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HOUSE OF COMMONS
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PARLIAMENTARY DEBATES

(HANSARD)

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House of Commons

Tuesday 16 January 2024

The House met at half-past Eleven o'clock

PRAYERS

The Chairman of Ways and Means took the Chair as Deputy Speaker (Order, 15 January, and Standing Order No. 3).

Deputy Speaker's Statement

11.34 am

Madam Deputy Speaker (Dame Eleanor Laing): Order. I regret to inform the House that there is a technical fault in the audio system. There is not a technical fault here in the Chamber—there is one in my own voice, but that is something to be remedied in another way—but there is a technical fault which means that our proceedings cannot be broadcast. Apparently it is inappropriate for us to proceed without our proceedings being broadcast, so with great reluctance I am required to suspend the House in the hope that this fault will very soon be rectified. I am going to suspend the House for only 10 minutes, in the hope that the work can be done to enable us to be broadcast to those who are listening and paying attention. The House is therefore suspended for 10 minutes.

Sitting suspended.

11.45 am

On resuming—

Madam Deputy Speaker: In the hope that we are now broadcasting, we will commence. If the audio feed is not working properly —please do not let anyone judge by my voice whether it is or not—people observing from around the Palace of Westminster are more than welcome to come to sit in the Gallery and Members wishing to observe proceedings from their offices may come to observe from the Chamber.

Oral Answers to Questions

ENERGY SECURITY AND NET ZERO

The Secretary of State was asked—

Consumer Energy Debt

1. **Martin Docherty-Hughes** (West Dunbartonshire) (SNP): What recent discussions she has had with Ofgem on trends in the level of consumer energy debt. [900963]

11. **Douglas Chapman** (Dunfermline and West Fife) (SNP): What recent discussions she has had with Ofgem on trends in the level of consumer energy debt. [900973]

The Minister for Energy Security and Net Zero (Graham Stuart): The Secretary of State is unwell and sends her apologies both to you, Madam Deputy Speaker, and to the House.

Ministers in the Department regularly meet Ofgem to discuss a range of issues. The Secretary of State met suppliers, alongside Ofgem, in November to discuss consumer energy debt and the protection of vulnerable customers. I know that many families are struggling with their energy bills this winter, which is why we are providing cost of living support worth £104 billion between 2022 and 2025.

Martin Docherty-Hughes: I am grateful for that answer. Just a few days ago, the Office for National Statistics showed that the number of households who had been unable to pay their energy bills has increased by nearly 40%. Does the Minister, on behalf of the Secretary of State, who I hope gets better soon, accept that the UK Government's failure to listen to stakeholders such as Citizens Advice, which is calling for the £400 energy bill discount to be reinstated, has led to soaring energy debt among those who can least afford it, such as my constituents?

Graham Stuart: I thank the hon. Gentleman for his question; he is right to highlight the issue of debt and families who are struggling. This is why we are providing £104 billion—or, on average, £3,700 per household—between 2022 and 2025, which is one of the most generous packages in Europe. In the autumn statement, we increased the national living wage, which is worth £1,800 to a full-time worker, and increased benefits by 6.7%—that is worth £470. Just last week, we also delivered a tax cut for 27 million people, which is worth £450 for the average worker. So we are taking steps, but we recognise the reality for many people that he set out.

Douglas Chapman: In my country, energy debt is rising, as Scottish consumers pay a premium on their energy bill—it is a high price to pay to keep the lights on in England. In the light of that imbalance, has the Minister discussed abolishing the not-fit-for-purpose Ofgem? If not, should his Government not give full responsibility for energy pricing in Scotland to the Scottish Parliament?

Graham Stuart: We have moved decisively to support families in Scotland and across the rest of the UK. I am pleased that the price cap has fallen by half since its peak last year, and we are making sure that our support is targeted at the most vulnerable. I have already laid out many of the measures we are taking precisely to ensure that people in Scotland and elsewhere are supported in what has been a tough time. Overall, we are, of course, looking to power up Britain. We have set out a plan to do that, precisely in order to have more of our power coming from Britain and to remove our dependence on foreign fossil fuels. I hope that the hon. Gentleman and his party will support us in our efforts to deliver that.

Madam Deputy Speaker (Dame Eleanor Laing): I call the Scottish National party spokesman.

Dave Doogan (Angus) (SNP): The situation for bill payers this winter is even worse than it was last winter, which is why the SNP has called for the reinstatement of

the £400 energy support scheme. However, the Government have stubbornly refused to sufficiently stand by householders, who are freezing all over these islands, despite reports of increased hospitalisations and the doubling of burns from hot water bottles in Scotland. How will the Tories extend just a fraction of the interest they have shown in exploiting Scotland's natural energy resources to the people of Scotland, who are freezing yet again this winter?

Graham Stuart: As I set out in response to the hon. Gentleman's colleagues, we have acted decisively, offering among the most generous support of any nation in Europe. We can be proud of the efforts we have made and I am pleased to see that the energy price cap is down so significantly.

Nuclear Energy Sector

2. **Kevin Foster** (Torbay) (Con): What recent discussions she has had with Cabinet colleagues on supporting the growth of the nuclear energy sector. [900964]

7. **Bob Blackman** (Harrow East) (Con): What steps she is taking to increase nuclear energy capacity. [900969]

14. **Giles Watling** (Clacton) (Con): What steps she is taking to increase nuclear energy capacity. [900977]

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Andrew Bowie): Last week, I announced the biggest expansion of nuclear power for 70 years. We will deploy a fleet of small modular reactors and build up to 24 GW of nuclear by 2050. This will ensure we have reliable, cheap and low-carbon power to protect consumers from price volatility and hostile foreign regimes, bolstering our energy security.

Kevin Foster: A new civil nuclear road map is a welcome step in growing our nuclear sector, potentially creating jobs across the United Kingdom, from the north of Scotland to the south-west peninsula, and including sites like Wylfa. What assessment has he made of the economic impact of the potential growth of the nuclear sector for the south-west region, particularly given the nuclear expertise at sites such as Devonport and Hinkley Point?

Andrew Bowie: My hon. Friend is absolutely right that the nuclear sector supports jobs across the United Kingdom, and it would be very welcome if Governments across this United Kingdom were to come together and champion that industry as it grows over the next few decades. The nuclear sector is vital to the economy of south-west England, as my hon. Friend knows, providing up to 11,000 jobs in construction alone at Hinkley Point C, and will go on generating highly skilled jobs for generations as we continue to build up this important part of our energy security.

Bob Blackman: I thank my hon. Friend for his answer and the announcement of the nuclear road map. Small modular nuclear reactors can bring energy to our towns and cities across the country very quickly. They are under development right now, so when can we see the first one installed and providing power to the grid?

Andrew Bowie: My hon. Friend will be pleased to know we are bringing forward small modular reactors and that the next phase of the live SMR competition will launch within weeks. Our aim is for the competition to be the fastest of its kind in the world, to help facilitate final investment decisions for the project being taken in the next Parliament and operational projects being here in the UK by the 2030s. The launch will mark a significant step forward for eligible companies and for the UK's broader nuclear ambitions.

Giles Watling: We have given away over the decades the massive advantage this country had with the Calder Hall development in 1956, so will my hon. Friend reassure me that we will regain that ground by pushing for more rapid development of a sensible nature, as the Finns have with their hole in the ground for storing nuclear waste? Will he inform the House with which nuclear vendors the Department is engaging?

Andrew Bowie: My hon. Friend is right to refer to the proud history we have in this country when it comes to civil nuclear—the developments at Calder Hall led the world—and the deep geological disposal that is happening in Finland right now. The plans in our nuclear road map will quadruple nuclear capacity by 2050. We are making rapid progress on Sizewell C and the SMR competition. We continue to work closely with countries such as Finland, with which I engage with regularly. It has built and operates large-scale geological disposal facilities, and signed up to the COP pledge to triple nuclear capacity.

Mr Clive Betts (Sheffield South East) (Lab): I welcome the Government's commitment to SMRs, which are the way forward for the future of nuclear. Sheffield Forgemasters is ideally placed to produce the essential parts for those reactors and has a memorandum of understanding with both Rolls-Royce and Hitachi. Will the Minister meet the Mayor of South Yorkshire, Sheffield Forgemasters and others in the consortium? The consortium now has access to significant development capital, so we can build the SMRs in South Yorkshire and create the thousands of well-paid jobs we want, as well as green energy.

Andrew Bowie: I would be delighted to meet the Mayor of South Yorkshire. Through the nuclear road map, we are committed not only to ensuring our energy security and achieving a further drive towards our net zero objectives, but to building up the supply chain and creating those high-wage, high-skilled jobs at all levels across the United Kingdom. Of course I would be delighted to meet the Mayor of South Yorkshire and, indeed, anybody else who represents an area that wants to invest in this future and this great exciting moment for nuclear capacity.

Tim Farron (Westmorland and Lonsdale) (LD): I, too, am in favour of new nuclear; it is an important part of a balanced green energy mix. Does the Minister share my concern that much of the investment in new nuclear in the UK is coming from overseas companies, and even the Governments of overseas countries, especially given that the emphasis is not just on reducing carbon emissions, but on energy security? Would he perhaps consider other forms of renewable energy, such as tidal power,

for which the entire supply chain is British and which would be great for our economy as well as for tackling climate change?

Andrew Bowie: I thank the hon. Gentleman for his question. I hold a contrary position. I am proud of the fact that this country is open to inward investment and, indeed, attracts attention from some of the biggest companies in the world to invest in our future energy security and net zero objectives. Of course, in unveiling all these exciting announcements, as we did last week, at the heart of what we are seeking to achieve is to create those high-wage, high-skill jobs as we move forward across the United Kingdom, building up that supply chain, and tidal will be an important part of the mix as well.

Jim Shannon (Strangford) (DUP): I thank the Minister for that most progressive answer. The progress made in nuclear safety and the need for clean energy clearly indicate that the Government must invest in the security of this sector. That would lower energy costs and help us to meet our green targets, which we all want to meet and should meet. Will the Minister outline what progress has been made to secure this investment?

Andrew Bowie: As the hon. Gentleman knows, just last week we unveiled our civil nuclear road map. I committed to meet him and, indeed, anybody else from Northern Ireland to seek to build up the manufacturing and supply chain workforce in Northern Ireland, so that all parts of our United Kingdom can benefit from the once-in-a-generation investment that we are making right now.

Onshore Wind Farm Cables

3. **Duncan Baker** (North Norfolk) (Con): What recent assessment the Government have made of the environmental impact of onshore wind farm cables. [900965]

The Minister for Energy Security and Net Zero (Graham Stuart): The environmental impact of onshore windfarm cables is assessed through the consenting process. Minimising potential environmental impacts of new infrastructure is a Government priority. We are committed to ensuring that new electricity network projects mitigate environmental impacts at every opportunity.

Duncan Baker: Although I am a huge supporter of offshore wind, there is no doubt that the trenching through my beautiful countryside is not without its own set of problems. Flooding, agricultural run-off and pollution have all been hugely exacerbated since the summer with what has happened in North Norfolk. What measures do we really have to force wind companies to clean up and repair the countryside after the damage they cause when they trench through it?

Graham Stuart: I thank my hon. Friend for his question and for persistently raising these issues to make sure that we get the transmission infrastructure that we need, but in a way that has the minimum negative impact on his constituents and others. I will follow up his question today by looking specifically at the regime, making sure that the companies concerned not only go through all the correct permissioning ahead of time, but are properly followed up to ensure that they deliver it in a way that does not leave the problems that he has itemised.

Madam Deputy Speaker (Dame Eleanor Laing): I call the shadow Minister.

Dr Alan Whitehead (Southampton, Test) (Lab): On 28 November, I asked the Minister how many planning applications for onshore wind had been lodged in England since the alleged loosening of planning restrictions on onshore wind in September. The answer then was zero. Even now that the policy has had more time to bed down, the answer, I am afraid, is still zero, and I predict that it will be zero the next time we meet. In September last year, the Secretary of State said that the changes made in September

"will help speed up the delivery of onshore wind projects".

Does the Minister think that the Government have succeeded?

Graham Stuart: I thank the hon. Gentleman for his question. As he will be aware, in the last contracts for difference round, a great deal of onshore wind was successfully brought forward and it still constitutes the largest single form of renewable energy in the United Kingdom—the Under-Secretary of State for Energy Security and Net Zero, my hon. Friend the Member for West Aberdeenshire and Kincardine (Andrew Bowie) will correct me if I have got that wrong. I share with the hon. Gentleman a frustration in making sure that we see that pulled forward, so that we see more projects in England as well as in the rest of the UK.

Dr Whitehead: I am glad the Minister is frustrated about the complete failure of this alleged policy turnaround, but I am frustrated because if we had not had the absurd ban in the first place, the onshore wind development that would have taken place would have saved each family £180 on their energy bills. All Labour is suggesting is that onshore wind is treated like any other development. How long will it be before the Minister accepts the reality and concludes that he needs to go back and properly repeal the ban?

Graham Stuart: I thank the hon. Gentleman for his question and his personal commitment to this area, but he knows as well as anyone the parlous performance of the previous Government, which his right hon. Friend the Member for Doncaster North (Edward Miliband) was a leading figure in. Less than 7% of our electricity came from renewables as recently as 2010. It is this Government that have led the world after a flatlining in carbon emissions from our electricity sector under Labour. We have seen renewables grow and, by October, we will see coal entirely removed from our mix.

Madam Deputy Speaker (Dame Eleanor Laing): I call the SNP spokesman.

Dave Doogan (Angus) (SNP): New renewable energy generation demands new transmission infrastructure. This Government have been asleep at the wheel for 14 years, showing zero pace, ambition or grip in delivering that energy infrastructure, and that is why bills are so high. Nevertheless, we are where we are. Will the Minister confirm to the House for the record what National Grid

has said: that UK Government policy is that when constructing new transmission infrastructure, overhead lines are the starting position?

Graham Stuart: I thank the hon. Gentleman for his question. Of course, we have been moving at pace. We have had the Winser review and the connections plan. In the autumn statement and, indeed, the Prime Minister's speech in September, there was so much to drive forward and change the transmission infrastructure, including halving the 14-year timeline to seven years. We are working flat out.

It should be noted that the reason overhead lines are preferred is the cost of undergrounding. Not only is it vastly disruptive, as my hon. Friend the Member for North Norfolk (Duncan Baker) said; either undergrounding or offshore is five to ten times more expensive than having overhead infrastructure, and sometimes even more than that. That is why it is the starting presumption. We want to power Britain from Britain and in a low-cost manner, so that when we get to the 2030s and we have decarbonised our electricity system, we have a low-cost electricity system, while ensuring that we install the infrastructure in a way that is friendly and supportive to communities.

Energy Social Tariffs

4. **Liz Twist** (Blaydon) (Lab): What recent assessment she has made of the potential merits of energy social tariffs. [900966]

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Amanda Solloway): The Government remain focused on providing help where people need it most. We are already providing a package of support totalling over £104 billion, or £3,700 per household on average, from 2022 to 2025.

Liz Twist: Last year, the Government promised action to help the most vulnerable with their energy bills. In April 2023, the Secretary of State's predecessor, the right hon. Member for Welwyn Hatfield (Grant Shapps), said that

"a social tariff could be very helpful".—[*Official Report*, 18 April 2023; Vol. 731, c. 111.]

Nearly a year on, we have heard absolutely nothing about a social tariff. Will the Minister explain to the House why the Government have abandoned plans for a social tariff?

Amanda Solloway: As the hon. Member will know, we are continuing our support for vulnerable households, and it is important that we help households as best we can. As an example, we have the £900 cost of living payments and the warm home discount payment. Obviously, we will constantly monitor where we are and will ensure that we continue to support all those vulnerable households.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (Ind): There is indeed a need for a social tariff, whether it is a cost of living crisis or a lack-of-wages crisis, given that the Resolution Foundation reported at the beginning of December that average wages across the UK were £10,700 lower than they should be compared with other comparable countries, following the past 15 years. There probably is a lack-of-wages crisis hitting the UK.

Regardless, the Energy Security and Net Zero Committee said in our "Preparing for the winter" report, in paragraph 24:

"We urge the Government and energy suppliers to consider implementing a form of social tariff and other measures to protect vulnerable households from being cut off from their energy supplies."

That was a unanimous report across Labour Members, Tory Members and, of course, the pro-Scottish independence voice on the Committee, but will we see some movement on this from the Government? It is important and needed by everybody, and it would be particularly welcome to my constituents in Na h-Eileanan an Iar.

Amanda Solloway: As I have indicated, we are doing a lot of things to help people, including the most vulnerable in society. It is worth pointing out that it was announced recently in the autumn statement that the national living wage will be worth £1,800 for a full-time worker and that benefits will increase by 6.7%, which is worth £470 a year.

Fuel Poverty

5. **Kate Osborne** (Jarrow) (Lab): What estimate she has made of the number of households in fuel poverty in winter 2023-24. [900967]

15. **Beth Winter** (Cynon Valley) (Lab): What estimate she has made of the number of households in fuel poverty in winter 2023-24. [900978]

18. **Ruth Jones** (Newport West) (Lab): What estimate she has made of the number of households in fuel poverty in winter 2023-24. [900981]

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Amanda Solloway): Fuel poverty is devolved. Statistics for England are published annually by the Department. The next English statistics will be published on 15 February and will include estimates of the number of households in fuel poverty in 2023 and 2024.

Kate Osborne: Just under a third of people in my Jarrow constituency are now living in fuel poverty, like Maureen, who told me she is struggling to find an extra £975 per month due to the disability price tag. That will be made worse by the recent news of the energy price cap rise. Can the Minister explain why the Government still insist on giving subsidies worth billions to the oil and gas industry through loopholes in the windfall tax? Would that money not be better spent cutting people's bills?

Amanda Solloway: I must point out the work the Government have been doing to help vulnerable people. Not only that, but we have halved energy bills. I have constant meetings with all stakeholders, including Citizens Advice and all the disability groups, and we are ensuring that we are supporting all vulnerable people in the cost of living crisis and as we go through this winter.

Beth Winter: I also have increasing numbers of constituents with significant levels of energy debt coming to my office seeking fuel vouchers. Why are the Government pursuing the Offshore Petroleum Licensing Bill, which the Minister herself has said will not bring down bills, when economic forecasters warn that delays in

decarbonising will leave consumers with higher prices? Is it not time the Government dropped the focus on fossil fuels and delivered instead the public investment in renewable energy that will bring down bills and go some way to averting the climate catastrophe?

Amanda Solloway: We are committed not only to helping vulnerable people, but to making sure we are providing the best energy security we can. That is why we are committed to all the policies we have introduced.

Ruth Jones: I listened very carefully to the answer the Minister gave to my hon. Friend the Member for Blaydon (Liz Twist), but I am still none the wiser, so I will ask again: can the Minister set out what recent discussions she has had with the Welsh Government about the social tariff, which the previous Secretary of State described as "very helpful"?

Amanda Solloway: Just to reiterate, I have been having conversations with all stakeholders, and when I say stakeholders, that does not just mean Citizens Advice or Disability Rights UK, but across Government and with different devolved Departments.

Derek Thomas (St Ives) (Con): I am sure the Minister will agree that energy security and supporting the most vulnerable in fuel poverty go hand in hand. The way to address security is by both securing supply and cutting waste. Can she set out what the Government and her Department are doing to reduce the waste of energy from people's homes?

Amanda Solloway: I want to acknowledge how hard my hon. Friend works for his constituents. Of course those are the things we are most mindful of: making sure we get energy efficiency not only in production, but in the way we use that energy.

Net Zero Targets: Businesses

6. **Bill Esterson** (Sefton Central) (Lab): What recent discussions she has had with businesses on the Government's net zero targets. [900968]

16. **Dame Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): What recent discussions she has had with businesses on the Government's net zero targets. [900979]

The Minister for Energy Security and Net Zero (Graham Stuart): I meet regularly with business leaders and chair several groups bringing together Government and industry so that we can drive progress towards net zero. That includes the Net Zero Council, which is meeting next week and includes members from right across the economy. Like me, they are delighted that the UK is leading the world in tackling climate change. We are the first major economy to halve its emissions, ahead of every other major economy, and we have one of the most ambitious decarbonisation targets in the world.

Bill Esterson: Contrary to what the Minister has just said, and to what he said about onshore wind, this country has fallen on his party's watch to seventh in the world for attracting investment in renewables. Well-paid jobs, lower bills and economic growth will all follow, but only if we attract investment, so why are the Government enabling what EY has described as the "diminishing of green policies" and undermining the economic benefits of net zero?

Graham Stuart: I thank the hon. Gentleman for his question, which has a sort of comic element given Labour's monumental failure to deliver renewables when it was in power, coupled with the fact that it wants to bring forward GB Energy. That, as his left-wing colleague, the hon. Member for Cynon Valley (Beth Winter) just said, would be public investment. It would drive out private investment and destroy the transformation of the UK energy system that has happened under the Conservatives—it had flatlined under Labour. We have led the world and have now decarbonised more than any other major economy on the planet. Under the policies of this Conservative Government, which major world economy is predicted to decarbonise fastest by 2030? This one.

Dame Meg Hillier: If I may puncture the Minister's rant, I would like to ask him what certainty his Government will give businesses. We need a £23 billion combined investment from the public and private sectors, but because targets have been missed, that figure will need to double or treble every year between now and 2050, according to a Public Accounts Committee report. The Government's chopping and changing in delivering what they need to do is a big problem in businesses having the confidence to invest. That has happened on his watch, so what is he doing to improve the situation?

Graham Stuart: I thank the hon. Lady for her question and for her work on the Committee in holding the Government to account. Of course, we have realised £198 billion of investment into clean energy since 2010, and we have a plan, which we set out in "Powering Up Britain". The Labour party has only an intention to borrow £28 billion a year, putting up families' taxes, putting up bills and destroying the most investable market in Europe that we have had to date. We will have another £100 billion of private investment by 2030, and the Conservatives will carry on our work leading the world in transforming our energy system so that we have lower-cost, home-produced energy while also delivering on net zero—things that signally did not happen under Labour.

Dominic Raab (Esher and Walton) (Con): UK start-up Newcleo and French start-up NAAREA—Nuclear Abundant Affordable Resourceful Energy for All—have just announced a partnership to promote small modular nuclear reactors. What support are the UK Government providing, and what proportion of our energy mix does the Minister think this kind of initiative can support?

Graham Stuart: My right hon. Friend is right, and it is great to see excitement across the Chamber about developing nuclear. It is just a shame that, when it came to the secondary legislation to enable the business models, Labour Members did not support it—they say one thing in one place and a different thing when it comes to making the laws of the land. I am pleased to say to him that, under the Conservatives, the plan is to bring the jobs, technology and opportunity of small modular reactors to this country, as part the ambition for up to 25% of our electricity to come from nuclear by 2050.

Katherine Fletcher (South Ribble) (Con): I have been talking with businesses in South Ribble about achieving net zero. Businesses on Leyland business park are exploring geothermal, and we also have the huge advantage of the Howick Cross substation bringing in energy from offshore wind, onshore wind in Scotland, and the north-west and Welsh nuclear fleet. Does my right hon. Friend agree that, in future, businesses will look to site themselves where there is reliable and accessible cheap energy, and that South Ribble is well placed to take advantage of that?

