socially and emotionally. A friend of mine who passed away just a month ago was among those 20-odd years ago who were involved in the large-scale culling in the Rusland valley. It broke him—and 20 years on, it continued to live with him.

A year after foot and mouth happened, I remember the children of Kirkbie Kendal School doing a play they had written themselves about the emotional effect the outbreak had on them. One of them likened it to Nevil Shute's “On the Beach”—waking every morning and thinking, had the disease got closer to them? Had it hit their valley yet? Those people are adults now, and the impact on them, on all of us and on our shared memory is huge. We must never think that animal disease outbreaks only affect animals; they have a huge impact on human beings as well.

Cat Smith (Lancaster and Fleetwood) (Lab): I pay tribute to the hon. Gentleman for the contribution he is making, particularly on the impact of foot and mouth in Cumbria. I was one of those schoolchildren in Cumbria at that time. Given the closeness of Cumbria and north Lancashire to the Scottish border, does he share my concerns that, while we are housing birds in England we also need to see the devolved Governments following suit when it comes to biosecurity?

Tim Farron: I absolutely agree that this needs to be a whole-UK project. I thank my friend and neighbour for her contribution—not least for reminding me how much younger she is than me. If we had an outbreak of foot and mouth on the same scale today, it would have an economic impact of £12 billion. As I said, there are impacts that are not quantifiable but even more devastating.

What do the Government need to do? I will briefly suggest three things. First, they should support our farmers through the current crisis. As the right hon. Member for Maldon rightly said, the compensation scheme is not fit for purpose, and the Government must bring it into the 21st century. The legislation that it was built on was introduced in 1981. It is practically prehistoric—like me. Farmers are able to receive compensation only for birds that are alive when the flock is seen by a vet.

Helen Morgan (North Shropshire) (LD): As the representative of a constituency that has a large number of intensive poultry farms, and as someone who has kept a backyard flock and been the financial controller of a poultry farm, I have seen at first hand the difficulties of trying to house poultry. Most importantly, I have seen the difficulties that the farming industry faces when trying to insure against avian influenza. It used to

be possible to obtain insurance, because the disease was an unlikely event—it was a peril that insurers would happily insure against—but now it is almost impossible. Does my hon. Friend agree that taking preventive action—

Sir George Howarth (in the Chair): Order. If the hon. Lady wants to make a speech, she should indicate so. Interventions should be brief.

Tim Farron: I agree with my hon. Friend, and am grateful for her intervention. The uninsurability of flocks is a reminder of why the compensation scheme must work and be effective.

In 1981, avian flu had a low pathogenicity. It did not kill the poultry, so farmers could get a vet to confirm an outbreak and command a cull before the livestock was dead. That is the crucial thing. Now, the disease has a high pathogenicity. Turkeys are dying within four days. The legislation was introduced to incentivise farmers to take their birds to be culled, and it is no longer serving that purpose. The Government must therefore intervene to correct the compensation scheme accordingly.

Secondly, the Minister should take evidence-based decisions. Earlier, I mentioned that the Animal and Plant Health Agency is where the science happens. It is vital that our approach to the disease outbreaks is based on science. Scientists think that avian flu probably lasts for around six weeks after death, so why do farmers have to rest their sites for 12 months? Why are some being told to strip six inches of soil off their free-range paddocks? Farmers are ordered to move their bird flocks indoors, but it takes longer for avian influenza to spread among a flock if they are kept outside on the ranch.

Thirdly, I ask that the Government ensure that they properly prepare for future outbreaks. I expect that the Minister might say that the Government are investing £2.8 billion to redevelop the Animal and Plant Health Agency. That is welcome, but the programme is not due to complete until 2036, and the Treasury has not yet agreed to fund it.

I am grateful to the right hon. Member for Maldon for bringing forward the debate. It is a huge issue for farmers in my patch, for rural communities across the board and for the infrastructure of our natural environment across the UK. Action must happen now.

9.48 am

Kevin Foster (Torbay) (Con): It is a pleasure to serve under your chairmanship, Sir George. I congratulate my right hon. Friend the Member for Maldon (Sir John Whittingdale) on securing this debate on an issue that affects many businesses and communities.

Avian flu is not just about commercial poultry farms or agricultural interests; it has the potential to strike at the heart of the work being done to conserve some of the most endangered species on our planet. The Government must ensure that the approach taken, and the policy structure around it, is suitable for all situations in which avian flu may strike.

Some Members may be aware that Paignton zoo, which is part of the Wild Planet Trust and located in the heart of my Torbay constituency, was recently the site of the first avian flu outbreak at a zoo in England. It is highly unlikely to be the last. Zoos are innately open

places. Local wildlife and human visitors are able to access them, and wild birds can mingle with some of the zoo's stock, especially those species that do not need to be kept in an aviary. It will be obvious to Members that, in breeding birds, zoos have a very different purpose from that of commercial poultry operations. That means that the response to avian flu at a zoo that is focused on conservation objectives needs to be very different from that at a farm that is focused on egg or meat production.

It was late August when avian influenza arrived at Paignton zoo. At the onset of the outbreak, on the late August bank holiday Sunday, the zoo was ordered to close at no notice and with immediate effect. Thankfully, the outbreak was successfully contained and the zoo was permitted to reopen, with the birds under quarantine clearing through the surveillance regime, yet the zoo was closed to visitors for 10 days.

The approach to culling that would normally be taken at a poultry farm would have had a devastating effect at the zoo. I pass on the gratitude of the team at the zoo for the Secretary of State's intervention, which prevented the unnecessary culling of healthy birds that posed no risk of disease spread. However, the zoo derives much of its revenue from the peak tourism season, so the final week of the school holidays is one of its biggest trading periods. The revenue lost from the enforced closure and additional related costs came to just under £1 million. The loss of a week's trade for a zoo is not a simple one-out-of-52 loss; a week lost in summer can be equivalent to losing five to six weeks at another time of the year.

As I said, the normal approach to culling would have been devastating, and I am grateful that it was not applied, but the situation where a zoo is affected highlights a tension between the two fundamental strands of the current avian flu strategy—those relating to wild birds and to captive birds. The wild birds strategy is to monitor, because little can be done, while the captive birds approach is to stamp the flu out.

There are inherent tensions in simultaneously applying two fundamentally different approaches to the same disease, which can lead to practical challenges and inconsistencies on the ground in the case of a zoo. A more nuanced approach that recognises the challenges for a range of stakeholders impacted by the disease would help to mitigate the tensions, especially at a zoo such as Paignton, where, inevitably, both wild and captive birds are present on the same site.

The compensation scheme is similarly designed for the poultry industry, where the biggest impact for the business concerned is likely to be the value of the birds—their lost sale value. Despite the £1 million impact in lost sales and costs from the outbreak, Paignton zoo was offered £207—the value of the birds—as compensation. The £1 million loss will have a material impact on the charity and constrain investment plans focused on animal welfare and support for the zoo's biodiversity protection programmes. Following the impact of the human pandemic, which heavily affected tourism, that is a bitter pill to swallow.

It is always easy to outline the problems, but it is vital we also highlight how the situation can be solved. Following the outbreak, the Wild Planet Trust conducted an after-action review. In addition to internal learnings, the review identified two important issues that merit further attention: ensuring fairness in financial

[Kevin Foster]

compensation for zoos, and making changes to outbreak response arrangements that will help to deliver better outcomes in such circumstances.

First, the compensation scheme should be revised to ensure fairness and equitable loss-of-revenue treatment for all entities that are required to close as a result of a bird flu outbreak. That would recognise that compensation simply for the value of the bird does not reflect the overall impact on zoos. Secondly, decentralising testing capabilities and promoting delegated outbreak management decision making would allow more flexibility when dealing with unique locations. Thirdly, we should adapt the avian flu strategy to the new reality and ensure that lessons learned in a specific location such as a zoo are identified, and improvements are embedded, in parallel with continuing to conduct outbreak response operations.

Sadly, we are likely to see the experience of Paignton zoo repeated at zoos elsewhere. I hope that the Minister will take the lessons learned from the outbreak at the zoo, which the trust and I will be happy to share with him directly, and embed them in our future approach to dealing with avian flu. We simply cannot allow vital conservation work at our zoos to be the next victim.

9.53 am

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in the debate, and I thank the hon. Member for Westmorland and Lonsdale (Tim Farron) for his important comments. As always, he has a real grasp of the situation.

We have seen increasing numbers of outbreaks of avian flu in my constituency of Strangford and across Northern Ireland, which is now a zone where no movement of any poultry of any sort is allowed to take place. We started with a smaller response with restrictions in certain areas, but it now applies everywhere across the whole of the Province. It is crucial to the safety of animals, plants and individuals that the signs of avian flu, and the correct way to prevent its further spread, are known. It is great to be here to address that today.

Some six weeks ago, we had the first indication of avian flu in my constituency in Ballywalter, where there is a fairly large pheasant shoot and 6,000 birds were put down. In one fell swoop, all those birds got avian flu, and the shoot has been closed and will be closed next season. I should say that I thank the right hon. Member for Maldon (Sir John Whittingdale) for securing the debate. On the east coast of Strangford lough, just across from the Wildfowl & Wetlands Trust at Castle Espie, wildfowl and swans were found dead at Mount Stewart. Some of the wildfowlers who shoot there tell me that they have found dead geese, ducks and other smaller birds, which indicates the deadliness of avian flu in my constituency. The Northern Ireland Department of Agriculture, Environment and Rural Affairs took significant steps to try to prevent the disease, but unfortunately it was unsuccessful, and all those things have happened across my constituency and, now, across Northern Ireland as a whole.

As a farmer myself, I am aware of transmission and can understand how crucial preventive steps are to stop potential spread to poultry or even humans. The mandatory avian housing order, which I mentioned earlier, was introduced on the 25th of this month and came into

force on Monday. All bird owners are to keep their birds inside and completely separate from wild birds, to try to contain the outbreak of avian flu. Swift action was taken to avoid a repeat of what happened in 2021, when Northern Ireland witnessed its worst ever outbreak of avian flu, which resulted in the cull of 80,000 birds and potential damage to our £450 million poultry industry.

I declare an interest as chair of the all-party parliamentary group on eggs, pigs and poultry, which is a wonderful APPG to chair; if you start your morning with a bit of bacon and an egg—I always start my day with an egg—that is the one to be on. I go to work on two eggs in the morning, which I think was an advertising slogan back in the '60s and '70s—that ages me.

The British Egg Industry Council asked me to mention two things this morning. The first relates to compensation, which was mentioned by the hon. Members for Torbay (Kevin Foster) and for Westmorland and Lonsdale. The present compensation system does not give the industry what it needs. The British Egg Industry Council said in its correspondence:

“With this particular H5N1 HPAI virus causing high levels of mortality in a short space of time, any delay in culling and assessment for compensation can result in little or no compensation being paid to an affected farm.”

The council has some fears about that, and I am quite happy to share the letter with the Minister. The second thing the British Egg Industry Council asked me to mention is the avian influenza vaccination. It says:

“Over the last few months, vaccination against AI has been a subject of significant discussion within the poultry industry.”

The Minister will know that, because he knows this subject well. The council continues:

“The current strain of H5N1 HPAI appears to have spread globally and there is increasing interest in AI vaccination both in the UK and also among a number of our trading partners.”

I will pass the letter on to the Minister's Parliamentary Private Secretary, but those are the two requests we have from the sector.

I am conscious of the time, so I will push on. I want to say a couple of things for people—not farmers, but those who go out walking in local parks and near ponds, of which we have plenty round about where we are. The authorities have stated that people must not, on any occasion, feed the swans and ducks. The hon. Member for Torbay referred to zoos, which are also of great concern. There must be greater awareness among members of the public that if they see a dead or injured bird when they are out and about, under no circumstances should they handle it. It is important that dogs are kept under control, on a lead. That is the message from DAERA, DEFRA and the Royal Society for the Prevention of Cruelty to Animals.

Steps can be taken to ensure that the disease does not spread further, including the use of protective equipment such as eye protection, avoiding touching your mouth, nose and eyes, and washing hands with soap and water after touching birds. I am sure we are all comfortable with that, as the pandemic has taught us well, but this time we do it for the protection of wildlife and our poultry industry. That is what we are here for, and that is why we are very pleased to see the Minister in his place. I thank him and look forward to his comments later.

9.59 am

Priti Patel (Witham) (Con): I congratulate my right hon. Friend the Member for Maldon (Sir John Whittingdale), who is my constituency neighbour, on securing the debate and on highlighting how badly this epidemic has affected Essex and the east of England. This debate follows the one that we held in Westminster Hall last week on support for British farming. Of course, we are all here to pay tribute to those whose livelihoods depend on farming, and to recognise the valuable contribution that they all make. As has already been said, with Christmas fast approaching, there is rightly a significant amount of public interest in this issue. Agriculture, whether it is our poultry industry or other aspects of farming that have been mentioned, is crucial to Britain. It fills our tables and keeps people employed in this country. This is a challenging and worrying time for farmers.

As right hon. and hon. Members have said, farmers in Essex, the east of England and other parts of the country have been heavily hit by bird flu. I pay tribute to those farmers; what they are enduring is incredibly difficult. Anyone who keeps birds, whether on large farms or smallholdings, including hobbyists who keep heritage breeds, is living in fear, with genuine concerns. Those concerns are not short term; they are long term with significant impacts.

We should note that many farms already maintain strong biosecurity measures but have still been infected. As this strain spreads across the wild bird population, the damage is now severe. In the Witham constituency, between 1 October and 15 November, a highly pathogenic avian influenza was detected in poultry and captive birds; it was detected in three premises out of six in Essex. Nearly 50,000 birds have died or been culled in Essex as a result, including around 7,600 in the Witham constituency.

Members have already heard and discussed the impact, but there is one example from my constituency that I would like to highlight. Blackwells farm is one of many fantastic farms in Essex and is a great business. It has been rearing its own free-range poultry and meats for many years. The farm shop also showcases other local producers. There is, of course, a knock-on effect on the supply chain and access for other producers. Bird flu was detected on Blackwells farm in October, and I raised that with the Secretary of State and the Minister. I am grateful to the Minister for his diligent response. Within days, thousands of birds were infected and died. Those that were left by the time officials arrived from DEFRA were humanely culled. That process was a devastating time for the farm.

We have heard from Members about the processes and procedures, but first there are some specific issues that need to be addressed, such as the lack of information about what other activities could or could not take place on the site of a working farm and business. Local businesses with diverse operations need to factor in all those matters. The situation became very much about certainty and clarity of advice from DEFRA on what constitutes business as usual, so that the farm could operate. I would welcome the Minister's feedback on those points, which he has heard raised before. I would also like clarification on the compensation arrangements, which have already been debated.

Blackwells has received some compensation for approximately 5,000 of the 7,300 birds affected, which were either culled or died. Compensation was not paid in respect of all the birds lost. The arrangement for compensation is an issue. The Department knows well that compensation and payments not only need to be on time, but must reflect the scale of the damage and the impact of the pandemic on businesses.

The farm, along with other businesses, will need to know about compensation measures, and the measures in place need to be reviewed, with details of what further support can be given to farms affected to help them get through these tough times. This is not a period of four to six weeks; the disruption is becoming persistent, and it is affecting businesses. As well as compensation, we must look at the timescales for the restrictions that are in place. Blackwells now faces 12 months of restrictions on poultry, which will hamper its ability to get the site up and running and to plan not just for now but for next year's Christmas and all its other business operations. It is unclear why the restrictions are so lengthy, when they will impact the farm and many other businesses.

Small and independent poultry producers, including those that help fulfil Christmas orders, are being affected by the restrictions. The cleaning regime has already been highlighted. We also need to consider the cost of the restrictions, and what they mean in terms of time for the operations of these businesses. I would like the Minister to respond specifically on those issues and to say what the long-term plan is. Avian flu is here to stay, and its implications for businesses are significant. Poultry farmers cannot be expected to face regular patterns of restrictions and disruption to their businesses.

As ever, I pay tribute to our farmers, and to our poultry farmers in particular. They are part of our rural communities—part of the rural backdrop of our country—and I know the Minister will do everything he can to ensure that our farmers are supported during this very difficult time.

Several hon. Members rose—

Sir George Howarth (in the Chair): Order. Before I call the next speaker, I remind those who are yet to speak that I intend to call the Front Benchers starting at 10.28 am.

10.5 am

Cat Smith (Lancaster and Fleetwood) (Lab): I pay tribute to the poultry farmers of Lancaster and Fleetwood, many of whom I have had some very challenging and emotional conversations with in recent months. Clearly, the poultry industry is facing huge challenges from labour shortages, and the avian influenza outbreak is further compounding those challenges. Colleagues have articulated well the challenges posed by the compensation scheme not meeting the needs of those businesses. The scheme clearly does not work. I am sure the Minister will have heard that loud and clear from colleagues, so I will not dwell on it.

On the issue of biosecurity, which will not stop this pandemic but is a very important part of controlling the speed of transmission, I tabled a written question about what conversations the UK Government are having with devolved nations regarding the housing of birds.

[Cat Smith]

I gently ask the Minister to look again at his response, which was basically to explain devolution. I am well versed in how devolution works; what I would like to know is what the Government are doing to come up with a UK-wide response that controls the speed of transmission of the disease.

David Duguid (Banff and Buchan) (Con): I appreciate the point the hon. Member is making about the need for a UK-wide approach. She and the Minister may be aware that there have been five outbreaks in Scotland in as many weeks, all of which have been in my constituency. My constituency happens to be in the north-east, but as I think the hon. Member mentioned earlier, if it was closer to the border, that would be more of a concern in Cumbria and other places in north England. Will she join me in asking the Scottish Government—or the SNP representative, the hon. Member for Coatbridge, Chryston and Bellshill (Steven Bonnar)—to comment on that?

Cat Smith: I completely agree with the hon. Gentleman. Indeed, the fact that the outbreaks in Scotland have been so far from the border highlights the speed with which this disease is spreading and the requirement for us to act in a co-ordinated way, not just with different Governments in the UK but with our European neighbours. The whole nature of the disease is that birds move around, and wild birds are obviously spreading it. Many of my constituents have raised with me the difficulties they now face in getting insurance for their farms, so will the Minister touch on any support that the Government might be able to give farmers with that particular issue in the years ahead?

One issue that has not yet come up is that of free range. I have a lot of free-range egg producers in my constituency. Currently, of course, there is a 16-week grace period during which a farm can maintain its free-range status. It is likely that a lot of those producers are going to breach that 16-week grace period because of the status of the avian influenza outbreak, and they will face additional costs from rebranding their products, which will no longer be free range, at the end of that period. What specific support will be provided to those free-range egg producers, who are going to face particular challenges?

Vaccines are probably the only way out of this situation, and that is going to involve huge Government support. Colleagues have already touched quite a lot on this issue, but it is going to involve an international effort, so I would like to hear from the Minister what steps the Government are taking internationally on vaccines. Given that 50% of the UK's protein comes from consuming poultry products, this is actually a food security issue. Indeed, the speed of the response is so critical because farmers will be making decisions in February about whether they go ahead with producing turkeys and geese for Christmas 2023. February is not that far away, and farmers will be making those decisions in the coming weeks. This could have long-term effects. Even if a vaccine were discovered tomorrow and rolled out, the reality is that if we have not taken control of this avian flu outbreak by February, then we will be looking at the consequences into the coming years.

Katherine Fletcher (South Ribble) (Con): I am grateful to the hon. Lady, a fellow Lancashire MP, for giving way. Many of the farmers in her constituency are associated with the farmers in South Ribble. I want to emphasise her point about decisions and the future of the industry. Does she agree that it would be great if the Minister could provide some certainty, not only to clarify the rules on farm access, but to keep people in the industry, because they are seriously considering their future?

Cat Smith: I thank my Lancashire neighbour for making that point; she is absolutely right. Farming is a difficult industry. It is not an easy way to make a living. When I speak to farming constituents, many of them tell me that they are concerned about whether their children will go into the industry. In fact, many want their children to have more secure work and an easier way to make a living. That concerns me, because this is an issue of food security. I completely agree with the hon. Lady. To echo her point, I urge the Government to take prompt action and to communicate it clearly with the farming community.

10.11 am

Dr Neil Hudson (Penrith and The Border) (Con): It is a privilege to serve under your chairmanship, Sir George. I pay tribute to my right hon. Friend the Member for Maldon (Sir John Whittingdale) for raising this important issue. I declare a strong personal and professional interest as a veterinary surgeon. My thoughts go out to the farmers, vets, officials and anyone on the frontline in this catastrophe. It is incredibly distressing. I pay tribute to the vets and officials at the APHA for all their work at this unprecedented time.

We have heard about the impact of the disease on birds in the domestic market and on wild birds. I want to talk about its impact on people on the frontline. I sit on the EFRA Select Committee and in our urgent session on avian influenza yesterday, we looked at the impact not only on birds but on humans. It very much goes in parallel with our inquiry on rural mental health and the long-term effects of these situations on those on the frontline.

I spent a period as a veterinary surgeon on the frontline during the foot and mouth crisis, and I witnessed sights that I never want to witness again in my lifetime. People on the frontline in the current situation are seeing things on a similar scale. We need to be cognisant of that moving forward. In the Committee's session yesterday, we found that there needs to be more collaboration and more data collection, so that we understand more about the incidence of the disease in the wild bird population and the transmission pathway.

My right hon. Friend the Member for Maldon mentioned that we have learned lessons from covid. Work needs to be done at pace to develop a vaccine. This is a highly pathogenic H5N1 strain, and the available vaccine is not suitable for this particular strain. This work needs to be done internationally; we need international collaboration and Government support. There needs to be a lot of research on the difference between naturally infected birds and birds that have been vaccinated. That technology needs to be moved forward at pace. We have learned lessons from covid, and this is a similar situation. Where there is a will, there is a way.

We need to remember that viruses do not respect international or domestic borders. We need to have a UK approach and a global approach to tackle the disease. I pay tribute to the people at the APHA. They really are on the frontline and they are coping at this point. The EFRA Select Committee had the chief executive and the chief vet before us yesterday.

As a member of the EFRA Committee, I guested on the Public Accounts Committee with the National Audit Office for the session on the APHA site at Weybridge. It needs a radical redevelopment and it is going to cost £2.8 billion. We know that there are fiscal constraints, but it is so important that we spend that money now to prevent us from having to spend a lot more in the future and, as we have heard, to stop the devastating impact on human and animal health. I urge the Minister to bat for DEFRA and make the case that it needs that £2.8 billion; £1.2 billion has been earmarked and we need the additional £1.6 billion as a priority. The APHA is coping, but heaven forbid that we get something else like foot and mouth disease, African swine fever or African horse sickness coming in. The potential outbreaks could be catastrophic for our country. We need resources, people and expertise.

In some quarters, this situation has been likened to fighting a war with a peacetime army. That is probably where we are now. We are coping, but we must make preparations to ensure that we are resilient into the future, so we need sufficient vets and officials. The EFRA Committee has produced reports that recommend that the Government look at veterinary workforce issues and workforce issues across the agricultural sector, and ensure that our farming communities, who are so important to food security, are supported with the workforce they need.

We have talked about compensation, and this highly pathogenic strain means that the compensation needs to kick in earlier in the cull process. I would like to hear from the Minister—this has been raised by other colleagues—whether there could be some help through insurance schemes, perhaps underwritten by Government, to help farmers have a bit of security. In addition, at what point would the Government act according to the Agriculture Act 2020 and say that we are in exceptional market conditions and that they can use the powers in the Act to help farmers?

The hon. Member for Lancaster and Fleetwood (Cat Smith) spoke about free-range classification and that movement from post-16 weeks to not being free range. There is discussion at EU-level about whether, if the state vets say that the birds need to be indoors, the free-range status can be carried on longer. The UK needs to be cognisant of that and make preparations to ensure that our farmers are on a level playing field. I thank everyone on the frontline; my thoughts, feelings and prayers are with them. I look forward to hearing from the Minister.

10.17 am

Richard Foord (Tiverton and Honiton) (LD): It is a pleasure to serve under your chairmanship, Sir George. I will make some comments about compensation and timescales for restocking.

On compensation, although the Government have made some moves in the direction of valuing the destroyed birds earlier following the avian flu outbreak, it is still

not good enough. I want to describe the situation for one of my constituents. The birds that she and her family keep were infected in spite of being inside. Perhaps the avian flu got in via some fresh straw, but over 30,000 birds were destroyed. The valuation of the stock by the APHA was made promptly but, despite the outbreak occurring in early August, they have still not received any compensation for the second of their two sites. It was only last week that they received compensation for the first. This is entirely unacceptable given that their incomes ceased at the point of the cull and compensation was needed to ensure that bills were paid. Speedier payment of compensation is critical.

Secondly, I will comment on restocking timescales. The secondary cleaning and disinfection protocol, as described by DEFRA, is not fit for purpose. It provides three options for restocking the farm. The quickest restocking option is unavailable to many small and medium-sized farms and free-range producers, which means that they are forced to choose restocking the poultry, and that cannot be carried out until 12 months after the avian flu outbreak. That is catastrophic for farm businesses whose main income is from poultry. They are stopped from trading for an entire year because of this legislation. It is causing otherwise viable businesses to go to the wall. In one case in my constituency of Tiverton and Honiton, when the bank became aware of this requirement for a 12-month pause in the farm being restocked, the lender requested that the constituent's banking facility be removed.

In addition to the volume of avian flu cases expected this winter, this legislation means that there will be shortages lasting well over a year, especially in the seasonal Christmas turkey market. Many farms, if stuck with the 12-month restocking option, will be unable to produce turkeys not only this Christmas, but next Christmas. I have not read any scientific evidence that backs up the 12-month restocking rule. Professor Ian Brown, head of virology at the APHA, confirmed at a conference this week that the virus can live during the winter period for six weeks. If the longevity of the virus is only six weeks, I see no reason why a farm should be forced to cease trading for a whole year.

The secondary cleansing and disinfecting requirements, which must be achieved to restock a farm with poultry, are not fit for purpose. That is especially the case for a small, family-run and free-range farm, for seasonal poultry producers and for those operating on earth or stone floors. My hon. Friend the Member for Westmorland and Lonsdale (Tim Farron) is absolutely right that any enforced shutdown of a farm needs to be based on science. At the moment, there seems to be little or no scientific justification relating to the longevity of the virus that requires a 12-month shutdown.

Sir George Howarth (in the Chair): Order. I remind the hon. Gentleman that there is one more speaker to be called and I will be calling the Front Benchers at 10.28 am.

Richard Foord: Thank you, Sir George; I will be brief.

My constituents and I suggest that the current 12-month period should be reduced to six months, and the onerous and expensive cleansing and disinfecting requirements should be reduced. We propose that no differentiation should be made between the treatment of earth, stone or concrete floors. Having farms out of production for

[Richard Foord]

two Christmas turkey-producing seasons is catastrophic for small, family-run businesses. To summarise, the Government should think again about the payment of compensation and the timescales for restocking.

10.21 am

Philip Dunne (Ludlow) (Con): I congratulate my right hon. Friend the Member for Maldon (Sir John Whittingdale) on securing the debate and everyone who has spoken to highlight not only the real and practical challenges the poultry industry is facing as a result of this incident, but the impact on our wild bird population.

I alert the Minister to an incident that happened in my constituency last week. Members of the public reported to me and, as they should have done, to Shropshire Council and the Environment Agency sightings of dead geese around the River Severn near the bridge in Bridgnorth. I immediately contacted Shropshire Council, which promptly sent an animal health officer to investigate. By the time the animal health officer had arrived, the birds in question were in the river and not on public land, as had been thought. They were therefore inaccessible to the animal health officer. The council contacted the APHA, which did not have a watercraft available to assist. There was therefore a delay. The next time there was an inspection, three days later, the birds had not surprisingly disappeared—it is a fast-flowing river.

There is a question over resourcing and the capacity in the EA's workforce to respond to incidents. I appreciate that it is difficult to do this right across the country, but there is no doubt that this disease is becoming endemic in the wild bird population, in particular in migratory wildfowl, which can travel all over the country, as we have heard from hon. Members.

On the poultry industry, my constituency in south Shropshire has a significant number of poultry farmers of several types. I pay tribute to my constituent James Mottershead, who is present in the Public Gallery today. He is a poultry farmer and happens to be chairman of the National Farmers Union poultry board. He has been engaging well with the Minister's officials in DEFRA, and I pay tribute to their efforts in trying to find a resolution.

I will mention a couple of challenges, building on what has been said by other hon. Members. On compensation, as my right hon. Friend the Member for Maldon said, given the speed with which this disease can take hold in a shed that has become infected, it is simply no good to pay only for birds that remain alive, because the vast majority may have been killed by the disease before the approval was granted. We need to look at the compensation mechanism. One of the knock-on effects of having inadequate compensation for farmers is that the insurance has now been withdrawn because the insurer did not expect there to be a contribution towards the loss. That means that sheds will not be restocked in the event of an incident, even once biosecurity efforts have been completed, because insurance is not available. Even if it were to be available, the cost would be far too heavy. A more realistic compensation payment would help to resolve that problem. That applies to layers as well as broilers.

Finally, as I am conscious that I need to conclude, clearly the solution will be an effective vaccination. I encourage the Minister to pick up on the observations made by Members across the Chamber today that that has to be given the same level of priority as we gave to vaccinating against covid, if we are to have a poultry industry in this country and wild birds flourishing, as we would all like.

10.25 am

Steven Bonnar (Coatbridge, Chryston and Bellshill) (SNP): It is a pleasure to see you in the Chair this morning, Sir George. I thank the right hon. Member for Maldon (Sir John Whittingdale) for securing this important and timely debate, and for informing us all so well about the current avian influenza outbreak in the UK and further afield. I thank all hon. Members for their contributions to the debate.

The latest outbreak of avian flu, commonly known as bird flu, is the largest and most invasive we have seen in the UK to date. The highly virulent H5N1 strain of the disease has meant that the virus has lingered persistently in wild and farmed birds since October 2021, even during the summer months, with no slowing down or dissipation of the virus due to its high pathogenicity. It is affecting wild bird populations as well as commercial or farmed birds and, of course, backyard flocks as well.

Each member nation of the United Kingdom has handled the epidemic similarly, with avian influenza prevention zones being declared across the four nations to mitigate the risk of the disease spreading among poultry and other farmed birds. From Monday 17 October, it became a legal requirement for all bird keepers in the United Kingdom to follow strict viral security measures to help protect their flocks from the threat of avian flu. In early November, DEFRA and its Irish counterpart introduced a mandatory requirement to house all farmed birds in England and in the Republic of Ireland. We in the SNP welcome continued cross-border collaboration on both islands of Britain and Ireland to mitigate the risk of bird flu. The outbreak emphasises the need for pan-European and international co-operation on pandemic issues, now and in the future.

Turning to the Scottish perspective, in July, the Scottish Government agency, NatureScot, announced it was setting up a taskforce to respond to bird flu. That followed outbreaks over the spring and summer months among our wild bird populations around Scotland's coastlines. The main birds affected at that point were gannets, skuas, geese and gulls. Shetland was one of the worst affected areas, with carcasses also found from the Mull of Galloway to St Kilda and East Lothian. The number of contact zones in place in Scotland has risen from six to nine as the risk of exposure increases.

Scottish Government veterinary advice is that the current risk from avian influenza in Scotland does not justify mandatory housing of commercial birds, as has been announced in England, Wales and Ireland. Scotland's chief veterinary officer, Sheila Voas, states that the evidence in Scotland does not currently justify a housing order being imposed:

"Whilst we are keeping the situation under review we don't believe the evidence, as yet, justifies mandatory housing here. We are keeping an eye on number of cases, we're keeping an eye on wild bird results coming through and if the position substantially changes here then we may choose to go to a housing order as well."

Ms Voas added that keeping birds indoors should not be seen as a silver bullet for tackling avian flu and that other measures, such as keeping feed and bedding away from wild birds, can also be effective. I reiterate that the situation is being monitored and kept under constant review, and all breeders should be concerned and take whatever precautions they can to keep their flocks safe.

Jim Shannon: I am not being critical of what the hon. Gentleman is saying, but I do have some concerns. Scotland has decided not to house its birds in the way that has been decided in the rest of the United Kingdom, and indeed in the Republic of Ireland, but it seems to me to be logical that we all work together, as the hon. Member for Lancaster and Fleetwood (Cat Smith) said. The hon. Gentleman knows that I am not being critical, but we need to have a policy that we can all agree on for the betterment of us all.

Steven Bonnar: I thank the hon. Member for his intervention and I appreciate the points he has made. I think that DEFRA and the Scottish Government have an excellent working relationship, and work collaboratively across all areas to ensure the safety of our industries at all times. However, I must say that I think it is extremely rich, considering that we are coming off the back of a human pandemic that has seen hundreds of thousands of lives lost across the UK, when the Government were putting people back to work and telling people to eat out to help out, against the wishes of the Scottish Government. There was no such collaborative working then and there was no such good will coming forth from the UK Government.

David Duguid: I was about to ask to intervene just before the hon. Member for Strangford (Jim Shannon), so I will not comment on the most recent comments made by the hon. Member for Coatbridge, Chryston and Bellshill (Steven Bonnar), but I welcome his remarks about how the situation is being kept under review. I plan to meet—hopefully very soon—the chief veterinary officer for Scotland, Sheila Voas, who he mentioned. Does he share my concern, particularly as the most recent outbreaks are in my constituency and are very concentrated—although across Scotland it may look like there are not a lot of outbreaks on average, there is such a highly concentrated and focused series of outbreaks in one area—that housing orders, perhaps even in one location, may be required?

Steven Bonnar: I have a lot of sympathy with the hon. Gentleman's point. This is a concern for every Member of Parliament, across all four nations of the UK. Of course there are specific outbreaks in his area. I am glad that he is meeting our chief veterinary officer. I am always quite willing and able to take the advice of the experts on these matters. The current advice from the Scottish Government is that mandatory housing is not yet required in Scotland, and I am quite happy to maintain that position.

Cat Smith *rose*—

Sir George Howarth (in the Chair): Order. Before the hon. Lady intervenes, can I just point out that I will call the Opposition spokesman shortly and I think the hon. Gentleman is about to run out of time?

Cat Smith: Thank you, Sir George; I will be brief.

I do see a contradiction between the hon. Gentleman's party's approach to the human pandemic of covid and the approach it is taking now, by which it is trying to protect farmers in Scotland. I draw his attention to the fact that his party is in government in Scotland and the hon. Member for Banff and Buchan (David Duguid) has pointed out that many of his constituents have had outbreaks. Frankly, it seems that there needs to be a little bit more compassion from the hon. Member for Coatbridge, Chryston and Bellshill (Steven Bonnar) about the devastation that this disease is having on the livelihoods of Scottish farmers.

Steven Bonnar: I take the hon. Lady's comments on board. I disagree with her comments about compassion; I am very compassionate about animal welfare right across the board, and of course I have compassion for anybody's constituents in Scotland who are affected by this situation.

I will move quickly on. Sadly, more than 100,000 birds have had to be culled at three Scottish farms so far. The National Farmers Union of Scotland has revealed that 72,000 birds had to be taken out at two farms in Aberdeenshire, while down in Ayrshire farmer Billy Robb has lost 32,000 hens in the past week. This is devastating for all those concerned with the keeping of animals and it has a profound effect on people in the farming community. As we heard at the EFRA Committee yesterday, livelihoods have indeed been lost due to the outbreak.

Of course, it can also be concerning for members of the general public when they come across dead birds. Just last week, 23 swans were found dead in and around Hogganfield Loch—a well-renowned and much-loved nature reserve, which borders my constituency and is frequently utilised by my constituents in the Stepps area. The severity of the outbreak has limited public access to the surrounding paths and advice has been given to people to avoid bringing dogs to the area, as they can also be at risk of infection.

The risk of incursion to wild birds of highly pathogenic avian influenza has remained very high. NatureScot launched a surveillance network in October to track migrating geese and wintering waterbirds arriving in Scotland. Alastair MacGugan of NatureScot said:

"As we head into the winter months, we are still very concerned about the potential impact of avian flu on our wild bird populations and we remain vigilant to ensure we can respond to the evolving situation. We're monitoring wintering goose populations very closely for avian flu and are working with colleagues in Iceland and Norway to identify cases in migrating populations. Here in Scotland, we've set up a network of site managers and volunteers to provide real-time reporting on what is happening out in the field, helping us take swift and targeted decisions."

I will turn briefly to consumption. It is important to stress that the risk to the general public's health from avian influenza is extremely low. Food Standards Scotland advised that bird flu poses only a very low food safety concern for consumers, and does not have an effect on the human consumption of any poultry products, including eggs. The Scottish Government are aware of a number of issues affecting egg supply; some shops, including Asda and Lidl, are starting to ration the number of eggs that customers can buy due to supply issues. Although the impact of avian influenza on all commercial flocks is a consideration, the cost of living increases and a

[Steven Bonnar]

number of other issues, such as labour shortages across all sectors of the industry, feed into that. It was refreshing to hear a Conservative MP identify that Brexit has caused a severe shortage in the workforce, and that a fuller workforce would have helped to combat the outbreak.

As we head towards the Christmas period, people might be wondering whether any of the 10 million turkeys, 200,000 geese and 100,000 ducks, which are sold to some of the highest standards in the world each year, will be available as normal. The answer to that is yes. Of course there concerns, but about 50% of those tasty festive dinners are sold frozen, and the industry has managed the situation very well by carrying out early plucking, and using industry standard freeze and thaw processes.

We can all play our part in combating this outbreak of bird flu. I will finish with some advice for my constituents in Coatbridge, Chryston and Bellshill and people across Scotland. If they encounter any dead birds, they should not touch them, but should report the findings of the following: a single dead bird of prey, three dead gulls or winter waterfowl, such as swans, geese or ducks, or five or more dead wild birds of any other species at the same time and in the same place. Any such findings should be reported to DEFRA's UK-wide telephone number, which is 0345 9335577. In addition, although wild birds of high-risk species cannot be taken directly to Scottish Society for Prevention of Cruelty to Animals animal rescue centres, sick or injured wild birds in Scotland should be reported to the SSPCA via its telephone number, which is 0300 099 9999.

10.37 am

Alex Sobel (Leeds North West) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Sir George. I join other Members in congratulating the right hon. Member for Maldon (Sir John Whittingdale) on securing this crucial and timely debate. Like me, Members are rightly concerned about the impact of this virus, and they have made excellent points. I thank the hon. Member for Westmorland and Lonsdale (Tim Farron), my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith), the hon. Member for Tiverton and Honiton (Richard Foord), the right hon. Member for Witham (Priti Patel), the hon. Member for Torbay (Kevin Foster), and the esteemed Chair of the Environmental Audit Committee, the right hon. Member for Ludlow (Philip Dunne). Of course, no debate could exclude the hon. Member for Strangford (Jim Shannon), who shared an egg anecdote.

I am delighted to be stepping in for my hon. Friend the Member for Cambridge (Daniel Zeichner), who is addressing farmers at the Norfolk Farming Conference and therefore could not be here. Norfolk and the east in general have suffered acutely from this crisis. He is disappointed not to be here himself to continue to press the Minister on this important matter. He has been asking repeated questions of the Minister in recent weeks at the Dispatch Box and in this Chamber, often not receiving direct answers, but we will try again—never fear. On my hon. Friend's behalf, I am more than happy to keep the pressure on. Hopefully, we will get more answers today to the questions we have posed.

The UK is currently experiencing its worst outbreak of bird flu, which is impacting the wild bird and farm bird populations. As the chief vet said in a DEFRA statement on 31 October,

“We are now facing, this year, the largest ever outbreak of bird flu and are seeing rapid escalation in the number of cases on commercial farms and in backyard birds across England.”

According to data provided by the Minister's Department last week in response to a written question, 2.8 million farm birds have either been culled or died because of bird flu in 2022. Just under 2 million of those were since September. That figure is made up exclusively of chickens, ducks and turkeys. That relates to the many points that Members have made about Christmas.

The rate of the spread has been alarming, with wild bird populations severely affected, and the problem has been known about for months. The RSPB, which gave evidence to the EFRA Committee yesterday, is helping to remove wild bird carcasses, and I want to put on the record my thanks to it for that vital work. Some 65 species of wild bird have so far tested positive for avian flu in the UK, and population-level effects have been seen in seabirds including guillemots, kittiwakes, terns, great skua, gannets and barnacle geese, as other Members, including the hon. Member for Torbay, mentioned.

The Government's response has been criticised for being reactive instead of proactive in spite of early warning signs that there was a worsening problem. However, in the past month we have finally seen action from the Government, which we welcome. A full housing order was implemented on 7 November, which legally required all bird keepers to keep their birds housed, regardless of type or size. The Government altered their compensation process so that farmers could be compensated from the outset of planned culling, rather than at the end, and some regulatory liberalisation was introduced to allow poultry producers to freeze and then defrost birds between 28 November and 31 December to limit any supply issues in the run-up to Christmas, but has that been too little, too late?

When the Minister delivered the Government's statement on the housing order to the House of Commons, it was clear that he thought biosecurity was the most effective tool in tackling bird flu. I am sure he recalls what he said:

“It is fair to say that the housing order has a twofold impact on the spread of avian influenza, whereas biosecurity can have a 44-fold impact on the spread, which is why our focus has been completely on biosecurity.”—[*Official Report*, 1 November 2022; Vol. 721, c. 806.]

We accept that biosecurity is crucial to preventing the spread of bird flu, but the industry was calling for a full housing order weeks before one finally arrived.

Will the Minister tell us what impact the housing order is having on the spread of avian flu? Is it proving successful in stemming the spread? As we have heard—I join the criticism from other Members—some devolved nations have not yet implemented full housing orders, so what can the Minister tell us about the situation there? I am sure he will want to comment on that, considering the debate we have had. Does the evidence suggest that, in England, the housing of birds has been successful?

On support for farmers, we need to ask whether the Government are doing enough. The evidence provided yesterday to the Environment, Food and Rural Affairs

Committee by the chief executive of the British Poultry Council, Richard Griffiths, and poultry farmer Paul Kelly of KellyBronze Turkeys, who was mentioned by the right hon. Member for Maldon and is from the right hon. Gentleman's area, showed that they argue that the compensation scheme laid out in legislation from 1981 is out of date and does not reflect the consequences of the disease in 2022. With compensation being issued for healthy birds culled, smaller producers might see all their flock die before the APHA is able to arrive to cull, and be left without compensation.

The growing worry is that financial loss, coupled with the trauma and mental strain of losing an entire flock—we heard from the hon. Member for Westmorland and Lonsdale about the historical effects of previous crises on other types of farming—might lead to producers deciding not to restock for next winter, so that they effectively leave the sector. It is not hard to understand why after hearing what Paul Kelly said yesterday during the Select Committee hearing after detailing the £1.2 million hit his farm has taken as a result of bird flu this year: “Could we take the risk to produce Christmas poultry based on what we’ve seen this year? We couldn’t.” That is pretty telling.

The Department issued £2.4 million in compensation in the six weeks from 1 October. Will the Minister put that in context? How many birds does that involve? I appreciate that the compensation scale is complex, and I hear that there are 13 different documents just for turkeys, but are farmers getting enough support to be able to restock and continue in business next year? To put it frankly, will they have confidence that the Government have a grip on the situation such that they stay in the sector?

Avian flu has been returning year on year, as was stated by the esteemed Chair of the Environmental Audit Committee, the right hon. Member for Ludlow, so it seems as though there is no long-term strategy. Are discussions being had in the Department on vaccinations? Is consideration being given to speeding up the development of an effective vaccine? What discussions are being held with trading partners to ensure that vaccination becomes a viable proposition?

Can we hear from the Minister about capacity in the APHA? We have heard many speeches here discussing that and capacity in the Environment Agency, but the recent report from colleagues on the Public Accounts Committee hardly inspires confidence. Do those agencies have the capacity to respond to another disease outbreak? The Public Accounts Committee doubts that. When my hon. Friend the Member for Lancaster and Fleetwood put that issue to the Secretary of State during EFRA questions just two weeks ago, the Secretary of State ducked the question. I hope we get a better response today.

Crossing one's fingers and hoping it does not happen does not constitute a plan. That is what Labour is concerned about—DEFRA's long-term strategy for our agriculture sector. The Government seem content for the public to believe that bird flu is the cause of egg shortages and worries about Christmas turkeys, but we all know that farmers face more fundamental problems, and there have been warnings of egg shortages for months because producers could not make a return. Avian flu should not be used as cover for wider systemic problems and failings.