Graham Stuart: My hon. Friend is quite right to highlight the benefits and attractions of South Ribble, and indeed the wider UK economy. It is not just that the areas that have those services will attract business within the United Kingdom: by rewiring and leading the world in delivering a low-cost, low-carbon energy system, we can attract more investment from abroad and have a renaissance, not least in the north of England but also in Wales and Scotland—all around the country. That is a result of the net zero policies that, uniquely, this country is managing to lead the world on following so many years of Labour failure.

Caroline Lucas (Brighton, Pavilion) (Green): The Minister will know that the Climate Change Committee has a key role in advising the Government on their path to net zero, but he will also know that 18 months on from the resignation of Lord Deben as chair of that committee, the Government still have not announced a replacement, despite 60 applications for the role having been submitted and several people already having been interviewed. Are the Government scared of having their record scrutinised, or are they simply determined to destroy any last shred of the UK's climate leadership? Will the Minister tell us now when the selection will be announced?

Graham Stuart: Given the hon. Lady's lifelong passion for this subject, I find it extraordinary that she never, ever recognises the unique achievement of this country in halving emissions. I would have thought she would celebrate that. As the hon. Lady will know, the Climate Change Committee's chair is not just a matter for the UK Government. The appointment of the chair of that committee has to be agreed by the devolved Administrations as well, and we are moving as quickly as we can.

Dave Doogan (Angus) (SNP): Who is holding it up?

Graham Stuart: The best thing, as barristers know, is to not ask a question unless you already know the answer, because it might not suit you. We are moving as quickly as we can to make sure that we have a chairman in place. I share the hon. Lady's belief that it is an important role, and we want to have it filled as quickly as possible.

Simon Fell (Barrow and Furness) (Con): One of the most effective ways in which we can hit our net zero targets is by delivering an effective carbon capture and storage industry, and I was delighted to see the Government make an announcement just before Christmas about the next round of that. The Morecambe bay net zero project based in my constituency could deliver a gigaton of carbon storage, helping some of our most energy-intensive industries through this transition period. I invite my right hon. Friend to come and visit.

Graham Stuart: I am not the Minister who leads on carbon capture, usage and storage, so I may have just swerved a visit, but of course I am always delighted to talk to my hon. Friend. If I can lean on my colleague in the House of Lords who is responsible for that policy area, I will let him know of my hon. Friend's kind offer. I share his enthusiasm: by capturing the renewables around the UK and converting them into low-cost electricity, as we are also taking forward hydrogen and using the natural blessing of having so much carbon capture capability, we can deliver this country the jobs, the opportunity and the low-cost energy system for the future. I look forward to my hon. Friend's continuing support.

Madam Deputy Speaker (Dame Eleanor Laing): I call the shadow Minister.

Kerry McCarthy (Bristol East) (Lab): Having shared a constituency border with the former Member for Kingswood for 14 years, I know that he was genuine in wanting what was best for his constituents. He knew that a green transition would protect their jobs at Rolls-Royce and Airbus, help the science park to thrive, and bring opportunities for small and medium-sized enterprises and the self-employed. He knew that home insulation and clean energy would bring warmer homes to Warmley and Woodstock, and lower bills to Bitton. He resigned because he had lost all hope that this Government would deliver on those things. He was right, was he not?

Graham Stuart: Just to spell it out—because we do have to speak very slowly for the Opposition Front-Bench team—we have cut our emissions more than any other major economy, and our plans and the expectation of the UN are that we will continue to lead the world. That is leading the world: not talking about it, not promising to borrow £28 billion and put everyone's taxes up, and then fluctuating on a daily basis. It is about delivery. We have delivered and will continue to do so.

If we want to see the reality of Labour on energy, we only need to go to Nottingham. There, Labour invested in Robin Hood Energy, which went spectacularly bust—a forerunner of a Labour Government, perhaps, if there ever were to be one. It is typical of Labour to reverse all the principles of Robin Hood: all Labour does is steal from the poor in order to pay for the bailiff.

Home Energy Efficiency Measures

8. **Matt Rodda** (Reading East) (Lab): How many homes had energy efficiency measures installed in (a) 2010 and (b) 2022. [900970]

19. **Daniel Zeichner** (Cambridge) (Lab): How many homes had energy efficiency measures installed in (a) 2010 and (b) 2022. [900982]

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Andrew Bowie): Because of our plan, half of homes now meet the Government's 2035 energy performance certificate band C goal, a significant jump from 14% in 2010. In 2010, low-cost measures were targeted, with 960,000 installations. In 2022, funding shifted to high-cost measures to benefit low-income households and less-efficient homes, resulting in approximately 200,000 installations last year.

Matt Rodda: I fear that the Minister may be referring rather too much to new build homes. The reality is that in 2010 there were 1.8 million insulation measures introduced into cavity walls and lofts, yet in 2022, in comparison, there were only 80,000. That has left my constituents in Reading and Woodley, who mainly live in Victorian and 20th-century homes, struggling with very high bills, so what is the Minister going to do about that?

Andrew Bowie: The hon. Gentleman did not acknowledge that we have moved from 14% to 50% because of the actions of a Conservative Government. To answer his question directly, we are allocating around £20 billion to clean heat and energy efficiency over this Parliament and the next, which will benefit his constituents. That includes our Great British insulation scheme, worth £1 billion, which will deliver insulation measures to around 300,000 of the country's least energy-efficient homes, saving them £300 to £400 each year by March 2026.

Daniel Zeichner: I echo the observations of my hon. Friend the Member for Reading East (Matt Rodda). I remember in 2008-09, long before I came into this place, working endlessly with Cambridge City Council and energy providers on encouraging people in the city to take up home insulation schemes. Since then, we have seen precisely nothing—nothing has been going on. Labour has a huge ambition for the future; what is the Government's ambition?

Andrew Bowie: I know mathematics is not a strong point for the Labour party, but I will go over the figures again: 14% to 50% over the course of the last three Parliaments, delivered by the actions of this Conservative Government. We have a plan to continue to deliver for the least well-off in those homes that need more energy efficiency measures. As I just said to the hon. Member's colleague, we are allocating £20 billion to clean heat mechanisms over this and the next Parliament, and we are going to continue to deliver for the British people.

Mr Philip Hollobone (Kettering) (Con): Thousands of new homes are being built across the Kettering constituency. What is my hon. Friend doing, together with the Department for Levelling Up, Housing and Communities, to decarbonise the future housing stock and improve energy efficiency in new build housing?

Andrew Bowie: We recently announced further details of the £6 billion extension that will be allocated from 2025 to 2028. This will support an extra 500,000 homes—prioritising those who need it most, but including new build—and is on top of support for 700,000 families to install improvements through the Great British insulation scheme and the energy company obligation by March 2026.

Prepayment Meters: Compensation

9. **Imran Hussain** (Bradford East) (Lab): What recent discussions she has had with Ofgem on the compensation payment process for households that have had prepayment meters wrongfully installed. [900971]

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Amanda Solloway): I have met Ofgem and suppliers to reiterate my expectations that the new rules will be followed. Ofgem has announced that if a supplier wrongfully installs a prepayment meter, it will be expected to compensate its customers appropriately.

Imran Hussain: Forcing the installation of prepayment meters in the homes of some of our poorest and most vulnerable constituents is, frankly, a scandal. Although the Government rightly paused forced installations last year, some energy companies have been allowed to resume this outrageous practice under a new rules regime, which the Minister referred to, that still faces many questions. Does the Minister think that in the middle of winter—in a week when we have seen temperatures drop dramatically—we can trust energy suppliers that have a history of unscrupulous practices in force-fitting energy meters in the homes of vulnerable people to, in effect, self-regulate? Will the Government instead legislate to ban the scandalous forced installation of prepayment meters once and for all?

Amanda Solloway: I acknowledge how awful it was that people had their homes broken into to force fit prepayment meters, but there is also a place for prepayment meters to enable people and to support people out of debt. I reassure the House that I have scrutinised every level of the regime for prepayment meters, now that we are going back to reinforcement, to absolutely ensure that we will not see all the scandalous practices that happened before.

Oil and Gas Sector

10. **Alun Cairns** (Vale of Glamorgan) (Con): What steps she is taking to support the oil and gas sector. [900972]

The Minister for Energy Security and Net Zero (Graham Stuart): The North sea is a mature basin and production will naturally decline in the coming years. The Government are committed to supporting our oil and gas industry and the energy transition, which is why we have the North sea transition deal and have introduced the Offshore Petroleum Licensing Bill. We want to protect investment, the 200,000 jobs supported by the sector and the tens of billions of pounds coming in in taxes, as well as to use the existing industry to deliver the wider energy transition.

Alun Cairns: The Government's action to use gas and oil reserves in the UK for the smooth transition to renewable sources is important for our energy security, but also offers great employment and wealth prospects in the process. Is the Minister aware that Offshore Energies UK published a workforce insight last year that highlighted that the number of people working in the sector could be increased by 50%? For that to become a reality, the sector needs to be stable and competitive. What commitment can my right hon. Friend offer to the stability and competitiveness of the sector?

Graham Stuart: My right hon. Friend is absolutely right. This is a declining basin, and it is so important as we go through the transition that we do not lose the skills and jobs of those people who are providing the oil and gas on which we currently rely. No country is doing more to decarbonise than we are, but we will continue to use oil and gas for decades to come. As our production falls even more quickly than our demand, and even more quickly than is required globally, it is essential that we support the industry, send the signal that my

right hon. Friend suggested, and rebut the attitude of the Labour party, which would destroy those jobs, lose the tax and put up emissions.

Sammy Wilson (East Antrim) (DUP): I welcome the fact that, belatedly, the Government have accepted that, despite their net-zero policies, the oil and gas industry is important for the future in the United Kingdom. Does the Minister recognise that to benefit from the oil and gas in the North sea that will be released by the new licensing regime, we need to have refinery capacity? There has been little, if any, investment in refinery capacity, because of the uncertainty of the future and the carbon taxes placed on it. When will the Minister address that issue to ensure that we get the full benefit of the oil and gas that we extract from our shores?

Graham Stuart: Effectively, we are part of a European market. Most of the gas that we produce is consumed in the United Kingdom, and most of our oil is refined elsewhere in Europe and contributes to European and UK energy security, as it is converted into product. It is one joined-up market for historical reasons, and our refineries are used predominantly for oil that comes from abroad, as opposed to that which comes from the North sea. These are multi-decadal investments, and as part of a managed decline in demand we will see refinery capacity reduced over time. We are doing absolutely everything to do this in the most sensible manner possible, and it is a shame that Labour Members would have us import more. They are all in favour of oil and gas jobs, so long as they are not in the UK, and they will bring in foreign imports from which we will get no jobs and no tax, with higher emissions. It makes no sense, and only the right hon. Member for Doncaster North (Edward Miliband) could champion such an insane policy.

Energy-intensive Industries: Decarbonisation

12. **Alex Cunningham** (Stockton North) (Lab): What steps her Department is taking to help energy-intensive industries to decarbonise. [900974]

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Amanda Solloway): As chair of the all-party group on carbon capture, utilisation and storage, the hon. Member will know that the Government have committed £20 billion to support the early development of carbon capture, usage and storage, and up to £500 million for the industrial energy transformation fund to help industry to decarbonise, with phase 3 opening shortly.

Alex Cunningham: I welcome the investment in carbon capture—we just need to get on and make something happen there. Teesside is home to some of the most energy-intensive industries in the country, but instead of attracting more of those industries, including primary steel making, we are seeing plants closed down and jobs lost because investors do not see any industrial strategy from the Government. High energy costs mean that it is cheaper to import many of the goods that until now we have made at home. Why are the Government content to see this managed decline, rather than back the kind of strategy that will protect existing industries and drive investment and job creation?

Amanda Solloway: This Government invest throughout the country with our levelling-up agenda, but we have of course been investing in the steel industry, and we are mindful to ensure that we have the skills that will take us forward for those future requirements.

Madam Deputy Speaker (Dame Eleanor Laing): I call the shadow Minister.

Sarah Jones (Croydon Central) (Lab): My hon. Friend the Member for Stockton North (Alex Cunningham) was of course absolutely right: we have seen managed decline under this Government, with no coherent industrial strategy, total failure to get the grid connected where we need it, and different Departments giving mixed messages and providing complicated processes to access any support.

On top of all that, our industry has to pay twice as much on its energy bills compared with European competitors. A recent report by UK Steel stated that our steel producers have to pay £117 million more per year on electricity, forcing the Government to deliver a subsidy through the supercharger, which in turn raises bills for everybody else. Instead of such short-term policies, is it time for Labour's industrial strategy, Labour's grid reform and Labour's mission to become a clean energy superpower, so that we can permanently cut bills for everyone, grow our economy and give Britain its future back?

Amanda Solloway: This Government have demonstrated our commitment to help across the domestic and non-domestic sectors. However, we also recognise the vital role that the steel sector plays in our economy. In fact, the 2021 net zero strategy reaffirms our commitment to continue to work with the steel industry on decarbonisation.

Topical Questions

T1. [900988] **Mary Kelly Foy** (City of Durham) (Lab): If she will make a statement on her departmental responsibilities.

The Minister for Energy Security and Net Zero (Graham Stuart): The UK is the first major economy to halve its emissions. Since the Prime Minister's speech in September, we have announced the £960 million green industries growth accelerator, helped to deliver the first global agreement to transition away from fossil fuels at COP28, acted to protect motorists from unfair prices at petrol stations, announced backing for 11 major projects to produce green hydrogen, and committed to the biggest nuclear expansion in 70 years. We have a plan. Our plan is working and it will get us to net zero. It will guarantee our energy security and bring consumers and the British people with us.

Mary Kelly Foy: My constituents have told me they are no longer eligible to receive the warm home discount, which, along with Ofgem's price increase, is making the cost of living even more severe in the City of Durham. Will the Minister meet me to discuss that? What, if any, discussions has he had with the Minister for Disabled People, Health and Work, the hon. Member for Mid Sussex (Mims Davies) about the impact of fuel poverty on disabled people?

Graham Stuart: We are providing targeted support for the most vulnerable through the warm home discount. I am pleased to say that we have raised it to £150 and extended it so that it now reaches 3 million low-income households, giving them a rebate on their energy bills every winter.

T3. [900990] **Mr Philip Hollobone** (Kettering) (Con): Kettering is one of the greenest constituencies in the country, because the wind turbines and solar panels in the constituency generate enough electricity to power all 45,000 homes. For the country as a whole, what percentage of our electricity was generated from renewables when the Conservatives came to power in 2010, and what is the percentage now?

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Andrew Bowie): I thank my hon. Friend for that question. He will be delighted to learn that renewable generation has increased fivefold from 2010 to 2022. It has gone from a risible 26 TWh to 135 TWh. Some 40 GW of renewable energy has connected to Great Britain's electricity networks since 2010. Since 2010, the UK has seen a more than 500% increase in the amount of renewable electricity capacity in the grid thanks to this Conservative Government.

Madam Deputy Speaker (Dame Eleanor Laing): I call the shadow Secretary of State.

Edward Miliband (Doncaster North) (Lab): In the past month, the former Prime Minister who legislated for net zero has condemned the Minister's oil and gas policy. His colleague the former COP President has accused the Government of "not being serious" and the Government's net zero tsar has resigned his seat in disgust. Why does the Minister think that that is?

Graham Stuart: As we have rehearsed, the UK is the first major economy to halve its emissions. It is the one that is delivering more going forward. It is so important that we recognise that we will continue to need oil and gas for decades to come. The Labour party's policy will do the opposite; it will weaken British jobs, reduce taxes and put up emissions, and that is why we remain committed, working across society, to ensuring that we deliver.

Edward Miliband: It is not just us who oppose the Minister's Bill, but those on his own side—he has lost an MP over it. I know he brought down the last Government over fracking; he is trying to do it again with his new Bill. That is the reason that people have lost confidence. They see the hottest year on record and a Government backsliding on net zero. Is it not the truth that the Conservatives who know and care most about climate change no longer support this Government?

Graham Stuart: The right hon. Gentleman would love to think that was the case, but the Conservative party is united in driving this forward and in delivering. We are powering up Britain from Britain. We have taken ourselves from the abject position left by him when he was in government, which so many of my colleagues have described. We must not go back to that, because it would put bills up, it would put emissions up, and it would stop us being the global net zero leader that we are.

T4. [900991] **Duncan Baker** (North Norfolk) (Con): The Prime Minister recently visited Bacton gas terminal in North Norfolk, which is home to a third of the UK's gas supply and in the future could be an enormous hub for green energy production in the east of England. Will Ministers reassure me that they will continue to consider Bacton as the future home for carbon capture, usage and storage technology as well as a hydrogen hub for the future in the east of England?

Graham Stuart: I agree with my hon. Friend and the Prime Minister on the importance of Bacton, which, like all gas terminals across the country, has the potential to play a crucial role in our energy security. The decarbonisation of these terminals is vital to delivering both economic growth and net zero. The Hewett field, 20 km offshore from Bacton, was awarded a licence for carbon sea storage by the North Sea Transition Authority in 2023. I hear his loud voice—it will be heard on the Government Benches—about its potential to be a hydrogen hub as well.

T2. [900989] **Sarah Green** (Chesham and Amersham) (LD): Data released last year suggests that Britain has one of the largest queues in Europe of wind and solar capacity waiting to be connected to the grid. Will the Minister provide an update on what steps the Department is taking to reduce those waiting times?

Graham Stuart: The hon. Lady is absolutely right to highlight that issue. At the autumn statement, we announced plans to halve the time it takes to build new critical powerlines as well as reducing average delays from five years to no more than six months. The connection action plan at the more local level will release more than 100 GW of capacity and give powers to the system operator to terminate stalled projects. We are seeking across multiple Departments—led by this one—to deal with the issues that she rightly raised.

T7. [900994] **Cherilyn Mackrory** (Truro and Falmouth) (Con): A&P Falmouth in my constituency has submitted an application to the Government for floating offshore wind manufacturing investment scheme funding in readiness to support the first floating offshore wind project in English waters. With Government support, it could supply electricity to 45,000 homes in Cornwall. The scheme is shovel-ready, pragmatic and deliverable, with huge support from local stakeholders as well as being vital to building the supply chain further in the south-west. Will my hon. Friend, alongside Department for Transport colleagues, carefully consider the application to help me deliver that for Cornwall, the south-west and the Celtic sea cluster?

Andrew Bowie: It is incredibly encouraging to hear about what is happening at A&P Falmouth. As my hon. Friend knows, the floating offshore wind manufacturing investment scheme is providing up to £160 million to support investment in UK ports. However, while FLOWMIS is still live, I am afraid I cannot comment on individual applications.

T5. [900992] **Debbie Abrahams** (Oldham East and Saddleworth) (Lab): More than 15% of families in my constituency live in fuel poverty, with a median energy

efficiency score of just 65. How much of the 2019 general election manifesto pledge to spend £9.2 billion on improving energy efficiency has gone on retrofitting existing properties and not on new builds?

The Parliamentary Under-Secretary of State for Energy Security and Net Zero (Amanda Solloway): I will have to write to the hon. Member with the figure, but the Government remain firmly committed to new builds as well as to retrofitting.

T10. [900997] **Vicky Ford** (Chelmsford) (Con): Many Chelmsford residents have already switched to electric vehicles. Those who live in houses with driveways pay just 5% VAT when they charge their cars at home, but those who live in terraced houses, who are often less well off, have to pay 20% VAT when they use a commercial charger. I fully understand that tax is a matter for the Treasury Ministers, but does my right hon. Friend agree that if we could level out this tax, we could make electric vehicles more affordable to all people and thus help with our transition towards a lower carbon economy?

Graham Stuart: As we make the transition, it is essential that we do so fairly, not least for those with less. We have committed to keeping the transition to electric vehicles affordable for consumers, and we support innovations for those without a home charger such as cross-pavement cable channels and peer-to-peer charging schemes. I know that my right hon. Friend will continue to raise the VAT issue. As she rightly said, all taxes, including VAT reliefs, are kept under review by the Chancellor.

T6. [900993] **Samantha Dixon** (City of Chester) (Lab): The hospitality sector is very important to Chester. Talking to the Chester business improvement district this morning, and following comments from chef Gary Usher, it is clear that the damaging impact of sky-high energy bills is still felt extremely significantly. What hope can the Minister offer hard-pressed restaurateurs in Chester and across the country?

Amanda Solloway: I am aware of the challenges facing all the industry. I have ongoing talks with UKHospitality and other groups. There are things that we can do, such as blend and extend, and we are looking at the brokers, and ensuring that third-party intermediaries are doing their jobs correctly.

Dr Luke Evans (Bosworth) (Con): Driving down to Parliament, I pass petrol stations. In my constituency, prices were 136.9p and 137.9p. However, at the service stations, they were 164.9p and 167.9p. That is a massive difference, which the public just will not tolerate and want something to be done about it. What will the Government do?

Amanda Solloway: Road fuel prices are down for a second consecutive month. Petrol prices are now at a level not seen since early October 2021, following our work to bring transparency to the market. Today, we launched the consultation to require petrol stations to report real-time prices, which will mean that drivers can compare prices and get the best deal, and prices will fall through greater competition.

T9. [900996] **Liz Twist** (Blaydon) (Lab): I am sorry to hear that the Secretary of State is ill, but could the Minister explain why she has taken money from Michael Hintze, funder of the Global Warming Policy Foundation, an organisation that peddles climate science denial? Does he think that is appropriate?

Graham Stuart: I apologise for the Secretary of State not being here. I will write to the hon. Lady promptly in answer to her question.

Dr Thérèse Coffey (Suffolk Coastal) (Con): Transparency is important in the development of the energy sector. National Grid is refusing to publish its assessment of Bradwell as a potential landfall site for cables and interconnectors. It must be logical to prioritise brownfield sites with existing connections to the electricity network. Will my right hon. Friend please require National Grid to publish fully its assessment so far?

Graham Stuart: When my right hon. Friend thinks that something is important, she does not let it go. That message will go out clearly from this Chamber, and I will happily work with her to see whether we can find a resolution and give her the information and insight that she requires.

Charlotte Nichols (Warrington North) (Lab): Following the recent state visit from the Korean President, when he identified nuclear as one of the key sectors for future collaboration in the UK-Korea trade deal, and the publication—albeit two years later than promised—of the civil nuclear road map last week, could the Minister please detail what conversations are taking place with the Department for Business and Trade to maximise inward investment opportunities for the nuclear supply chain in Warrington North and across the UK?

Andrew Bowie: I thank the hon. Lady for her question and for her support for our nuclear road map published last week. As she knows, we look forward to increasing the opportunities to co-operate with South Korea on civil nuclear, including on fuel supply chain safety, security, non-proliferation, decommissioning and the development of new reactors in both countries. That will benefit jobs and the supply chain around the UK, specifically where there is a strong history of a nuclear industry, such as in her constituency, which she champions.

Nick Fletcher (Don Valley) (Con): The additional power supplies from offshore wind farms are creating the need for further pylons, yet if we doubled the voltage of power lines from 400 kV to 800 kV, we might not need them. That is used in China and America, and would stop the need for all the additional power lines running up and down the country. Will the Department look into that?