Avian flu is a horrible disease that is dreadful for wild birds and harrowing for farmers and their flocks. Overall, the advice is that numbers lost should not cause supply problems on the shelves, but the Government need to keep on top of the outbreak. For individual farmers who lose their flocks, the impact is dreadful, and they deserve our support, not least because we need them to farm in the future. Across the country, staff at the APHA and other agencies, including local authorities, are doing everything they can to keep the country safe and our food system secure. We thank them for that. They are doing their job. The Government must support them, and enable them to do what they need to do.

10.44 am

The Minister for Food, Farming and Fisheries (Mark Spencer): It is a pleasure to serve under your chairmanship, Sir George. I thank my right hon. Friend the Member for Maldon (Sir John Whittingdale) for securing the debate. The debate has been positive, and many Members have made similar points. I shall try to address as many of those points as I can over the next 10 minutes.

My hon. Friend the Member for Torbay (Kevin Foster) was probably an outlier in talking about Paignton zoo, which is a matter that he has raised with me in private before. There are many zoos up and down the country that face specific and challenging circumstances. Highly valuable birds have to be protected, and many are quite difficult to manage. I am told that penguins, in particular, are of significant value, and that it is difficult to vaccinate and manage birds such as flamingos and ostriches, which are difficult to physically handle and are very wild in their nature. I can perhaps pick up some of those comments with him afterwards.

Kevin Foster: I thank the Minister for his response so far. I am very happy to meet him, perhaps with a representative of the Wild Planet Trust, so that we can go into those areas in more detail.

Mark Spencer: I am grateful for my hon. Friend's supportive comment.

DEFRA's avian influenza disease control measures aim to minimise the economic burden of the current outbreaks. We are working closely with industry to address the impact on the sector and protect public health and the wider economy. We recognise that the poultry industry is under serious pressure, and we also recognise the impact of avian influenza on wild bird populations. Outbreaks of avian flu in both the kept and wild bird populations are at an unprecedented scale: for the first time, significantly, new cases have been confirmed for the second year of the outbreak.

October saw a massive escalation in the number of cases confirmed. Although the number of confirmed cases in poultry and captive birds is slowly reducing, which is good news, there were 124 cases in England, nine in Scotland, three in Wales and one in Northern Ireland as of last night. That compares to a total of 158 cases between October 2021 and September 2022, and 26 cases in winter 2020-21.

In responding to avian flu in kept birds, our priority has always been to get as quickly as possible to the farm where the disease is suspected, and to get on with the issue of compensation. Despite the unprecedented scale of the challenge, the APHA is staying on top of it. I thank the people working at the APHA and DEFRA;

[Mark Spencer]

they are working day and night to deal with the pandemic, in very difficult circumstances. I know that they will continue to respond effectively as long as the outbreak continues. They are taking steps to improve the operational and policy response, even as it is under way, to support our vital food sector.

We produce approximately 11 million turkeys in the UK every year, so the numbers of them affected are relatively small. We believe that the outbreak will not affect the overall supply of Christmas turkeys, which is a huge credit to the industry. Its response has been robust, and it is keeping us well fed and supplied at Christmas.

Wild birds have also been hard hit over the summer for the first time, and breeding sea birds have been particularly badly affected. DEFRA and the Welsh Government have joined forces to produce a mitigation strategy that provides practical guidance for land managers, the public and those involved in environmental organisations, so that they can work alongside the Government to monitor the disease. Together with the Scottish and Welsh Governments, DEFRA is working closely with the APHA, Natural England, NatureScot, the Joint Nature Conservation Committee and other non-governmental organisations, such as the Royal Society for the Protection of Birds and the British Trust for Ornithology, to monitor and respond to the effect of avian flu on wild birds.

I turn specifically to compensation. We recognise the significant financial pressure and emotional impact that the outbreak can have on producers. Current rules are designed to encourage good biosecurity standards, which means being careful about every single movement on and off farm and into poultry sheds. I cannot underestimate the importance of good biosecurity. The hon. Member for Leeds North West (Alex Sobel) mentioned my comments about housing orders; my direct answer is that they help. It is not a silver bullet, but housing poultry helps. As I indicated during that statement, it has a twofold impact, but biosecurity can have a 44-fold impact. We must not underestimate the importance of biosecurity.

Jim Shannon: I took the liberty of passing to the Minister's PPS the BEIS request forms on compensation and vaccination. There is an argument that the compensation system, as it is now, does not respond to the help needed. Has the Minister had a chance to look at that, and is he able to reply?

Mark Spencer: Let me try to address that directly now. What we cannot do as a Government, which is much more challenging, is to underwrite the whole poultry production system; UK taxpayers would find that too much of a challenge. Of course, we want to try to support the industry and ensure that it is there for the future. That is why we changed the rules, so that we start the conversation process from the second that the APHA vets recognise there is an outbreak of avian influenza. We have become much better and quicker at getting those APHA vets on to site—within 24 hours, in most cases—to identify the disease and start the conversation process from that moment.

My right hon. Friend the Member for Maldon made reference to four-legged animals—that is almost identical to the compensation scheme for foot and mouth disease,

for example, whereby the Government pay compensation for animals that are not diseased that are being culled to stop the spread of the infection. We are working day and night to ensure that this system works. We have improved. People in the industry recognise that that is a better place than we were in at the beginning of this terrible disease, but it still brings huge financial and emotional challenges to the people working in the sector.

We have also moved to assist with defrosted products. They will be properly labelled and accompanied by in-store signage, along with the online information for customers, and this option will give producers certainty over business planning. There have been a number of calls, including from my right hon. Friend the Member for Maldon, to extend that scheme to next season, and to give producers the confidence to step back into the marketplace. The Department is genuinely open to a conversation about whether to roll that forward to next year. We do not want to allow competition from overseas to undercut our sector. We are genuinely open to a conversation on what producers see as the best route forward, as we want to support them into next season and next Christmas. Our work with the sector has shown that, in the past, there has been too much uncertainty about the compensation schemes, and we are keen to engage and work with it moving forward.

I return to biosecurity, which is an essential defence against avian influenza, and, when done extremely well, can reduce the risk of infection by 44-fold. Despite a legal requirement for an avian influenza prevention zone as a baseline for the industry, veterinary investigations at infected premises continue to reveal unacceptable lapses in biosecurity in some cases. The industry must play its part in helping to prevent further outbreaks. That means maintaining buildings properly, ensuring biosecurity is done as robustly as health and safety with senior leadership in companies, and effective training for all staff. One small lapse can have a devastating effect, allowing this terrible disease to enter into a poultry house.

The measures legally require birdkeepers to keep their birds indoors and to follow stringent biosecurity measures to help protect their flocks from the disease, regardless of type or size. I urge all birdkeepers, from those who keep large commercial flocks to those who have one or two birds in their back garden, to adopt the best practice biosecurity advice measures that are required in law.

Any future decisions on disease control measures, including the use of vaccination, will continue to be based on the latest scientific and veterinary advice. A lot of work is going on in the background internationally to develop that vaccine and make sure it works. As many Members have identified, the covid pandemic has given us much more professionalism and put much more of a system in place to develop those vaccines, and we will call on that expertise to try to find a vaccine that is effective, in order to prevent this disease internationally. That will also require a lot of co-operation in terms of trade, making sure that the markets we export to are willing to receive vaccinated meat products and eggs in future. That has to be an international agreement, because we do not want to damage our ability to export products.

We have seen a tightening in the egg sector, as some Members have referenced. The UK supply chain is resilient: there are currently 38 million laying hens

across the country. Avian flu is not having an impact on the overall supply, with only 2% of the national flock having died or been culled due to avian flu. The disruption to the supply of eggs we have seen recently is mainly due to the commercial decisions that businesses are taking as a result of the rising costs of feed and energy over the past year, mostly caused by Putin's illegal invasion of Ukraine.

We welcome the announcements made by some retailers that they will provide additional financial support to the egg sector in recognition of the challenges that the sector faces, and we encourage those retailers to continue to support the egg industry. We are working closely with devolved Administrations to keep the egg market under close review, and will continue to do so. We have also been keen to work closely with the egg industry; we have done so in recent weeks, and I will chair a roundtable on 6 December with representatives from across the UK egg supply chain to discuss the challenges that the sector is facing and determine how we can assist.

This has been a very positive debate. Lots of Members have identified the way out of this challenge in the long term, which of course will be vaccination. I sincerely hope that our scientists can find a solution that will solve our challenges. I express my extreme sympathy with those people who have been caught up with this terrible disease, and we will continue to work closely with the sector to make sure we have a thriving poultry industry moving forward.

10.58 am

Sir John Whittingdale: The fact that we have had contributions this morning from Members from all parts of the Chamber and every part of the United Kingdom is an indicator of how important this issue is to our country. I am grateful to all those who have contributed to the debate; I am particularly grateful to the Minister for setting out what is already in train, and for demonstrating that the Department will continue to have urgent talks with the industry and is open to suggestions. I therefore wish everybody a happy Christmas, and that they enjoy their turkey at that time and, hopefully, for many years to come.

Question put and agreed to.

Resolved,

That this House has considered the avian influenza outbreak.

Accountability in the NHS

11 am

Sir George Howarth (in the Chair): I will call Sir Mike Penning to move the motion, and then will call the Minister to respond. There will be no opportunity for the Member in charge to wind up, as is the convention for 30-minute debates.

Sir Mike Penning (Hemel Hempstead) (Con): I beg to move,

That this House has considered accountability in the NHS.

It is a pleasure to serve under your chairmanship, Sir George. I called this debate on accountability in the NHS. As a nation, we love our NHS which does a fantastic job for us, day in, day out. However, like any human being or organisation, sometimes it makes mistakes. When the NHS makes mistakes, the process of trying to get an apology or a mistake rectified is invariably a bureaucratic nightmare.

I have a couple of examples I would like to raise. I have permission from one to use their name, but I probably will not do so, because I will yet again pass correspondence to the Minister. I appreciate that the Minister here, my hon. Friend the Member for Colchester (Will Quince), is not responsible in the Department for this subject. The relevant Minister, my hon. Friend the Member for Lewes (Maria Caulfield), is on the Floor of the House answering questions, and I thank this Minister for explaining why she is not here.

We in Parliament are here to speak up for those who sometimes cannot speak up for themselves. When something goes wrong, Sir George, you would think we could get answers for constituents and get matters rectified, but within the NHS there is a lack of ministerial accountability, which I will come to in a moment. The complaints procedure eventually ends up with the ombudsman, but it takes for ever. There is a feeling in my constituency that, when things go wrong, the longer the process can be delayed, the more people will just accept what has happened. In some cases, they will sadly not be around any more. For their families and loved ones, this short debate is very important.

Probably the most dramatic example for me, not of the physical effects of surgery but of the effect on someone's life, concerns one of my constituents. The NHS decided in 1986 that he needed an operation on his nose, but the operation that took place was not the one that was supposed to. I will use the language: it was botched. It was probably not intentional; it was a mistake but, to this day, that has had detrimental effects on his quality of life.

My constituent tried to go through the process of getting it rectified. I have tried to find out what was going on. He has pushed from pillar to post by different trusts: University College London and West Hertfordshire. I have written to previous Ministers over the years, only to be told that Ministers do not interfere in individual cases. I accept that but, when we reach a situation where there is nowhere else to go, ministerial accountability is important.

Tim Farron (Westmorland and Lonsdale) (LD): I am grateful to the right hon. Gentleman, not least for the sensitivity of the issues he is raising. Ministers under Governments of all colours have sought to keep NHS

[Tim Farron]

operational matters at arm's length. Does he agree that that reduces accountability and effectiveness? I am thinking more generally about the current huge backlog in cancer diagnosis and treatment. I do not see any direct and urgent Government intervention. Does the right hon. Gentleman think that is partly the result of the lack direct operational accountability for Ministers to the service?

Sir Mike Penning: I thank the hon. Member for his intervention. We have seen during covid that, actually, when things get really bad, Ministers can step in and Prime Ministers can step in, but when we talk about individual cases, they cannot.

In the case I am referring to, I ended up writing to the Minister, to be told to go to the ombudsman. I got fobbed off by the ombudsman, after we had been to the trust three or four times. I then wrote to the Minister again—this is over the course of years—to be told to take legal advice. This particular person has now been told, “Go back to your GP and get them to re-refer you if you’ve still got problems.” He has problems because they did not do the operation properly in the first place, and it has had a massive long-term effect on this gentleman's quality of life.

That is not the only case. I have been here for nearly 18 years, and I worked for a Member of Parliament for many years before that. In every constituency, this sort of case is brought before the MP. I have another example. Last summer, in the middle of a heatwave in July, when the temperatures were unbelievably high, a very vulnerable young lady was brought in for a scan at my local hospital. She is the most vulnerable young lady. Her mother cares for her 24/7. She has carers in. She is a wheelchair user or bed-bound. She was left on a trolley in the heat for five hours when her ambulance did not arrive.

When I contacted the trust and said, “What happened there?” it blamed the ambulance trust. When I contacted the ambulance trust, it said, “No, it was cancelled by the trust—it was their fault.” I do not care whose fault it was. It was the NHS's fault that this happened to a very vulnerable young lady. She had no drink and no food. She was very, very ill. The ambulance trust said that the return journey was cancelled because she was so poorly on the trolley—well, she was so poorly because she had been left there for five hours!

Trying to get to the bottom of what happens within the NHS when something goes wrong is so difficult. We have seen terrible situations in maternity services and in trusts around the country. These problems need to be addressed early on, instead of the drawbridge being brought up and people having to go through a massive complaints procedure where they have to complain three times before going to the ombudsman, and then the ombudsman will say it is out of time, and if they are not careful, they cannot go to court because that is out of time too. Is that the way we want our NHS to be seen by the public, who love the NHS?

The NHS sees the NHS as a single entity. As MPs—and I was a shadow Health Minister for four and a half years—we understand that it is not a single entity. It is a set of silos where everybody passes the buck back and forth. What we need is joined-up thinking. When Members

like myself write to Ministers about these issues, the answer is not to say, “Nothing to do with me, guv” and pass it down the line to the ombudsman or a lawyer. That surely costs more money and does not put the NHS in a particularly good light with my constituents who have had their operations botched

Jim Shannon (Strangford) (DUP): I congratulate the right hon. Gentleman on securing the debate. He talks about silos, and I want to give him an example of that in my constituency. Many people await their care packages in order to be released from hospital and get better at home. On the other hand, there are people waiting urgently for hospital beds who cannot get one. Does he agree that there must be greater communication between trust managers and social care workers to ensure efficiency of care in the community, which would free up hospital beds and allow people to be treated quicker? In other words, we should do away with the silos and get things co-ordinated.

Sir Mike Penning: I completely agree with the hon. Gentleman. I know that right next to my constituency, my hon. Friend the Member for Watford (Dean Russell) goes to Watford General Hospital and looks at the boards to see whether people can medically be discharged, but they cannot because there is a lack of joined-up thinking.

This is different. This is about the need for the NHS, when it may or may not have made a mistake, to address it full-on at the start. It should not draw up the drawbridge, with people having to go through the long, drawn-out procedure of making complaints and going to the ombudsman. For a Minister to say to a colleague and fellow MP, “Perhaps this person needs to take legal advice,” is not the attitude we should have towards people who have done the right thing. The NHS has said that they should have an operation, and the NHS has mucked up and botched—I use that word under privilege. At the same time, the person's life has been detrimentally affected for years and years to come.

I know the Minister is not the Minister responsible, but because we are all constituency MPs, I guarantee that before he was in his position, people were at his surgeries or wrote to him to say, “This happened to me within the NHS. What can you do to help me do something about it?” Somewhere along the line, perhaps the short debate we are having today will nudge the Department of Health and Social Care and the Government—I was a Minister in several Departments—to look at ministerial oversight.

Daisy Cooper (St Albans) (LD): The right hon. Gentleman is making a fantastic speech. In the light of this week's shocking reports from *Byline Times* about the amount of sexual abuse and rapes that have occurred in hospital settings, does he agree that to improve accountability, we need the Government not only to urgently repeal the five-year rule, which limits some people from making complaints to the NHS, but to have clear, systematic and consistent data collection on all sexual misconduct across all hospital settings?

Sir Mike Penning: As usual, I agree with the hon. Lady. We do not agree on everything, but we agree on 99% of things.

This is the crux of the matter, and there are two real issues here. In the case that I spoke about earlier, which goes way back to the '80s, the gentleman's mental and physical health has not been great. Other people, including the extreme examples alluded to by the hon. Lady, may be mentally affected in a way that I and many of the people in this room probably cannot understand. To have a block exclusion post five years seems so arbitrary in the modern world. The Government really must look at whether there should be an arbitrary rule and perhaps leave it to others to decide, rather than setting down in regulation the exceptional circumstances that might well have been in place. Trusts do have delegated powers—many more powers than I think they should have—and I know the new Act will help that, but it does not take into consideration the points that we have tried to raise in this morning's debate.

If we had this debate on the Floor of the House, I think we would have a full Chamber of colleagues. Rather than talking down the NHS, they would be saying, "When things go wrong, we need to address them." When I was Police Minister, there was a big mistake under my portfolio, and I went before the House, explained that mistakes were made on the funding formula and put my hands up. I took a lot of flak for that, but it was a way to address things going forward. With the NHS being such a massive organisation, and an organisation that the public want to be able to trust, it must be better for us to address the issues at the start of a complaint.

The Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Lewes, did not write the letter that I mentioned; it was written by her officials, who desperately want to defend the NHS. The complaint was not about the NHS in general; it was about a specific issue that we need to address. We are all here as Members of Parliament because we are supposed to represent the taxpayer—representation through taxation. I should be able to represent my constituents in that way without being told to go to the ombudsman. I know I have to go to the ombudsman, because I have been here a very long time, so I am capable of working that out. I am also capable of working out that we are outside the time limit, given the five-year rule.

We need a change of mindset. I do not want individual Ministers to say, "This operation should take place, that one shouldn't, and the hospital should have this number of wards", but there has to be ministerial oversight when things go well, and when things go wrong.

My constituent has given me permission to raise his case. I think it would be more useful not to put his name on the record here, but I will pass another letter to the Minister, which I hope might get a little more positivity when the Minister responsible writes back to me, rather than a response that fobs us off and says, "Please go away."

11.15 am

The Minister of State, Department of Health and Social Care (Will Quince): It is a pleasure to serve under your chairmanship, Sir George. I congratulate my right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) on bringing this important debate to the House today. I know from our numerous conversations over the years that he is a tireless champion of healthcare

provision, not just within his own constituency, and an advocate for instilling accountability and a learning culture throughout the NHS as a whole. Today, he has raised some difficult cases, albeit anonymised. I know the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Lewes (Maria Caulfield), who is responsible for patient safety, looks forward to receiving more information and will be happy to meet our right hon. Friend to discuss the cases further.

I assure my right hon. Friend that this Government share his commitment to ensuring that the NHS delivers excellent care to all of its patients. We will never tire in striving to ensure that patient safety and high-quality care are at the heart of all patient care in our country. I am of the firm view that accountability for excellence applies at all levels of patient care, from the individual clinician caring for an individual patient through to Parliament's role, as my right hon. Friend set out, in ensuring accountability for healthcare delivery by the NHS. It is essential that the commitment to excellence is central.

My right hon. Friend rightly says that we love our NHS. Of course we do. However, we recognise that on rare occasions—not as rare as I would like—patient care falls short of the very high standards that we expect. He talked about getting answers for his constituents as a Member of Parliament. That is hugely important. I apologise that ministerial responses have not been as full as he hoped they would be. I will certainly look into that, because those responses are important. As a constituency MP, I too have cases from constituents who have raised concerns, either about their GP or their acute trust, and the level of service provided.

My right hon. Friend rightly raises questions about why the NHS as an organisation does not more often simply say "sorry" when things go wrong. It is, as he said, a human business and things do go wrong.

I hear what he said about ministerial responses. He is also right to say that Ministers are unable at present to respond to individual cases. There are reasons for that. As the hon. Member for St Albans (Daisy Cooper) and the hon. Member for Westmorland and Lonsdale (Tim Farron) said, the NHS is a complex organisation. We have NHS England, integrated care boards, integrated care systems, primary care networks, acute trusts, mental health trusts and ambulance trusts, and there is a question about whether Ministers or bodies such as NHS England and individual trusts should hold a level of operational accountability or delivery responsibility. That is a fair question, raised by the hon. Member for Westmorland and Lonsdale, but it is a tricky balance to reach.

Ultimately, who is responsible for any failings within the NHS? Well, that is me. Who is responsible for delivery of services through the NHS? Not me. That position presents some challenges. Ministers have the ability to set the strategy at national level, but there is a big difference between the strategy, the approach, the culture and the leadership set in Whitehall and what actually happens at grassroots level at individual trusts. However, although I do not have direct operational responsibility, trust me when I say that every single day I am thinking about every single case where an ambulance is delayed and people have to wait too long; about all the 7.1 million people in our elective backlog, and about all those who do not get the excellent care that they

[Will Quince]

rightly deserve and expect through our NHS. That is because I am the one who is responsible for that. I get the letters, and sometimes the responses are not as full as we would want, because I do not have at my fingertips all the information I need to be able to respond in the way I would like. We need to look at that.

My right hon. Friend rightly says that most people do not want to sue or take legal action against our NHS. They are desperately sad about what has happened, and they may be disappointed or even angry, but that does not mean that they want to seek financial redress or sue a hospital trust. They know the implications of that—the money comes out of operational budgets.

Having been the responsible Minister, I am acutely aware that we have an annual clinical negligence bill of £2.6 billion, which is huge. Understandably, I would rather spend that £2.6 billion on NHS frontline services. I have huge sympathy with my right hon. Friend's view that we should collectively put our hands up, explain what went wrong and why, demonstrate how we are learning from that as an organisation, and clearly explain the steps that we are taking to put it right. We collectively as Ministers have a role to play in that. I will reflect on his comments and explore what more we can do.

The Government have made significant strides to advance patient safety over the last decade. As I said, it remains a top priority not just for the Government but for me personally. We are creating a transparent learning culture across health systems. That is key to avoiding tragedies in the first place, and essential to driving the improvements that we want to see. As my right hon. Friend pointed out, patient feedback has to be at the heart of that. Patients have to have the opportunity to share their experiences.

It is vital that clinicians reflect upon the lessons learned and translate them into opportunities to improve their practice. That is vital for not just the individual consultant, doctor, nurse or allied health professional, but the NHS as a whole. We have to listen and learn from individual patient stories. Accountability is a thread that has to run through every single level of the NHS—from individual patient complaints and the learning they generate to organisational responsibility for the standard of patient care, through to integrated care boards and the delivery of high-quality outcomes and access to care for their populations.