Graham Stuart: It will be useful for us both if I write to my hon. Friend and set out the technical assessments, constraints and issues around that, because he makes an interesting point.

Dame Nia Griffith (Llanelli) (Lab): The Government have finally committed to a carbon border adjustment mechanism to protect our energy-intensive industries from being undercut by imports made with dirtier energy

or in more heavily polluting processes. Will the Minister explain why the Government are delaying that until 2027, when the EU is introducing equivalent legislation a whole year earlier? Will he speak urgently to ministerial colleagues about bringing that date forward, both to protect our industries and reduce our carbon footprint?

Graham Stuart: I thank the hon. Lady for her support for the introduction of a carbon border adjustment mechanism. This is to make sure that we do not have carbon leakage—to use the jargon—where carbon costs imposed on companies here lead to that production simply going abroad, with no betterment to the planet. His Majesty's Treasury takes the lead on this particular policy, but I will ensure that her sentiments are passed on to my Treasury colleagues.

Selaine Saxby (North Devon) (Con): Can my hon. Friend confirm that, given all the questions about carbon accounting, sustainability and value for taxpayers' money, the Government will not be guaranteeing Drax billions more in subsidies?

Andrew Bowie: As my hon. Friend knows, we will shortly be consulting on potential support arrangements to help facilitate the transition of large-scale biomass generation to power bioenergy with carbon capture and storage. Power bioenergy with carbon capture and storage could deliver negative emissions to support our climate change targets and the UK's energy security.

Business of the House

12.45 pm

The Leader of the House of Commons (Penny Mordaunt): With permission, Madam Deputy Speaker, I will make a short business statement about an addition to this week's business. Following the announcement by my right hon. Friend the Home Secretary that the Government intend to proscribe Hizb ut-Tahrir under the Terrorism Act 2000, the business on Thursday will now be:

THURSDAY 18 JANUARY—A motion to approve the draft Terrorism Act 2000 (Proscribed Organisations) (Amendment) Order 2024, followed by a debate on a motion on the loan charge, followed by a debate on a motion on HS2 compensation. The subjects for these debates were determined by the Backbench Business Committee.

I will announce further business in the usual way on Thursday.

Madam Deputy Speaker (Dame Rosie Winterton): I call the shadow Leader of the House.

Lucy Powell (Manchester Central) (Lab/Co-op): I thank the Leader of the House for updating the House on the business for Thursday, and for advance sight of it. It is good to see her announcing a change in business as a statement, rather than a point of order, and I know that Members will appreciate that proper approach.

There have long been serious concerns about the activities of Hizb ut-Tahrir, which have been exacerbated in the light of Hamas's barbaric terrorist attack on Israel on 7 October. It is right that the Government have looked at the evidence and intelligence on the threat posed by the group, and Labour supports the decision to proscribe it.

I also welcome the fact that urgent time has been found to debate the order this week. Those who incite violence and promote or glorify terrorism have no place on Britain's streets. In that context, what progress has been made on proscribing the Islamic Revolutionary Guard Corps, either via a statutory instrument, as the Government are using this week for Hizb ut-Tahrir, or by a new process to deal with hostile state actors for which there is wide cross-party support in this House?

Finally, I have to say that when I was first notified of an emergency business statement today, I did wonder whether the Government were having a rethink about their Safety of Rwanda (Asylum and Immigration) Bill in the face of the usual infighting and chaos. Can the Leader of the House take this opportunity to confirm that, whether the Bill is or is not amended in Committee today or tomorrow, there will still be, as programmed, Third Reading at the end of tomorrow's business? There has been some suggestion that the Government may still table their own amendments and push Third Reading back to another day. Would that not be further proof of the Prime Minister's weakness and the fact that, when it comes to governing, they are just making it up as they go along?

Penny Mordaunt: First, I thank the hon. Lady for her support for the statutory instrument that we are bringing forward. The Home Office has taken its time to consider the matter, but it is very clear that the activities the group is involved in fall into that category. They need to be dealt with swiftly, which is why we brought forward the SI at the first available opportunity.

The hon. Lady talks about the point of order I made last week. She will fully appreciate that this is a different situation. I am making a business statement today because we are changing the business that was previously announced. Last week, I was simply giving Members advance notice of forthcoming business, because if I had waited until our exchanges on Thursday, it would have meant an unsatisfactory amount of time for right hon. and hon. Members to prepare amendments.

I will certainly ensure that the Home Secretary has heard the hon. Lady's query about the Islamic Revolutionary Guard Corps. Its activities are not restricted to what is happening overseas; it is engaged in activities on British soil against British citizens. I know that there is a great deal of interest in that in all parts of the House.

As the hon. Lady will know, the progress of the Rwanda Bill is subject to the House, and I shall make further business announcements in the usual way.

Mr Mark Francois (Rayleigh and Wickford) (Con): As a member of the Defence Committee, I know that it is an open secret that Iran is paymaster to, and helps to train, Hamas, Hezbollah and the Houthi rebels in Yemen—there is no doubt about that throughout the international intelligence community. I warmly welcome the decision to proscribe Hizb ut-Tahrir. However, given what I have just said, and given the action that we have taken against the Houthi rebels in order to maintain freedom of navigation on the seas, can the Leader of the House foresee any circumstances in which she could return to the House in the near future to make a similar announcement about proscribing the IRGC?

Penny Mordaunt: I thank my right hon. Friend for his very helpful question. I know that this is an issue of great concern to many Members. He will appreciate that the Home Secretary and the Government will want to make any future announcements in a timely way while also considering all the effects that such a course of action might bring about, not least to our ships and their insurance, but I shall ensure that the Home Secretary has heard what he has said.

Madam Deputy Speaker (Dame Rosie Winterton): Does the Scottish National party spokesperson wish to ask a question?

Deidre Brock (Edinburgh North and Leith) (SNP) *indicated dissent.*

Madam Deputy Speaker: I call Kevin Brennan.

Kevin Brennan (Cardiff West) (Lab): Given that the Chair of the Backbench Business Committee is not present and that the announcement has an impact on Thursday's Backbench business, can the Leader of the House give us any information about the timing of the debate? Will there be a timetable motion, as there would be if the business were taken in a Committee upstairs—probably allowing an hour and a half in normal circumstances—and why has the Leader of the House decided that it should be taken on the Floor of the House rather than upstairs?

Penny Mordaunt: I apologise to the Backbench Business Committee—I know that this will eat into its time on Thursday—but this is an important matter that we want to deal with swiftly, and we therefore felt that it was appropriate for it to be dealt with on the Floor of the House.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): I thank the Leader of the House for the statement and welcome the intention to hold the debate on Thursday. In response to the right hon. Member for Rayleigh and Wickford (Mr Francois)—a fellow member of the Defence Committee—the Leader of the House said that the Home Secretary would come back to the House "in a timely way". As the right hon. Member highlighted, the Islamic Revolutionary Guard Corps supplies the Houthis, especially with drone materials, and it was also committing international action last night in northern Iraq. Rather than talking of a "timely way," many of us in the Defence Committee would say, "Time's up." I wonder whether the Leader of the House could reinforce to the Home Secretary the fact that across the House there is a clamour to proscribe the IRGC at the soonest opportunity.

Penny Mordaunt: I thank the hon. Gentleman for that helpful question. I will ensure that the Home Secretary has heard what he has said. The actions that he has described are not new; I think that, on average, that organisation has been behind about 500 attacks during any recent year against international shipping and people going about their daily business, and, as I have said, it is also engaged in activities in the UK. As a member of the Defence Committee, the hon. Gentleman will know of some the issues that surround this decision, but I am sure that if and when the Home Secretary makes his decision, he will want the House to be alerted at the earliest opportunity.

Jim Shannon (Strangford) (DUP): I welcome the statement and clarification of the business for Thursday. The Leader of the House will be aware of the high levels of terrorism and the severe threat to people in Northern Ireland from the Real IRA and the New IRA. There is surely a connection between such terrorist groups in Northern Ireland and those who have sympathy towards the Hamas terrorists—is it not wonderful how terrorists across the world come together to murder innocent people?

With regard to the business on Thursday, may I ask the Leader of the House—ever mindful of the fact that only certain things can be said in the House—if it might be possible to indicate whether the threat from the Real IRA and the connection with the proscribed Hamas can be clarified evidentially, and if so, what measures will be taken to reinforce the action of stepping down hard on the Real IRA and the New IRA?

Penny Mordaunt: I thank the hon. Gentleman for raising this important matter. As he will know, it is not a matter for me in connection with the business of the House, but he has characteristically made the point that he wished to make and put it on the record, and I shall ensure that the Home Secretary has heard it.

Points of Order

12.55 pm

Dame Meg Hillier (Hackney South and Shoreditch) (Lab/Co-op): On a point of order, Madam Deputy Speaker. Last week I attended a Committee considering a statutory instrument on the immigration health surcharge, and, as would be expected in such a forum, I was asking questions of the Minister—in this instance, the Minister for Legal Migration and the Border, the hon. Member for Corby (Tom Pursglove)—who was unable to answer a number of those questions.

I should give credit to the Minister—I have alerted him to my intention to raise this point of order—because he has since written to me, ahead of the House finally agreeing to the statutory instrument yesterday, and I thank him for that courtesy. However, that was not the first time that I have been in a statutory instrument Committee and Ministers have been unable to answer questions. In this case it was off the back of a detailed impact assessment conducted by the Home Office, but on other occasions Ministers have been unable to supply answers on fairly basic information.

I wanted to raise the matter with you, Madam Deputy Speaker, because it seems to me that this is an inadequate and inopportune way for the House to operate. We are there to scrutinise the legislation of the Government of the day, and we are hampered in doing so if Ministers are unable to give us answers and instead promise, variously, to write to us or tell us about the issue involved at a later stage, or sometimes even brush off the questions. I wonder whether you would like to say anything on this matter, Madam Deputy Speaker.

Madam Deputy Speaker (Dame Rosie Winterton): I thank the hon. Lady for her point of order and for giving me notice of it. I assume that she did inform the Minister that she intended to raise it.

Obviously, Ministers are responsible for their own replies to Members in Delegated Legislation Committees, as they are in the Chamber. I note that the hon. Lady said that the Minister did her the courtesy of writing after the event, but I think we would all believe—and it is certainly my view—that Ministers should have all the relevant information to hand when responding to a debate. The Leader of the House is here and has clearly listened carefully to what the hon. Lady has said. I am sure that she will take that point back, as will others on the Treasury Bench.

Kevin Brennan (Cardiff West) (Lab): Further to that point of order, Madam Deputy Speaker. I can tell the House that this is not an isolated incident in statutory instrument Committees, but surely it is not good enough, because the Ministers who are answering questions about an impact assessment have signed that impact assessment and dated it to confirm that they are responsible and fully aware of its contents. If Ministers are indeed signing off impact assessments on statutory instruments and presenting them to Committees without knowing the contents, that is an extremely troubling revelation.

Madam Deputy Speaker: I note the point that the hon. Gentleman has made. Let me say again that this is up to individual Ministers; we cannot test them from the Chair before they respond to a debate on a statutory instrument.

The Leader of the House of Commons (Penny Mordaunt) *rose—*

Madam Deputy Speaker: I sense that the Leader of the House might like to provide a brief response.

Penny Mordaunt: Further to the point of order, Madam Deputy Speaker. We take these matters very seriously, and I will ensure that the points that Members have raised are brought to the attention of the Departments that have been mentioned.

I would just add that a great deal of work has been done by the Select Committee on Statutory Instruments, which has been looking into how we can improve these processes, the quality of impact assessments and so forth, and a large training programme takes place in Departments. My noble Friend Lord True and I have also undertaken sessions with Ministers dealing with statutory instruments, involving training and improving the quality of what is put forward to enable the House to scrutinise legislation properly.

There will be incidents, I am sure, particularly with complex briefs, where someone cannot recall the information while at the Dispatch Box, but as the textbook example set out by the hon. Member for Hackney South and Shoreditch (Dame Meg Hillier) with regard to my hon. Friend the Minister for Legal Migration and the Border shows, when those situations arise, Ministers are very aware of their responsibility to get back to hon. Members before those statutory instruments come into effect.

Madam Deputy Speaker: In that helpful intervention the Leader of the House has outlined the programme that is in train, and I am sure that right hon. and hon. Members will keep their beady eyes on the situation and Ministers will ensure that they are as well prepared as possible.

BILLS PRESENTED

Unpaid Trial Work Periods (Prohibition) Bill

Presentation and First Reading (Standing Order No. 57)

Stewart Malcolm McDonald, supported by Kirsten Oswald, Ms Anum Qaisar, David Linden, Deidre Brock, Patricia Gibson, Alison Thewliss, Allan Dorans, Stuart C. McDonald, Dr Philippa Whitford, Alyn Smith and Ian Blackford, presented a Bill to prohibit unpaid trial work periods; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 15 March, and to be printed (Bill 144).

Military Action (Parliamentary Approval) Bill

Presentation and First Reading (Standing Order No. 57)

Richard Foord presented a Bill to require parliamentary approval for the deployment of UK armed forces for armed conflict; to provide for exemptions from that requirement in cases of emergency or in respect of compliance with treaty obligations; to make provision for retrospective parliamentary approval in certain circumstances; and for connected purposes.

Bill read the first time; to be read a second time on Friday 26 January, and to be printed (Bill 146).

Scotland (Self-Determination)

*Motion for leave to bring in a Bill (Standing Order No. 23)*1.1 pm

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

That leave be given to bring in a Bill to amend the Scotland Act 1998 to transfer the power to legislate for a Scottish independence referendum to the Scottish Parliament; to provide that that power may only be exercised where the Scottish public has demonstrated its support for the holding of such a referendum; to provide that no such referendum may be held sooner than seven years after the previous such referendum; and for connected purposes.

Madam Deputy Speaker,

"I'm standing up for the right of self-determination. I'm standing up for our territory. I'm standing up for our people. I'm standing up for international law. I'm standing up for all those territories—those small territories and peoples the world over".

Those are the words of then Prime Minister Margaret Thatcher, recounted in her memoir "The Downing Street Years". She went on to say:

"The principle of self-determination has become a fundamental component of international law and is enshrined in the UN Charter".

That principle she spoke of—the principle of the self-determination of peoples—was enshrined in the United Nations charter when Prime Minister Winston Churchill signed the 1941 Atlantic charter. Any notion that Scots freely entered into the Union by an act of self-determination has no credibility whatsoever. In 1707 a majority of Scottish parliamentarians may have been persuaded, but the people were never consulted. The Acts of Union in 1707 between England and Scotland created the kingdom of Great Britain, establishing a single political entity yet preserving the territorial, legal and institutional integrity of each partner country.

The UK's constitution is not codified in a single document, so the question of whether the Acts of Union can be unilaterally dissolved by one party is not clear. However, the accepted position hitherto is that the Union is a voluntary association of equal partners and that Scotland has an unquestioned right of self-determination. Scotland's distinct constitutional tradition is best 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".

In the pleadings of the hon. and learned Member for Edinburgh South West (Joanna Cherry) in her Prorogation case to the UK Supreme Court, it was noted that the 1707 parliamentary Union between England and Scotland may have created a new state but did not create one nation. In recent years the UK state has steadfastly refused to acknowledge or honour that principle or the democratic wishes of the Scottish electorate. According to the distinguished academic and legal practitioner in international law, Professor Robert McCorquodale,

"the people of Scotland are distinct within the UK and have a right to self-determination…And as the people of Scotland are a people for the purposes of the right to self-determination…the choice of the means to exercise it is for the people to decide and not for the state."

These are not obscure or arcane points of law; they are precise and purposeful, and according to Professor McCorquodale such treaty obligations are

"binding under international law on all states".

The question of whether the ancient nation of Scotland should be an independent country once again continues to be the subject of much debate. In short, with current support sitting at 50% across the population and above 70% among younger people, the matter is far from settled. It is entirely proper for any country to review such important matters because Scotland will only become independent as and when a majority of the people of Scotland choose that path. This demands the use of a democratic mechanism that is constitutional and satisfies international legal precedent. This Bill seeks to standardise and codify such a requirement in line with the motion passed by this House that endorsed the principles of the 1989 claim of right and acknowledged the sovereign right of the Scottish people to determine the form of government best suited to their needs.

At that time the claim of right was supported by every political party save the Tories. In particular, Liberal Democrat MPs such as Ray Michie and Charles Kennedy were forthright in their support for the principle of Scottish sovereignty. They were following a home rule tradition in that party which never for a second disputed Scotland's right of self-determination, albeit they thought Scotland should choose a form of federalism rather than independence. It would be unfortunate today if, having already deserted their historic commitment to the European cause, the Liberal Democrats were to follow that by deserting their historic commitment to respecting Scotland's national rights. This morning the hon. Member for Edinburgh West (Christine Jardine) called this Bill, which favours neither one side nor the other, "divisive and unnecessary", when it is anything but. It is in fact both liberal and fundamentally democratic.

The effect of this Bill should be uncontroversial for every Member. It merely establishes in law an equivalent mechanism to the principle already conceded by the UK Government in relation to a border poll in Northern Ireland. First, it establishes that the power to legislate for a referendum requires a democratic mandate from the Scottish public to do so. Since 2014 that criterion has been met in successive general elections to the Scottish Parliament, most recently in 2021 when a majority of MSPs were elected and a majority of votes were cast in favour of a manifesto commitment to deliver an independence referendum. Secondly, the Bill states that no such referendum may be held any sooner than seven years after any previous such referendum. Should Members of this Chamber deny Scotland her legitimate claim on self-determination, that will put beyond doubt that the voice of the people of Scotland is not welcome in this place and that a new approach must be considered.

This Bill offers both remedy and route. It places the power to decide firmly where it belongs, in the hands of the people of Scotland, and it does so by transferring the power to hold a referendum on independence to the Scottish Parliament. It is a parallel initiative to that being led by my Alba party colleague Ash Regan MSP in the Scottish Parliament. Ms Regan has brought forward a draft Bill that will allow for a referendum to be held to ask the people of Scotland if they think that the Scottish Parliament should have the powers to negotiate and legislate for independence. Its purpose is to consult the people of Scotland on their opinion on extending the provisions of their Parliament to hold such a referendum—a proposition supported by the expert legal opinion of Aidan O'Neill KC. Both proposals have at their heart the democratic imperative that Scotland's political destiny must be in the hands of the people of Scotland, not in the hands of the Westminster Parliament or the Supreme Court. How does the behaviour of the UK Government or the repeatedly espoused position of the Opposition party constitute access to meaningful political process, as claimed in the recent UK Supreme Court judgment?

In the aftermath of the 2014 referendum, the all-party Smith commission agreement was signed by all Scotland's main political parties—SNP, Labour, Tory and Liberal Democrat—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."

While each have failed to deliver on that commitment, this Bill provides a necessarily equitable and democratic mechanism for the people of Scotland.

In 1889 in this place the equality of the UK partner countries was asserted by a Liberal MP, William Ewart Gladstone, when he said that

"if I am to suppose a case in which Scotland unanimously, or by a clearly preponderating voice, were to make the demand on the United Parliament to be treated, not only on the same principle, but in the same manner as Ireland, I could not deny the title of Scotland to urge such a claim."—[*Official Report*, 9 April 1889; Vol. 335, c. 101.]

John Major, when he was Prime Minister, said of Scotland that

"no nation could be held irrevocably in a Union against its will."

It is increasingly apparent that this is not a Union of equals. The UK is wilfully subverting the will of the people of Scotland by denying them their established human rights, as enshrined in the UN charter and in international treaty obligations that the UK state entered freely.

I cited the words of Lady Thatcher at the opening of my speech, but she went further:

"The Scots, being an historic nation with a proud past...have an undoubted right to national self-determination... Should they determine on independence, no English party or politician would stand in their way, however much we might regret their departure."

Whether I like it or loathe it, we are in this Union. I hold that it is incumbent on every MP elected on an independence ticket to explore every option with courage and conviction. Today this Chamber faces a choice: affirm that this is a voluntary Union of equals or tell the world that Scotland is a mere possession to do with as it wishes. This Bill is a necessary condition of securing Scottish democracy, and I commend it to the House.

1.11 pm

Christine Jardine (Edinburgh West) (LD): I congratulate the hon. Member for Kirkcaldy and Cowdenbeath (Neale Hanvey) on securing this ten-minute rule Bill and on his knowledge of Liberal political history. I have to confess, though, that my overwhelming sentiment on hearing of this Bill was, "Oh, not again!" Surely this has been settled not just by the Supreme Court ruling but by the repeated occasions on which the people of Scotland—including me and other MPs here—the electorates of several constituencies and the majority of people at the last general election, and in the referendum, made it clear that, no, we cannot be held in a Union against our will, but that our will is to stay.

[Christine Jardine]

On the anniversary of parliamentary approval of the Act of Union in 1707, we are going over the same nationalist argument again and again—an argument that was rejected in the referendum and at the general election. This could and should be a day when the people of this country might expect their elected representatives to be considering the importance of what has gone before, as a result of that Act, what we have achieved and built, and what we can continue to build and improve upon as part of the Union. As a liberal and a Liberal Democrat, as the hon. Gentleman said, I fundamentally believe in home rule for Scotland, I fundamentally agree that the United Kingdom needs to change and I agree that the people of Scotland deserve incremental increases in power, but that is because I believe in a federal United Kingdom and have said so on numerous occasions, and I will continue to do so.

In the past 45 years, there have been three referendums on Scotland's political future, on the Scottish people's future and on the state of the constitution. Every single one of them was facilitated by the United Kingdom Government and, on every occasion, the Scottish people have benefited. We have devolution as a result of the second referendum, and surely even devolution sceptics can see the good that has come from our Parliament. We have seen the benefits of devolution not only in Scotland but in Wales, and we have seen great changes in Northern Ireland and, let us not forget, the London Assembly.

The third referendum, on independence in 2014, was facilitated by the UK Government, who felt that the Scottish Parliament and Scottish parliamentary elections had proven that there was a mandate. I know this because I worked on that referendum—I declare that interest—and, as a result, we have more devolved powers. This country has come so far on devolution since the turn of the new century, and power is now closer to the people most affected by it. It would be dreadful to undermine that, to throw the baby out with the bath water, with a separatist argument. Let us be clear that that is what some colleagues want.

It is not a secret that I fundamentally disagree with my colleagues on the Alba and SNP Benches about independence and where Scotland should be heading, particularly at a time when we need to work together in this place to solve the ills that are blighting people across these isles. I repeat that, in doing so, the UK Government are not a block on more devolution but have worked to enable it.

Whatever nationalists might tell us, independence is not an answer to our problems. It is not even the question that most people in Scotland want to raise. That question is about inflation, interest rates and the cost of living. My constituents constantly ask me about instability across the globe and what we will do about those issues. Yes, they want change, but they want a different Government and a different approach. They do not want separation, and they regularly tell me that they are fed up of hearing about it. They are tired of the negativity and of their world, and their children's world, becoming smaller because of their Government's mismanagement and ideological decisions. They want to address the problems with our education system in Scotland, with our NHS in Scotland and with our public services in Scotland, all of which have declined during the period of a nationalist Government who have prioritised only independence. We are suffering, and we do not want to do it any more. If the nationalists lifted their heads from their ideological manifesto on separation, and if they listened a little more to the people of Scotland and stopped taking their support for granted, perhaps they would know that themselves.