The accountability owed to partner organisations and local patients is just as important as accountability to national bodies. As my right hon. Friend pointed out, that is why we passed the Health and Care Act 2022, which embeds the principle of accountability throughout the NHS and our health and care system.

Sir Mike Penning: The Minister is being generous in his comments to myself and to colleagues. The issue for colleagues and patients is that the over £2 billion bill, the delayed operations and the waiting lists would be remarkably smaller problems if we had addressed them right at the start. The biggest point, going back to my constituent, is that the wrong operation was done in 1986. That gentleman has been back and forth with the NHS, with help from myself and others, which must have cost the NHS a small fortune in legal fees. Instead

of addressing the individual issue to stop it getting bigger, the NHS fobbed and fobbed it off and passed it back around.

I know we are short on time and the Minister wants to conclude. My final point is that when Ministers send out letters, it is often the trust that we are complaining about that has drafted the letter to their officials, which actually ends up coming to us. In a classic example the other day, I was thanked for being so supportive of the refurbishment of Watford General Hospital, when actually I have opposed it for the last 20 years. The trust wanted to send that message to the Minister, rather than address what we needed to address, which is patient safety. The stress on patients in this particular case is huge.

Will Quince: My right hon. Friend is right that there is a lot more that we can do. Reflecting what he has just said, I will touch on some of the measures that have been put in place over recent years.

In 2019 there was the NHS patient safety strategy. We introduced, for the first time ever, a patient safety commissioner. There is the Health Service Safety Investigations Body, which will be an arm's length body from April 2023 and which was the brainchild of the Chancellor when he was Secretary of State for Health and Social Care. As my right hon. Friend pointed out, there has also been huge investment in maternity services following those awful cases, not just to boost staff numbers, but to improve leadership and culture. There have also been changes to the Care Quality Commission, with the single framework coming in from January next year.

My right hon. Friend is absolutely right that some cases take far too long, especially some of the neonatal cases. Those are often the cases that result in the largest payments made, but it can take many years before patients and families get the redress they needed. The Health Services Safety Investigations body is designed to be far more upfront about where something goes wrong. It is much better to learn the lessons in the period immediately after something has gone wrong than several years after the event, looking back retrospectively on what could have been done differently. We need to learn the lessons now and ensure that as few patients as possible go through the same experience. Clinicians, not just within that trust but across the integrated care board, or, where appropriate, across our NHS, should learn those lessons.

My right hon. Friend the Member for Hemel Hempstead has hammered home the point again about ministerial responses. I hear him, and I will speak with my hon. Friend the Member for Lewes to see what more we can do in that space. Those points are well made. However, it is difficult because of the number of NHS acute trusts and the fact that we rely on information about what happened on the ground. It is a huge and complex organisation, but I understand, recognise and take his point that ministerial responsibility and oversight is important.

We need to know the facts, and not just the facts as they are presented by a trust, in whose interest it might be to paint a rosier picture than it actually is on the ground—or to not paint the full picture. That is why it is so important that Ministers engage with local Members of Parliament to get the facts. They are the ones who are meeting with the trust executives and the board, as

well as their constituents and the clinicians and health professionals on the ground delivering care, who will often—for want of a better word—whistleblow about what is actually happening in a trust, and not give the rose-tinted view that the executives of a trust may want.

This has been a hugely important debate. It speaks to issues that are at the heart of our NHS. It is about getting it right first time and the excellent and consistent patient care that we rightly expect from our NHS. I hope, to some extent, that I have assured my right hon. Friend the Member for Hemel Hempstead of the importance that the Government place on quality, excellent patient care and accountability. His points have been well made. I will reflect on them, as will my hon. Friend the Member for Lewes. I look forward to working with him to improve the situation across our NHS.

Question put and agreed to.

11.28 am

Sitting suspended.

Greening the Financial System

[MR PETER BONE *in the Chair*]

2.30 pm

Olivia Blake (Sheffield, Hallam) (Lab): I beg to move,

That this House has considered the matter of greening the financial system.

It is a pleasure to serve under your chairship, Mr Bone. Before I begin, I would like to thank the numerous organisations, especially ShareAction and the WWF, that offered advice and briefing in the run-up to this debate, which is on quite a technical subject.

This is a very important area of debate. Not only do we face the twin climate and nature crises as possibly the greatest existential challenge of our era, but to meet them we will have to engage every part of economy and society, especially our financial system. Globally, the volume of privately invested financial assets is expected to reach \$140.4 trillion by 2025, a 250% growth in less than 20 years. In the UK alone, pension assets amount to almost £3 trillion. Across the globe, investment in pensions constitutes half of all the money in the world.

An estimated £32 trillion of investment is required to decarbonise the global economy. In the UK, private investment in carbon-cutting activities such as home insulation and electric vehicle charging points needs to grow by an extra £140 billion over the next five years to reach our current net zero goals. It is therefore not only right but essential to mobilise these vast global and national resources to tackle the climate and nature emergencies; however, our finance system is not serving the interests of people or planet. Just 100 of the richest companies are responsible for over 70% of all global emissions. The world's three largest asset managers have a combined £300 billion invested in fossil fuels, including money from private savings and pensions. In the five years since the Paris agreement, the world's 60 largest banks have financed fossil fuel projects to the tune of \$3.8 trillion.

Britain is a financial giant and the biggest net exporter of financial services in the world. Our weight in the global financial system means we have the influence to reshape it for the better, but we remain part of the problem. If the City of London were a country, the emissions it finances would make it the ninth largest polluter in the world. Between 2016 and 2021, UK banks HSBC and Barclays provided \$107.44 billion to the top 50 companies expanding upstream oil and gas.

So far, efforts to change the system, such as through the Government's green finance strategy and new benchmarks such as the TCFD—Task Force on Climate-related Financial Disclosures—recommendations, have emphasised greater reporting, transparency and information. Initiatives have often been sector-led. However, while they are necessary, they are certainly not sufficient. We also need action and regulation, not only to shift financial flows away from carbon-intensive areas and towards climate-friendly investment, but to ensure that financial institutions play their own role in tackling the systemic problems in the sector.

Chris Grayling (Epsom and Ewell) (Con): I am grateful to the hon. Lady for giving way and congratulate her on securing the debate. Does she agree that a very important part of the issue to be resolved is the impact of financial

[Chris Grayling]

investment in countries and organisations involved in deforestation, and that it is important for the City of London and our financial services sector to face the same kind of due diligence requirements that the Government rightly put in place for retailers in the Environment Act 2021, in terms of forest risk products? I encourage the Minister to consider that as an important next step in our battle against the loss of ecologically important forests around the world.

Olivia Blake: I thank the right hon. Gentleman for that intervention, and I completely agree: deforestation is a massive issue, and finance plays a huge role in it.

As I was saying, we need financial institutions to play their own role in tackling the systemic problems in the sector, alongside the overarching role. The Financial Services and Markets Bill, which is due back in the House next week, was an opportunity to do that, but the Bill has sent the wrong message. Take the priorities that the Bill sets out for regulators: that they should aim to enhance the competitiveness of the sector, but should only “have regard to” the Government’s net zero target.

That undermines the Government’s green finance strategy, which has two objectives:

“To align private sector financial flows with clean, environmentally sustainable and resilient growth...and to strengthen the competitiveness of the UK financial sector.”

A principle does not have the same force as a statutory aim. The Bill, therefore, represents a significant downgrading of the first target of the ambition set out in the green finance strategy.

The Bill was also an opportunity to move more rapidly on instituting mandatory net zero transition plans for financial institutions, but they are so far missing from the legislation. Plans are important, because they move us away from simply reporting and sharing information, to concrete climate action. We should also be doing much more on investor stewardship and fiduciary duty.

We need not only to encourage and incentivise fossil-fuel divestment, but to ensure that investors are engaging with and making demands of companies on climate action. That means raising capital requirements on fossil-fuel investments and raising the bar on stewardship, so that climate and nature form critical points of engagement with companies. That should also mean expanding the concept of fiduciary duty. The purpose of a pension is to provide a standard of living to the beneficiary when they retire. We need to shift the concept of fiduciary duty away from gaining returns at any cost, to thinking about the kind of world beneficiaries will retire to, or the world in which their children will grow up. Pension investors have a duty to their customers to ensure that the world is not wracked by flooding, flash fires, famine and freak weather, all driven by the climate emergency.

It is clear that the Financial Services and Markets Bill does not go far enough; it may even exacerbate some of the results of the climate crisis. Global heating has made our food supply even more insecure. In dumping the MiFID II regulations, the Bill makes speculation on food even more likely, driving up prices and worsening the consequences of the climate emergency.

However, the issue is not just regulation: so much needs to be done to create markets for green investment. In the green finance strategy, the Government set out their approach to leveraging private investment in five key areas: power, homes, transport, environmental land management and business energy use. On power, we have seen an effective ban on onshore wind, blocking of oven-ready new solar and nothing on tidal. On homes, since the Government “cut the green crap”—I am quoting—in 2013, home insulation has flatlined.

On transport, unless we are talking about building more roads for cars, the system is ravaged by underinvestment. In my constituency, people can wait more than an hour for a bus. On environmental land management, the Government appear to have scrapped or delayed environmental and land management schemes, and are now umming and aahing about their replacement. On business energy use, I repeatedly hear of small and medium-sized enterprises that want to do much more about their emissions, but do not feel they have the support to monitor them and cannot afford the upgrades to do anything about them.

I have long argued for a green new deal, and it is obvious from what I have just said that we are desperately in need of one. One way to kick-start that would be to re-examine the mandates of public financial institutions, such as the British Business Bank, offering discounted financial products to SMEs to make green investment in their business.

Alex Sobel (Leeds North West) (Lab/Co-op): My hon. Friend is making an excellent speech. There is a real role to play for public finances—contracts for difference and national funding—but we also see private finance coming in. If we had regulation, for instance on carbon offsetting or through the green investment bank, private finance would flow into this area. Even that is not happening with the Government. Would a better regulatory environment create those green financial opportunities?

Olivia Blake: I completely agree. The regulatory framework that we have here is really holding us back, when it could offer us real opportunities and help to prevent things from getting worse, which is my fear.

For example, we really need to think about what more we can do to support everything, from the bottom to the top of our financial system. That is why I mentioned SMEs, because they are the backbone of many of our local economies. However, an inability to access the financial products that I am talking about is causing a lot of harm to the future of those businesses. Alternatively, strengthening the climate commitments in the mandate for the UK Green Investment Bank while strengthening its lending power could really help to unlock some of this issue.

We could be doing so much more. I hope that when the Financial Services and Markets Bill returns to the House, Members will support amendments along the lines that I have outlined. I also hope that this debate spurs the Government to greater action, because we certainly need it.

Several hon. Members rose—

Mr Peter Bone (in the Chair): Order. I will call Alexander Stafford next. I am helpfully provided with a list of people who are going to speak; by his name, it says, “Ignore”. However, as you are here, Sir, I will call you.

2.41 pm

Alexander Stafford (Rother Valley) (Con): Thank you, Mr Bone. It is a pleasure to serve under your chairmanship and I am glad that you ignored the orders given to you from high above. I appreciate that in all aspects of life.

First of all, I congratulate the hon. Member for Sheffield, Hallam (Olivia Blake) on securing this debate. She is a south Yorkshire colleague, and we have appeared together on various panels and at numerous events, both in south Yorkshire and in this place, since we were elected in 2019. I know that she shares my passion about building a greener future for the people of south Yorkshire and for Britain as a whole.

I think the hon. Lady also agrees with me that greening our financial system is not something that any one person, business or party can do alone. I know that people in financial services across the UK are working together to encourage green investment and green banking. I also know that many Members from across the House are working together to encourage green finance. I am grateful to her for giving me the opportunity to do my bit to push this cause.

First of all, I declare an interest as chair of the all-party parliamentary group on environmental, social and governance, or ESG. Our group has been hard at work on this topic for the past 18 months, since I founded it. We have looked a lot at sustainable finance. I am particularly pleased to be able to speak today, because tomorrow—I know the Minister is listening carefully—the APPG is publishing a report on the upcoming UK green taxonomy, which will be an essential part of the UK's green finance strategy. Although I do not want to beat the press by saying what is going to be in that report, I am sure the Minister is looking forward to reading it; I will write to him to encourage to read it and ask questions in the House to make sure that he has.

A UK green taxonomy, first announced in the Treasury's "Greening Finance: A Roadmap to Sustainable Investing" policy paper just over a year ago, is simply a classification system for sustainable finance. Members who do not know about it should think of it as a tool to help investors understand whether an economic activity is environmentally sustainable or not. It helps businesses to navigate the sea of transition to reach the lands of the low-carbon economy. Crucially, it will hopefully spell the end of greenwashing by clearly showing what is sustainable and what is not. Once the report is published, firms will no longer be able falsely to claim green credentials that they do not deserve or to fool investors by fluffy sustainability reports that do not have any meat to them.

Under this upcoming green taxonomy, any economic activity that meets the strict scientific requirements for being sustainable can be designated as taxonomy-aligned. That will enable investors, firms and funds proudly to label their investments or products as being aligned with the taxonomy, thus boosting such funds and giving consumers confidence to invest in them. British firms will then be able to root out greenwashed investments and replace them with products scientifically proven to be sustainable.

This will not only change the game within our own economy; it will also propel the UK back to the forefront of global green finance. As I am sure many Members

will know, the UK has one of the deepest pools of internationally oriented capital, with 12% of the global total of foreign companies listed in the UK, and at least 80% of equity and 50% of debt invested in by UK asset managers is directed overseas. That means that there is a visible multiplier effect; any changes made here in the UK will echo around the world. We have a real opportunity to retake our position as the leader in green finance.

On that point, the most important takeaway from the APPG's report, which will be published tomorrow, is—as I am sure all Members will agree when they read it—that we need this taxonomy now. The EU's green taxonomy was launched over two years ago, and new taxonomies are being designed in green finance hubs worldwide, such as China, Korea and South Africa.

Right now, we have what I would call the second-mover advantage. We have missed the initial go, but we can build on the mistakes made in the EU's taxonomy, such as on different types of fuel and gas, to create a better and stronger taxonomy that will be mirrored by international partners the world over. We can learn from the taxonomies out there and make ours the best—we can make the UK the world leader again. However, the longer we wait, and as more and more countries come out with their own taxonomies, the less this advantage matters to us, and the less we can learn and improve; we will just be following. If we keep delaying in the fashion that we have done, we will lose our advantage, and our taxonomy will simply fall into being just one of the roughly 30 taxonomies being developed worldwide. We need to move fast and publish it soon, so that we can retake our rightful position.

Although speed is of the essence, we must be sure not to sacrifice quality, and the taxonomy has to be robust. The Treasury must make sure that our green taxonomy is widely consulted on, and I urge it to begin the consultation that was promised to commence in March. Stakeholders, academics, firms and investors must be consulted in order to build a taxonomy that is credible, usable and interoperable. Fundamentally, it must also have the confidence of the consumer. If our taxonomy fails to hit all three of those marks, it will have failed before it has even begun.

Greenwashing has instilled market distrust of anything held out as sustainable or green. We must work hard to rebuild trust, and a credible, science-based taxonomy that is usable, that does not present yet more compliance and that is more internationally focused should be the aspiration for the way forward. We must ensure that we get rid of the greenwash in our system; if the greenwash keeps happening, consumer confidence will be lost and consumers and the public will turn their backs on green financial measures.

I am sure the hon. Member for Sheffield, Hallam will agree with me that a UK green taxonomy, as described in the upcoming report, is essential to a good UK financial system. I hope the Minister will read the report, and I look forward to hearing his comments when he has.

2.47 pm

Jim Shannon (Strangford) (DUP): I thank the hon. Member for Sheffield, Hallam (Olivia Blake) for securing the debate and for setting the scene so well, and it is always nice to follow the hon. Member for

[Jim Shannon]

Rother Valley (Alexander Stafford), who cannot be ignored—indeed, he was not ignored in the Chamber today by you, Mr Bone. He is certainly a gentleman who sets the scene well on subjects that he is interested in and knowledgeable about.

As part of our climate change goals, greening our financial system has become a priority, and the hon. Members for Sheffield, Hallam and for Rother Valley are absolutely right to say how important that is. I believe that our financial systems across the UK have a duty to ensure that they are investing wisely in green strategies and understand that banks can take steps to become greener. I always speak from a Northern Ireland perspective, and I will give examples of some of the things that we are doing. Before I do so, I want to say that I am encouraged by Government strategies in relation to mapping and charting a way forward. Perhaps we will hear more about that from the Minister, who I hope will give us encouragement.

In November 2020, the then UK Prime Minister, the right hon. Member for Uxbridge and South Ruislip (Boris Johnson), set out his “The Ten Point Plan for a Green Industrial Revolution”. I always welcome such steps, but what we want to see, and I think what the hon. Member for Sheffield, Hallam wants to see, is a wee bit more meat on the bones, to see what the plan means. The former Prime Minister stated that his plan would create hundreds of thousands of jobs,

“making strides towards net zero by 2050.”

The highlights included a ban on combustion engine sales by 2030, a pledge to quadruple offshore wind power by 2030—the hon. Member for Sheffield, Hallam referred to offshore and onshore wind power—and an investment of £525 million towards new nuclear power. I am not absolutely sure whether the target for the ban on combustion engine sales by 2030 is achievable, given that we live in a country whose population is dispersed between urban and rural areas. I live in the countryside, where people need to have cars—usually diesel cars in the case of the farming community—because bus services are not always dependable.

The hon. Member for Sheffield, Hallam also referred to charging points. We have a lot to do in Northern Ireland to catch up on charging points; I mean that. I know that the Government, Northern Ireland Assembly and local councils back home have taken some steps, but again they are all commitments: we have not yet seen much of how they will work out.

In relation to nuclear power and the other things in the former Prime Minister’s strategy, the Northern Ireland Department for the Economy came up with its own strategy entitled “Future Energy Decarbonisation Scenarios”, which aimed to represent realistic green truths for the future of our economy, financial sectors and businesses. Both strategies ensure that the banking and finance sector will play a key role in the greening of the economy and the ambition to reach net zero by 2050. I, the hon. Lady and others welcome the commitment, but we want to see how it will turn out.

The UK must ensure that we consolidate our position as a global hub for green finance. We must position the UK at the forefront of green financial innovation and data and analytics, and build skills and capabilities on

green finance. Banks are looking to help their customers thrive in the low-carbon transition, and build a more sustainable future for themselves, their businesses and ultimately the planet that we live on, which we will leave for our children and grandchildren.

I commend the Ulster Bank in Northern Ireland in particular. One branch is only a couple of doors down from my office in Newtownards. That bank is offering green initiatives for Northern Ireland businesses, which include the adaption of smart technology, going paperless, cutting energy costs by introducing remote working, and carrying out energy audits that allow businesses to spot where costs could be saved. That is a very practical and physical way of showing how we can move forward. I commend the Ulster Bank for its commitment and clear strategy, and for doing its bit for customers. I wish that other banks in Northern Ireland, and indeed across this great United Kingdom of Great Britain and Northern Ireland, would take similar initiatives.

The Green Finance Institute in Northern Ireland has stated that we need an extra £5 billion over the next decade to protect and restore nature. In relation to the UK as a whole, the Parliamentary Office of Science and Technology released a briefing to discuss the financial risks of nature loss. The shadow Minister, the hon. Member for Bristol East (Kerry McCarthy), and the shadow spokesperson for the Scots nats party, the hon. Member for Kilmarnock and Loudoun (Alan Brown), have a deep interest in that subject, as does the Minister. We cannot ignore nature loss.

The Amazon rainforest has always been a pet subject of the right hon. Member for Epsom and Ewell (Chris Grayling), who is no longer in his place. He often talks about it. Just last week in the national papers, I read an article that said the Amazon rainforest is at a crux. It is reaching the stage where it will no longer be the lungs of the world, such has been the destruction and the removal of trees. We need to encourage the Brazilian Government. The article made the point—and this ties in well with the debate today—that many investment companies, finance companies and banks are investing in the companies that are removing the trees from the Amazon rainforest. There is a duty upon them to look at what they are doing, and how it is affecting the Amazon.

Some people will ask how relevant the Amazon rainforest is to us here in London today. Well, it is incredibly relevant. It is the lungs of the world and the biggest rainforest—at least it is now; we are not sure whether that will continue. I will ask the Minister one question, ever mindful that he is out to respond in a positive fashion. What discussions has he been able to have with the Brazilian Government, and with the finance companies and banks that are investing in the firms that are removing trees from the rainforest? What happens there will become irreversible at some stage. We in this part of the world—in London—will be poorer for that. Let us do something positive if we can.

Some of this economic activity is driving the nature loss that I referred to. That results in physical sources of financial risk for businesses and financial institutions. For example, that 1 million species are under threat of extinction should not solely be an issue of concern for conservationists, ecologists and nature lovers. It should also concern global business, the finance industry and the agri-environment sector. We cannot ignore the fact

that we unfortunately get regular notifications about the animals, birds and plants that are in danger of becoming extinct because of what is happening.

We need a strategy and a way forward for the finance industry and the agri-environment sector. Meeting our targets will require unprecedented public and private sector investment. The Government have not been slow to respond to requests about environmental technology, infrastructure, services and jobs, and we welcome that.

It is encouraging that several Northern Ireland and United Kingdom banks and financial institutions have joined green marketplaces. That indicates that we are heading in the right direction to green our financial system. I know this request does not suit everybody, and perhaps it is not the right thing to do from a ministerial point of view, but I sometimes wonder whether we should set targets, although if we do that and do not achieve them, does that mean that we are not winning? It is good to have a target or a percentage at least to ensure we are heading in the right direction in greening the financial system.

It is great to see the uptake of green loans, which ensure environmentally friendly and sustainable investments into businesses. That is another indication of the success of financial institutions and their willingness to take part in supporting this agenda.

We all recognise that there is still a long way to go, but we are committed to the strategy and the programme of change, and are doing our best to head that way. What discussions have other countries in the world had? COP27 has just finished. It was good to get a deal at the end, but it took a long time. I noticed when I watched it on TV that they were sitting there for 36 or maybe 48 hours, and were under a bit of pressure. How do such agreements relate to a strategy for the future? I look to the Minister to assess what further steps we can take as a collective on green finance to meet our 2030 and 2050 targets and goals.

2.57 pm

Matt Rodda (Reading East) (Lab): It is a pleasure to serve under your chairmanship, Mr Bone. I thank my hon. Friend the Member for Sheffield, Hallam (Olivia Blake) for securing today's important debate, and I commend colleagues from across the House for their contributions. We are speaking about the most important issue facing humanity and looking at some very specific, important and positive aspects of the contribution that the financial services community can make through wise investment.

I will focus on the potential contribution of the pensions industry in the UK and in other countries. I believe the contribution is entirely positive and should be commended. I praise the work of the Minister I used to shadow, the hon. Member for Hexham (Guy Opperman), who took me to a site where solar farms were being built on reclaimed land, which was previously a landfill site. That is a fantastic example of this type of positive investment, and it illustrates the enormous potential to use onshore wind and solar in the UK to reduce carbon emissions. Pensions investments can be used in a highly constructive way to support and protect the environment and drive this important agenda.

The site that we visited is right next to the M4. It is in Berkshire, but not in my constituency—it is in the constituency of the right hon. Member for Wokingham

(John Redwood). It is on a site that used to contain gravel pits and landfill, and the solar panels are next to a motorway, so it is in no way an eyesore or a problem for the local community. In fact, it is an entirely benign development. I believe that there are many more such sites that have enormous potential for solar and onshore wind, and I hope the Minister addresses the Government's policy on these important issues when he responds.

There is the potential for a win-win: pension savings can be invested constructively in an industry that offers great long-term returns for savers. The industry is aware of that and is working with the Government. What is needed now is a firmer steer from the Government, particularly on the benefits of onshore wind and solar in the UK. They need to make that clear to the industry to help in its planning process and thinking ahead. This area of investment needs a long-term perspective, and greater reassurance from Ministers would be helpful. I urge the Minister to respond to that point. I also reassure Government Members that such sites are plentiful. There is a lot of brownfield land in the UK. There are lots of other sites where solar and wind need not be a visual intrusion to local communities, which may well welcome them as a source of green energy.

On the contribution to pension savings, some funds are actively looking for illiquid long-term investment that can provide a reliable return in the future, and investment in the sector is just what they are looking for. They are looking at similar sectors such as social housing and other forms of infrastructure, but I believe there is particular value in investing in green energy. It would be wonderful if the Minister could do more to reassure the sector when he responds today and, in particular, to move on from the rather negative comments made by some of his colleagues about onshore wind and solar, which have an enormous contribution to make. They are cheaper to deploy than offshore solutions. They also have the advantage of greater accessibility, and are often nearer to the grid. The site that I mentioned was right next to a line of pylons running across the country, so it was easy to plug into the grid, and other sites in other parts of the UK are similar. I hope the Minister will come back on that point.

I appreciate that other colleagues want to contribute—indeed, my hon. Friend the Member for Bristol East (Kerry McCarthy) is due to speak for the Opposition—so I will sum up by urging the Minister to be clear about the Government's intentions on onshore wind and solar. They can make a very important contribution to this vital issue. There is a real desire on the part of the pensions industry to see that change from Government, so I look forward to hearing what he says. I hope he will be able to reassure us and our constituents across the country.

3.2 pm

Alan Brown (Kilmarnock and Loudoun) (SNP): It is a pleasure to serve under your chairmanship, Mr Bone. I congratulate the hon. Member for Sheffield, Hallam (Olivia Blake) on securing this debate. It is good to see Back-Bench participation.

The hon. Lady set the scene very well on the amount of investment required for us to achieve our climate goals, and on the specific impact that so few companies have, with 100 companies responsible for 70% of emissions. The scale of investment from the City of London makes it the equivalent of the ninth biggest polluter in the world. Those are very stark statistics.

[Alan Brown]

I liked the key point about pension funds and looking at wider beneficiary considerations rather than just returns. Clearly, there is no point in having a high financial return if it results in greenhouse gas emissions that wreck the planet we live on. Also, the point about energy efficiency investment flatlining is key. We need to get more money invested into energy efficiency.

An answer that I got to a written question said that 12 million homes are still rated in EPC band D to G in terms of energy efficiency, so to get every property upgraded to band C by 2030 means that more than 1,000,700 properties need to be upgraded every year.

We heard from the hon. Member for Rother Valley (Alexander Stafford). I commend him on the work he is doing as chair of the all-party parliamentary group on environmental, social, and governance. I pledge to look out for its report. He made a key point about the risk of greenwashing and how we need to make sure that that does not remain part of the financial system. On greenwashing, I am always cynical when companies contact me and say, "Hurray! We have set a target. We have announced we are going to meet net zero. Will you congratulate us and promote us?" I never do that because I want to see the proof of the pudding.

As always, we heard from the hon. Member for Strangford (Jim Shannon), who made a very good contribution. He rightly pointed out that it is fine to have 10-point plans and other soundbites, but, as he said, we need meat on the bone. The reality is that we need a joined-up Government strategy to deliver. He touched on the risk of the Amazon's deforestation and how we cannot allow investment that encourages that. It seems to me that we should encourage investment as part of the loss and damage considerations as we move forward as well. I did wonder if the hon. Gentleman slipped up slightly, and I have to ask if he is okay, because he did not once mention Better Together. I think that is the first time he has not done that.

Finally, we heard from the hon. Member for Reading East (Matt Rodda), who again highlighted the importance of the pensions industry in driving investment in brownfield regeneration to create renewable energy. What could be better than to regenerate in a sustainable way and actually help bring down emissions?

As many Members have said, it goes without saying that we do need to hit net zero, in line with the Paris climate agreement on a global scale, if the Earth is to have a proper future at all. Time is running out. But as well as fighting this existential threat, we do actually have fantastic economic growth opportunities arising from the green investment required.

As the hon. Member for Sheffield, Hallam said, an estimated \$32 trillion of investment is needed globally by 2030 to tackle climate change alone. Instead of the bland rhetoric about being global Britain, there is actually a great opportunity for the UK to be a global centre for those financial flows. It will bring significant economic returns and help address our own economic challenges, including the ongoing cost of living and energy crisis. We have to remember that London recently lost its position as Europe's most valuable stock market. This green concession could spur the necessary growth to help the UK regain its overall competitiveness.

The reality is that the UK will not lead the global green finance sector without the right regulatory framework to support it. At COP27, finance experts, including the former Governor of the Bank of England, Mark Carney, demanded the alignment of financial regulation with net zero. The reality is that the financial sector is exposed to financial risks that stem from nature loss, via the businesses they invest in, advise, insure and lend to. That was illustrated by the Bank of England's first climate stress test, which concluded that UK banks' insurers could end up taking on nearly £340 billion-worth of climate-related losses by 2050 without better mitigation and adaptation efforts.

Separately, the Green Finance Institute estimates that almost £650 billion-worth of infrastructure investment from UK organisations, planned to take place this decade, could face considerable climate risk. It is madness that the Government are trying to commit us to giving billions of pounds to Sizewell C, in an area that is subject to coastal erosion and the threat of increased sea levels due to climate change. That is not joined-up thinking when we are looking at infrastructure for the future.

The Financial Conduct Authority must have a duty to consider climate goals in dealing with its activities. The SNP's proposed amendment to the Financial Services and Markets Bill could have had that effect. Had the amendment been accepted, it would have required the FCA to act in a way compatible not only with competitiveness and growth objectives, but with the Government's climate commitments, in addition to strategic and operational objectives.

At the moment there is a disconnect between the Financial Services and Markets Bill and the Government's work on transition plans. The COP26 commitment included the requirement for all UK regulated financial institutions and public listed companies to publish their net transition plans by 2023. To implement that, the Government pledged last year to legislate for mandatory transition plans through the UK sustainability disclosure requirements. But the Financial Services and Markets Bill fails to do so, and there is currently no other upcoming legislation to allow that to be implemented.

The Government's transition plan taskforce, set up to develop the gold-standard transition plan guidance, recognises the importance of nature. By contrast, nature is not addressed in the Financial Services and Markets Bill, despite the Economic Secretary to the Treasury recognising in Committee that we cannot achieve our climate goals without acknowledging the vital role of nature. Other contributors touched on the importance of considering nature as well.

Even business is saying more needs to be done in terms of regulations. Numerous financial institutions, including Aviva Investors, Phoenix, Hargreaves Lansdown and Federated Hermes, have written to the Bill Committee backing a secondary statutory objective of facilitating the transition of financial services to net zero. Supplying goods and services to enable the global net zero transition could be worth £1 trillion to UK businesses by 2030. Accelerating the roll-out of low-carbon technologies could reduce household energy bills by up to £1,800 a year. Onshore wind is the cheapest form of energy generation, so, by blocking it for so many years, the Tories are adding money to consumers' bills.

Get this right, and there are fantastic opportunities. However, Brexit Britain—a subject close to your heart, Mr Bone—is currently playing catch-up on green finance. The EU has legislated on a number of issues, which include corporate disclosures, climate-related obligations and sustainability-related disclosure in the financial services sector and the European green bond standard, while the UK lags behind. As the hon. Member for Rother Valley said, the UK also lags on taxonomy. There might be some failings that can be picked up and improved on, but the reality is that the UK lags behind.

A report by the social enterprise think-tank New Financial entitled “A reality check on green finance” claims that the value of green finance in Europe increased by 97% in 2021 compared with 2020 levels, to reach an overall total of €311 billion. It concludes that Government issuance tripled, and several nations launched sovereign green bonds as part of their covid-19 recovery plans. Meanwhile, activity in the private sector doubled year on year. The report also notes that, despite that massive increase in expenditure, green finance represented only 12% in all capital markets across Europe in 2021. By contrast, green finance in the UK accounted for only 6% to 7% of all capital markets activity.

It is clear that more must be done to green the financial services industry. It is imperative that the FCA is mandated to consider climate goals and that the Government improve legislation accordingly. To finish on a positive note, if we get this right, there are fantastic growth opportunities, green jobs and a just transition to net zero.

3.12 pm

Kerry McCarthy (Bristol East) (Lab): It is a pleasure to see you in the Chair, Mr Bone. I see that the Financial Secretary to the Treasury is on her feet in the main Chamber, so we may be interrupted, but let us see how we get on. I congratulate my hon. Friend the Member for Sheffield, Hallam (Olivia Blake) on securing the debate. Having served on the Environmental Audit Committee, I know that this is a complex area. We did inquiries into green finance, and there are many aspects that could be covered.

My hon. Friends the Members for Sheffield, Hallam and for Reading East (Matt Rodda) said that the financial sector needs a sense of stability from the Government—that has obviously been lacking somewhat in the past year, if not previously—so that it knows what the future direction is and feels safe in taking a long-term perspective on investments. As my hon. Friend the Member for Reading East said, pension funds very much need a firm steer from the Government on where policy is heading. My hon. Friend the Member for Sheffield, Hallam talked about the lack of investment in green infrastructure, whether it be transport or home insulation—she mentioned many things. That is because, again, the market does not have confidence that that is where it should put its money. I hope that can be rectified.

I was interested to hear what the hon. Member for Rother Valley (Alexander Stafford) said about the APPG report that is due out tomorrow. I was not aware that that work was in progress, and will certainly be reading it. It is sad that we lag so far behind the EU on green taxonomy. Anything that we can do to root out greenwashing would be appreciated across the board.

As the indefatigable hon. Member for Strangford (Jim Shannon) said, we very much agree on the nature side of things; we agree on quite a few things, perhaps surprisingly. He talked about the Amazon, as did the right hon. Member for Epsom and Ewell (Chris Grayling), who I know is doing good work with the APPG on global deforestation. It is crucial that UK financial institutions are not contributing to that by financing such activities in the Amazon and other places around the globe, and we should definitely seek to stamp that out in supply chains.

The hon. Member for Strangford also talked about EV charging points, a subject that is dear to my heart. Most people who own EVs know the pain of trying to charge at a public charging point, particularly if they have to venture into rural areas. Reliability used to be the issue, but now it is that everybody else wants to charge at the same time. I had to head down to Somerset at the weekend for work reasons, and I was in that situation. It is said that in England, we are never more than 20 miles from a charging point, which is not necessarily okay because we might get there and find we cannot use it and then have to drive another 20 miles. In Northern Ireland, it is 50 miles. We will inevitably get private sector investment where there is quicker market return—in other words, where there are more people to use the charging points and where there is that critical mass. The Government need to do more to pump-prime the market in rural areas and ensure that the public infrastructure is there. That can be done with the help of private finance, but the Government need to step in.

The contribution that the City makes to the UK economy cannot be overstated. It represents 8.3% of all economic output. It is one of our most successful exports and has been so for centuries; it has been at the heart of our economic life. Some people think there is a disconnect between what they call the real economy and the City, but allowing the City to thrive will deliver the tax receipts we need to repair our public services, to support people through the cost of living crisis, and to spearhead and finance economic growth.

Labour is committed to supporting the City to retain its competitiveness on the world stage. We support the principle of a new secondary statutory objective for regulators that prioritises both nature targets and long-term growth, but that in itself is not enough. We need to do more to harness the power of the City to drive growth in the real economy, and that means putting the right incentives in place for financial services to provide capital, credit, insurance and other services to firms in every sector and every region and nation of the UK.

Of course, sustainable growth in the 21st century means green growth. Climate change is the defining social challenge of our times, and we have seen this year what happens when we are overly reliant on fossil fuels and foreign dictators for our energy needs. Globally, the risks associated with climate change from the ever increasing frequency and severity of extreme weather events will require insurance and reinsurance, as well as sustained investment in climate adaptation.

Labour does not see the transition to a green economy as a risk. We see it as an opportunity for both the City and the wider economy to reverse over a decade of stagnant growth and to create hundreds of thousands of green jobs. The financial services industry will have a key role to play. As my hon. Friend the Member for

[Kerry McCarthy]

Sheffield, Hallam explained, UK public financial institutions such as the UK Infrastructure Bank must be aligned with predetermined sustainability aims and objectives.

There are numerous examples of the financial sector already supporting green innovation in British industries, yet too often businesses—especially SMEs—struggle to access the green capital they need. That goes back to what I was saying about the lack of market confidence to invest in the green transition. Leaving aside the political and economic instability of the past year, there have been specific moves by the Government that have undercut market confidence. In 2013, for example, the Government cut energy efficiency programmes, which saw home insulation rates fall by 92% in that year alone.

Matt Rodda: My hon. Friend is making an excellent speech. I just want to draw out some detail in relation to that final point from my constituency. It is a tragedy that the Government have made that mistake, because there are many people—often older people—living in terraced houses who do not have adequate home insulation. They have been failed by the Government, and that is a real tragedy.

Kerry McCarthy: Yes, and if the Government had kept that home insulation programme, they would now be having to spend a lot less money on bringing down energy bills, because people would be saving hundreds of pounds a year by having warmer homes.

There was a series of sudden changes to low-carbon energy policy in 2015 that undermined investment confidence. The moratorium on new onshore wind programmes in 2015 effectively destroyed the market. In the same year, the Government slashed solar subsidies, causing a huge crash in private investment. We are still not quite sure where the Government are on onshore wind or, indeed, on solar. There is the move to reclassify grade 3b agricultural land, bringing that out of solar use. As we have heard, the Prime Minister has not been able to give an answer, and at Business, Energy and Industrial Strategy questions yesterday, the Business Secretary was not able to give a clear line on onshore wind. I know that a vote will happen soon if a consensus is not found, but the market wants confidence. It wants to know whether it is time to invest in things such as onshore wind. That does not mean just a temporary lifting of the ban, subject to local consent; people need a long-term vision to be able to do this.

The Prime Minister did not inspire confidence in his initial approach to going to COP27; he was eventually dragged there. On the issue of international climate finance, there was the groundbreaking announcement of a loss and damage fund to assist developing countries, in response to the damage that they have incurred through climate change. There was a call for financial institutions to raise the ambition, to change the models and to create new financial instruments to increase access to finance. We ought to be at the heart of that global transfer of funds from developed countries that have polluted to countries that need support. Yesterday, I was with representatives of the overseas territories who are really struggling to get finance just to switch from fossil fuels to renewable energy production in what

are very small territories. We ought to be looking to support that through finance from the City of London.

The Government promised radical action on a green transition, and we were promised that the UK would become the world's first net zero financial centre. Instead, as we have heard, we are falling behind global competitors. A recent report from the think-tank New Financial revealed that in both share and penetration of green finance in capital markets, the UK is a long way behind the EU. It found that green finance penetration in the UK is at half the EU level and roughly where the EU was four years ago.

I will say this very briefly, particularly because we are expecting the Division bell to go. Labour has given clarity through its green prosperity plan: £28 billion a year until 2030 for green investment. It is that sort of certainty that the Government need to adopt.

3.23 pm

The Exchequer Secretary to the Treasury (James Cartlidge): It is a real pleasure to serve under your chairmanship, Mr Bone. I congratulate the hon. Member for Sheffield, Hallam (Olivia Blake). This is an incredibly important subject and a very timely debate. I thought she delivered her speech very clearly and eloquently and made some very important points, and I will do my best to respond to the various points that have been made by her and other colleagues. I thank them all for contributing to what has been a thoughtful debate.

I will just give a couple of personal perspectives. I had the privilege to represent the Treasury at the COP finance day. It was pretty much my second week in the job. It was striking that in discussions with financial counterparts, three of them raised the fact, without my prompting—just by coincidence—that their nations had raised their green sovereign bonds, or the equivalent instrument, in the UK. That is a real testament to the strength of the City. I think it was Mexico, Uruguay and Egypt, which of course was our host. That feeds into the point made by the hon. Member for Kilmarnock and Loudoun (Alan Brown), who spoke for the SNP: this should be seen as an economic opportunity. The journey to net zero goes hand in hand with strengthening our economy and taking advantage of economic opportunities. The hon. Member for Strangford (Jim Shannon) quite rightly referred to the green industrial revolution. I will go as far—[*Interruption.*]

Mr Peter Bone (in the Chair): Order. I am sorry to interrupt the Minister, but the sitting will be suspended; we have a number of votes. If people return as soon as possible after the last vote, we will reconvene.

3.24 pm

Sitting suspended for Divisions in the House.

4.14 pm

On resuming—

James Cartlidge: To cut straight to the chase—given I was interrupted by the vote—we published the green finance strategy in 2019 and the “Greening Finance: A Roadmap to Sustainable Investing” policy paper in 2021. Together, they add up to an ambitious and detailed agenda on which we are making significant progress.

The hon. Member for Bristol East (Kerry McCarthy), who spoke for the Labour party, said that the market needs a clear steer—just as I need to get my breath back. To be clear to her, a central tenet of our approach has been to ensure that every financial decision takes climate change into account. This year, the UK made good on our commitment to introduce a mandatory Task Force on Climate-related Financial Disclosures, or TCFD. This is the first country to make a commitment to do so and we have now delivered. As set out in the greening finance roadmap, we will build on those rules with new SDR rules, the aim of which is a comprehensive, streamlined and co-ordinated reporting framework. SDR will incorporate international sustainability standards—I'm sorry, but I have completely lost my breath.

Mr Peter Bone (in the Chair): Order. I am grateful to the Minister for running back—I know what it is like. We are pushing things a little earlier to help with later debates. My saying that might have given the Minister enough time to catch his breath.

James Cartlidge: You are very kind, Mr Bone. As I was saying, SDR will incorporate international sustainability standards, including the global baseline standards being developed by the International Financial Reporting Standards Foundation.

The SNP spokesman, the hon. Member for Kilmarnock and Loudoun, raised the subject of transition. A central element of SDR is transition plans for financial firms. We recognise the importance of requiring firms to set out how they will adapt as the world transitions towards a low-carbon economy. Transition plans form a key part of the UK's ambition to become the world's first net zero-aligned financial centre, and will see organisations setting out how they plan to adapt as the world transitions to a low-carbon economy. That is why we launched the transition plan taskforce in May to create the gold standard for transition planning. I was pleased to announce at COP a few weeks ago the launch of the TPT's disclosure framework and implementation guidance consultation. The documents are a huge step and set out clear recommendations for the preparation and disclosure of high-quality transition plans.

Let me turn to the important issue of stewardship. More than 70% of the UK public say they want their investments to avoid harm and achieve good for people and planet. In 2020, on average UK savers put almost £1 billion a month into responsible investment funds—a clear sign that a shift is under way. As made clear in “Greening Finance: A Roadmap to Sustainable Investing”, the Government expect the UK's pension investment sectors to act as responsible stewards of capital.

The FCA's consultation on SDR and investment labels includes proposals to promote integrity and trust in the market, protect consumers, allow consumers to better compare products and reduce the risk of what my hon. Friend the Member for Rother Valley (Alexander Stafford) quite rightly referred to as greenwashing. In November, the FCA convened the vote reporting group to develop a more comprehensive and standardised vote disclosure regime.

On the specifics of the greening financing programme, Members will know that the UK kick-started a greening finance programme with a record-breaking debut sovereign green bond last September. The UK plans on raising an

additional £10 billion from green gilts this financial year, with transactions worth £6 billion so far. That means we have raised more than £22 billion from green gilts and retail green savings bonds since September 2021, helping to finance projects to tackle climate change and other environmental challenges. The world sees the progress we have made. There is a lot of talk about the competitiveness of the City and UK financial institutions. Just last month, London was once again ranked one of the leading centres in the world for green finance in Z/Yen's global green finance index.

Let me turn briefly to the UK Infrastructure Bank, for which we are legislating at this very moment to put it on a sound footing. The bank has £22 billion of capital to invest in infrastructure that supports two objectives: helping to tackle climate change and levelling up the UK. Based on the 10 investments it has announced so far, UKIB estimates it has already crowded in £4.5 billion of private investment. Notably, its first private-sector deal was to support a £500 million subsidy-free solar fund—a good example of exactly what we are setting out to achieve.

Of course, it is about not just tackling climate change but the key issue of nature. The Government have invested significantly in financial sector transparency and the disclosure of nature-related financial risk. The UK is the largest financial backer of the taskforce on nature-related financial disclosures and supports its work developing a framework for financial institutions and corporates to assess and report on their nature-related dependencies, impacts and risks.

Let me turn to some of the points raised by colleagues. My hon. Friend the Member for Rother Valley—we were right not to ignore him—made a good contribution, and I note his previous work with WWF before becoming an MP. He is right about green taxonomy—it must be about quality not speed—and I look forward to receiving a copy of his report. The Government will be engaging with the market on the design of a policy approach to guide investors on how they can best support the transition to net zero, and the value of taxonomy rests on its credibility as a practical and useful tool for regulators, companies and investors. It is important that we learn from the approach taken in other jurisdictions and take the time to get this right for the UK and the market.