The people of Scotland may not like this particular UK Government, and there are times when, frankly, I wholeheartedly agree, but they can see an opportunity for change coming in the next few months. Perhaps that is why the nationalists are putting new impetus into their cause—because they see that there is an opportunity for change coming and that people may choose to change the Government rather than the constitution.

We all know that the United Kingdom is not perfect. Of course it is not. What governmental system is? It needs reform. I believe we need to move forward to a more federal system, but we do not need more division and more rancour at a time when the list of problems in this country is longer than any of us would like. The proposition before us would do little to address those very real problems faced by my constituents and everyone else in Scotland; as I say, it would be just one more division, with more arguments and the same old grievances. It is time to move on, accept that the will of the Scottish people, as expressed regularly, is to remain in the United Kingdom, and work to improve it and improve the lives of all of the people of the UK. The Scottish people have expressed their will. As we have all said, we cannot be held in a Union against our will, but our will is to stay in that United Kingdom. I ask this House not to waste any more time on an argument that the Scottish people have settled and will settled again at the next general election.

Question put (Standing Order No. 23).

The House divided: Ayes 48, Noes 228.

Division No. 45] **[1.19 pm**

AYES

Bardell, Hannah
Blackford, rh Ian
Blackman, Kirsty
Bonnar, Steven
Brock, Deidre
Brown, Alan
Callaghan, Amy *(Proxy vote cast by Marion Fellows)*
Cowan, Ronnie
Crawley, Angela *(Proxy vote cast by Owen Thompson)*
Day, Martyn
Docherty-Hughes, Martin
Doogan, Dave
Dorans, Allan *(Proxy vote cast by Marion Fellows)*
Eastwood, Colum
Fellows, Marion
Gibson, Patricia
Grady, Patrick
Grant, Peter
Hanna, Claire
Hanvey, Neale
Hendry, Drew
Hollobone, Mr Philip
Hosie, rh Stewart
Lake, Ben
Law, Chris
Linden, David
Lucas, Caroline
MacAskill, Kenny
Mc Nally, John
McDonald, Stewart Malcolm
McDonald, Stuart C.
McLaughlin, Anne
Newlands, Gavin
Nicolson, John *(Proxy vote cast by Marion Fellows)*
O'Hara, Brendan
Oswald, Kirsten
Qaisar, Ms Anum
Roberts, Mr Rob
Saville Roberts, rh Liz
Sheppard, Tommy
Smith, Alyn
Stephens, Chris
Thewliss, Alison
Thompson, Owen
Thomson, Richard

Whitford, Dr Philippa *(Proxy vote cast by Marion Fellows)*
Williams, Hywel
Wishart, Pete

Tellers for the Ayes:
Jonathan Edwards and Carol Monaghan

NOES

Abrahams, Debbie
Aiken, Nickie
Ali, Rushanara
Allin-Khan, Dr Rosena
Amesbury, Mike
Antoniazzi, Tonia
Ashworth, rh Jonathan
Barker, Paula
Begum, Apsana
Benn, rh Hilary
Betts, Mr Clive
Blackman, Bob
Blake, Olivia
Blomfield, Paul
Bradley, Ben
Bradley, rh Dame Karen
Brennan, Kevin
Bridgen, Andrew
Brown, Ms Lyn
Bryant, Sir Chris
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Sir Alan
Campbell, Mr Gregory
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Clark, Feryal
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Cooper, Daisy
Cooper, rh Yvette
Costa, Alberto
Coyle, Neil
Creasy, Stella
Crosbie, Virginia
Cryer, John
Cunningham, Alex
Daby, Janet
Dalton, Ashley
Davey, rh Ed
Davies, Dr James
Davies-Jones, Alex
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Dodds, Anneliese
Double, Steve
Doughty, Stephen
Dowd, Peter
Drax, Richard
Duguid, David
Dyke, Sarah
Eagle, Dame Angela
Eagle, rh Maria
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Fabricant, Michael
Farron, Tim
Fletcher, Colleen
Foord, Richard
Ford, rh Vicky
Foster, Kevin
Fox, rh Sir Liam
Foxcroft, Vicky
Foy, Mary Kelly
Gill, Preet Kaur
Girvan, Paul
Glindon, Mary
Goodwill, rh Sir Robert
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Grundy, James
Gullis, Jonathan
Gwynne, Andrew
Haigh, Louise
Hamilton, Mrs Paulette
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hart, Sally-Ann
Hayes, Helen
Hayes, rh Sir John
Healey, rh John
Higginbotham, Antony
Hillier, Dame Meg
Hobhouse, Wera
Hollern, Kate
Hopkins, Rachel
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jayawardena, rh Mr Ranil
Jenkin, Sir Bernard
Johnson, rh Dame Diana
Johnson, Gareth
Johnson, Kim
Jones, Andrew
Jones, rh Mr David
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Kane, Mike
Keeley, Barbara
Kendall, Liz
Kinnock, Stephen
Knight, rh Sir Greg
Lammy, rh Mr David
Lavery, Ian
Leadbeater, Kim
Leigh, rh Sir Edward
Lewell-Buck, Mrs Emma
Lewis, Clive
Liddell-Grainger, Mr Ian
Lightwood, Simon
Lockhart, Carla
Long Bailey, Rebecca
Longhi, Marco
Loughton, Tim
Lynch, Holly
Mackinlay, Craig *(Proxy vote cast by John Redwood)*
Madders, Justin
Malthouse, rh Kit
Mather, Keir
McCabe, Steve
McCarthy, Kerry
McCartney, Jason
McCartney, Karl
McDonald, Andy *(Proxy vote cast by Ian Mearns)*
McFadden, rh Mr Pat
McGovern, Alison
Mearns, Ian
Miliband, rh Edward
Millar, Robin
Mills, Nigel
Mishra, Navendu
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, David
Morris, Grahame
Morris, James
Mortimer, Jill
Mumby-Croft, Holly
Mundell, rh David
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Norris, Alex
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Owatemi, Taiwo *(Proxy vote cast by Chris Elmore)*
Paisley, Ian
Peacock, Stephanie
Pennycook, Matthew
Percy, Andrew
Perkins, Mr Toby
Phillips, Jess
Pollard, Luke
Powell, Lucy
Randall, Tom
Redwood, rh John
Rees, Christina
Reeves, Ellie
Rimmer, Ms Marie
Robinson, Gavin
Robinson, Mary
Rodda, Matt
Ross, Douglas
Russell-Moyle, Lloyd
Sambrook, Gary
Selous, Andrew
Shah, Naz
Shanks, Michael
Shannon, Jim
Sharma, Mr Virendra
Sheerman, Mr Barry
Slaughter, Andy
Smith, Cat
Smith, Greg
Smith, Jeff
Smith, Nick
Sobel, Alex
Spellar, rh John
Stevens, Jo
Stewart, Iain
Strathern, Alistair
Streeting, Wes
Stringer, Graham
Sultana, Zarah
Swayne, rh Sir Desmond
Syms, Sir Robert
Tami, rh Mark
Tarry, Sam
Thomas, Gareth
Thomas-Symonds, rh Nick
Thornberry, rh Emily
Timms, rh Sir Stephen
Tomlinson, Justin
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Vickers, Martin
Wakeford, Christian
Walker, Mr Robin
West, Catherine
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitley, Mick
Wilson, Munira
Zeichner, Daniel

Tellers for the Noes:
Mr William Wragg and Sir Robert Buckland

Question accordingly negatived.

Safety of Rwanda (Asylum and Immigration) Bill

[1st Allocated Day]

Considered in Committee

[Dame Rosie Winterton *in the Chair*]

The First Deputy Chairman of Ways and Means (Dame Rosie Winterton): I remind Members that in Committee, Members should not address the Chair as Deputy Speaker. Please use our names when addressing the Chair, or Madam Chair, Chair, Madam Chairman or Mr Chairman are also acceptable, so there are lots of options.

Sir Chris Bryant (Rhondda) (Lab): What about Dame Rosie?

The First Deputy Chairman: That is my name—I mentioned that.

Clause 2

Safety of the Republic of Rwanda

1.33 pm

Alison Thewliss (Glasgow Central) (SNP): I beg to move amendment 45, page 2, line 33, leave out "a safe" and insert "an unsafe".

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

Amendment 1, page 2, line 34, at end insert—

"(1A) The Secretary of State must lay a report before Parliament no later than one year after this Act is passed, and at least once in every subsequent calendar year, on whether in the judgement of His Majesty's Government the Republic of Rwanda is a safe country."

This amendment requires the Secretary of State to monitor on an ongoing basis whether Rwanda remains a safe country and to report the outcome to the House.

Amendment 46, page 2, line 41, leave out "not".

This amendment would require a court or tribunal to consider review or appeals of decisions relating to the removal of a person to Rwanda.

Amendment 47, page 3, line 3, leave out "not".

This amendment would require a court or tribunal to consider claims about actions of the Republic of Rwanda.

Amendment 35, page 3, line 4, leave out paragraph (a).

This amendment would permit courts and tribunals to deal with systematic risk of refoulement from Rwanda.

Amendment 56, page 3, line 12, at end insert—

"(d) any claim or complaint made by a person on the grounds that the Republic of Rwanda is not a safe country if the person has—

participated or engaged in any activity, or made any communication containing serious allegations, which has led directly to bringing into question the safety of the Republic of Rwanda in general or in relation to that person, or

(ii) colluded or conspired with any other persons who have participated or engaged in any activity, or in any communication containing serious allegations, which could lead directly to bringing into question the safety of the Republic of Rwanda in general or in relation to those persons."

This amendment would prevent a court or tribunal considering a claim that Rwanda is not a safe country from persons who deliberately tried to put themselves in jeopardy if they were removed to Rwanda.

Amendment 10, page 3, line 13, leave out subsection (5) and insert—

"(5A) This Act and the Illegal Migration Act 2023 will have effect in relation to removals to Rwanda notwithstanding—

(a) any provision made by or under the Immigration Acts,

(b) the Human Rights Act 1998,

(c) EU derived law and case law retained under sections 2 to 7 of the European Union (Withdrawal) Act 2018,

(d) any other provision or rule of domestic law (including any common law), and

(e) international law, including any interpretation of international law by the court or tribunal.

(5B) Nothing identified in paragraphs (a) to (e) of subsection (5A) may prevent or delay the removal to Rwanda of an individual under this Act or the Illegal Migration Act 2023, or affect the interpretation or application of any provision of this Act or the Illegal Migration Act 2023, including the actions or policies of public authorities, in relation to the removal of a person to Rwanda.

(5C) To the extent that any provision or requirement included in paragraphs (a) to (e) of subsection (5A) has been given effect to in legislation (including the Asylum and Immigration Appeals Act 1993, the Nationality, Immigration and Asylum Act 2002 and the Asylum and Immigration (Treatment of Claimants etc) Act 2004), that legislation does not apply in relation to provision made by or by virtue of this Act or the Illegal Migration Act 2023 in relation to the removal of an individual to Rwanda, and shall not prevent or delay the removal to Rwanda of an individual under this Act or the Illegal Migration Act 2023.

(5D) A person or body to which subsection (5E) applies may not have regard to international law, in the circumstances mentioned in subsection (5G).

(5E) This subsection applies to—

(a) the Secretary of State or an immigration officer when exercising any function related to removing, or considering for removal a person to Rwanda under this Act or the Illegal Migration Act 2023,

(b) a court or tribunal when considering any application or appeal which relates to a decision or purported decision to remove, or to consider the removal of a person to Rwanda under this Act or the Illegal Migration Act 2023.

(5F) No inference is to be drawn from this section as to whether or not a person or body mentioned in subsection (5E) would otherwise have been required to have regard to international law.

(5G) The Asylum and Immigration Appeals Act 1993 is amended as follows.

(5H) In section 2 at the end insert 'except in relation to the removal of a person to Rwanda under the Safety of Rwanda (Asylum and Immigration) Act 2024 and the Illegal Migration Act 2023'."

This amendment specifically excludes the legislation raised in AAA v Secretary of State of the Home Department [2023] UKSC 42 as potential blocks to removal and excludes from consideration any international law (including the ECHR and anything put out by its court).

Clause stand part.

Amendment 19, in clause 4, page 4, line 11, leave out from "whether" to the end of line 14 and insert

"and in what manner a person is to be removed, or considered for removal, to Rwanda under this Act or the Illegal Migration Act 2023".

This and other amendments to Clause 4 are intended to remove the ability of individuals to block their own removal through suspensive claims and to limit such claims to rare situations where there is bad faith on the part of decision-makers in relation to decisions as to medical fitness to travel.

Amendment 48, page 4, line 13, leave out from "circumstances" to end of line 14.

This amendment is intended to allow the decision-maker to consider whether the Republic of Rwanda is not a safe country in general.

Amendment 20, page 4, line 18, leave out from "that" to end of line 22 and insert

"are expressly permitted by this Act or by the Illegal Migration Act 2023".

This and other amendments to Clause 4 are intended to remove the ability of individuals to block their own removal through suspensive claims and to limit such claims to rare situations where there is bad faith on the part of decision-makers in relation to decisions as to medical fitness to travel.

Amendment 49, page 4, line 20, leave out from "circumstances" to end of line 22.

This amendment is intended to allow the court or tribunal to consider whether the Republic of Rwanda is not a safe country in general.

Amendment 37, page 4, line 23, leave out subsection (2).

This amendment ensures that decision-makers are still able to consider the risk of refoulement when making individual decisions on removals to Rwanda.

Amendment 50, page 4, line 23, leave out subsections (2) to (7).

Amendment 2, page 4, line 27, at end insert —

"(2A) Any review or appeal under subsection (1) may be considered only after the person in question has arrived in Rwanda.

(2B) The Secretary of State may provide any necessary technical assistance, including access to video-links, to the person in question if it appears reasonable to a Minister of the Crown that such assistance should be provided in order to enable the person in question to request a review or make an appeal after their arrival in Rwanda.

(2C) The Secretary of State may provide any necessary incidental or medical assistance to the person in question if it appears reasonable, in the circumstances of that individual person in question, to a Minister of the Crown that such assistance should be provided in order to enable the person in question to travel to, and if necessary to be looked after or quarantined following arrival in, the Republic of Rwanda.

(2D) Any decision by a Minister of the Crown in relation to subsection (2B) or (2C) shall be final for all purposes and may not be considered or questioned in any tribunal or court."

This amendment would allow reviews and appeals to take place only after the person had reached Rwanda; allow video-links for an appeal made from Rwanda; authorise the provision of any necessary medical help or quarantine on the way and if necessary after arrival in Rwanda; and prevent the courts from questioning decisions on assistance made by Ministers.

Amendment 3, page 4, line 28, leave out subsections (3) to (6) and insert—

"(2E) No order for an interim remedy under this section may be made by any tribunal or court."

Amendment 21, page 4, line 34, leave out from "is" to end of line 37 and insert

"expressly permitted to do so by this Act or by the Illegal Migration Act 2023"

This and other amendments to Clause 4 are intended to remove the ability of individuals to block their own removal through suspensive claims and to limit such claims to rare situations where there is bad faith on the part of decision-makers in relation to decisions as to medical fitness to travel.

Amendment 57, page 5, line 1 , at end insert—

"'compelling evidence' may not include foreseeable risk of any kind of harm to a person if that person has—

(i) participated or engaged in any activity, or made any communication containing serious allegations, which has led directly to bringing into question the safety of the Republic of Rwanda in the particular individual circumstances of that person, or

(ii) colluded or conspired with any other persons who have participated or engaged in any activity, or in any communication containing serious allegations, which could lead to bringing into question the safety of the Republic of Rwanda in the particular individual circumstances of that person."

This amendment would prevent the Secretary of State, an immigration officer or a court or tribunal considering a claim that Rwanda was not a safe country for the particular individual circumstances of a person if that person had deliberately tried to put themselves in jeopardy if they were removed to Rwanda.

Amendment 22, page 5, line 7, at end insert —

"(8) The Illegal Migration Act 2023 is amended as follows.

(9) In section 8 at the end insert—

'(18) In relation to notices under subsection (2) which specify Rwanda as the country of destination —

(a) paragraph 2(b) does not apply, and

(b) subsections (3) to (7) do not apply.'

(10) After section 8 insert—

'8A Finality of decisions

(1) Subsections (2) and (3) apply in relation to persons named in notices as described in subsection 8(18), and all matters, decisions, or conclusions reached in relation to their selection, processing, detention, and removal.

(2) These matters, decisions, and conclusions are final, and not liable to be questioned or set aside in any court or tribunal.

(3) In particular—

(a) the decision maker is not to be regarded as having exceeded its powers by reason of any error made in reaching the decision;

(b) the supervisory jurisdiction does not extend to, and no application or petition for judicial review may be made or brought in relation to, the decision.

(4) Subsection (5) applies only in relation to decisions as to medical fitness to travel to Rwanda.

(5) Subsections (2) and (3) do not apply so far as the decision involves or gives rise to any question as to whether the decision maker is acting or has acted in bad faith.

(6) The court of supervisory jurisdiction is not to entertain any application or petition for judicial review in respect of a decision relating to a removal or proposed removal to Rwanda that it would not entertain (whether as a matter of law or discretion) in the absence of this section.

(7) In this section—

"bad faith" means dishonesty or personal malice, and does not include unreasonableness or actions taken which are inconsistent with international law;

"decision" includes any purported decision;

"first-instance decision" means the decision in relation to which permission (or leave) to appeal is being sought;

"the supervisory jurisdiction" means the supervisory jurisdiction of—

(a) the High Court in England and Wales or Northern Ireland,

or

(b) the Court of Session, in Scotland,

and

"the court of supervisory jurisdiction" is to be read accordingly.'

(11) After the cross-heading 'Entry, settlement and citizenship', insert—

'29A Exclusion of certain provisions relating to entry, settlement and citizenship

Sections 30 to 37, and the other legislation therein mentioned or referred to, shall not apply if they have the effect of preventing or delaying any removal notified under this Act to Rwanda.'

(12) After the cross-heading 'Legal proceedings' insert—

'37A Exclusion of certain provisions relating to legal proceedings

(1) Subsections (2) and (3) apply in relation to persons named in notices as described in subsection 8(18).

(2) Suspensive claims, as defined in section 38, are not available in relation to such persons.

(3) Where suspensive claims (including any appeals) have been commenced prior to the giving of notice, such claims and any pending appeals are null and void and shall not prevent removal or have any other legal effect.'"

This amendment limits the ability of courts to review, and restricts suspensive claims that may be made, in relation to the decision to remove a person to Rwanda.

Clause 4 stand part.

New clause 6—*Changes to the classification of Rwanda as safe*—

"(1) A Monitoring Committee overseeing removals to Rwanda must be established

and maintained in accordance with Article 15 of the Rwanda Treaty.

(2) Section 2(1) of this Act does not apply if—

(a) the Monitoring Committee established under subsection (1) has formally concluded that the Republic of Rwanda is in breach of its obligations under that Treaty,

(b) the Secretary of State has advised against travel to the Republic of Rwanda, or

(c) if a court or tribunal has found the Republic of Rwanda to be unsafe in accordance with subsection (3) below.

(3) On an application for judicial review, if a UK Senior Court determines that credible evidence exists that the Republic of Rwanda is no longer safe on the basis of non-compliance with its obligations under the Rwanda Treaty, nothing in this Act shall prevent a court or tribunal from further considering an application for judicial review brought by an individual so affected."

This new clause places the Monitoring Committee for the Rwanda Treaty on a statutory basis, and places conditions on when the classification of Rwanda as 'safe' can be suspended in accordance with material conditions and/or non-compliance with obligations under the Rwanda Treaty.

Amendment 28, in clause 9, page 6, line 38, after "Act" insert "except section 2".

This is a paving amendment for Amendments 29 and 30.

Amendment 29, page 6, line 39, at end insert—

"(1A) The Secretary of State may by order made by statutory instrument bring section 2 into force."

This Amendment makes the commencement of Clause 2 (Safety of the Republic of Rwanda) subject to a commencement order.

Amendment 30, page 6, line 39, at end insert—

"(1B) The Secretary of State may not make an order under subsection (1A) before—

(a) at least 30 days have elapsed since the Rwanda Treaty entered into force, and only if

(b) the Secretary of State is satisfied with the extent of the implementation by Rwanda of its domestic obligations under the Rwanda Treaty since the Treaty entered into force."

This Amendment makes the commencement order for Clause 2 (Safety of the Republic of Rwanda) contingent on the Secretary of State being satisfied with the implementation by Rwanda of its domestic obligations under the new Treaty.

Alison Thewliss: The SNP has brought forward these amendments to this appalling Bill not because we really believe that there are improvements that can be made to it, but because that is the limitation of the process we have in front of us this afternoon. The Bill is irredeemably awful in each and every provision and clause, and in the intent behind it. And it will not work. Like the hostile environment that came before, the Nationality and Borders Act 2022 and the Illegal Migration Act 2023, which got Royal Assent only 180 days ago, it will fail to reach its objectives because it fails to engage with reality. The more I hear from Members on the Government Benches on the issue, and from the many Home Office Ministers who have come and gone, I can only feel that they just do not understand why people seek sanctuary on our shores. They are astonishing in their ignorance and baffling in the lack of effort they put into understanding.

One reason people come to the UK is its—now clearly defunct—reputation for fairness and the rule of law, which the Bill comprehensively shreds. The Joint Council for the Welfare of Immigrants has highlighted the impact that all of that has had on the people it deals with, and told me about a Kurdish client who fled Iran under a death sentence from the Iranian Government. On arriving in the UK, he was issued with a removal notice to Rwanda. He said:

"The reason I came to England was that I knew I will be safe in the UK, and also, I was trapped by the smugglers…When I received the news"—

that he would be sent to Rwanda—

"it felt like death again to me."

He was relieved by the Supreme Court ruling because he thought he would be safe, but now he has had the rug pulled from underneath him yet again.

Sir Desmond Swayne (New Forest West) (Con): On a point of order, Madam Chairman. The hon. Lady's speech seems more appropriate for Second Reading. It would be helpful if she could direct her attention to the amendments, about which we are interested to hear what she has to say.

The First Deputy Chairman: It is actually amendments and clause stand part, so that gives a wider scope than perhaps the right hon. Gentleman realises.

Alison Thewliss: I am glad the right hon. Gentleman has had your advice, Dame Rosie, on the subject of the debate.

To put the issue into context, every single week I sit in front of people at my advice surgery and listen patiently to the stories of the constituents who come to see me. I have read their Home Office statements: they have been through trauma, made perilous journeys at unimaginable cost, been tortured and bear the scars, both physical and mental. They have seen their relatives murdered, run rather than be forcibly recruited into an army that would kill and rape their loved ones, and been victims of trafficking and slavery. They have been unable to hide their views or their identity from those who would persecute them, and seen the stable life they had built crumble before their eyes. They never planned to be sitting on a random Friday morning in a community centre in Glasgow, in tears, before a Member of some other country's Parliament. They do not understand why this UK Government treat them so poorly, disbelieve them, force them to wait, prevent them from working and keep them apart from the only loved ones they have left. I cannot comprehend it either.