Alexander Stafford: I invite the Minister to attend the all-party group meeting to discuss the report with our members as a priority.

James Cartlidge: I would never say to my hon. Friend that he should be ignored. On that basis, I will certainly consider his invitation, alongside reading his interesting report.

The hon. Member for Sheffield, Hallam raised the issue of insulation. Our new £1 billion ECO+ scheme will see hundreds of thousands of homes receiving new home insulation worth approximately £310 a year each. Of course, the autumn statement made significant and ambitious commitments on energy efficiency.

The hon. Members for Bristol East and for Strangford spoke about charging points. Since 2020 we have committed £1.6 billion on charging points, but I know that people want to see us go further and faster, and we are making huge progress on the transition to electric vehicles.

[James Cartledge]

The hon. Member for Strangford and my right hon. Friend the Member for Epsom and Ewell (Chris Grayling), who is not in his place, mentioned the important issue of deforestation. The Environment Act 2021 includes due diligence requirements for companies to check and eliminate illegal deforestation, and a significant pledge was made at COP26. To be clear about financial services, the UK is focused on transparency with regard to deforestation and has included that very point about disclosing that sort of activity in our disclosure framework, as part of the taskforce on nature-related financial disclosures. That is the key point about the financial services sector: it is all about disclosure. [Interruption.]

Mr Peter Bone (in the Chair): Order. I am afraid the sitting is suspended. It will be great to see you all back here in 15 minutes.

4.22 pm

Sitting suspended for a Division in the House.

4.29 pm

On resuming—

James Cartledge: It has been an interesting debate. I again pay tribute to the hon. Member for Sheffield, Hallam for raising this very important subject. I hope I have managed to set out the comprehensive steps the Government are taking to support the green finance system. We look forward to further action in due course.

4.30 pm

Olivia Blake: I will address a couple of points that were made and thank the Members who took part. It was a very valuable debate. The hon. Member for Rother Valley (Alexander Stafford) was right to point to the dangers of greenwashing and the green taxonomy framework. It is about ensuring that we have enforcement and concrete action, through the guarantees of investors. The hon. Member for Strangford (Jim Shannon) is no longer present, so I will skip him and everyone else—but we have had a really valuable debate.

Next week provides a perfect opportunity. I ask Ministers to look again at where the Financial Services and Markets Bill can be strengthened in this subject area; hopefully we will see the concrete action that we need. I have read the green finance strategy and I am afraid some of the wording in it is a bit wishy-washy, to say the least. It quite often says things such as, “We will encourage”, “We will have discussions”, “We will catalyse”. There are more than a million ways of saying we might do something, and not that we will do something. There is an opportunity for the Minister to do something—please take it.

Question put and agreed to.

Resolved,

That this House has considered the matter of greening the financial system.

Independence Referendum for Scotland

4.31 pm

Mr Peter Bone (in the Chair): As is the convention for the 30-minute debate, there will not be an opportunity for the Member in charge to wind up.

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

That this House has considered Government policy on a further independence referendum for Scotland.

Today is St Andrew’s day, and on this national day there is a particular significance and imperative. Last week, the UK Supreme Court told the Scottish Government that they could not exercise their democratic mandate to hold an independence referendum. But there was something else in that judgment—something that simply cannot be tolerated. There was the suggestion that, somehow, Scotland as a nation does not possess a right to self-determination. In suggesting that, the London Supreme Court overturned what has been the accepted legal, historic and political position that the UK is a voluntary Union.

Scotland’s separate constitutional tradition is perhaps best summed up in the view expressed by Lord Cooper, in the case of *MacCormick v. Lord Advocate*,

“The principle of the unlimited sovereignty of Parliament is a distinctively English principle, which has no counterpart in Scottish constitutional law.”

The Supreme Court seems to have repudiated that. Last week’s judgment rendered the UK a state of glaring contradiction. There are contradictions in our shared history, and contradictions of equality, politics, and representation.

The UK enthusiastically claims it seeks to preserve democracy the world over, yet moves to block Scotland at each and every turn. Can the Minister imagine the circumstances where, having entered the common market and ratified every subsequent treaty—leading to the European Union—the EU Parliament moved to block his party’s Brexit vote, or set a limit on when and if such a vote could be heard? The notion is, of course, ludicrous, because democracy is not a single event but an evolving and continuous process. That is how civilised people behave, and how freedom of thought and expression are peacefully demonstrated. Those are the foundations of inalienable human rights.

I will consider the contradictions, concluding with a commentary of the Supreme Court’s judgment. We are often told in this place that Scotland must be proud of our shared history as part of the most successful political union ever. I will test that narrative and ask the Minister to consider our shared history through a Scottish prism.

Before the Union, the English Alien Act 1705 threatened economic sanctions if Scotland did not settle the royal succession, or negotiate for a political union. The treaty was met with vociferous opposition both inside and outside Scotland’s parliamentary chamber but, given threats and enticements, a majority of Scottish parliamentarians were persuaded. The people were never consulted.

It so often goes that this is all ancient history and irrelevant to a modern Scotland in a respectful union of equals. Last week’s judgment challenged that previously understood narrative. What of that modern Scotland?

In my lifetime, the political complexion of Westminster rule has rarely reflected the polity of Scotland. We have endured repeated Tory Governments that Scotland did not vote for, or Labour Administrations that took us into illegal wars that we wanted no part of.

Socioeconomic policies have destroyed our communities, exploited our resources and worked against the utility of the people of Scotland, contrary to the Articles of Union. The pursuit of such social and economic policies has driven a stake through the heart of once proud communities. As noted in the pleadings of the hon. and learned Member for Edinburgh South West (Joanna Cherry), in her prorogation case to the UK Supreme Court, the 1707 parliamentary Union between England and Scotland may have created a new state but it did not create one nation.

Scotland was an independent nation for millennia before its coerced incorporation. It remains a distinct and internationally recognised people and country. No clearer is that evidenced than by the much earlier and continuing Union of the Crowns, where our shared monarch does not accede to a single throne of Britain, but takes the separate crowns of the realms of Scotland and England.

As a member of the EU, the UK possessed and exercised a veto, yet claimed its sovereignty was impeded by membership. Scotland has no such mechanism in this place, and is always subject to the wiles of the policy of its larger neighbour, exemplified by Brexit. How does that constitute access to meaningful political process, as claimed by the UK Supreme Court judgment?

In signing the Atlantic charter of 1941, wartime Prime Minister and hero of the Conservative party, Winston Churchill, brought into being the principle of self-determination of peoples, as now set out in the United Nations charter, in article 1(2), article 73 and article 76. Margaret Thatcher in her memoirs said of Scotland:

“As a nation, they have an undoubted right to national self-determination.”

John Major, when Prime Minister, said of Scotland:

“No nation could be held irrevocably in a Union against its will.”

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The hon. Gentleman is making a fantastic speech. He started by raising the point about the Supreme Court and self-determination. I found paragraph 88 of the judgment particularly interesting:

“The people in question are entitled to a right to external self-determination because they have been denied the ability to exert internally their right to self-determination.”

The judgment did exactly that; it did limit that right. The reason the judgment did not give the referendum was because, if it happened—even if it had limited legal effect—as it says in paragraph 81, it

“would possess the authority, in a constitution and political culture founded upon democracy”—

and that is all over western Europe. Ultimately, the concession has been made by the Supreme Court that the ballot box rules supreme. Indeed, the ballot box made the Supreme Court because the Supreme Court is a creature of the UK Government, which in turn was made at the ballot box.

Neale Hanvey: I thank the hon. Gentleman for that intervention. I will consider the blurred boundaries of legal and political, as I move through my speech. In 1989, this place reaffirmed and acknowledged the sovereign right of the Scottish people to determine the form of government best suited to their needs. In May 1997, in an exchange with the right hon. Alex Salmond during the passage of the Bill that became the Referendums (Scotland and Wales) Act 1997, the late Donald Dewar responded that he should be the last to challenge the sovereignty of the people, accepting the right of the Scottish people to a choice, including independence, should that be their wish. None of these senior politicians ever placed a limit on or sought to constrain that democratic right to self-determination. Indeed, in the wake of the 2014 referendum, the Smith commission agreement was signed by all of Scotland’s main political parties and it stated:

“It is agreed that nothing in this report prevents Scotland becoming an independent country in the future should the people of Scotland so choose.”

Of course, the Good Friday agreement sets out a reasoned and internationally considered timescale of every seven years to consider constitutional change. A political generation of seven years is not unreasonable, but Scotland is now a year beyond and no further forward. It is therefore imperative; if there is a consented, legal and democratic route by which the people of Ireland—north and south—can choose their own constitutional future in a border poll every seven years, what is the consented, legal and democratic route by which the people of Scotland’s sovereign right to determine their own constitutional future can be respected? That is a right underpinned by Scots law, which rests on the claim of right that asserts that it is the people who are sovereign.

The Supreme Court’s rejection of the argument that Scotland has the right to self-determination in international law was described last week as “problematic”—very problematic—by Michael Keating, emeritus professor of politics at the University of Aberdeen. He states:

“The way is now open for the UK Government to say that there is no time or way for Scotland to exercise its acknowledged right of self-determination”.

He has quite rightly pointed out that in invoking the Canadian court’s ruling on Quebec, the UK Supreme Court failed to mention or consider a further aspect of that Canadian judgment—namely, that if Québec or any other province did vote for independence by a clear majority on a clear question, the Government of Canada would be bound to negotiate. That aspect of the Canadian court’s ruling is significant and in essence reflects a situation where legality meets politics.

Angus Brendan MacNeil: The hon. Gentleman is making a great speech, and I am grateful to him for giving way again. The Holyrood Standing Orders perhaps possess a way, and the Supreme Court has, unwittingly perhaps, opened up every election from now on for people to speak at the ballot box. Under rule 11.10 of the Standing Orders for Holyrood, “Selection of the First Minister”, paragraph 5 mentions what happens when there is one candidate, paragraph 7 when there are two candidates, and paragraph 8 when there are more than two candidates. That, with a combination of no-confidence votes, surely leaves the way open, if it was chosen, for Scotland to determine its own future—if Holyrood decides to do that.

Neale Hanvey: The hon. Gentleman will probably not like my answer, but that is a matter for the Scottish Government to consider.

In addition to the point that I was making about political reality, Professor Keating goes on to argue that not going beyond the letter of the law to look at broader constitutional issues

“risks undermining the conventions and understandings on which” the UK’s “largely unwritten constitution depends.” Those are wise reflections that both the UK Government and the UK Supreme Court would do well to consider.

With regard to Kosovo, the UK has stated, in its submission to the International Court of Justice:

“The United Kingdom considers that the Declaration of Independence of Kosovo was not incompatible with international law. It was not made in haste or in a political vacuum. Rather, it flowed from the failure of the two sides, and of the international community, after long and sustained effort, to secure any other framework”.

Further, the UK

“considers that developments since 17 February 2008 have crystallised Kosovo independence and cured any deficiency that might initially have existed. As the 1776 Declaration of Independence of the United States”—

David Duguid (Banff and Buchan) (Con): I want to ask a question of clarification on the comparison to Kosovo. Is the hon. Gentleman really comparing the situation that Scotland finds itself in within the United Kingdom with Kosovo in the literally war-torn former Yugoslavia?

Neale Hanvey: I am referring to the petitioners’ arguments, the Supreme Court’s response and the UK Government’s judgment on the Kosovan situation. I am pursuing a line that was submitted by the petitioner and responded to by the UK Supreme Court.

As the 1776 declaration of independence of the United States of America—a declaration of independence that the United Kingdom opposed at the time—illustrates, many states emerge to independence in what, at the time, were controversial circumstances. That does not vitiate their subsequent emergence into full statehood.

These developments are succinctly crystallised by Robert McCorquodale, a professor of international law and human rights who has himself appeared as an advocate before the International Court of Justice and the UK Supreme Court. The dissolution of the USSR and its influence on the development of the right to self-determination has been examined, and Robert McCorquodale states, “Lithuania’s declaration of independence had substantial impacts on the understanding and application of the right to self-determination. The right to self-determination, which is a human right acknowledged by all states, changed from being limited to people with traditional colonial territories to applying to all states, including to peoples within states. This development has profound effects today, such as enabling people in all states worldwide to seek to exercise their right to self-determination.”

That directly challenges a key assertion of the UK Supreme Court, which led it to conclude that the Scottish Government could not independently consult the Scottish people about independence and that it was in the gift of Westminster. Yet a public petition entitled, “The Treaty

of Union 1707 is no longer fit for purpose and Dissolve The Union”, was submitted to this place in 2019 and was rejected by this place for the following reason:

“We can’t accept your petition because this would be a decision of the people of Scotland and not the UK Government or Parliament.”

On that, I wholly agree. For all the reasons given above, the UK Supreme Court’s position cannot stand unchallenged, particularly on our national day.

Today I invite others to sign the declaration of St Andrew’s day, published in my name as early-day motion 633, which asserts the following:

“we the people, elected members and civic organisations of Scotland assert that our nation has the right of self-determination to freely determine our political status and to freely pursue our economic, social and cultural development, mindful of the Scottish constitutional tradition of the sovereignty of the people, we will democratically challenge any authority or government which seeks to deny us that right.”

On Wednesday 23 November 2022, it became clear that the wrong case had been argued at the wrong time and in the wrong court. Just as Westminster and the United Kingdom’s Supreme Court are part of the British state apparatus, so too is the Scottish Parliament, but if Scotland’s Parliament is denied agency over the future of its people, where stands democracy for the Scottish people?

In Scots law, there is no sovereignty higher than that of our people, and here today I have asserted that right into the record. Neither Scotland’s claim of right nor the aspirations of the Scottish people to be a normal, outward-looking, independent nation are the sole purview of any one political party or any individual party leader. We now learn, the UK’s Secretary of State intends to act as a territorial viceroy, banning the Scottish civil service from advancing the democratic will of the Scottish people. Well, I give him fair warning: the independence movement extends far beyond the Scottish civil service. If anything, such an undemocratic move will simply galvanise and liberate the movement by decoupling our ambition from the daily trials of government. We are the nation of the Enlightenment, and our movement possesses minds with more ambition and vision than any Government or civil service that is subject to diktats from London.

At the start of my contribution, I said that this was an issue of contradictions. Let me say today, on St Andrew’s day, that there is no contradiction in Scotland. Scotland is a proud and ancient nation that goes back millennia, and no one but the people of Scotland shall impede, limit or restrict our right to self-determination. It is precisely a week since the Supreme Court gave its judgment on the right of the Scottish Parliament to hold a referendum on Scottish independence. Let me be clear: Charles Stewart Parnell said about another nation that was once a part of the United Kingdom:

“No man has a right to fix a boundary of the march of a nation...no man”—

no court, no Government—has the right to say to another country

“thus far...and no further.”

4.51 pm

The Parliamentary Under-Secretary of State for Scotland (John Lamont): It is a privilege to respond to this debate with you in the Chair, Mr Bone. I congratulate the hon. Member for Kirkcaldy and Cowdenbeath (Neale Hanvey)

on securing this debate. I am pleased to respond to my first Westminster Hall debate as a Scotland Office Minister. The hon. Gentleman chose to focus the debate on the issue of an independence referendum. I cannot help but feel that this valuable debating time could have been better focused on matters of immediate importance to his constituents, mine in the Scottish Borders, and the constituents of other Members across Scotland and the rest of the United Kingdom.

Neale Hanvey: Will the Minister give way?

John Lamont: I shall make some progress, if I may. The hon. Member had quite some time to make his points, and I want the opportunity to—

Neale Hanvey: On a point of order, Mr Bone. It is a shame that the Minister did not allow me to intervene. However, he makes assertions that are simply not possible. He is asking me in some way to manage the Scottish Government, or indeed to divorce myself from the reality experienced by my constituents, who voted for me to secure Scotland's independence.

Mr Peter Bone (in the Chair): I thank the hon. Gentleman for that point of order. It was clearly not a point of order, but his remarks are on the record.

John Lamont: I think our constituents would rather that this place, the Government and the Scottish Government concentrated all their attention and resources on the issues that matter to Scots and people across the United Kingdom.

Let me respond to the issues that the hon. Gentleman raised. It is clear to this United Kingdom Government and people in Scotland that now is not the time to talk about another referendum. This Government have noted, and respect, the unanimous ruling of the United Kingdom Supreme Court. Its unanimous view on the substantive matter supports the United Kingdom Government's long-standing position that a referendum is not within the powers of the Scottish Parliament. It is clear that Scotland has a strong and thriving democracy, but the power to have a referendum rests with this place. To suggest that Scotland does not have a thriving and strong democracy, and to suggest that only those who support leaving the UK support democracy, is an insult to the majority of Scots who wish to remain part of the United Kingdom. The nationalists' rhetoric is irresponsible. The notion is absurd—so absurd that, in recent days, we have heard the absolute nonsense of some nationalists bemoaning the death of democracy in one breath and boasting of election victories with the next. I should be clear that the hon. Gentleman was not guilty of that, for perhaps obvious reasons.

The Scottish Parliament is able to legislate in every area in which the Scotland Acts 1998, 2012 and 2016 give it the power to do so. That makes it one of the most powerful devolved Parliaments in the world. People want the Scottish Parliament and the Scottish Government to focus on the issues that matter to them, not on constitutional division. We should not forget that the people of Scotland voted decisively to remain part of the UK in 2014. The hon. Member made much of the people of Scotland's need for self-determination; the vote in 2014 was the ultimate act of self-determination. The Scots voted in record numbers to remain part of the United Kingdom.

On the hon. Member's questions about the path to a referendum and whether the Union is based on consent, in 2014 both the UK and Scottish Governments agreed that it was right for the people to have their say in an independence referendum. If there is ever a referendum again, then it has to be based on consent and consensus across both Governments and all parts of civic Scotland.

I will spend a little time pointing out some of the benefits of the Union, which the hon. Member failed to mention at all.

David Duguid: I want to comment on the previous point, which my hon. Friend the Minister made very well. The independence referendum in 2014 was agreed on through powers devolved temporarily to the Scottish Parliament. For the benefit of the House, will the Minister confirm, following last week's Supreme Court ruling, that the democratic and legal position that led to consensus at the time of the independence referendum has not changed in any way? Will he confirm that nothing has changed in a democratic or legal sense since then?

John Lamont: My hon. Friend is absolutely right. This is about securing consensus, not just between the UK and Scottish Governments, but across all parts of society in Scotland. We are lacking that just now. As he knows, we face major challenges, including restoring economic stability, gripping inflation, supporting people with their energy bills, supporting the NHS, combating climate change, supporting Ukraine and levelling up. People across Scotland just do not accept that now is the time for another divisive referendum.

At this time of unprecedented challenges, the benefits of being part of the United Kingdom have never been more apparent. For instance, the people of Scotland benefit from substantially higher public spending thanks to being part of the United Kingdom. That Union dividend means that remaining part of the UK is worth around £2,000 per year for every Scot. That is demonstrated in figures from the SNP Government in Edinburgh. Furthermore, the UK Government are providing the Scottish Government with a record block grant settlement of £41 billion per year over the next three years.

There can be no question about this Government's commitment to Scotland; it is best demonstrated by what we are delivering on the ground. That includes a multibillion-pound investment in Scotland's defence and shipbuilding industries, which will safeguard not just the UK's security, but tens of thousands of jobs on the Clyde and beyond.

Kenny MacAskill (East Lothian) (Alba): Will the Minister give way?

Mr Peter Bone (in the Chair): The Minister does not have to give way, but he might be under the impression that we have to keep this debate to half an hour. We have some extra time because the previous debate finished early, if that helps the hon. Member and the Minister.

John Lamont: I am grateful for that clarity, Mr Bone. I am keen to make the strong and positive case for Scotland remaining part of the United Kingdom. We have heard much nonsense from nationalist Members in this debate, and I want to make the record slightly more accurate.

[John Lamont]

There has also been the record £1.5 billion city and growth deals programme, which invests in Scotland's infrastructure and future. Another example would be the collaboration of local councils, which are delivering real devolution by levelling up communities and bringing local projects to life. Another divisive referendum is the wrong—

Neale Hanvey: On a point of order, Mr Bone.

Mr Peter Bone (in the Chair): We have another point of order, which I am sure will be in order this time.

Neale Hanvey: The question that is being considered is the position on a further independence referendum for Scotland, not the Government's alleged beneficence towards Scotland. That is not the matter under consideration. I would respectfully ask that the Minister restricts his comments to the subject of the debate.

Mr Peter Bone (in the Chair): Thank you very much for that intervention, but I am afraid that is my job. If the Minister is wandering off, I will bring him to order. He is wandering, but not quite off the pitch yet.

John Lamont: Thank you, Mr Bone. Another divisive referendum is the wrong priority, at the worst possible time, and would be a complete distraction from the very real challenges that people across our country face.

Kenny MacAskill: I am listening to the Minister expound the great virtues. Can he explain to me why, when Scotland is energy-rich, more than half of our people are going to be fuel-poor this winter, and many will be in extreme fuel poverty?

Mr Peter Bone (in the Chair): Order. I am just considering what the hon. Member said, and am remembering what the hon. Member for Kirkcaldy and Cowdenbeath said. I am not quite sure what that point has got to do with the referendum. I will leave it up to the Minister.

John Lamont: I am grateful for that clarification, Mr Bone.

I fully understand and recognise the real pressures that people are facing just now with the rising cost of energy. We all know that is largely due to rising inflation, which is of course due to the illegal war in Ukraine.

Kenny MacAskill *indicated dissent.*

John Lamont: The hon. Member for East Lothian shakes his head; I would like to know what evidence he has to suggest that the war in Ukraine is not causing rising energy prices.

That is why this Government have taken action to support households in all parts of the United Kingdom, including Scotland, to deal with those rising energy bills. That is yet another benefit of the strength of the Union and the power that this Parliament and Government are able to take to support people during difficult and challenging times.

Instead of divisive constitutional arguments, people in Scotland want and rightly expect both of their Governments, here and in Edinburgh, to be concentrating all their attention and resources on the issues that matter to them, their families and communities, such as the cost of living, working to drive down NHS backlogs, protecting jobs and securing our long-term energy security. The Prime Minister has been clear in his commitment to working collaboratively and constructively with the Scottish Government to tackle all the challenges we share and face. That is exactly what we want to do in vital areas, such as growing our economy, supporting our NHS and leading the international response to Russia's illegal invasion of Ukraine. This Government remain focused on getting on with the job of delivering for the people of Scotland.

Question put and agreed to.