Michael Fabricant (Lichfield) (Con): On that point, will the hon. Lady give way?

Alison Thewliss: I will if the hon. Gentleman can tell me why the Government treat people so cruelly, I will.

Michael Fabricant: I have been listening with interest to the compassion that the hon. Lady is expressing, but could she tell me how many illegal asylum seekers per head of population Scotland is accommodating, and how many illegal asylum seekers per head of population England is accommodating?

Alison Thewliss: The hon. Gentleman should inform himself, because there is no such thing as an illegal asylum seeker in the first place.

Michael Fabricant *rose—*

Alison Thewliss: The hon. Gentleman can sit down; he has made his point.

Fellow human beings, from Afghanistan, Syria, Yemen, Libya, Iran, Iraq, Ethiopia, Eritrea, Sudan, China, the Democratic Republic of the Congo and Cameroon, Tamils from Sri Lanka, Ahmadiyyas from Pakistan—all of those and more—have given me just the tiniest of insights into their lives. It is a privilege to know them and to help them as much as I can as their MP.

Glasgow is home to many different nationalities and it gives me great pleasure to attend community events and celebrate the diversity that enriches us: to learn to dance the attan sway and to teach Afghan Scots to do the Gay Gordons and Dashing White Sergeant in return; to sing, very badly, alongside the wonderful Maryhill Integration Network Joyous Choir; to share the most delicious food with AfricAlba and Africa Future; or to play football, as badly as I sing, in the refugee football tournament that is held every year in Scotland, organised by Councillor Abdul Bostani.

Sir Desmond Swayne: On a point of order, Dame Rosie. I do not want to try your patience, but clause 2 is about the safety of Rwanda and what the hon. Lady is saying has nothing to do with that at all.

The First Deputy Chairman: I thank the right hon. Gentleman for his point of order. Please can he leave it with me? It is rather discourteous to keep disrupting the debate. I assure him that I will keep a close eye on proceedings. If the hon. Lady veers off track, I will make sure she gets back on track, but can we not have the debate disrupted constantly like this?

Alison Thewliss: Perhaps the right hon. Gentleman would like to come along to listen to Olivia Ndoti and the women at the Women's Integration Network in Glasgow. Perhaps he will hear from people from Rwanda—this Government grant asylum to people from Rwanda, because their country is not safe.

I do not believe that anyone who supports this awful Bill can do so knowing the people it will affect. It is laid out in such cruel terms that they would remove the rights of our fellow human beings simply for seeking sanctuary and safety. It undermines our obligations under international law and denies the need for individualised protection, which is guaranteed under the anti-trafficking convention. That this Government seek to declare a country safe by legislating for it to be so is an absolute affront. Amendment 48 simply seeks to change "safe" to "unsafe". For every decision maker to be forced to declare any country safe—regardless of the facts in front of them, regardless of their own knowledge and regardless of circumstance—flies in the face of the justice and the rights that the UK is supposed to stand for. It is illogical. Amnesty has called this "treating fact as false".

Tim Loughton (East Worthing and Shoreham) (Con): Amendment 45, as the hon. Lady has just said, would permanently designate Rwanda an unsafe country. She has just complained about decision makers having to designate it the other way. Therefore, first, what is the difference? Secondly, is that not offensive to Rwanda? Thirdly, is that not worrying to the 100-plus refugees from Libya whom the UN recently settled in Rwanda? Under what circumstances would she then agree to legislation that recognised Rwanda again as a safe country?

Alison Thewliss: I believe that it is fundamentally unwise to recognise countries as safe in perpetuity, because things are unsafe. This amendment highlights the illogicality of this Bill. These things should not be legislated on at all. The hon. Gentleman mentions the Libyans who are being transited through Rwanda. They are not settling in Rwanda; they are being transited through Rwanda to other countries such as Canada.

Tim Loughton *rose—*

Alison Thewliss: I wish to make some progress. The hon. Gentleman will be able to contribute later on.

I wish to touch on what the United Nations High Commissioner for Refugees has said about this. It has reviewed the updated UK-Rwanda scheme and it says:

"It maintains its position that the arrangement, as now articulated in the UK-Rwanda Partnership Treaty and accompanying legislative scheme, does not meet the required standards relating to the legality and appropriateness of the transfer of asylum seekers and is not compatible"—

it is not compatible—

"with international refugee law."

[Alison Thewliss]

Equally, this Bill does not have any kind of sunset clause, or a set of circumstances by which it can acknowledge a change in the situation in Rwanda. That is foolhardy, and it is bad legislation. The clauses that talk about mere monitoring of the situation do not go far enough. That is a prime example of the incompetence of this legislation and how it cannot really be made to work.

There has been ongoing tension, for example, with the neighbouring Democratic Republic of the Congo, where recently re-elected President Tshisekedi has been quoted as saying in relation to Rwandan-backed M23 rebels:

"If you re-elect me and Rwanda persists…I will request the Parliament and Congress to authorise a declaration of war. We will march on Kigali. Tell Kagame those days of playing games with Congolese leaders are over."

I ask Conservative Members what would happen to their precious treaty and to this legislation should such a situation escalate. None of us wants to see that, but it could happen. More importantly, what would happen in the interim to anybody the Home Secretary had sent to this unsafe situation in Rwanda? They would not be able to bring them back. That person would be stuck in a situation of conflict.

It is beyond me how Conservative Members, including former Ministers and members of the legal profession, can sign up to amendments shredding the rule of law and human rights. Our amendments 46 to 50 are, at the very minimum, an attempt to reinstate the powers of our courts and tribunals to do their work. They are the people qualified to make these decisions, and they do so for the most part with great diligence. Their services are stretched and there is much more that could be improved were the UK Government not chucking away hundreds of millions of pounds on distractions such as this legislation that they bring here today.

The Government have recently published their consultation response on safe and legal routes, following the Illegal Migration Act 2023, and it offers nothing. It offers no change whatsoever—no new safe and legal routes that would help to resolve the situation. The Refugee Council has presented a credible alternative, and the Minister could not be less interested.

I honestly do not know what to say about the amendments of the former Minister, the right hon. Member for Newark (Robert Jenrick), and his cabal. It sickens me that they would treat people in this way. Surely the only way in their minds that they can justify treating asylum seekers in this way is if they consider them to be less. If they do not matter, they can therefore be shipped off as if they were some kind of inconvenient waste. This is stirring up fear and hatred of people who only came here to ask for our protection. These are real lives; it is not some political game. I say to Conservative Members who are focused on this Tory psychodrama that this is about real people and real people's lives. We on the SNP Benches see them as humans, just like us. Shame on all those Members.

1.45 pm

I would like to have seen much more from the Labour party in opposing this vile legislation. Labour Members concern themselves today simply with the risk of refoulement, not the tawdry practice of offshoring asylum seekers. Labour's new clause 6 merely seeks to monitor the shoddy deal, not to dismantle it. Last week, they would not be clear whether it was the principle of Rwanda or just the costs that they found problematic. I ask the shadow Minister, would he revoke this legislation?

We are seeing courts being overruled and people being treated as if they were less than human—as if they were not entitled to the rights that we all expect. These are dark days. This is not normal and nor should it become so. We on the SNP Benches will fight this rotten Bill all the way—today, tomorrow, and any opportunity that we get. Not in our name.

Robert Jenrick (Newark) (Con): I rise to speak in favour of the amendments in my name and that of my hon. Friend the Member for Stone (Sir William Cash).

A single question—at least on the Conservative Benches—hangs over this debate: what works? It does not matter whether this is the most robust piece of immigration legislation that we have ever considered. That is not relevant. It does not matter whether this is a suitable compromise between this faction or that. That might be a noble aim, but it is not what we are here to do on behalf of our constituents today. What matters is whether this scheme works. Why does that matter? It matters because illegal migration is doing untold damage to our country. It is costing us billions of pounds. It is exploiting tens of thousands of people. It is leaving a trail of human misery across Europe, north Africa and beyond. People are drowning in the English channel and will continue to do so month after month. We must fix this problem. We in this House have the power to do so, and the responsibility is on our shoulders. The question is: are we willing to do it.

The current Bill does not work. The test of whether it works is not whether we can get a few symbolic flights off in the months ahead, with a small number of illegal migrants on them. The test is whether we can create the kind of sustainable deterrent that we set out to achieve—the sustainable deterrent that my right hon. Friend the Member for Witham (Priti Patel) set out to achieve when she secured this groundbreaking deal with Rwanda. It is the kind of deterrent that protects not just this country for generations to come from the scourge of illegal migration, but the whole continent of Europe. I can tell all right hon. and hon. Members that, having spoken to almost every Interior Minister and Immigration Minister not just in Europe, but in Egypt, Tunisia, Morocco and Turkey, they all ask, "When will you get this policy up and running? Will it work?" And they want it to work. They know that if we can create a sustainable deterrent, we will stop people coming, we will secure Europe's borders and we will save lives. In an age of mass migration, this is one of the most important challenges that we face.

Sir Chris Bryant: I completely agree with the right hon. Gentleman about one thing: this Bill will not work. I do not think it will work if it includes the amendments that he has tabled, either. That is because he and I have come to a completely different position on the nature of the deterrence and whether it would work at all. It seems to me self-evident that there must be an enormous deterrent if you have to get in a tiny boat, risking your life as a pregnant woman with children

beside you, having paid thousands of pounds to a vile, despicable people trafficker. What evidence does he have that this plan, this gimmick, is any more of a deterrent than that?

Robert Jenrick: If the hon. Gentleman were right, hundreds of thousands of people would not be making that very journey every year. Millions of people in the world want to make that journey. There are thousands of people in France seeking to pay people smugglers to come to our country. The only way we will stop that is if we break the people smugglers' business model once and for all, so that it is clear beyond doubt that if people come to this country, they will be detained and swiftly removed to Rwanda or another safe country.

Where the hon. Gentleman is wrong is that he, like those on the Labour Front Bench, believes completely erroneously that we can arrest our way out of this problem. The National Crime Agency does not support them in that contention, and I have not seen any evidence that that will work. Nobody who has looked into this problem believes that the fungible and complex gangs that stretch across Europe and beyond, which import boats for next to nothing from China, Bulgaria and Turkey, can just be arrested out of existence. Everyone says the same thing: "Create a deterrent." That is what the Rwanda policy does.

Sir Chris Bryant: Will the right hon. Gentleman give way?

Robert Jenrick: I will not give way again to the hon. Gentleman. Let me move forward and speak more directly to our amendments, because that is the purpose of today.

The amendments tabled in my name and that of my hon. Friend the Member for Stone are in four groups, two of which will be discussed today and two tomorrow. They seek to address the evident flaws of the Bill, and they represent the last opportunity for us to get this policy right. I shall speak directly to mine, and my hon. Friend can speak to the one that he leads on. Mine speak to individual claims. This is a point I have made time and again.

All my experience at the Home Office teaches me that every single illegal migrant who comes to this country will try every possible way to avoid being removed. We know that; that is what they do today. It is human nature that people would do that. We have to legislate for human nature, not against it. Every legal representative and lefty lawyer will try everything they can to support those claims. We see it every time, and experience teaches us that.

The Bill improves the situation; it makes it tighter, but in respect of only the general safety of Rwanda, not an individual's circumstance.

Caroline Lucas (Brighton, Pavilion) (Green): Will the right hon. Gentleman give way?

Robert Jenrick: I will give way to the hon. Lady in a moment. As night follows day, every migrant will say, "Rwanda may be generally safe"—I believe that it is—"but it is not safe for me." That is one of the central intellectual incoherences, as the Government's own lawyers have said, at the heart of the Bill. It envisages that Rwanda is generally safe but, for a range of unspecified reasons, foresees that it will not be safe for others. Of course, as we have seen in the past, one person will mount a successful challenge, and that will create a precedent. Every legal representative and non-governmental organisation like Care4Calais will then school everyone to make exactly the same challenge and, time and again, we will lose those cases in the courts. The Bill, in that respect, is legally flawed, but it is also operationally flawed because of that.

Let me explain to those who are, understandably, not as well versed as those of us who have been Ministers in this field: we have only 2,000 detained spaces in our immigration removal centres in this country. On a single day in August, 1,200 arrived illegally on our shores, so in a weekend, all the detained capacity in the whole United Kingdom would be consumed. When hon. Members are considering whether the Bill works, they should see it through that lens.

We have to get people out of the country within days, not months, and the operational plan behind the Bill foresees that it will take months for people to be removed from the country. What will happen is our detained capacity will be filled, and people will be bailed to hotels. They will then abscond and never be seen again. Within a single week in August, this scheme will have failed. That matters for the country and, of course, for the Government. It matters for trust in politics and Westminster, because we will have told people that it was going to work, knowing that it would not work. It also matters for all those other European countries that want the scheme to succeed in protecting our borders.

Tim Loughton: My right hon. Friend makes a good case for deterrents but, I fear, a bad case for his amendments. As the Home Affairs Committee found out, when the Rwanda scheme was announced, a big surge of people in Calais tried to regularise their status in France because they did not want to risk being sent to Rwanda, so deterrents do work. He has just said that this is the last opportunity to get this right. Does he not acknowledge that there is a large chance that his amendments would make the Bill unworkable, not least in the eyes of the Rwandan Government? In that case, there would be no deterrent, so what is the alternative?

Robert Jenrick: Let me address that question head-on. I have known my hon. Friend for a long time—he was not born yesterday. That argument is not a plausible one, in my opinion. The argument that the Rwandan Government would walk away from the scheme was raised not just at the eleventh hour, but at one minute to midnight. It is predicated on the belief that the Government of Rwanda would walk away from a scheme on the grounds that it might conceivably fall foul of the European convention on human rights, which Rwanda is not a party to, when the only reason we would fall foul of the convention would be conduct in Rwanda itself. I do not find that a plausible argument.

If that were the correct response, why then pilot a Bill through Parliament where the very front page says that the Government cannot attest to the Bill's compliance with international law? Why would the Prime Minister say that he is willing to ignore foreign judges when his own legal advice says that that is in breach of international law? Why would we pursue a policy that the UNHCR said yesterday is, in its opinion, in breach of international law? That is not a plausible argument from the Government.

[Robert Jenrick]

It was unwise of the Government to solicit that press release from the Government of Rwanda. I do not think that we should cast blame on the Government of Rwanda, because they are honourable people who want this scheme to work, and I have the highest opinion of our interlocutors in Rwanda. It is for that reason that I want to do what we said we would do when my right hon. Friend the Member for Witham created the scheme, which is to work with them in good faith to get the job done.

Mr Rob Roberts (Delyn) (Ind): Will my right hon. Friend give way?

Robert Jenrick: I will not give way at the moment; let me make some more progress on explaining the amendments, if I may.

The way that flights will work when the scheme commences is not under the Illegal Migration Act 2023 at all. The first several months of flights will involve a group of individuals whom my right hon. Friend the Member for Witham and her officials at the time selected when the Rwanda policy was first devised. Those individuals have been in the United Kingdom for years. We have lost contact with many of them and none of them can be subject to the protections in that Act.

Even if hon. Members believe that the serious and irreversible harm test within that Act is a very strict one—I will come to that in a moment—that will not apply to the flights that will go off in the months ahead. It might not apply to any flights that go off before the next general election. If we want those flights to be full of illegal migrants and for there to be a deterrent effect, hon. Members need to support the amendments I have set out, which create that strict approach.

Caroline Lucas: Will the right hon. Member give way?

Pete Wishart (Perth and North Perthshire) (SNP): Will the right hon. Member give way?

Robert Jenrick: I will give way in a moment. When we come to those individuals who are subject to the strictures of the Illegal Migration Act, the Government's contention is that the serious and irreversible harm test is a very high one. I do not think that is right. The Supreme Court's judgment lowers the bar. The revealed preference of the judiciary is to be generous towards illegal migrants and to make the scheme difficult to operationalise. As this is the last legislative opportunity for us to tackle the issue, I suggest we get it right and narrow the opportunities for the judiciary to intervene, or else we are going to find that these flights are symbolic flights, with very few individuals on them at all.

Mr Roberts: I want to touch on something the right hon. Gentleman said earlier about whether the Bill will work at all. He has often gone on the record talking about the Albania scheme, which has been very successful: there are 90% fewer Albanians coming across. In the year to September last year, 2,749 illegal migrants were returned to Albania. They did not require the amendments. The law that we currently have allowed them to be returned, and I do not remember hearing about any appeals from those people. On that basis, and given that this Bill is stricter than what we currently have, why will it not work, if the Albania scheme already works?

2 pm

Robert Jenrick: I have heard that argument advanced before, and of course I am proud of what we have achieved with the Albania scheme, but that is to judge two quite different propositions. The Albania scheme takes somebody who is in the United Kingdom and asks them to return to their home country, which is a European, highly developed country. That is a very different proposition from enforcing somebody's removal from the United Kingdom to a third country to which they do not wish to go. Also, as the hon. Gentleman may know, very few small boat arrivals have been removed to Albania. Almost all those individuals who have gone to Albania have been time-served foreign national offenders in our prisons, individuals who have voluntarily chosen to return to Albania and those who have been in the United Kingdom for a long time.

The success of the scheme rests on taking people off small boats, detaining them for very short periods of time and then removing them swiftly to Rwanda. For the reasons I have set out, I think that is extremely unlikely to succeed at any scale in the way the Bill is currently structured.

Caroline Lucas: I just point out to the right hon. Gentleman that people arrive in small boats because legal routes have been blocked. When it comes to his amendment in particular, clause 4 of this disgusting Bill already provides a very limited route for individuals to challenge their removal to Rwanda based on their individual circumstances, yet my understanding is that he is seeking to go even further to override individual legal protections—even decisions that contain errors would not be open to challenge under his amendment 22, as I understand it. How on earth is that fair, just or justifiable?

Robert Jenrick: On the hon. Lady's first point, we have had this argument many times before, and she is completely wrong. This country is one of the world's most generous countries in supporting those in need around the world. Since 2015 we have issued more than half a million visas on humanitarian grounds, more than at any time in our history. On her point about my amendment, it is not correct to say that we would not enable people to challenge on their individual circumstances; they could, but those challenges could not be suspensive. Individuals would arrive in the UK and within days—which is critical to the success of the scheme—they would be removed to Rwanda. There they could bring forward claims as they might wish, but it would not block the flights, and that is critical. Without that, the scheme will simply not succeed.

Sir Chris Bryant *rose—*

Robert Jenrick: I will not give way to the hon. Gentleman.

The amendment also says there very narrow grounds on which individuals will not be put on flights, grounds that the Home Office is very used to dealing with through fitness to travel requirements. That is a concept that is well known and understood and I am certain it would work.

What does the amendment do that is different? It narrows down the reasons for which individuals could make claims and makes the scheme legally and operationally workable for the first time. We have tried to be constructive in tabling amendments. The Prime Minister set a test for me, and for anyone who shares my determination to tackle this issue, as follows: that he would accept any amendment, whether or not it strengthened the Bill, if there were respectable legal arguments in international law in their favour. We can argue about whether that test is the right one. Personally, I feel very strongly that there are times when contested notions of international law should not surpass either parliamentary sovereignty or, above all, the interests of our constituents, and border security and national security are the prime responsibilities of any Government. But that was the test, and we have met the test.

We instructed a very eminent lawyer, John Larkin KC, former Attorney General of Northern Ireland, to provide us with an opinion. The opinion says that each and every one of the amendments in my name and that of my hon. Friend the Member for Stone are compliant with international law. Unless the goalposts have been shifted by the Government, I see no reason why the Prime Minister and the Minister could not accept the amendments and enable us to strengthen this Bill once and for all.

In conclusion, at the outset I said there was one question hanging over this debate: what works? However, there is a further question: how much are we willing to do to stop the boats? How willing are we to take on the vested interests, balance the trade-offs and take the robust steps that will actually work? The only countries in the world that have fixed this problem, latterly Australia and Greece, have been willing to take the most robust action. Are we? I am. I want to stop the boats and secure our borders.

This is a difficult issue, but we are not a parish council struggling with some kind of intractable legal problem. We are a sovereign Parliament. The power is in our hands. We have agency. The law is our servant, not our master. I urge all right hon. and hon. Members to support the amendments in my name and the name of my hon. Friend the Member for Stone and create a scheme that works. That is what our constituents expect of us and that is the promise that the Prime Minister has made to them and the whole country.

Stephen Kinnock (Aberavon) (Lab): I rise to speak in favour of amendments 35 and 37 and new clause 6, tabled in my name and the name of my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), the shadow home Secretary.

I start by reminding the Committee and anyone watching at home that the Labour party is opposed to this Bill in its entirety, for the simple reason that we are opposed to the Rwanda scheme in its entirety. We have been clear that we need to stop the Conservative small boats chaos and we need to fix our broken asylum system, but those aims can only be achieved by way of measures that are based on common sense, hard graft and international co-operation, as opposed to headline-chasing and government by gimmick from those on the Conservative Benches.

The Conservatives like to accuse us of opposing everything that the Government are doing to stop the Tory small boats chaos, but that is simply not the case. We on the Labour Benches fully support measures such as the deal with Albania, because that is the sort of sensible, pragmatic action that can make a tangible difference. We have repeatedly made our support for that course of action crystal clear, if only the Conservatives would care to listen. However, the Labour party will never support any proposal that is unaffordable, unworkable or unlawful.

Janet Daby (Lewisham East) (Lab): Does my hon. Friend agree that the Government are being extremely neglectful with the public purse by throwing money at a Rwanda scheme that simply will not work?

Stephen Kinnock: My hon. Friend is absolutely right: it is quite remarkable that a party that used to pride itself on being the party of fiscal rectitude is throwing £400 million of taxpayers' money at the Government of Rwanda for precisely nothing. So far, all they have got for it is that they have sent three Home Secretaries to Rwanda, but not a single asylum seeker.

The Rwanda plan is all of the above: it is unaffordable, it is unworkable and it is unlawful. It is unaffordable to the British taxpayer because a truly staggering £400 million of our taxpayers' money is on the way to the Rwandan Government without a single asylum seeker landing in Rwanda. It is unworkable because we know that the Rwandan authorities are capable of taking less than 1% of the 30,000 who crossed the channel in small boats in 2023, according to the Court of Appeal. In order for a deterrent to be effective, it must be credible. Surely even the most ardent supporter of this policy would acknowledge that such a tiny chance of being sent to Rwanda will never deter someone who has risked life and limb and crossed continents to escape persecution and violence.

Wera Hobhouse (Bath) (LD): The Foreign Office recently admitted that hundreds of Afghans who are eligible for resettlement have not been brought into the UK. They exemplify the need for safe and legal routes. Are they not exactly the people who are risking life and limb because they do not have access to legal and safe routes, which the Government should provide?

Stephen Kinnock: The hon. Lady is right. The Afghan schemes are a case in point. The Afghan relocations and assistance policy has more or less collapsed, the Afghan citizens resettlement scheme is not working at all, and which nationality is always in the top two or three that are crossing on small boats? The Afghans. It is pretty straightforward.