Domestic Homicide Sentencing Review

5.3 pm

Rachel Maclean (Redditch) (Con): I beg to move,

That this House has considered the Domestic Homicide Sentencing Review.

It is great to see Members here, and I thank the House for allowing time for this vital debate. I believe this Government have a strong and world-leading record on tackling violence against women and girls. I am very proud of what the Government have done, including, to name just a few, the violence against women and girls strategy, the Domestic Abuse Act 2021, the domestic abuse plan and the “Enough” campaign—a multimillion-pound public education broadcast campaign aimed at achieving long-term behaviour change and preventing public sexual harassment and domestic abuse.

Time does not allow me to give a comprehensive summary, but I am confident that the debate today will receive a positive hearing from the Minister. It deals with the most serious form of violence, which is where the violence ends in the death of a victim.

Last week, I spoke to two bereaved mothers of beautiful, young, talented daughters who had their whole lives ahead of them, but were murdered by their male partners. It was impossible to come away from a meeting with Carole Gould and Julie Devey, the mothers of Poppy Devey Waterhouse and Ellie Gould, without feeling heartbroken and devastated, not least because Poppy was about the same age as my daughter. I feel her mother’s pain only too intensely.

Carole and Julie are just two parents bereaved as a result of domestic homicide. There are too many more, and too many for me to refer to each one by name, but that in no way diminishes their pain or trauma. In researching this debate, I read hundreds of stories. Each one is harrowing. I want anyone watching or reading this debate to know that their loved ones are not just a set of words on a page, or a statistic that we can flick past and forget. As Her Majesty the Queen Consort said yesterday in her first major speech since she ascended to her position,

“we refuse to be desensitised by cold facts and figures and we resolve to keep the names and the memories of these women alive.”

Domestic homicide means that the victim is killed by someone with whom they are closely connected—either their intimate partner or family member. Before I go any further, I want the House to be in no doubt about the facts. Men and boys can be, and are, victims of domestic abuse and homicide. Government policy rightly can and does take account of that, but in the context of the United Nations campaign to raise awareness of violence against women, it is also a fact that domestic abuse is a gendered crime. In that context, I will keep the focus of my remarks on female victims.

Women are much more likely than men to be victims of domestic homicide. Forty-nine per cent. of all female homicides and 10% of male homicides are domestic homicides. Home Office data for the past three years records 207 female victims of domestic homicide who were killed by their male partner or ex-partner, compared with 29 male victims of domestic homicide killed by a female partner or ex-partner.

Poppy and Ellie’s killers were caught and sentenced, but the court cases did not bring justice for their families and friends. Poppy’s murderer, Joe Atkinson, was sentenced to a minimum term of 16 years and two months, and Ellie’s murderer, Thomas Griffiths, who was sentenced as a child, got 12 years and six months. The families point out that had the killers taken a knife out of the home and gone to the local park to stab their daughters, they would have received a much higher sentence, with a 25-year starting point, but most domestic homicides take place in the home, meaning that a knife is not taken to the scene; it is already there in the home. That automatically reduces the available sentence starting point to a minimum tariff of only 15 years.

Carole and Julie point out that overkill is overlooked. Overkill is a typical feature of domestic homicides; they are often frenzied, brutal and violent, involving excessive, repeated use of force or injury way beyond what is needed to achieve the actual killing, yet that does not add any significant time to the sentence.

John Cryer (Leyton and Wanstead) (Lab): I agree with everything that the hon. Member said. I wish to place on record a similar case from Leyton in my constituency: Linah Keza was murdered by her former partner in the home in a very frenzied attack. Does the hon. Member agree that, very often, the system lets down these women? In this case, the police repeatedly refused to take any notice of threats to her, one of which was recorded, and a police officer told the attacker, Ms Keza’s former partner, that he was fine to visit her unsupervised.

Rachel Maclean: I thank the hon. Gentleman for bringing that case to the House’s attention. As I said, I have read about hundreds of such cases. It is very important that the police and all the frontline services put into practice the training that they now have to deal with these issues. I will come on to my recommendations later.

For many women, the murder comes after they have experienced domestic abuse, including violence or coercive and controlling behaviour. An overkill element also means that the family members’ trauma is even more heightened. Many of them suffer from post-traumatic stress.

Let us turn to another killer. Sally Challen bludgeoned her husband to death with a hammer. She was sentenced to life imprisonment with a tariff of 18 years, but a landmark judgment using the new coercion and control offences that the Government introduced in the Domestic Abuse Act 2021 saw her conviction quashed, and she walked free after serving nine years. The judge agreed with her barrister, Clare Wade KC, and the campaign group Justice for Women, that Challen was a victim of coercive control that spanned decades; she met her husband aged 16. He had humiliated and manipulated her, which is a classic pattern of controlling behaviour. The court accepted that, and her sentence was converted to manslaughter.

Let us touch on the case of Anthony Williams, who strangled his 67-year-old wife, Ruth, to death. He pleaded guilty to manslaughter on the grounds of diminished responsibility and was acquitted of murder. His defence argued that his actions were due to his mental state, which had worsened due to the covid-19 pandemic. This lesser charge and the sentence of five years’ imprisonment was strongly criticised by politicians from

[*Rachel Maclean*]

all parties and anti-domestic abuse activists. The Joanna Simpson Foundation, among others, argued that diminished responsibility and loss of control are overused defences for men in domestic homicides; that the defences are used in circumstances that they were not designed for; and that their use risked downgrading and normalising domestic abuse, which should not be tolerated. The “Women Who Kill” report, published by the Centre for Women’s Justice, found that, by contrast, women who kill their partners largely do so having been subjected to abuse from the men they kill. In 77% of the cases covered in that research, there is evidence to suggest that women had experienced violence or abuse from the deceased. Despite that, they are unlikely to be acquitted on grounds of self-defence.

Finally, I will mention one more case. Sophie Moss was choked to death during sex by Sam Pybus. He applied prolonged pressure to her neck and admitted to manslaughter; however, he literally claimed that she asked for it, as part of a consensual rough sex game. The judge accepted that, and he was jailed for four years and eight months—the same length of time that he might have received for a driving offence. An appeal to increase his sentence was rejected. It is clear even from this cursory summary, which in no way covers all the victims to whom I could have referred, that some of the sentences received by men who kill their female partners or ex-partners do not reflect the seriousness of domestic abuse, or the fact that these homicides often follow a period of prolonged abuse. On the other hand, sentences received by women who kill their partners in self-defence could appear disproportionate, particularly in cases in which they used a weapon. The issue of the knife coming from inside the home, as it is much more likely to have done when a woman is killed in a domestic homicide, adds another dimension.

It is an unfortunate fact that a woman who kills her male partner in self-defence is, due to her lesser physical strength, more likely to have needed to use a weapon of some type. That attracts a more serious sentence than would be received by a male such as Sam Pybus who kills a female partner by strangulation. We have seen that he was able to claim that he strangled her as part of a consensual sex activity that tragically went wrong. Strangulation does not always leave a mark, which compounds the difficulties for the police investigation and prosecution.

In response to all these cases and many more, the Domestic Abuse Commissioner and Victims’ Commissioner wrote to the then Lord Chancellor, my right hon. and learned Friend the Member for South Swindon (Sir Robert Buckland), calling for a review of domestic homicide sentencing, due to their concerns that the sentencing for these homicides did not match the impact and severity of the crime. In March 2021, the domestic homicide sentencing review was announced, and in September 2021 Clare Wade KC, Sally Challen’s appeal barrister, was appointed to conduct the review. In welcoming the review, Nicole Jacobs, the Domestic Abuse Commissioner, said:

“Crucially, the Wade Review will also shed some much-needed light on how victims of domestic abuse who kill their abusers are treated by the criminal Justice system. Victims of domestic abuse...must receive a trauma-informed response from the criminal Justice system.”

I come to the central purpose of the debate, which is to ask the Government to publish the review as soon as possible and come forward with their response. I will ask detailed questions later, but first I wish to put on the record my thanks to all the campaign groups and people who spoke to me in the course of my research; I pay tribute to them for all the determined work that they have done on behalf of the victims, who, of course, cannot speak for themselves. I was fortunate to be able to speak to Clare Wade KC ahead of the debate. The content of the report will be familiar to the Minister, as it was to me when I briefly had the privilege of serving in the Ministry of Justice as the Minister of State for Victims and Vulnerability. It is a detailed, extensive, substantive, compelling and well-researched piece of work that makes for harrowing reading. I thank Clare Wade for the thoughtfulness that she has brought to the commission. She tells me that she set out a suite of recommendations that, taken together, constitute a coherent policy response. If implemented, they would tackle the gaps in sentencing options. She believes that the only way forward is to properly recognise the impact of domestic abuse, violence and coercive control in all its forms, and that the criminal justice process needs to take account of the harms to the victim, their family and wider society, so that justice can be done, and be seen to be done.

Another group I have spoken to, Refuge, states that one of the key problems is that the nature of coercive control is still poorly understood. More work needs to be done to educate people about the fact that it is not solely about physical violence. Frontline practitioners need to understand and act on the knowledge that the trigger point for danger is when a woman tries to leave or has left a relationship. The cases need to be dealt with by specialists, and more can be done to build on existing practices to ensure that courts, juries and judges understand and incorporate that knowledge. I recently tabled a written question to the Ministry of Justice and the response stated:

“The independent reviewer required more time than anticipated to complete the review and it was delivered to the department in June this year. The Review examines a number of important and complex issues... the government is carefully considering its recommendations and next steps.”

Let us return for a moment to Carole Gould and Julie Devey. They believe that one of the key problems with the law is on the issue of premeditation. They state that it may never be known whether the perpetrator planned to commit the murder in the home, knowing that weapons were there. Remember, that planning would attract a higher tariff, in that taking the knife to the scene indicates an element of premeditation. They state that using hands as weapons for strangulation has never been acknowledged as part of premeditated murder. They also believe that sentences do not reflect the fact that these are dangerous perpetrators. The fact that they could strangle or stab someone with whom they have been in an intimate relationship surely means that they are a danger to the public, so there is a public protection issue that is not being picked up in sentencing.

I ask Members to cast their mind back to the case of Sophie Moss, which I mentioned. The Minister will be aware of the outstanding work of my hon. Friend the Member for Newbury (Laura Farris). As part of a group of MPs, she was successful in removing the rough sex defence to killing. She now has a private Member’s

Bill that seeks to amend the sentencing code to provide for a minimum sentence of 12 years for cases of manslaughter that are sexually motivated. It is right to consider her ask in this debate.

I have questions for the Minister. Has he read the Clare Wade review, and what does he think of the recommendations? When will he publish the review? When will he come forward with the Government's response? What is his response to my hon. Friend's private Member's Bill? Will he ensure that the measures he brings forward in response to the Wade review tackle the sentencing injustices relating to victims killed as part of so-called rough sex? How will he ensure that any recommendations flowing from the Wade review include training for courts, juries, judges, prosecutors and police in fully recognising the wider harms of domestic abuse, abusive relationships and the origins of violence against women? Will he bring forward the new measures that are required if we are to level up sentencing in the victims Bill? If he is unable to commit to that, what legislative vehicle does he foresee as being suitable?

Her Royal Highness the Queen Consort said,

"These women, tragically, can no longer speak for themselves. But we listen to those who can. I have learnt from my conversations with these brave survivors that what they want, above all, is to be listened to and believed, to prevent the same thing happening to others. They know there is power in their stories and that, in the telling, they move from being the victims of their histories to the authors of their own futures."

We must and will do more. I finish with the words of Julie and Carole:

"Public perception needs to be changed and the correct sentencing can lead the way to show that these Domestic Homicides will not be seen as lesser crimes."

I look forward to the Minister's response. I want to place on the record my thanks to everybody who spoke to me before the debate, whether they are from a campaign group that assisted me with research, or whether they are the families.

5.18 pm

Jim Shannon (Strangford) (DUP): I thank the hon. Member for Redditch (Rachel Maclean) for setting the scene so well. I spoke to her outside in Westminster Hall—it was freezing out there; it is slightly warmer in here, thank goodness. She deserves to be commended for bringing this matter to the House.

I mentioned to the hon. Lady that I want to give some figures for Northern Ireland to underline where we are. To be fair, Northern Ireland is not the responsibility of the Minister, because this is a devolved matter, but I want to give those figures to illustrate why I fully support what the hon. Member for Redditch is putting forward today.

The hon. Lady has spoken up on numerous occasions; she has done good work and made sterling comments in support of victims of domestic abuse and, ultimately, the voiceless. In Westminster Hall and in the Chamber, more often than not we speak for the voiceless—those who do not have a voice and who do not have anybody to ask questions on their behalf. The hon. Lady set that scene very well.

We also speak for those who, sadly, have been taken too soon due to domestic homicide. I speak today to raise awareness of the issue and for those in Northern Ireland who have fought tirelessly for greater sentencing reviews. It is great to be here in Westminster Hall for them.

Recent Home Office statistics show that 61% of victims of domestic homicide had a vulnerability. The hon. Lady referred to a lady who was dependent on her partner, who abused her in every possible way, to the extent that her confidence was low and she did not have the freedom she deserved, and then she was brutally injured by her partner. Some 34% of those victims had mental health issues, while 28% had alcohol problems and 23% used illicit drugs. Most of that was down not to their addiction but to their dependence on their evil partner, who subjected them to that lifestyle and, ultimately, to their death. Despite those figures, there is absolutely no reason why somebody should be subjected to their own death at the hands of a domestic partner.

It was revealed in February 2022 that Northern Ireland has, per head of population, the joint highest rate in Europe of women killed as a result of domestic violence. I was horrified to hear those figures. I have already told the hon. Lady about some of the figures that we have back home. Over the recent period of covid—and, indeed, before that—the worrying trend of abuse against partners was at a level incomparable with anywhere else in the United Kingdom. We remain the only part of the UK that does not have a law criminalising the use of coercive control of a partner. Back home, the Northern Ireland Assembly has decreed that it will look at this matter.

Following that news, I am pleased to make Members aware that on 10 November 2022—just two weeks ago, or thereabouts—the Northern Ireland Department of Justice concluded its review of domestic homicide. Independent reviews of homicides include a range of representatives from numerous agencies across Northern Ireland, including Women's Aid, which I have worked with on numerous occasions and which has information on some absolutely worrying trends; the health and social care trusts; the Police Service of Northern Ireland, which tells me that domestic abuse issues are involved in a large number of cases that it deals with, not just in my constituency but across Northern Ireland; the Probation Board for Northern Ireland; and the Department of Health's strategic planning and performance group, formerly the Health and Social Care Board.

Over the past few years, as I told the hon. Lady before we came into Westminster Hall, there have been occasions on which the sentence given for murdering or injuring someone has not equated to the crime. I want things to be improved. We have asked the Public Prosecution Service to review those cases. It is important that the law of the land gives the right sentence for the crime.

Since the start of the pandemic, 12 women have been killed in their homes. Similarly, instances of domestic abuse have increased and continue to increase in Northern Ireland. These figures cover a short period of time and are shocking for a population of 1.9 million, but they underline why today's debate is so important. The latest PSNI figures show that it received reports of almost 2,000 domestic abuse incidents between 14 December 2021 and January 2022—in other words, during a six-week period. Those figures are worrying. That illustrates why this debate is important and why the sentencing review must take place, and it is why I am here to support the hon. Lady in her request for that. Domestic violence and homicide accounts for some 20% of all crime in Northern Ireland, which is completely unacceptable. None of us here could ever contemplate just how bad it is.

[Jim Shannon]

Domestic homicide sentencing reviews are to learn, to improve services and to support the families who are living with domestic abuse. Northern Ireland's latest domestic homicide plan confirms the horrifying truth that domestic violence and homicide is getting worse. Is it because of covid? Is it because of stress? Nothing whatsoever justifies an attack on a partner, especially on a lady. I am an old-fashioned person, and I will always speak up for someone who is unable to speak for themselves. That is why this debate is important to me.

These cases are a complete tragedy. Each one is preventable with the correct support and encouragement to victims to speak up and notice the signs. Sentencing reviews will strengthen the link between review learning, policymaking for domestic homicide sentencing, and practice. There is hope that that will result in changes that prevent future deaths of loved ones who are subject to domestic abuse.

We live in a very troubled society. The reality is that domestic violence is a common occurrence. I know that it features heavily in my constituency workload back home. Domestic violence that is not dealt with in the first instance has the potential to turn deadly, which is why the hon. Lady has brought the debate forward.

We must ensure that sentencing reviews for domestic homicide are treated with the most intense sentencing rulings, as they are murder. That is necessary both for prevention and to ensure that sentencing reflects just how bad the crime is. Regardless of the situation or the circumstances, no individual deserves to die at the hands of someone else so violently. I have seen that with horror in Northern Ireland. I know that is not the Minister's responsibility, but I wanted to add it into the equation in support of the hon. Member for Redditch. I very much look forward to the Minister's reply.

I will, obviously, share this debate with the Justice Department back home and the Minister, Naomi Long, to let her know what is happening here so that we can try to move forward after the report that we have just done on domestic homicide reviews, and do something equally vital. The volume of abuse and homicide contributes to a deteriorating picture of our criminal system, and we must do more.

5.27 pm

Ellie Reeves (Lewisham West and Penge) (Lab): It is a pleasure to serve under your chairmanship, Mr Bone. I thank the hon. Member for Redditch (Rachel Maclean) for securing this incredibly important debate, for speaking so powerfully and for all the work she did as a Minister in the Ministry of Justice. This debate is particularly timely as we are six days into the 16 days of activism against gender-based violence—a time when people all over the world take action to try to stop violence against women and girls.

In many cases, domestic murderers get off too lightly after committing some of the most horrific crimes against women. As we have heard, there is clearly a gap in sentencing between those who murder at home and out on the street. That is why, in our May 2021 Green Paper, "Ending Violence Against Women and Girls", Labour outlined that, in Government, we would commission a review into the effectiveness of the current legislation and sentencing policy. In June 2021, we also tabled an

amendment in Committee during the passage of the Police, Crime, Sentencing and Courts Bill, calling on the then Justice Secretary to commission a review, but the Tories voted it down.

Although I am pleased that the Government have finally commissioned a review, I am dismayed by how long it has taken to progress. It took until September 2021 for Clare Wade KC to be appointed to undertake the review of domestic homicide sentencing. The review was originally due for completion in December 2021, but the report was delivered to the Justice Secretary this June. Nearly six months on, we are still waiting for the review's findings—in that time, we have been through three Justice Secretaries. I am concerned that the chaos, and the carousel of changing Ministers, has meant that even a matter as important as this has not been seen as significant enough to be acted upon. Once again, women and victims of domestic abuse are being let down.

We have heard that men who kill their partners often receive a lesser sentence than those who kill others, despite the fact that domestic homicide often occurs in the context of years of domestic abuse. For example, the law regards a murder where the knife is taken to the scene of the crime as premeditated. It therefore warrants a longer jail term, with a starting point of 25 years. That is a 10-year disparity with the starting point for a murder in the home where the weapon, such as a kitchen knife, is already present.

Domestic homicides are often fully premeditated, aided by the perpetrator having full knowledge of the property and where to find objects to assist their violence. Indeed, the femicide census findings published in November 2020 showed that over the previous decade 62% of female homicides were at the hands of an intimate partner, 72% of victims died in their homes, 59% of cases involved a history of coercive control or violence, and almost half the perpetrators were known to have a history of abuse against women.

The case of Poppy Devey Waterhouse, which the hon. Member for Redditch powerfully spoke about, highlights that. Poppy was just 24 when she was murdered in December 2018 by her ex-boyfriend. The couple had split in October 2018 but continued to live in the same flat in separate rooms. Three days before Poppy was due to move into a new property, her killer had been out drinking and was said to be intoxicated and fuelled by jealousy and rage. He returned to the flat and stabbed Poppy to death with a knife from their kitchen, inflicting over 100 injuries. Poppy's killer received a sentence of just 16 years, but had he taken his weapon to the scene of crime, deemed an aggravating factor, he could have received a much longer sentence. As Poppy's mother Julie Devey has outlined, the sentence ignores the fact that Poppy's killer had no need to bring a weapon to the scene; he had knowledge that knives were in the flat and could be used in the attack.

Julie has campaigned on this issue, and believes that the sentencing guidelines are simply wrong. She says:

"The savagery and violence of the attacks seem to count for nothing in the eyes of the law and this is infuriating".

The change that Julie wants is for domestic murder tariffs to reflect the severity of the crime, rather than the location of the killing. If that were the case, the fact that a knife was used would be the aggravating factor, rather

than the act of bringing it to the scene. That seems a wholly just change, which I would hope to see covered in the sentencing review.

If the public are to have confidence in the criminal justice system, we need appropriate sentences to deter potential offenders and to deal just punishment for serious crimes. That is why we called for a review into sentencing for domestic homicide and domestic abuse over a year and a half ago. We cannot afford for our laws and their enforcement to send the signal that violence against women and girls will be tolerated; yet record low prosecution and conviction rates under this Government are sending that message. Labour would back specialist rape courts to drive up prosecution rates, set up a domestic violence register and introduce new minimum sentences for rape and stalking.

I am fearful that the delays with the domestic homicide sentencing review are part of an ingrained culture that tackling violence against women and girls is not a matter of urgency for the Government. I hope that the Minister will assure us that the review will be published as a matter of urgency, and the Government will end their inaction.

5.34 pm

The Parliamentary Under-Secretary of State for Justice (Mike Freer): It is a pleasure to serve under your chairmanship, Mr Bone. I thank my hon. Friend the Member for Redditch (Rachel Maclean) for securing the debate; I know how much time and personal effort she put into this topic when in Government. I welcome the focus that she is continuing to create on what I know is an important issue.

This is not an area normally in my portfolio. I put on the record that I cannot possibly imagine the distress and trauma of the families of Ellie Gould and Poppy Devey Waterhouse, who were murdered in such awful circumstances. I can only commend their mothers for the ongoing campaigning that they are doing in relation to this issue. I know that colleagues who are taking part in the debate, and from across the House, will continue to support their campaign, and will have the families in their thoughts and prayers as they deal with the loss of a loved one.

Throughout the debate I have listened to the argument for reform of sentencing in cases of domestic homicide, which has been so eloquently explained. That is why the Government commissioned the review that we received in June and are now assessing. People are saying, “You have had the review now nearly six months—can’t you just get on with it?” But it is important that we get it right. It is tempting to rush, and I know that there is always a desire in such distressing circumstances to be seen to be acting. But in this place we quite often see the impact and consequences of acting without reflecting. I want to ensure that the response to the review is measured, and takes onboard the recommendations and factors that we need to assess.

I take this opportunity to publicly express my thanks to Clare Wade KC, the independent expert appointed to undertake the review. Ms Wade was the lead counsel in the high-profile case of Sally Challen, and has brought her unparalleled expertise to the complex nature of this piece of work. As has been pointed out, the published terms of reference for the review stated that the final

report would be submitted to the Secretary of State for Justice by the end of last year. The report was received in June, and I appreciate that the delay, along with the changes in Government, will have been frustrating for all of those involved and concerned, and who want to see action.

I can give my full assurance that the Secretary of State and I are in the process of carefully considering all of the recommendations made in Clare Wade’s review. The topic is not only extremely important but complex and challenging; as I said earlier, it is important we get it right. Changing the law on sentencing for murder can have profound consequences, so it is something that we must do properly and consider very carefully, to avoid any unintended impacts. The matter has the full attention of the Secretary of State and the ministerial team, and I look forward to updating Parliament in due course with more detail on the review, its recommendations and how the Government will respond to them.

On my hon. Friend the Member for Redditch’s question about the private Member’s Bill that has called for a minimum sentence to be imposed on rough sex manslaughter, the Government are clear that there is no such defence in law as the “rough sex defence”. We clarified that position in statutory form in the Domestic Abuse Act 2021. The Government are aware that there are rising concerns about seemingly low sentences given in some cases involving death, especially when there is evidence to suggest that there may have previously been consent between the parties for that type of behaviour.

Minimum sentences are rare in England and Wales. They tend to be used for repeat offences, or offences that are straightforward in definition, such as knife possession. Manslaughter offences cover a wide range of behaviours and circumstances. It is right that the courts have the full range of disposals available.

Rachel Maclean: I thank the Minister for the detail and commitment that he has shown to this process. I want to lodge one thought with him: he mentioned that courts need to take account of evidence that the parties had engaged in such activity within the rough sex domain, as we have already discussed. I make the point that the woman who was part of that is now dead. There is no evidence that she could give; she is no longer with us. I want the Minister to take that away and consider it when he comes to his final conclusion.

Mike Freer: My hon. Friend makes a strong point. Clearly, it is not always possible to know exactly what those who have no voice because they are no longer with us have said or consented to in the past. That is an important point, which will be reflected in our response.

The issue of rough-sex manslaughter will be a major consideration in our response to the independent domestic homicide sentencing review. Today, I heard the calls for reform to ensure that sentences are fit for purpose and commensurate with the crime. The Government are committed absolutely to that endeavour, and the domestic homicide sentencing review builds on significant action that we have taken already.

The Police, Crime, Sentencing and Courts Act 2022, passed earlier this year, ensures that those convicted of some of the most serious sexual and violent crimes, such as rape, manslaughter and attempted murder, will spend a longer proportion of their sentence in prison,

[Mike Freer]

protecting the public and giving victims the confidence that justice has been served. In the Act, we also took swift action to raise the starting point for murder for older children and young adults, to ensure that sentences in such cases reflect the seriousness of the crime and the age of the perpetrator. That was in part in response to the case of Ellie Gould, mentioned today, who was murdered by her 17-year-old ex-partner.

Going beyond sentencing, the Government are fully committed to improving outcomes for victims of domestic abuse and violence against women and girls in all its forms and, critically, to preventing more victims in future. Last year, we passed the landmark Domestic Abuse Act 2021 and, since then, we have published the rape review action plan, the cross-Government tackling violence against women and girls strategy, a complementary tackling domestic abuse plan and, in May this year, our draft victims Bill.

The vast majority of the measures passed in the Domestic Abuse Act are in force already. In July this year, the most recent measure in the Act came into force, meaning that abusers are no longer able to cross-examine their victims directly in the family and civil courts. The cross-Government tackling violence against women and girls strategy seeks to transform the whole-society response in order to prevent offending, to support victims and to pursue perpetrators.

The tackling domestic abuse plan is investing more than £230 million of cross-Government funding into prevention and protecting victims, including more than £140 million to support victims and more than £81 million to tackle perpetrators. The plan introduces key commitments to reduce domestic homicide, including reform of the domestic homicide review process and building the first ever central repository of such reviews.

The plan also announced a domestic abuse policing and domestic homicide prevention pilot, which will involve auditing forces that have relatively high levels of domestic homicide to ensure that they are doing everything possible to prevent those crimes. It also announced that we continue to invest in research to build the evidence base on domestic homicide prevention. The Home Office has already awarded more than £2 million in research projects over the past two years.

The victims Bill will improve victims' experiences of the criminal justice system. It sends a clear signal about what victims can and should expect from the criminal justice system by enshrining the overarching principles of the victims code in primary legislation. It will increase transparency and oversight of criminal justice agencies' services to victims, so that we can identify problems, drive up standards and give the public confidence. It will enable improvements in the quality and consistency of support services for victims by improving how organisations work together to commission support services to meet the needs of victims better, and to

increase awareness of independent sexual violence advisers and independent domestic violence advisers. We are carefully considering the recommendations of the Justice Committee's pre-legislative scrutiny of the Bill, which will be introduced as soon as parliamentary time allows.

Tackling violence against women and girls in all its forms remains an utmost priority for the Government, and the Prime Minister spoke last week about his determination and motivation to ensure that we tackle this issue. I have outlined the key action that the Government are taking, but of course there is more to do, and we will revisit this topic once we are able to respond to the Wade review. Finally, I thank my hon. Friend the Member for Redditch for her tireless work on this issue, both in and out of Government, and I thank colleagues for their contributions today.

5.45 pm

Rachel Maclean: Thank you for allowing me time to wind up, Mr Bone. I thank the hon. Member for Strangford (Jim Shannon) for the compelling speech that he gave. In his remarks, he talked about the fact that women have been killed at the hands of their partners, and about the desperate circumstances that those women have endured after a lifetime of domestic abuse. He has done an extremely good job of representing his constituents, and I really hope that discussions can continue with the Northern Ireland criminal justice authorities to ensure that they continue to bear down on this awful scourge, which affects women and girls across all parts of our United Kingdom.

I thank the Minister for his comprehensive summary. He answered all my questions, and I am extremely grateful to him. I agree with him that the leadership shown by the Prime Minister and the Secretary of State for Justice—the Lord Chancellor—is exceptional, and we should be proud of all the work that we are doing. The Minister outlined some of it, but had he had more time, he could have touched on many more actions that we are taking. I agree with him that the Wade review encompasses complex issues, and there are unintended consequences.

Sentencing policy is not straightforward, and we need to make law that is workable and that does not duplicate what is already on the statute book. I know that people who are listening to this debate will be reassured that the Minister is committing to publish the Wade review. He will be coming forward with some recommendations, and he is committing to take them forward as soon as parliamentary time allows, so I thank him very much.

Question put and agreed to.

Resolved,

That this House has considered the Domestic Homicide Sentencing Review.

5.47 pm

Sitting adjourned.

Written Statements

Wednesday 30 November 2022

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Contingencies Fund Advance: Energy Price Guarantee (Domestic)

The Minister for Climate (Graham Stuart): I hereby give notice of the Department for Business, Energy and Industrial Strategy's intention to seek an advance from the Contingencies Fund totalling £3,531,500,000 to enable initial expenditure on the Government's energy price guarantee domestic scheme to be spent ahead of the passage of the Supply and Appropriation Act.

The funding is urgently required for HM Government to provide domestic support for household energy bills.

Parliamentary approval for additional resources of £3,531,500,000 for this new expenditure will be sought in a supplementary estimate for the Department for Business, Energy and Industrial Strategy. Pending that approval, urgent expenditure estimated at £3,531,500,000 will be met by repayable cash advances from the Contingencies Fund.

The cash advances will be repaid upon receiving Royal Assent to the related Supply and Appropriation Bill.

The amount requested provides for initial scheme expenditure only, in anticipation of Parliament voting for the resource required for this financial year through an out-of-turn estimate. Due to urgency, the Contingencies Fund advance provides the immediate cash requirement in the period between scheme start and Parliamentary approval.

Further information can be found in the "Central Government Supply Estimates 2022-23, Out-of-Turn Supplementary Estimates, October 2022" available at www.gov.uk.

[HCWS398]

TREASURY

United Kingdom - Brazil Double Taxation Convention

The Financial Secretary to the Treasury (Victoria Atkins): A double taxation convention with Brazil was signed in Brazil on 29 November. The text of the convention is available on the HM Revenue and Customs pages of the www.gov.uk website and will be deposited in the Libraries of both Houses. The text of the convention will be scheduled to a draft Order in Council and laid before the House of Commons in due course.

[HCWS399]

DIGITAL, CULTURE, MEDIA AND SPORT

Online Safety Bill: Government Amendments

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Paul Scully): The Online Safety Bill is a vital piece of legislation, and this Government are committed to ensuring that it does more to protect children and ensure that any provisions for adults consider the importance of free speech. On 29 November, the Secretary of State for Digital, Culture, Media and Sport, my right hon. Friend the Member for Chippenham (Michelle Donelan), issued a written ministerial statement (WMS) setting out a number of policy changes to achieve this aim.

The approach we are taking has three main aims. We are strengthening the protections for children in the Bill, ensuring that adults' right to legal free speech is protected, and also creating a genuine system of transparency, accountability and control to give the British public more choice and power over their own accounts and experience. The Secretary of State's WMS yesterday set out these changes in detail, alongside additional changes we are seeking to make.

Given the Bill's stage of passage, it is not possible to make the majority of these changes at Report stage, as the amendments relate to clauses that were debated on the first day of Report. Therefore, as mentioned in the Secretary of State's WMS of 29 November, the Government intend to return a limited number of clauses to a Public Bill Committee. This process would allow the proposed changes to go through robust and thorough scrutiny in the Commons, and would provide for line-by-line scrutiny of the amendments being made. The recommitted clauses would then come back to the whole House for debate at a third day of Report stage. A vote on this recommitment motion will take place immediately after Report stage on 5 December.

As amendments for consideration at Committee cannot be formally tabled before that vote has passed, I am therefore setting out alongside this statement indicative drafting to demonstrate the amendments we will be tabling should a Committee stage take place, so that parliamentary colleagues can consider them in detail and understand the Government's intentions with the Bill. These amendments are substantively final and the policies that they reflect will not change; the draft amendment paper, attached as annex A, includes explanatory statements of each amendment. However, small tweaks to the drafting may be required before the amendments are formally tabled, to ensure that they are as clear and effective as possible. Amendments in the paper are based on the most recent Bill print, which follows amendments at the Bill's previous Public Bill Committee stage.

I am acutely aware of, and fully agree with, Parliament's desire to see this legislation enacted. I will therefore be seeking to keep the recommitment process as short as possible within the bounds of allowing proper consideration of the changes, and anticipate that should the recommitment process proceed, the Bill will be passed to the House of Lords for consideration in January. I intend to work closely with Parliament to ensure that we are able to get this vital piece of legislation on to the statute book in this parliamentary Session.

The attachment can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2022-11-30/HCWS403/>.

[HCWS403]

Improving the UK's Cyber Resilience Public Consultations: Government Response

The Minister of State, Department for Digital, Culture, Media and Sport (Julia Lopez): Today, the Department publishes the Government response to the consultation for improving the UK's cyber resilience, which sought the public's views on a package of measures.

Cyber resilience and the protection of critical infrastructure and technology are essential for the development of a thriving digital economy. The Network and Information Systems Regulations 2018 provide legal measures to boost the overall level of security of network and information systems that are critical for the provision of digital services and essential services.

In recent times, the frequency and scale of cyber incidents against UK targets are increasing the risk of severe damage to critical national infrastructure and the resilience of the economy. High-profile incidents in the last few years, such as the compromise of SolarWinds supply chain and the Colonial Pipeline ransomware attack, as well as incidents this year including the attacks on the NHS 111 services and South Staffordshire Water, have demonstrated the devastating impact cyber-attacks can have, and as such it is essential that legislation in the UK evolves to boost our defence.

In January 2022, the Government launched a public consultation on proposals to improve the UK's cyber resilience, which included seven individual measures relating to the NIS regulations, as well as further measures focusing on cyber skills, the consultation and Government response for which is available at: <https://www.gov.uk/government/consultations/proposal-for-legislation-to-improve-the-uks-cyber-resilience>. The consultation aimed to gather feedback on the proposals, including favourability, and suggestions on how they could be refined, in order to continue their development further. Understanding the support from the public on these proposals and the nature of the feedback will allow us to ensure that the amendments contribute to development of our cyber-security legislation and ensure that we can effectively manage future cyber risks.

The Government response, relating to pillars one and two of the consultation, covers the entirety of the United Kingdom. Pillar one seeks to bring managed service providers in scope of NIS, as well as considering a more flexible and risk-based supervisory regime for digital services, ensuring greater resilience of the UK's most critical digital service providers. Pillar two seeks to make amendments to the NIS regulations to future-proof the legislation, and allow the UK to adapt to emerging, evolving, and critical threats. These changes would allow updating amendments to be made to the regulations, new sectors and sub-sectors added, and existing sectors expanded via secondary legislation. In addition, the proposals would also amend the existing cost recovery system to implement an improved, fairer scheme; amend the incident reporting thresholds to include incidents

that do not actually affect the continuity of the service directly, but none the less pose a significant risk to the security and resilience of the entities; and allow regulators to designate critical dependencies in their supply chain for which their services rely on.

Overall the feedback on the proposals has been very positive. This high level of support from industry demonstrates a recognition of the importance of these proposals in enhancing the resilience of the UK's critical national infrastructure, which is critical for the continued growth of our economy.

The full Government response to the proposals is available on the Government website.

[HCWS401]

INTERNATIONAL TRADE

UK-Ukraine Digital Trade Agreement in Principle

The Secretary of State for International Trade (Kemi Badenoch): Earlier this year, the Government launched negotiations on a digital trade agreement as part of our commitment to the people of Ukraine. I am pleased to report that we have now reached agreement in principle on a deal that supports Ukraine's economy and the country's reconstruction and further cements the UK's position as a global leader in digital trade.

The UK is steadfast in our support of the people of Ukraine in their brave struggle against Putin's cruel and brutal war. We will continue to do everything in our power to support Ukraine's fight and help ensure the long-term security and prosperity of Ukraine, as a free and sovereign nation. The UK-Ukraine digital trade agreement is one way we are achieving this.

Greater digitalisation of the economy is a key priority for our Ukrainian partners. They rightly recognise the UK as a global leader in digital trade, which is why they are striking their first ever digital trade agreement with us. This agreement will boost productivity, jobs, and growth and allow us to help Ukraine deliver on their digital ambitions.

The deal emulates the UK-led agreement on the G7 digital trade principles under our presidency last year, namely:

Ensure open digital markets, including through crucial commitments such as a ban on imposing customs duties on electronic transmissions.

Support cross-border data flows, including financial data, and prohibiting the unfair imposed localisation of data as well as committing to high standards of personal data protection.

Champion digital trading systems to cut red tape and make trade cheaper, faster, and more secure for businesses.

Uphold consumer benefits and business safeguards in digital trade. This includes important matters such as cyber-security, the protection of source code and online consumer protection.

Our digital trade agreement with Ukraine will expand on the current UK-Ukraine free trade agreement by modernising our bilateral trade in the digital era and deepening our economic ties with Ukraine. The UK's services exports to Ukraine are increasingly digitised, with UK exports of digitally-delivered services and goods in trade amounting to £132 million in 2020—73% of all UK services exports to Ukraine. This deal will

enable UK and Ukrainian businesses to trade in each other's markets more easily, and help Ukrainian businesses recover from the impact of this cruel war.

Modern global trade is now digital. The UK is a forward-thinking trading partner in the modern global economy. This agreement sends a strong message to the people of Ukraine: we stand with you—now and throughout your economic reconstruction.

Following the agreement in principle, the legal text will now be finalised and prepared for signature. Signature of the agreement will take place at a future date, after which the agreement will also be presented to Parliament for scrutiny in the usual way.

[HCWS400]

JUSTICE

Criminal Legal Aid Independent Review Consultation: Government Response

The Parliamentary Under-Secretary of State for Justice (Mike Freer): Today I am publishing the Government's full response to the criminal legal aid independent review (CLAIR).

First, I would like to thank Lord Bellamy KC for his independent review of criminal legal aid and its recommendations. In March 2022, in response to Lord Bellamy's independent review, we consulted on proposals that would mark the most significant reform to criminal legal aid in more than a decade, and would include an additional investment of around £135 million per year.

We set out our immediate fee reforms in the interim response which was published on 20 July 2022. In this interim response, we committed to increase most fees by 15% and this came into force on 30 September 2022. We also extended the scope of payment for pre-charge engagement work to cover work done ahead of an agreement, or where an agreement is not reached, in appropriate cases, in line with the Attorney General's disclosure guidelines.

Following further discussions with stakeholders, we were also able to lay a statutory instrument in October 2022 to apply the 15% increase to cases that already had a representation order increased on or after 17 September 2020 but had not yet had a main hearing—with further reforms, including to remuneration for section 28 cases, to come.

In this full consultation response, published today, we set out our plans for longer term systemic change. The full consultation covers the 203 responses received to 106 consultation questions. We have been working hard to analyse the responses of all stakeholders to ensure our decisions are rooted in evidence. We are committing to an increased investment of £138 million per year in total. This means that an extra £85 million for solicitors and £43 million for the Bar in legal aid payments, as well as an additional £11 million on expert fees, will eventually be spent every year to ensure long-term sustainability. Included in the full consultation response are details of the newly established Criminal Legal Aid

Advisory Board (CLAAB), which brings together criminal justice system partners to discuss the operation of the criminal legal aid system and make recommendations to the Lord Chancellor. The board met for the first time at the end of October 2022 and will continue to meet quarterly.

We have listened to consultation respondents and we propose reallocating money originally set aside to expand the Public Defender Service, to introduce training grants and for further reform of the litigators' graduated fee scheme (LGFS). Instead, we are proposing structural reforms to police station fees and intend to consult further on a standard police station fee model, allocating £16 million to harmonising the fee scheme. This means that, when considered with the funding uplift that came into effect on 30 September, funding for the vital work undertaken by solicitors in the police station will increase by 30%. We are also continuing to look at how we can improve the uptake of legal advice in custody, in particular for children.

We do not consider that structural reform of the magistrates' court fee scheme beyond the 15% fee increase already implemented is necessary, and this is supported by consultation responses. However, on top of this uplift, we will allocate an additional £5 million towards youth court reform from the 2024-25 financial year, which is expected to particularly benefit both solicitors and some junior barristers, as well as children.

My Department will model and consult on a revised LGFS scheme based on current data with a view to rely less heavily on pages of prosecution evidence (PPE) and instead focus more on fixed basic fees for each offence type.

As we set out in October 2022, over the remainder of this spending review period, an additional £3 million of funding will be made available for case preparation like written work and special preparation, as well as a further £4 million for defence barristers involved in pre-recorded cross-examinations, which are used to reduce the trauma of a trial for vulnerable victims and witnesses, by early 2023.

Our full consultation response also covers very high cost cases (VHCCs) and interim fixed fee offers (IFFOs) as well as fees for prison law and Criminal Cases Review Commission (CCRC) work. Further proposals will be developed after consultation on how to revise the IFFO fee calculator.

Taken together, the reforms we have announced in the Government's interim and full consultation responses will enable us to support a sustainable, diverse and stable criminal justice system in the long term. They will ensure that legal professionals are supported and remunerated fairly, in a way that reflects the development and changes that have occurred in our justice system since the initial conception of the fee schemes. Most importantly, they will ultimately benefit victims and everyone relying on the criminal justice system.

Continuing to engage the criminal defence sector, including the Bar Council and Law Society, remains important as we develop our final policies. I look forward to continuing our constructive work with criminal legal aid practitioners on criminal justice issues.

[HCWS402]

Petition

Wednesday 30 November 2022

OBSERVATIONS

WORK AND PENSIONS

DWP services at Phoenix House in Barrow

The petition of residents of the constituency of Barrow and Furness,

Declares that the Department for Work and Pensions (DWP) services currently housed at Phoenix House in Barrow should not be withdrawn; further that the team at Phoenix House provide a specialist and essential service with industrial injury and disablement benefits; and further that the local community wants the Phoenix House team to remain in Barrow.

The petitioners therefore request that the House of Commons urge the Government to ensure that the Department for Work and Pensions services currently housed at Phoenix House in Barrow are not withdrawn.

And the petitioners remain, etc.—[Presented by Simon Fell, *Official Report*, 12 October 2022; Vol. 720, c. 222.]

[P002772]

Observations from the Secretary of State for Work and Pensions (Mel Stride):

It may be helpful to clarify that, while the Department for Work and Pensions (DWP) has confirmed the closure of Phoenix House, Barrow-in-Furness, as part of its plans for the future delivery of its back-office services, it is not withdrawing the specialist and essential Industrial Injury and Disablement Benefits (IIDB) services.

As the Department approaches the planned closure date of September 2023 for Phoenix House, capability on IIDB is being built in both Bradford and Barnsley. This will ensure that the Department can both increase its resilience and continue to process claims for IIDB when Phoenix House closes. This will also ensure that the same high-quality service is maintained. This includes services for those customers who claim with asbestos-related diseases, or under schemes such as the Workers' Compensation Scheme, Pneumoconiosis (Workers' Compensation) Act 1979 and the 2008 mesothelioma scheme.

By reducing and right-sizing its estate, consolidating back-office service delivery functions into fewer, but larger offices accommodating upwards of 300 people where possible, the Department can increase its resilience, but also achieve value for money for the taxpayer.

Additionally, many older buildings are not energy efficient or equipped for the future. Moving to fewer, larger sites that are more efficient and better designed makes them more sustainable and healthier, more pleasant places for our people to work in. This will also create and maintain job opportunities by preserving a geographically dispersed network, and these place-based decisions will drive regional investment and regeneration. Larger multi-functional locations also allow colleagues a broader career path with more opportunities given a wider range of job roles are undertaken in larger buildings.

By delivering significant gross savings of £3.5 billion over a 30-year period, with ongoing annual savings of c£80 million to c£90 million being realised from 2028-29, it will also allow the Department to invest in the remaining estate, over time, to make its offices better places to work.

The Department is actively supporting staff at Phoenix House and wherever possible will look to retain as many people as possible, either within DWP, or by identifying vacancies in other Government Departments in the area, and has already identified a number of suitable opportunities.

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**not later than
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