We oppose the Rwanda policy because it is not a deterrent; it is a distraction. It would be far better, as the shadow Home Secretary, I and others have set out many times in this Chamber, to redirect the vast quantities of taxpayers' money being wasted on the Rwanda scheme into a new cross-border police unit and a new security partnership with Europol that can smash the criminal smuggler gangs upstream.

Andrew Gwynne (Denton and Reddish) (Lab): My hon. Friend is making an important point about how we need to co-operate much more intensively with the law enforcement agencies across Europe. The brutal fact is that these gangs are putting people into boats

[Andrew Gwynne]

that were made for rivers, not seas, in treacherous conditions. Who in their right mind would go in one of those dinghies in the English channel right now? But people are being forced to do that by the gangs. We need to smash the gangs, and we can do that only by working with our colleagues across Europe to ensure that we bring the situation to an end.

Stephen Kinnock: My hon. Friend is absolutely right. If we accept that international co-operation with our European partners and allies must be at the heart of dealing with the gangs, as he so eloquently sets out, the possibility of that co-operation is fundamentally undermined when our Government are flagrantly prepared to break international law, which should underpin the trust that is a prerequisite for all such co-operation. Co-operation based on joint working and intelligence-sharing with our partners and allies is possible only if Britain is deemed a trustworthy partner.

That brings me to the third reason for our opposition to the legislation and the amendments tabled by so many Conservative Members. We find ourselves in the utterly extraordinary position of debating a Government policy that has been found to be unlawful by the highest court in our land. Amendment 35, which I will come to shortly, reflects that very fact. We find ourselves confronted by a Government who are seeking to legislate for an alternate reality. Although Ministers appear to believe that they can pass a Bill that determines that the sky is green and the grass is blue, that does not make it so.

Sir William Cash (Stone) (Con): Has it escaped the hon. Gentleman's notice that one claim was dismissed by the Supreme Court judgment on Rwanda? That was an Iraqi in the case of ASM. The reason was very simple: the Court made it crystal clear in paragraph 144 of its judgment that the issue in question, as far as that claimant was concerned, was undermined by clear and unambiguous words in an Act of Parliament. In other words, the sovereignty of Parliament prevailed.

Stephen Kinnock: Of course Parliament is sovereign, and of course we in this place are sent here to make laws, but we must make those laws with restraint; we must make them while respecting the judicial function. The separation of powers is fundamental to our identity as a liberal democracy, so although the hon. Gentleman very often talks about the sovereignty of Parliament, it is vital that his comments are always founded on the principle of separation of powers and the checks and balances that it gives us.

Richard Graham (Gloucester) (Con): Just to tease out a little more Labour policy on the specific issue that the hon. Gentleman referred to, is he ruling out any consideration of this House determining to overturn the wrongful convictions of hundreds of sub-postmasters simply because that would set a new precedent in the relationship between this House and the courts?

2.15 pm

Stephen Kinnock: Well, that is an interesting one; I did not have talking about the sub-postmasters scandal on my bingo card today. Parliament is free to legislate in any way it wishes, but it has to do so in full recognition of the view of the courts. I know that a number of eminent legal experts have raised concerns about the Government's proposed approach on the sub-postmasters. We have to see precisely how the detail looks, and it is our duty in this Parliament to scrutinise it carefully to ensure that we are not setting dangerous precedents. I would argue that there is no doubt whatsoever that the Bill before us would set a profoundly dangerous precedent because it seeks to directly overturn the findings of the highest court in our land, and that is a toxic approach.

John Redwood (Wokingham) (Con): Has the shadow Minister not seen all the comments and budget lines that the Government have put out stating that they are co-operating extensively and fully with continental countries in trying to crack down on the awful trade that is leading to deaths in small boats? The proof is that money is sent to France to help the French with their task. There is no evidence that they are not co-operating.

Stephen Kinnock: The co-operation with France is to be welcomed. The problem is that it is too far downstream. We need far better co-operation upstream, which is about sharing data and fixing the issue with the databases—the shadow Home Secretary and the Leader of the Opposition visited Europol recently to come forward with very practical and detailed plans around getting the data-sharing right. That may address the issue of the falling number of prosecutions of criminal smuggler gangs on this Government's watch and the number of returns and removals falling by 50% since 2010. Again, we go back to the point about putting more energy and resources into the pragmatic and sensible things that can actually make a difference, as opposed to being distracted by this madcap Rwanda scheme.

It is mark of a liberal democracy that courts are independent of Parliament and the Executive. We on the Labour Benches believe passionately that that separation of powers is a fundamental and immutable element of what makes us proud to be British. Not only are we opposed to the specifics of the Bill, but we are deeply troubled by what it represents in a broader sense.

Robert Jenrick: Over the Christmas period, the Labour Front Benchers anonymously briefed *The Times* saying that they would want to pursue an offshore processing model. Is that the position of the hon. Gentleman and the shadow Home Secretary, and if so, why would they want to do something that is known to be more expensive and less effective—everyone would have to be brought back to the United Kingdom one way or another, so that would create no deterrent whatsoever—and not move forward with a scheme such as Rwanda?

Stephen Kinnock: I thank the former Immigration Minister for his comments. I enjoyed opposing him and, on some occasions, working with him. Look at the Ukraine scheme. That is an example of offshore processing: people's applications were processed in Poland before they came to our country. Look at the Hong Kong scheme. There are plenty of ways of doing upstream and offshore processing. To coin a phrase, what matters is what works. What is absolutely clear is that it is difficult to imagine any scheme that could be more expensive than the Rwanda policy. I will now make some progress.

I cite the view of the Bingham Centre for the Rule of Law and countless other legal experts, who have stated that the Bill is contrary to the rule of law because it amounts to a legislative usurpation of the judicial function. It is an assault on our country's constitutional conventions, which require the legislature to respect the essence of the judicial function. Moreover, there is a staggering hypocrisy at the heart of the Bill when we consider it in the context of the treaty that has been signed with Rwanda. The purpose of that treaty is to bind the Rwandan Government into respecting the rule of law, and in particular the principle of non-refoulement. How on earth can Ministers hold the Rwandan authorities to account on these matters if they themselves are so blatantly and egregiously failing to practise what they preach?

Tim Loughton: It is a little disingenuous to liken this process to the Ukrainian scheme. The only criteria for the Ukrainian scheme were that a person had to be Ukrainian and come from Ukraine.

The hon. Gentleman has said that enforcement has gone down. Up to the end of November 2023, Home Office immigration enforcement arrested 246 people for people smuggling into the UK, and there were 124 convictions. That is in addition to those arrests and convictions that have happened on the continent, so in what sense are those figures declining, as the hon. Gentleman has just claimed?

Stephen Kinnock: There has been a 30% drop since 2010 in convictions of criminal smuggler gangs, and a 50% drop since 2010 in removals. I would be very happy to write to the hon. Gentleman with clear details of those facts—we have the receipts.

It is against that fundamentally flawed and farcical backdrop that we seek to modify the legislation that is before us today. Our amendments are an attempt at damage limitation—an effort to moderate the most egregious aspects of this nonsensical and counterproductive Bill. Our amendment 35 acknowledges that, in November of last year, the Supreme Court upheld the Court of Appeal judgment. It ruled unanimously that the Rwanda policy was unlawful, because there were substantial grounds to believe that people transferred to Rwanda could be sent to countries where they would face persecution or inhumane treatment if Rwanda rejected their asylum claims, a practice known as refoulement.

The reason for those concerns relates to an issue that I first raised at this Dispatch Box back in April 2022, when the Rwanda plan was first announced. When Israel signed its deal with Rwanda in 2013, many of the asylum seekers who were sent from Israel to Rwanda were routinely moved clandestinely to Uganda, and in three cases, refoulement to Eritrea via Kenya was prevented only by the UNHCR intervening. It is little wonder that the Israeli Supreme Court ruled the scheme unlawful in 2018, and it was closed down. In December, the Government signed a treaty with the Rwandan Government that says that refoulement is prohibited, and that anyone removed to Rwanda from the UK must be allowed to stay in Rwanda. Indeed, the only country to which people can be transferred from Rwanda is the UK, which under the deal must also accept some of Rwanda's most vulnerable refugees and offenders sent back from that country.

That in itself tells a story. The fact that the UK Government and the Rwandan Government have agreed that Britain might need to take some Rwandan refugees is a stark admission that Rwanda is not a safe country for many people. Indeed, since the first £120 million payment by the British Government to Rwanda, six Rwandans have been granted safety and refuge in the UK. Then there is the tragic fact that Ministers are simply too afraid to address. In 2018, 12 Congolese refugees were shot dead by Rwandan police for protesting against food shortages. Our amendment 35 therefore permits British courts and tribunals to recognise and deal with the specific risks of refoulement associated with Rwanda by removing the relevant text from clause 2 of the Bill.

Likewise, our amendment 37 makes clear that decision makers must be able to take the risk of refoulement into consideration when processing asylum claims. The Bill designates Rwanda as a safe country, and therefore makes clear that

"Every decision-maker must conclusively treat the Republic of Rwanda"

as such. It states that the Bill

"does not permit a decision-maker to consider any matter, claim or complaint to the extent that it relates to the issue of whether the Republic of Rwanda will or may remove or send the person in question to another State in contravention of any of its international obligations (including in particular its obligations under the Refugee Convention)."

However, as the Government have previously acknowledged, the facts on the ground can change, and decision makers should therefore be able to make their own judgments based on the latest court rulings. As such, we see no reason not to let decision makers do their jobs and make decisions based on all the knowledge available to them as the situation evolves, as opposed to the frankly absurd idea that Rwanda can be defined as safe in perpetuity.

I turn now to our new clause 6. The new treaty states that Rwanda is committed to addressing concerns that are laid out in the Supreme Court judgment, including refoulement. New clause 6 would help to ensure that Rwanda can be held accountable on its treaty commitments by placing the monitoring committee for the Rwanda treaty on a statutory basis, and by placing conditions on when the classification of Rwanda as safe can be suspended in accordance with the material conditions and/or non-compliance with obligations under the treaty. As things stand, the Government could vary the operating principles of the monitoring committee without it being possible for such changes to be challenged in our domestic courts. Our new clause 6 therefore addresses that unacceptable position by placing the monitoring committee on a statutory footing, making it judiciable and thus, by definition, more transparent and accountable. We see no reason why Government Members and Members across this House should oppose the principles of transparency and accountability on which our new clause 6 is based, and we hope they will join us in the Aye Lobby later.

Turning briefly to the amendments tabled by Government Members, I would point out that even one of their own colleagues, the right hon. Member for Ashford (Damian Green)—the chair of the One Nation group—has described many of those amendments as "authoritarian" and a betrayal of Conservative values. He is right. The Bill in

[Stephen Kinnock]

its current form is already an assault on our reputation as a country that upholds the separation of powers and the rule of law, and the majority of the amendments tabled by Government Members would take us even further away from those basic democratic principles. Let me be clear: Labour Members will proudly be voting against the amendments that are being promoted by Conservative Members, because the Government's Rwanda policy is unaffordable, unworkable and unlawful; because the Bill is an affront to the values that we hold dear; and because we will always stand up for the separation of powers, the rule of law, and ensuring that we can stand tall in the world.

Robert Jenrick: The hon. Gentleman is very kind to give way a second time. I have listened to him carefully, but I have not heard an answer to one of the central questions of the debate. It is the Government's view that Rwanda is a safe country; what is the view of the Labour party? Is Rwanda a safe country? I think we would all be interested to know the Labour party's position—I know the Government of Rwanda would be interested.

Stephen Kinnock: I thank the right hon. Member for that intervention. I do not think I could have made it any clearer that we believe in the rule of law and the judicial function, and when the Supreme Court of our land rules that it is not safe to send asylum seekers to Rwanda, we on the Labour Benches absolutely agree with that position.

We have seen some pretty bizarre stuff emanating from the Conservative Benches over the decades, but when the history books of the past 14 years are written, the Conservatives' psychodramas over this Rwanda policy will surely take centre stage. Just think of the astonishing amount of Government time that has been ploughed into this unaffordable and unworkable nonsense, when Ministers and officials could have been focused on the design and delivery of the sorts of sensible, practical measures that I mentioned earlier. Just think of the vast amounts of political capital that the Prime Minister has squandered on a policy that he does not actually believe in, that his Home Secretary has privately pooh-poohed—if you will pardon the pun, Chair—and that has left his leadership in tatters.

The legislation before us is a sham, but in the interests of damage limitation, I urge Members to get behind Labour's amendments today. Of course, most crucially, I urge them to vote down this Bill on Third Reading, and get behind Labour's plan to deliver the security partnership and cross-border police unit that will smash the criminal gangs, defeat the people smugglers, and stop the Tory boats chaos once and for all.

2.30 pm

Sir William Cash: We want the Bill to succeed. We want it to work and to do what our voters want, but at present it does not. Clause 2, as it stands, does not work, which is why I shall press my amendment 10 to a vote, supported as it is by well over 60 Members of Parliament. Clause 2 needs to be amended with clear and unambiguous words, and with a full "notwithstanding" formula, not the one currently on offer. This formula has been used throughout our legislative history, for hundreds of years, but most recently it has been enacted in our most important domestic constitutional legislation, without opposition—namely, in section 38 of the European Union (Withdrawal Agreement) Act 2020.

The sovereignty of the Crown in Parliament is democracy, and it is described in a leading case by the great Lord Bingham, our greatest modern jurist, as the "bedrock of our constitution". Democracy delivers the wishes of the voters who elect us through the legislation that we pass as Acts of Parliament, and it is this democracy for which people fought and died. Nothing can be more important to their daily lives, including illegal immigration, and that is why this issue is so important.

However, it is also important to stress that genuine refugees are fairly protected—this country has always done that—as in the case of Afghanistan, Hong Kong and so forth. Yesterday's YouGov poll makes it clear how strongly people feel about all this. It is a legal and constitutional, and therefore also essentially political, problem.

The reason why sovereignty is so fundamental is that the courts recognise that they have a duty to interpret, adjudicate on and obey the laws made under that parliamentary sovereignty, where legislative words are clear, express, explicit and unambiguous. Therefore, the use of a comprehensive "notwithstanding" formula, as in my amendment, would ensure that we make the Bill work in line with its intended purposes, and that it would not be frustrated by claims of international law or other contrary law.

The Bill in its current form will not prevent, as everyone knows, further ingenious individual claims, followed by further Supreme Court decisions. The recent Supreme Court judgment on 15 November 2023, as I pointed out in an intervention, makes my very point. It shows that the words in the immigration and asylum Acts at that point in time were not clear and unambiguous. However, and this is vital, it seems to have escaped many people's notice that one of the claimants—ASM, an Iraqi—had his claim dismissed in that very judgment because, in the words of Lord Reed, the President of the Supreme Court himself,

"in any event, the principle of legality does not permit a court to disregard an unambiguous expression of Parliament's intention such as that"—

I say this to the hon. Member for Aberavon (Stephen Kinnock) on the Opposition Front Bench—

"with which we are concerned in the present case."

This was emphatically because the Retained EU Law (Revocation and Reform) Act 2023 and related immigration legislation was so clear and unambiguous in that case as to require the Court to dismiss the claim of the Iraqi precisely as a matter of parliamentary sovereignty.

John Redwood: My hon. Friend is doing a wonderful job, as always. Did he see the recent briefings, which seemed to come from the Government, that they are expecting a lot of cases under their law and are going to provide a lot more judges for them? Are they not telling us that this is not going to work?

Sir William Cash: I am afraid to say that does appear to be the inevitable inference to be drawn from the statements that have been made. The worry is that,

unless the law is completely clear and unambiguous, there is going to be more trouble, and if the Bill was to be passed with clear and unambiguous words, the Government would not need the judges that they seem to want to employ—and nor, for that matter, all the fees that the lawyers will accumulate as a result of taking part in some very spurious cases.

As I have said, the Rwanda judgment is in line with all previous judgments by pre-eminent jurists in recent generations, such as—I mention but a few—Lord Denning, Lord Reid, Lord Hoffmann, Lord Bingham and others. Months ago, I sent the Prime Minister a seven-page memorandum, each line of which set out breaches of international law in almost every jurisdiction in the world, including even the EU itself, the United States, France and Germany, where clearly apparent breaches of international law have occurred without international sanctions. As for the Vienna convention, what really matters is whether the internal domestic law is of fundamental importance in the national interest, and this illegal immigration law manifestly is.

In the UK, we have a dualist system of law in which the sovereignty of Parliament is fundamental to our rule of law and cannot be trumped by international law, the opinions or conventions of the Government Legal Service or—speaking as a former shadow Attorney General—if this be the case, even by an Attorney General. We have a dualistic approach to these matters in which domestic law and international law are seen as independent of one another. The recent Miller 1 judgment states, at paragraph 57, that our

"dualist system is a necessary corollary of Parliamentary sovereignty…it exists to protect Parliament not ministers."

Furthermore, as Lord Hoffmann made so clear in R *v*. Lyons in 2002, the courts will have regard to the words of the statute, not the treaty. This is because we have no written constitution defining the internal status of international law within the United Kingdom. As Lord Bingham has said, international law is

"complementary to the national laws of individual states and in no way antagonistic to them".

International law is not supranational, unlike European law.

British courts cannot deem a statute unconstitutional. Under our constitution, it is the King in Parliament who legislates, not His Majesty's Government—I thought they had learned that in the civil war of the 1640s. The court does not require to have regard to functions of Government when interpreting the law. A statute, even when arising from an international treaty, will always prevail over a rule of international law. Lord Hoffmann, in the case of R *v*. Lyons in 2002—I will quote what he says, as I cannot improve on it—stated that

"it is firmly established that international treaties do not form part of English law and that English courts have no jurisdiction to interpret or apply them… It is not the treaty but the statute which forms part of English law. And English courts will not (unless the statute expressly so provides) be bound to give effect to interpretations of the treaty by an international court, even though the United Kingdom is bound by international law to do so... The sovereign legislator in the United Kingdom is Parliament. If Parliament has plainly laid down the law, it is the duty of the courts to apply it, whether that would involve the Crown in breach of an international treaty or not."

Nothing could be clearer.

In Bradley and Ewing's authoritative book "Constitutional and Administrative Law", it is clearly stated that the legislative supremacy of Parliament is not limited by international law. The courts may not hold an Act void on the grounds that it contravenes general principles of international law. Indeed, the Labour Government in 1998 specifically reaffirmed the sovereignty of Parliament in relation to their Human Rights Act, saying that they would not seek to transfer power from future Parliaments to the courts because that would confer on the judiciary a general power over the decisions of Parliament and would draw the judiciary into serious conflict with Parliament. Their own White Paper stated of the judiciary:

"There is no evidence to suggest that they desire this power, nor that the public wish them to have it."

I do wish the hon. Member for Aberavon was listening to this, because it is about the Labour party, and this still applies today.

Indeed, under paragraph 53 of the House of Lords Constitution Committee's report of 18 January 2023, the Committee accepts that UK domestic law can

"diverge from obligations agreed by the Government under an international treaty, and ratified following the CRAG"—

Constitutional Reform and Governance Act—

"procedures... And parliamentary sovereignty means that Parliament could legislate to ensure that domestic law differed from the requirements of a treaty."

Paragraph 54 states:

"Parliament having enacted legislation that is not compliant with the UK's international obligations, the courts are bound to apply that law."

Paragraph 58 goes on to state:

"Parliamentary sovereignty means that Parliament can legislate contrary to the UK's obligations under international law."

There we have it. And I should add that many members of that Committee, such as Lord Falconer of Thoroton, are certainly not Conservatives or Brexiteers. So there we are—we are all agreed.

In our unique unwritten constitution, our sovereignty patently prevails over international law, which is, for example, in contrast with that of Germany. What happens there? Article 25 of its written constitution, which I have taken from an established work on public international law, states as follows—these are the words of the very constitution in Germany:

"The general rules of public international law are an integral part of federal law. They shall take precedence over the laws, and shall directly create rights and duties for the inhabitants of the federal territory."

Similar provisions apply under the Dutch constitution, in articles 65 and 66. That tells us that there is a dualist system, and some countries take a view that is different from ours. We just happen to be on the right side of the fence. Similar provisions may be applied by specialist international lawyers, and they may seek to make out that international law in this country prevails over clearly explicit words in Acts of Parliament and parliamentary sovereignty. But no House of Lords or Supreme Court case supports that proposition.

Kevin Foster (Torbay) (Con): I am very much enjoying my hon. Friend's speech, as always. He gave the example of Germany, which for obvious historical reasons has imported principles of international law into its own domestic constitutional law. For example, the German

[Kevin Foster]

Supreme Court, the Federal Constitutional Court, still reserves its right to be the final arbiter of whether, for example, European Union law is compatible with German basic law.

Sir William Cash: I am extremely glad that my hon. Friend has made that point, because I had the disobliging necessity to read some of the Supreme Court judgments from Germany. Sometimes—believe me—they run to nearly 1,000 pages, for the simple reason that they are struggling to find something that will support the German people, compared with some of the rules of law that are applied more generally on an international footing, which cause them so much trouble.

As I have said—my hon. Friend has just made my point for me—the European Union is in a complete mess on the issue of illegal migration, and we are well out of it. It still has the charter of fundamental rights, which we excluded in our withdrawal agreement, and legal changes to its immigration law, all of which will require hotly contested constitutional changes and referenda in its member states. It is going to be bedevilled by referenda and constitutional change, and I fear it will not succeed. Very many are up in arms about compulsory quotas and fines for non-compliance being imposed on them under the new pact on migration and asylum, which was passed by majority vote. It is noteworthy that recently the French Government defied rulings of the Strasbourg Court regarding the deportation of an Uzbek national, but they cannot apparently trace him as ordered by their own Supreme Court—*[Interruption.]* In reply to the barracking I am receiving, I simply point out that the relevance of this is that we are talking about our constitution, which can solve the problem, and about theirs, which cannot.

Sir John Hayes (South Holland and The Deepings) (Con): My hon. Friend is making a compelling argument about the difference between this country and those abroad who failed to take back control when we did. He will know that constitutionalists from Dicey to Denning, and from Lord Woolf to Lord Sumption, agree with him that this place is supreme. The supremacy of Parliament is at stake as we debate his amendment and the Bill.

Sir William Cash: I have to say, with all humility, that it is not so much that I agree with them, or that they agree with me, but that this is the law of our land. This is the rule of law as it applies to the United Kingdom, and it is a tribute to the British people that they took that decision in 2016.

As I said to the Prime Minister in December's Liaison Committee, he can be a world leader on the issue of illegal migration, not only in the EU, but also in the United States, Canada and Australia—every country in the world. The international refugee convention, among other conventions, is seen as requiring reform. In Europe, it is clear that they need to change the European convention on human rights as well as EU immigration law, and European Union voters are voting with their feet.

2.45 pm

Neither the Bill, nor the amendments, are in breach of the current refugee convention, as that convention does not prohibit states from outsourcing asylum claims and settlements to a third country. Similarly, the European convention does not prescribe how its rights and freedoms are to be secured. Moreover, there has been

"a fundamental change of circumstances"

in the increase of illegal migration, criminality, and the deaths that those have incurred since the convention was created. It is clear that currently described "obligations" must take account of that change. We have to keep up with the times, and mass immigration is one of the main issues before all nations.

What is more important: passing a Bill that works and is consistent with the democratic will of the people, our national interest, constitutional arrangements and parliamentary sovereignty, or supporting the uncertainties and vagaries of international law? Far from diminishing our international reputation, we now have the opportunity to enhance it by demonstrating that we can deal with illegal migration by making this Bill work through our own parliamentary sovereignty. And we can bring an end to the deaths in the channel.

It has also been suggested that it is improper and contrary to the ministerial code to bring in a Bill that is inconsistent with international law—that seems to permeate the legal establishment of this country. That is nonsense on stilts, because any Member of Parliament, any unimportant Member of Parliament, as well as Ministers and any Back Bencher, can propose legislation. Indeed, private Member's Bills are enacted frequently, such as my International Development (Gender Equality) Act 2014.

The acceptance by Lord Cameron of Chipping Norton when he was Prime Minister, despite resistance from the legal establishment at the time that we could refuse prisoner voting, as insisted on by the Strasbourg Court, is well known and remembered. The former Lord Chancellor and Secretary of State for Justice, the right hon. Lord Clarke of Nottingham KC, said, when we refused to accept the "international obligation" under the European Court of Human Rights to allow prisoners to vote in elections, that—sorry, I mustn't laugh—

"prisoner voting was a particular political issue".

What about illegal migration?

The 2023 House of Lords report makes much of the ministerial code and the civil service code, stating:

> "While Parliament is ultimately responsible for the form of any legislation passed, the preparation and introduction of Government legislation is an Executive action for which Ministers, collectively, are accountable."

It then goes on to reaffirm its

"disquiet about the constitutional desirability of Parliament legislating in violation of the UK's international obligations"

but it ignores the principles of parliamentary sovereignty where words used in Acts of Parliament are clear and unambiguous. Moreover, the ministerial code is a convention, not legislation.

Once upon a time, the ministerial code did include the words,

"an overarching duty on Ministers to comply with the law including international law and treaty obligations",

but those words were expressly removed from the code in 2015 by the then Prime Minister. The current 2022 ministerial code, under the present Prime Minister, simply refers to "the law". This is no accident. The Government have declined the Lords' obligation to bring back the words "international law and treaty obligations", and I would say quod erat demonstrandum.

The House of Lords Committee also suggested, in reference upon the Court of Appeal case of R (on the application of Gulf Centre for Human Rights) *v.* the Prime Minister and another in 2018 and a statement five years ago by the distinguished Lord Faulks KC, that the ministerial code still requires compliance with international law obligations. However, the Court of Appeal—sadly for it—did not deal with the issue of parliamentary sovereignty with the use of the words that were clear and unambiguous and that in any case did not concern an Act of Parliament.

The failure to pass a Bill to effectively deal with illegal migration has led to vast public expenditure, with billions on services, including healthcare, education, social care, housing, infrastructure and planning to name just a few, not to mention millions and millions on hotel bills. That is why people are so cross, as well as the fact of illegal migration. There is no reason whatever that this Bill should not expressly and clearly exclude international law for the reasons I have given. It is an affront to Parliament and to the courts to suggest otherwise. I therefore ask that my amendment be voted upon and passed by the Committee.

I strongly urge the Government to note the sheer anger and frustration demonstrated in opinion polls and public concern that we get this Bill right and make it work. If not, this anger will continue up to and including the general election. Would it not be wise for the Government to reflect on the position and see that it would be better and wiser to come forward with their own amendments and use our majority, in line with our manifesto, as granted to us by the general election in 2019? That would be in the national interest and for the sake of all Conservative Members of Parliament whose seats would be so at risk if we did not do that.

Dame Diana Johnson (Kingston upon Hull North) (Lab): I start by raising my concerns with the Government about using a Committee of the whole House for this part of the scrutiny of the Bill. We had this with the Illegal Migration Act 2023. In that case, there were hundreds of amendments and the Minister just got to speak at the end for a short time. When we are debating and scrutinising such Bills, we need to do so line by line, and we need to debate and hear the argument from the Minister and the argument from the proposers of amendments. The process we are going through does not allow Parliament to conduct that effective scrutiny that we all want to see when passing laws in this place.

Turning to the Bill, when the Home Affairs Committee published our report on channel crossings 18 months ago, we were clear about the potential problems posed by the Rwanda scheme. As I have highlighted on several occasions in this Chamber, we said that the small boat crossings are an issue on which "no magical single solution" is possible and that:

"Detailed, evidence-driven, fully costed and fully tested policy initiatives are by far most likely to achieve sustainable incremental change".

We warned that the Government risked

"undermining its own ambitions and the UK's international standing if it cannot demonstrate"

that the scheme was

"compatible with international law and conventions."

We said that aspects of the scheme carried

"significant reputational risk for the UK".

The amendments we are debating today contain provisions that are incompatible not only with the UK's obligations under international law, but with basic principles of liberty and freedom under common law. The amendments' implications are therefore profound and affect every single one of us. Despite what the former Immigration Minister, the right hon. Member for Newark (Robert Jenrick) said, I take in all sincerity the Rwandan Government's view on the importance of upholding legal obligations. We can conclude that some of the amendments would prove fatal to the implementation of the Bill. Indeed, yesterday, the UN Refugee Agency declared that the Rwanda treaty and this unamended Bill are

"not compatible with international refugee law."

I will speak to amendments 2, 3, 10, 56 and 57 and then focus my comments on amendments 19 to 22. Amendments 2 and 3 would prevent any claim based on risk derived from individual circumstances being considered until the person in question had arrived in Rwanda. That would effectively exclude the very narrow possibility for suspensive claims that the Bill currently allows, and it could result in the person being exposed to the risk on which their claim is based—including claims based on fear of persecution and torture—before it is even considered. The European convention on human rights requires

"independent and rigorous scrutiny of a claim that there exist substantial grounds for fearing a real risk of treatment contrary to Article 3".

It also requires that the person concerned should have access to a remedy with automatic suspensive effect. The amendments would therefore be inconsistent with that requirement of the ECHR.

Amendment 10 would extend the notwithstanding provision to apply to all the Bill and the Illegal Migration Act 2023. It would effectively prevent a claimant relying on any pre-existing legal protection to prevent or delay their removal to Rwanda. The amendment would expressly allow removal to Rwanda, despite that removal otherwise breaching domestic law and despite that removal being in breach of international law. That includes fundamental human rights from which we know no exception or derogations are permitted, such as the prohibition on torture. Needless to say, the amendment is not compatible with the UK's obligations under international law and risks undermining our international standing.

Amendments 56 and 57 would provide that courts and tribunals would not be permitted to consider a claim on the grounds that Rwanda is not a safe country where the claimant has engaged in activity or made serious allegations that have brought into question the safety of Rwanda, or colluded or conspired with others who have done the same. Worryingly, the amendment appears to exclude people who have made serious allegations about the safety of Rwanda from asylum and human rights protection. That would be inconsistent with rights to asylum and humanitarian protection under international law and could also be inconsistent with freedom of expression as guaranteed under article 10 of the ECHR.

Amendments 19 to 22 have profound implications for us all. They would prevent any individual set to be removed to Rwanda from arguing that they could not be sent there on the basis of their own circumstances. In the inevitable absence of absolute certainty that no risk to any individual could arise in Rwanda, that would mean that legitimate claims based on a real risk of persecution and human rights violations would not be

[Dame Diana Johnson]

heard, and that those people whose claims are unheard would be removed to face the persecution and human rights violations in Rwanda on which their claims are based. That is clearly inconsistent with the refugee convention, the ECHR and the other international legal obligations cited by the Supreme Court in its recent judgment.

Amendment 22 would prevent the courts from reviewing not only the asylum claims of individuals being sent to Rwanda, but also claims for unlawful detention, for assault in the course of removal or for discriminatory treatment in the course of the removal process. To be clear, denying those claims would be inconsistent not only with human rights law, but with fundamental principles of liberty and freedom under our common law that have been protected for centuries, including by the writ of habeas corpus. All Members who do not want to see habeas corpus sacrificed today can surely not support these amendments.

Finally, I add my support to amendments that would make sensible and logical revisions. Amendment 1 would require the Secretary of State to monitor whether Rwanda remains a safe country. New clause 6 places conditions

"on when the classification of Rwanda as 'safe' can be suspended in accordance with material conditions and/or non-compliance with obligations".

Sir John Hayes: The right hon. Lady will know that under this Government and previous Governments of all political colours, many people who came here illegally have been deported from this country. When that happens, it invariably does so notwithstanding claims they make about their circumstances. Sometimes, those are claims about their personal circumstances; sometimes, those are claims about the place they are being deported to and from where they come. On the basis of her speech so far, she would deport no one.

3 pm

Dame Diana Johnson: I do not know whether I am grateful to the right hon. Gentleman for that intervention, because that is clearly not what I am saying. What I am talking about—the Home Affairs Committee is clear about this—is the rule of law, recognising the international obligations that this country has freely entered into, and doing things properly and legally. That is what I am questioning, because some proposals tabled by Conservative Members go to the heart of our common law, our belief in the right to go before a judge and our belief that if one is detained, it cannot be indefinite. Those are important matters that are before us today.

I want to get a couple of other things on to the record. Going back to amendment 1 and new clause 6, while the Government have determined in the Bill that it is possible to stipulate in law that Rwanda is safe—as we know, that is to the contrary of a finding of fact by the Supreme Court—it does not seem sensible for the Government to propose that that status should be fixed forevermore, which would, by extension, make Rwanda the only country on Earth in which nothing can ever happen or change. As such, amendment 1 and new clause 6 have merit; I hope the Minister will consider them.

Amendments 35 and 37 would allow the courts to consider the risk of refoulement in decisions on removals to Rwanda. Given that the Supreme Court ruled unanimously that the Rwanda policy was unlawful precisely because there were substantial grounds to believe that refoulement could take place, those amendments also have merit.

I understand from media reports that when the Minister gets to his feet, he will give some undertakings about increasing the number of lower level judges—or, I should say, moving lower level judges up to the upper tribunal—to hear any appeals. That is apparently to deal with some of the concerns of Government Members. The Home Affairs Committee is concerned generally about the lengthy delays in court cases. In particular, in one of our recent reports on the investigation and prosecution of sexual offences, particularly rape, we were worried about how long it was taking for those cases to be heard.

I am concerned about the Government's initiative—perhaps I am prejudging what the Minister will say, but it is being reported in the press—given the amount of resource and finance that will have to be put into training up 150 judges. It strikes me that they seem to be using an enormous amount of political time and resource on this policy. I look forward to what the Minister has to say about increasing the number of judges when we have so many other problems in other parts of the court system that they have not so far been able to deal with. That concludes my remarks on today's amendments.

Sir Robert Buckland (South Swindon) (Con): It is a pleasure to follow the right hon. Member for Kingston upon Hull North (Dame Diana Johnson), the Chair of the Home Affairs Committee. I rise to speak to amendments 28, 29 and 30 tabled in my name. Although they would amend clause 9, they relate to the operation of clause 2; hence their selection for debate today.

It is important that we focus on what clause 2 actually means, what its effect is and what the changed reality is with regard to the position in Rwanda—and, indeed, the position between the United Kingdom and Rwanda—since the decision of the Supreme Court in November and since the facts on which it based its decision, which relate to the spring and early summer of 2022. There is no doubt that matters have moved on significantly. We have not only a treaty between the United Kingdom and Rwanda, which was signed late last year, but an indication in the form of a policy document published by the Government, and indeed further information, as to the hard and fast changes that the Rwandan Government will be making to, in effect, answer the questions asked of it by the Supreme Court decision.

The Supreme Court decision really was not about the law; it was about the evidence. When we look at what the Supreme Court justices decided, we see that it was very much narrowed down to whether refoulement was still likely, bearing in mind the position of Rwanda. The Court decided that it was, and that is the sole reason why the policy was held to be unlawful. Other grounds were tendered in that case, including one on retained EU law. A specific ruling of the Court was that that did not apply; the law was clear that that part of retained EU law had fallen with our departure from the EU. Other aspects of the appeal

were not ruled on by the Court. The decision was not, for example, based on compatibility with the ECHR. Importantly, the decision was not based on a challenge, which was upheld, to the legality of the removal of people to third countries.

In my view, it is neither illegal nor immoral to seek third-country assistance when it comes to this unprecedented challenge. Indeed, other European countries either are doing it or wish to do it. My right hon. Friend the Member for Newark (Robert Jenrick) was right to say that other countries are looking to what happens here and to the precedent that we might set.

In setting precedents, we have to tread carefully. That is why the amendments that I tabled are very much focused on the factual reality and the need to ensure that Rwanda does indeed carry out its policies. When we look carefully at the policy statement, we see that particular tasks will need to be completed, including new operational training for decision makers in Rwanda—I think the latest figures show that over 100 people have now been trained to implement the deal—and the need for clear standard operating procedures with regard to the reception and accommodation arrangements for asylum seekers, the safeguarding of their welfare and access to healthcare.

Of course, there needs to be strengthened procedural oversight of the migration and economic development partnership agreed in 2022 and the asylum processes under it. That means that bodies have to be set up—the new MEDP co-ordination unit and the MEDP monitoring committee of experts. The involvement of experts is needed, certainly in the early days of the decision making to be made by the new body, which will be set up by the Government of Rwanda. There will be a new appeal body that consists of panels of three judges, with subject-matter experts, including Rwandan judges and judges from other Commonwealth jurisdictions. All those details are important, because they go towards answering the question, which I think will be answered in the affirmative: that individuals in the scheme will not be at risk of refoulement and, therefore, there will not be a breach of the 1951 convention.

That reality has to match the deeming provision. I know that my hon. and learned Friend the Minister will be anxious to ensure that deeming provisions do not either perpetuate or encourage legal fictions. This is difficult law, but it is not unprecedented. Deeming provisions are used often in tax legislation. The leading authority is fairly recent: Fowler *v.* Her Majesty's Revenue and Customs back in 2020 in the Supreme Court, in which Lord Briggs made it clear that deeming provisions creating statutory fictions should be followed as far as required for the purposes for which the deeming provision was created, but the production of unjust, absurd or anomalous results will not be encouraged. That is clearly somewhere that the courts do not wish to tread or to encourage, and neither should we as a Government or a Parliament.

We must dovetail the coming into force of the deeming provisions with the reality on the ground in Rwanda, so that we create not a statutory fiction but a series of facts reinforced by statute. That degree of care does not have to take ages—it can be done in weeks, bearing in mind the quick work that has been done already. That would go a long way to satisfying the natural concerns that many of us have about the use of such provisions. We understand why they have to be made, and we do not oppose the principle of their use, but I simply caution that we take care to make sure that we get that co-ordination right.

Many of us have been down the road of discussing ouster before, and it can take many forms. There have been examples where ouster proceedings and clauses have clearly not worked, and they are not the sole province of this Government. Previous Labour Governments tried to enact bold and sweeping ouster clauses, only to find that their efforts fell flat either before the Act became law or as a result of court intervention. I think of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004, when Labour tried to be too extensive and expansive.

Experience has taught us that where we have clearly defined reasons—and, importantly, limited exceptions—ouster clauses will work. We had a recent example of that in the removal of the Cart jurisdiction in the Judicial Review and Courts Act 2022, where my hon. and learned Friend the Minister finished the job that I started. In the consultation on the judicial review, my noble friend Lord Faulks and others embarked upon those provisions at my direction. That worked—it has been tested not just in the High Court but in the Court of Appeal in the Oceana case, and it is held to be sound and watertight. Why? Because there was a clear rationale behind it, and there were limited exceptions. Herein lies the danger posed by the otherwise well-intentioned amendments by my right hon. and hon. Friends: without those limited exceptions, we are setting the Bill up to fail. That is what history has taught us.

I am a strong believer that it is from this place that the core of our constitution comes. It is from Parliament that our constitutional authority is derived. To contradict the hon. Member for Aberavon (Stephen Kinnock), who in many respects couched his remarks well, we do not have a separation of powers constitution. We have a checks and balances constitution, where each part of the body politic respects each other. I do agree with him that restraint is an important principle.

Sir John Hayes: My right hon. and learned Friend is making a profound and important point about the nature of the separation of powers. There is a lot of misunderstanding about it. The separation of powers is not about equal bodies or each of those bodies performing the same role. As he describes, it is entirely a matter of the balance between those bodies. This House is the body that makes laws. Judge-made law is something he and I have debated, discussed and agreed on many times, and it is invidious because, as I said earlier, this House is supreme when it comes to making or changing law.

Sir Robert Buckland: I entirely agree. My right hon. Friend and I are both romantic Tories of an old school, which might surprise many Members. We share that common fount of Toryism that is important to us both and, within that, we utterly respect the independence of the judiciary. It is a separate part of our constitution. To trespass upon its domain—as, sadly, in the Post Office case we have had to—is something that we do extremely reluctantly, and I hope in a very rare and unique way in that tragic and scandalous example.

3.15 pm

As my right hon. Friend said, that does not mean that we are a carbon copy of the United States—in fact, the United States constitution is based on a misunderstanding of the British constitution. It is not right to say that separation of powers is the underlying principle. That fiction led us to error when we—to my mind, regrettably—took the House of Lords Judicial Committee out of this place and pretended that somehow it was entirely separate from Parliament.

If I may digress for a nanosecond, the point about the House of Lords Judicial Committee is that it was a body of Parliament making law. That was an elegant solution and response to our unwritten constitution. The same goes for the office that I used to hold. What a mess the previous Labour Government made of reform to the office of Lord Chancellor, which was the embodiment of the checks and balances that we have in our constitution. It is a bit of cod philosophy that is overused and is not part of our system, but I will go on to qualify that in an important way.

Richard Graham: I want to bring my right hon. and learned Friend back to the amendments. Does he agree that between the absolute conviction of the hon. Member for Aberavon (Stephen Kinnock) and the Opposition that the Bill cannot ever work, and the absolute conviction of my right hon. Friend the Member for Newark (Robert Jenrick) that it can work only with his amendments, there is a landing space where we can deliver something that will make a difference and will act as a deterrent, without getting rid of all the individual rights in our domestic and international law? That is what we should aim to achieve.

Sir Robert Buckland: My hon. Friend puts the point very well. There is a landing space for this policy. I disagree with Her Majesty's loyal Opposition and their leader when he said that he would not support the Rwanda policy even if it worked. Frankly, that is an extreme position and not one that chimes at all with what the British people want, because they want solutions to these problems. This party and this Government are coming up with solutions. They might be novel or untested, but at least we are working on it.

Robert Jenrick: My right hon. and learned Friend is generous in giving way. With all his experience as former Justice Secretary, is it his view that the Ministry of Justice will be able to recruit hundreds of tribunal judges—from where, I do not know—and use them to process and decide the claims that will surely come from each and every illegal migrant who comes across the channel, in sufficient speed that we do not fill up our detained estate capacity and have to bail those individuals, so that they abscond, even in the peak season of August and September? His professional opinion would be much appreciated.

Sir Robert Buckland: I will give, if not a professional opinion, my right hon. Friend an opinion born out of experience. Anything is possible, but it is quite a task. I am sure that my right hon. Friend the Lord Chancellor will talk to the Senior President of Tribunals, Sir Keith Lindblom, about this very issue, to make sure that not just full-time but part-time tribunal chairs will be available to deal with a large number of cases. But if we can do that in immigration, can we not do it in crime as well, please? It is a timely reminder that our justice system is pretty important and, despite my best efforts to increase funding—which we did do—more needs to be done to ensure that the backlogs are dealt with. I declare my interest, and I know that my colleagues at the Bar would tell me off if I did not say that. To answer my right hon. Friend's point, it will be a challenge and will require probably some changes to practice directions, and cases will have to be dealt with much more quickly than the status quo.

Danny Kruger (Devizes) (Con): My right hon. and learned Friend is being very generous and I appreciate the speech he is making. On that last point, does he also acknowledge that the Government's intention of recruiting a large number of extra judges implies that they expect a large number of claims to be made on behalf of migrants, rather than their being swiftly detained and removed, as we all wish them to be?

Sir Robert Buckland: I am inclined to be kind to my hon. Friend. It is probably not an either/or, but an and. He and the Government will want to achieve not only a further spur in dealing with current cases in the system, but any particular influx we might get because of novel points that will need to be tested. I am satisfied, having looked at the terms of the clauses currently drafted, that it is narrow. If not quite the eye of a needle, it will certainly be a pretty restrictive process. I remember feeling deep frustration at the time of covid in not seeing backlogs in the immigration tribunal come down, despite the fact that people were not coming into the country.

Robert Jenrick: My right hon. and learned Friend may not be aware that after has left office the current waiting time for an appeal before an immigration tribunal is 48 weeks. Given the thousands of cases we successfully cleared in the backlog—many of which, thankfully, have been rejected—that backlog is probably likely to double in the coming weeks. Currently, immigration tribunals will be taking between one and two years to hear a case.

Sir Robert Buckland: My right hon. Friend is right. He is building on the frustration that I had. That is not a criticism of Ministers. The way in which the Home Office was working did not seem to allow the expedition that was needed. I know that he and others have done a lot of work to improve that—by scaling up the number of officials dealing with cases and creating a sense of urgency with a wartime emergency approach that is entirely right—but I can tell him that back in 2020 I was deeply frustrated not to see a decrease in the backlogs, bearing in mind that in other areas we were actually making a difference and taking at least some benefit from the awful covid crisis. The challenge facing my hon. and learned Friend the Minister is significant and we should not pretend otherwise.

Richard Graham: The practice of Government, certainly over the last 14 years, has been that where there were bottlenecks—we saw them during the pandemic in the Driver and Vehicle Licensing Agency, the Passport Office and the Home Office—the answer to those questions was for Ministers to energise that particular department, recruit more people, allocate more resources and get the

backlogs down. If it can be done in all those places, there is surely no reason why it cannot be done in this hypothetical instance of lots of extraneous claims by people to avoid extradition to Rwanda, given the very narrow scope allowed in the Bill.

Sir Robert Buckland: Where there is a will there is a way. I entirely agree with my hon. Friend. I do not want to detain the Committee unduly lengthily today—some would perhaps say uncharacteristically, but I really do not—*[Laughter.]* Self-deprecation takes you only so far in this place! I yield to my hon. Friend the Member for Stone (Sir William Cash) in that department.

To conclude, the Privacy International Supreme Court case from about three or four years ago is a warning. Where Governments, with good intention, try to overreach and wholly exclude a particular judicial review approach, they will often fail. In that case, we saw an inevitable consequence of a line of thinking that has gone back in our law for about 50 or so years since the Anisminic case. We have to be alive to that reality. We should not put the courts in a position where we end up with what was a highly contested case with dissenting judgments. In the end, it gives us a very important guide on how carefully we need to approach these matters.

I will not pretend that I can ever love notwithstanding clauses. I do not like them, because they create all sorts of internal conflicts. Those conflicts are not necessarily in international law—I am less interested in that; I am more interested in conflict in our own domestic law—but anything that this House does that is ambiguous, contradictory, self-contradictory or unclear serves only to draw the courts further into the realm of politics, where none of them ever want to go.

We do not have a constitutional court in this country and I hope we never, ever see one. Because of our unwritten constitution, we are able as a Parliament to legislate as we wish. But—this is the qualification—I said on Second Reading that the principle of comity, that mutual respect that needs to exist between the arms of the constitution, is one that means we need restraint and to take care when we legislate. However grave the situation might be—previous generations faced wartime challenges—we must remember that in legislating in this place, we do not protect ourselves out of the very freedoms we cherish.

At some point there will not be a Conservative Government sitting on the Treasury Benches, but a Government of another hue. I hope, having been in my party for nearly 40 years—I am much older than I look—that we do not see that day, but a day will come when we, as an Opposition, will be worried about an overweening socialist Government that will try to impose their will through the will of Parliament and will not show the restraint that we expect a democratically elected Government to show. That is why the challenges we faced during Brexit were exceptional. I do not think that, despite the maelstrom we all went through and some of the things we had to do to get that done, we should be seeking to normalise them now.

Sir John Hayes: My right hon. and learned Friend is once again right that this place should not act in an arbitrary way. I mentioned Dicey earlier and he will be familiar with Dicey's view on that subject. But in the end our legitimacy is derived from the people and we are answerable to the people. On this issue above all others, the people expect us to stand by our pledge and to stop the boats.

Sir Robert Buckland: I agree with my right hon. Friend that we are not just another public agency. This is Parliament and this place has a particular status, position, responsibility and privilege—that word privilege that he and I know and cherish so much in its true sense—that means we are absolutely at the core of our democracy and our constitution. But it is also our responsibility to make sure that the legislation we pass works. I know that he and my hon. Friends who are supporting the amendments want this law to work—I absolutely accept that—but I say in all candour and frankness that I genuinely think the amendments they have tabled will make it less likely. I do not say that with any pleasure; I say it with a heavy heart. History has taught us that where, despite good intention, we end up being too expansive and we overreach, the check and the balance that exists in our constitution will then apply. All that we will do is end up having the sort of arguments about the constitution—not arcane to me, but arcane to many people—which, while important, do not solve the problem, and do not deal with the issue that is facing us as a people.

That is why I urge the Government today to ensure that the intention in the treaty becomes a reality, that Rwanda does what it says it is going to do so that we can avoid refoulement, and that we focus on the practicalities and also avoid more unnecessary legal clash. If I may paraphrase Matthew Arnold, ignorant armies clashing by night is something that we as Conservatives should seek to avoid at all costs.

Olivia Blake (Sheffield, Hallam) (Lab): Let me begin by declaring my entry in the Register of Members' Financial Interests, which refers to the help that I receive from the Refugee, Asylum and Migration Policy project, and my position as co-chair of the all-party parliamentary group on migration.

I agree with much of what was said by my right hon. Friend the Member for Kingston upon Hull North (Dame Diana Johnson) about the process involved in the Bill and the way in which we are debating it today. This is our third immigration Bill in less than two years, and throughout that time Ministers and Back Benchers alike have engaged in progressively more inflammatory rhetoric about refugees without addressing any of the real problems in our asylum and migration system.

3.30 pm

Let me be clear about what those problems are. The real problem has been brought into stark relief. Just this weekend five people died crossing the channel, and hundreds more have been killed making that dangerous crossing. If those desperate people survive the journey, they are forced to wait years for a decision on their claims. They are housed in uninhabitable conditions; they are unable to work and give back to our society, so they are in danger of destitution; and if they are destitute, they are forced to rely on only a small amount of support, barely covering the cost of basic essentials. The availability of functional safe routes for people is completely lacking.

Alex Sobel (Leeds North West) (Lab/Co-op): Many of the amendments relate to whether or not Rwanda is a safe country. Would we not be in a different place if there were a much broader range of safe and legal routes? We would not see small boats crossing the channel, and there would be no need for us to discuss whether or not Rwanda is safe, which is not helpful to Rwanda or to us.

Olivia Blake: I entirely agree. That is an important point, and we are struggling to get much sense out of the Government on it. I have asked repeatedly whether safe and legal routes are available to people trying to flee from parts of the world where genocide has been declared, but unfortunately the answer has always been "The safe and legal routes that exist are all that we will offer." I do not think that that is good enough, and I think we need to have that conversation about safe and legal routes.

The problems that I have listed are the real, human problems. That is the real cost to human life and wellbeing that the Government's "hostile environment" policy brings. This Bill is another example of Ministers' doubling down on that approach, and the amendments tabled by Conservative Back Benchers—I believe they are amendments 10, 19, 20, 21, 22, 56 and 57—take it even further.

Tim Loughton: As the hon. Lady knows, I agree with her that we need to extend safe and legal routes—that is why I tabled my amendment previously, which I hope the Government will honour—but does she not also acknowledge that, even if there were safe and legal routes that could be used by legitimate refugees fleeing from genuine violence and oppression, the bogus asylum seekers who do not meet those criteria would still use people smugglers? That is why we need to be able to deter and clamp down on them so that they do not set foot on our shores.

Olivia Blake: We need the safe and legal routes first. The rates at which people are accepted as having a reasonable claim and are given a form of leave to remain in the UK are very high: in recent years, the rates at which applications are accepted have been as high as 67%. I do not believe that a large number of people are coming here illegally without good claims. Indeed, I think the opposite is true, given the evidence from our own systems.

Tim Loughton: That is an interesting point, but how does the hon. Lady explain the fact that France receives more asylum applications than we do but rejects twice as many? What are we doing differently?

Olivia Blake: I would hope that our system has the trust of its politicians and is robust enough to ensure that we are making the right decisions whenever possible, although I still believe that there should be an appeals process within that system. I cannot say that the system always gets it right, and that is certainly borne out by the casework that I have seen. It is more complicated than saying, "This action will reduce this and that action will increase that." It is a very complicated system, and the most obvious thing to say about it is that in the past few years and months the second or third highest number of people arriving here in small boats has been people from Afghanistan. We are also seeing people fleeing from Syria and from all sorts of other complex and difficult situations at the moment. That does not take away from the fact that it is not necessarily about the nation those people come from and that it is also about their individual circumstances. I have spoken a lot about the rights of LGBT people and disabled people seeking asylum and how we need to make sure that any system maintains that individual view of an individual going through our system. That is a lesson that should be learned from the Windrush review.

At its core, the hostile environment is a policy designed to make life as uncomfortable as possible for everyone who comes here and to prevent anyone from accessing the support that international law says is rightfully theirs, and now the Government are proposing to outsource what little responsibility they have taken by offloading their obligations and offshoring refugees against their will. It is no wonder that they are recklessly declaring Rwanda as safe, despite the known risks. As the shadow Minister pointed out, since the Government signed their deportation deal, six people from Rwanda have been granted asylum here in the UK. Torture persists there, along with continued risks of refoulement to third countries, which is the reason I support amendments 35 and 37.

Human Rights Watch's reports on Rwanda as part of its World Report series published in 2021, 2022 and 2023 all include examples of torture in Rwanda. In the UN Human Rights Council's periodic review of Rwanda published in January 2021, it was the UK Government who criticised Rwanda for

"extrajudicial killings, deaths in custody, enforced disappearances and torture".

The country has a continued history of breaching obligations under the refugee convention, and between 2020 and 2022 the UNHCR found that Afghan, Syrian and Yemeni asylum seekers had 100% rejection rate in Rwanda. Those are statistics that I am sure people would find shocking given our granting rate. It is common for discrimination and abuse to be faced by LGBTQ+ people in Rwanda. Same-sex marriage is prohibited, and LGBTQ+ people are not protected from discrimination by any specific legislation there. All this makes a mockery of clause 2 of the Bill.

Ministers can continue to use ad hoc Bills such as this one to paper over the cracks in their asylum policy, but the truth is that the foundations of their approach are completely rotten. Rather than chasing headlines, it is time they thought again and built an asylum system that puts respect for international law and basic human dignity first.

Sir Edward Leigh (Gainsborough) (Con): Immigration is quite possibly the most important issue facing this Government or indeed any Government in Europe. It is the issue of our age, and mass immigration, whether legal or illegal, is undermining trust. This debate has to be held against the backdrop of the overwhelming numbers coming into our country. Sir Roger, you and I entered Parliament on the same day in 1983. During that year, net legal migration was only about 17,000. It is now 600,000. This debate about small boats is held against the backdrop of this huge influx into our society, on which the British people have not been consulted. It is changing our society and undermining

the work ethic of our own people. Too many people are languishing on benefits. Perhaps some of our public services are not paying adequate salaries. We are bringing more and more people into this country, whereas we should be encouraging and training our own people to work.

The whole small boats crisis is made much more toxic by that debate. When people say, "Well, 40,000 people a year isn't a great deal compared with the sort of numbers coming across the Mediterranean", we have to see it in terms of that overall debate. Unless the Government can sort this out and actually stop the boats, which was the commitment made by the Prime Minister, it will be extraordinarily politically damaging to the Conservative Government and also damaging to the public's perception of and belief in democracy. When the Prime Minister says he wants to stop the boats, he should stop the boats. That is why, tonight and tomorrow, I will support the amendments tabled most ably by my right hon. Friend the Member for Newark (Robert Jenrick) and my hon. Friend the Member for Stone (Sir William Cash). I tabled amendments 56 and 57, which I will explain in a moment.

Against this backdrop, we have an extraordinary and absurd situation in which people are arriving in Calais having travelled through an entirely safe country. There is no threat to their human rights. They may find it difficult to speak French, or they may not want to learn to speak French, and they may not be able to find a job, but they are in an entirely safe country. They are putting their life at risk—even this week, there has been an appalling tragedy—and we are encouraging the most horrible criminal gangs to get involved in this trade. They then arrive here and claim asylum.

Unbelievably, we are putting them up comfortably in hotels, which other European countries do not do. Even more extraordinarily, and I will not labour this point because I have made it many times before, such is the crisis in our hotels that the Government are now spending tens of millions of pounds on trying to convert former military bases such as RAF Scampton in my constituency—by the way, we have now been arguing about RAF Scampton for nine months and not a single migrant has arrived there. The court cases are still ongoing.

If we put ourselves in the migrants' place, we can see that the draw factor to this country is extraordinarily high. First, we speak English. Secondly, unlike in France or Germany, they will be put in a comfortable hotel. Thirdly, they are given benefits. Fourthly, there is probably a 95% chance that they will be given asylum at the end of the process. If they have come from a hell-hole like Syria, Iraq or Afghanistan, why would they not want to take that risk? We must be mugs, frankly, and the rest of Europe must be laughing at us.

Patrick Grady (Glasgow North) (SNP): The hon. Member for Rhondda (Sir Chris Bryant) also asked that question. If it is so attractive to come to the United Kingdom and nothing else has been a deterrent—if the risk to life of crossing the channel is not a deterrent—why should the prospect of being sent to Rwanda be a deterrent? If Rwanda is a safe and secure country where they can have a comfortable life, why should the prospect of being sent there be a deterrent?

Sir Edward Leigh: What is the hon. Gentleman's solution? When Opposition Members make these arguments, they have to say what on earth they would do. I agree with the Opposition on one thing: with modern surveillance technology, drones and all the rest of it, it is a mystery why we are not managing to stop more people. With modern police efforts, it is a mystery why we cannot interdict more of these criminal gangs.

It is so easy to get involved in this trade. We close down one criminal gang, as the Opposition want to put more resources into doing, and another springs up. It is incumbent on the Opposition, given that we are such an attractive country, to explain how on earth they would stop this trade. I question whether we can proceed with the policy of keeping people in hotels, paying them benefits and approving 95% of applications when they have come through a safe country.

The problem I have with the Government is not their Rwanda policy because, looking at Australia and elsewhere, I accept that the only policy that seems to have any chance of discouraging this mass movement of people is offshoring. My argument with the Government is that, if we pass this Bill and keep passing Bills, such is the nature of our legal system that people will make spurious claims based on their political opinions, which will make it impossible for them to be put on a flight to Rwanda. That is the nature of my amendments, which is why I talk about spurious claims.

3.45 pm

Let us consider one example. Let us suppose that I am an illegal migrant who has paid all this money to get through France. I am now going to put my life at risk, having put a lot of my personal resources into this project. I am determined that when I arrive in Dover there will be no chance of my being sent to Rwanda or anywhere else. This is so simple: people can manufacture some spurious opposition to the Rwanda regime. They can do a tweet—even I can do a tweet. They can do a tweet in five minutes saying that the President of Rwanda is a dictator who should be overthrown, and they will have done it—it will have gone worldwide. Alternatively, once they have got into this country they can simply protest outside the Rwandan embassy about the President. That sort of thing has happened outside the Saudi Arabian embassy. People can so easily concoct a spurious reason as to why, although Rwanda generally may be a safe country, they personally cannot be sent there because of what they have done—demonstrated or tweeted. That will clog up our whole judicial process.

We have already heard from my right hon. Friend the Member for Newark that in August we may have hundreds of crossings every week. Every claimant will take his case to the tribunal, where it will have to be heard, and we will have to deal with appeals. I cannot see how any of these people are actually going to be put on these flights by October, when there may be a general election. A very small number might be, but given the nature of the judicial process, the right to appeal and the ease with which someone can concoct a history of opposition to the Rwandan regime, I do not think anybody is really going to be put on a flight.

Alternatively, they can easily concoct a history of mental illness—that is so subjective. It is easy enough to find a doctor to sign a medical certificate saying that someone has a history of mental illness. It is easy to concoct a personal history. For instance, if someone

comes from Iran, they can allege that they are gay. Again, no tribunal would export someone to Iran if they say that they are gay. If someone comes from Iraq, they can say that they are an activist Christian, whether or not they are. I cannot see how anybody who has the right to go through the judicial process will not do so, and given the ease with which they can create a personal history that will make their own personal circumstances impossible in Rwanda, I cannot believe that any court or tribunal will export them to Rwanda.

Alison Thewliss: The right hon. Gentleman is talking, quite ridiculously, about people concocting stories—I feel that he is perhaps concocting one himself. Will he tell me when he last spoke to an asylum seeker?

Sir Edward Leigh: They may not concoct it; it may be entirely true—we do not know. However, what we all know is true is that every asylum seeker who arrives in Dover will say that they cannot be sent to Rwanda because of their own personal history, and every single one of us would do the same thing.

Last year, we had the farce of the judgment issued by the Council of Europe, which we will be discussing in more detail later. I have been a member of the Council of Europe for 14 years. We now know that this ex parte judgment, this rule 39, was perhaps not delivered according to international law, and apparently, in discussions with the European Court of Human Rights, we have now sought assurances that it is going to be tidied up. But even if our own courts allow somebody to proceed through them, with their case to be heard, even if we manage to appoint a sufficient number of judges, even if the person does not create a history and even if our own courts allow them to be put on a flight, there is this right of appeal to the European Court of Human Rights. We therefore have no certainty that these cases will not be heard and delayed.

I accept that this is the toughest Bill we have ever had. It is a good Bill in its own right. If we had produced it two years ago, we may have been getting people to Rwanda by now, but time is running out. We have perhaps nine months until the next general election. If we do not amend the Bill, we could end up in the worst possible situation, where we, as a Government, say that we are committed to stopping the boats, we have passed the necessary legislation and then we have egg all over our face because nobody is actually put on the flights. We will look extremely stupid.

In my view, the only solution is that when people arrive here, as my right hon. Friend the Member for Newark said, they are detained, but within a matter of days they are offshored, and the only justification for not being put on a flight is a proper medical condition. That is the only way we will get people on these flights.

Richard Graham: May I posit a slightly different approach? As my right hon. Friend says, all of us on the Government Benches want to do something about the problem. There are Opposition Members who are quite happy to subcontract our immigration decision making to the evil people smugglers operating small boats across the channel, but we are united on trying to do something. The only issue on which we differ is the extent to which we wish to override domestic and international law on individual human rights. My right hon. Friend has stood up for his constituents in their most difficult times, so he will understand that to do so would be a massive step that most of us on the Government Benches are not prepared to take.

Is my right hon. Friend prepared to see the Bill through, in the face of opposition from those who, at times, risk looking as if they are keener on putting sub-postmasters in jail than illegal immigrants, and make sure we have an option and a deterrence that will almost certainly work? Or is he prepared to sacrifice that huge step forward on the altar of an amendment to try to rule out all possibility of any individual human rights complaint being upheld?

Sir Edward Leigh: To be fair to my hon. Friend, I do not like what I am suggesting, but we are faced with a national crisis and we have to look at our own experience of what has and has not worked. We all know that overwhelmingly the people who are crossing are economic migrants. They are all perfectly nice people—I make no complaint about them personally; they are just trying to get a better life—but we all know the truth is that they would do anything to avoid being put on one of these flights.

I agree with my hon. Friend that we would not normally want to circumvent human rights, but in this case we know that is what is going to happen. We are almost arguing on the head of a pin about legal uncertainties, when we know from practical experience that everybody will appeal and be able to create a credible case, based on personal political involvement, mental health or some other reason, and nobody—or only a derisory number of people—will be put on the flight. The Government should grasp this nettle and accept these amendments, although I fear they will not. If they do not, we will be in a very dangerous place in relation to public opinion.

Ruth Jones (Newport West) (Lab): It is always interesting to follow the right hon. Member for Gainsborough (Sir Edward Leigh). I am pleased to have the opportunity to speak to the amendments tabled by my right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper), the shadow Home Secretary.

As we consider the amendments and new clauses before us, I start by acknowledging, as my hon. Friend the Member for Sheffield, Hallam (Olivia Blake) has done, how awful it is that more lives have been lost this weekend in the cold waters of the channel. More families are grieving while dangerous criminal smuggler gangs are making huge profits from these perilous boat crossings, whenever the weather calms. They must be stopped before any more lives are lost and that requires action, but it must be the right action.

The Tories are in total chaos about this failing scheme, which is costing the British taxpayer £400 million with more money promised, even though not a single asylum seeker has been sent to Rwanda. Every new detail of the plan is more farcical than the last and, as we know, more Home Secretaries have been sent to Rwanda than asylum seekers so far.

Even if the Tories get the scheme off the ground, it will cover less than 1% of people arriving in the country, or people in asylum hotels, making it astronomically expensive. That is why I support new clause 6, in the name of the shadow Home Secretary. This would place the monitoring committee for the Rwanda treaty on a

statutory basis, and place conditions on when the classification of Rwanda as "safe" can be suspended in accordance with material conditions and/or non-compliance with obligations under the Rwanda treaty. This new clause is absolutely the right thing to do, and I urge Ministers to look at it very seriously indeed.

In April 2022, the British Government and Rwanda signed a memorandum of understanding to provide a Migration and Economic Development Partnership. It is a five-year agreement, from 2022 to 2027, and, under the deal, the UK pays Rwanda large sums of money as part of its economic development fund, which has no impact on the asylum system. In return, Rwanda has agreed to take responsibility for some of the people who arrive in the UK on small boats. Those people will be removed to Rwanda where their asylum claims will be processed, but the UK will have to pay extra costs for asylum processing, decisions and support.

In June 2022, the European Court of Human Rights issued an injunction that halted the first attempted removals until legal proceedings had concluded in the UK courts. The High Court backed the policy; the Court of Appeal declared it to be unlawful. In November 2023, the UK Supreme Court upheld the Court of Appeal judgment and ruled unanimously that the Rwanda policy was unlawful because there were "substantial grounds" to believe that people transferred there could be sent to countries where they would face persecution or inhumane treatment—a practice known as refoulement—if Rwanda rejected their asylum claims.

That is why new clause 6 is so important and would be a welcome addition—and a much needed one at that—to the Bill. Through our Front-Bench amendments, Labour has tried to guide Ministers in the right direction and, importantly, to stand up for our values and our commitment to the strongest border security. That is why Labour's plan is so important and has my support.

Labour's plan will strengthen our border security and smash the criminal gang networks and their supply chains with new powers and a new cross-border police unit, so that we stop the boats reaching the French coast in the first place. We will clear the backlog with new fast-track systems, end hotel use—saving the taxpayer more than £2 billion—and improve enforcement with a new returns and enforcement unit to reverse the collapse in returns for those who have no right to be here.

We on the Labour Benches believe in strong border security and a properly controlled and managed asylum system, so that the UK does our bit to help those fleeing persecution and conflict, but returns those who have no right to be here. That is why new clause 6 is so worthy of support from across the Committee. It means that we stay true to who we are—good neighbours, committed to doing what is right and to standing up for those most in need. That is the kind of global Britain that I am committed to.

Getting this wrong would not just be a cost to our reputation; this whole scheme has a massive financial implication too. The full costs of the Rwanda scheme have not been disclosed and what details are available have emerged in a haphazard way, through Home Office documents, official letters, comments in Parliament and a leak.

Sir Matthew Rycroft has said that he is "not at liberty" to disclose the full costs as they are contained in a "confidential" memorandum of understanding between the two Governments, saying that it was "commercially sensitive" information. He said the Home Office annual report and accounts sets out details of the costs for the relevant financial year—the report is usually published in July. However, the Government have set out the costs for future years for the UK's security collaboration with France. In addition to payments of at least £232 million between 2014 and 2023 to combat illegal migration, the Government have agreed to pay the French sums of £124 million this year, £168 million next year and £184 million the year after. These costs were set out before the payments were made in a public document. This is why our Front-Bench amendments are so important. This Bill is way off the mark, as are the motivations behind it. Anything we can do to improve it should be a priority.

Let me turn specifically to amendments 35 and 37, which also have my full support. Amendment 37 would ensure that decision makers are still able to consider the risk of refoulement when making individual decisions on removals to Rwanda. Amendment 35 would permit courts and tribunals to deal with systematic risk of refoulement from Rwanda. Those are two important amendments, and I urge the Minister, as I did with new clause 6, to think carefully about their merits.

4 pm

In 2019, the Conservatives promised to end boat crossings in six months. Since then, the number has rocketed. In January 2023, the Prime Minister pledged again to "stop the boats", but since then, almost 30,000 people have crossed the channel—the second highest number ever. That means that over 100,000 people have made that treacherous journey in three years. The new Home Secretary said that hotel use is going down, but the number of people in asylum hotels hit a record high of 56,000 in September 2023. That is over 10,000 more than when the Prime Minister pledged to end hotel use the previous year. The British taxpayer is now spending an astronomical £8 million a day on hotels thanks to the Conservative chaos. That is £3 billion a year. Almost 350 hotels are still being used, and criminal gangs are being let off. Under the Tories, the annual profits of criminal smuggler gangs have soared from £1 million four years ago to over £100 million today, and convictions for people smugglers have dropped by a shocking 36% since 2010.

This whole situation is a mess. It is a mess for the Government, and we are all so bored of the pathetic scenes of Whips and Ministers scuttling around seeking to peel off rebels. It is a mess for our borders and a complete mess when it comes to our international leadership. The amendments I have spoken in favour of today would help make a bad Bill a little better. I urge Ministers to do the right thing and listen. Labour stands ready to help Tory Ministers finally get a grip, and the sooner the better.

Mr Roberts: Good afternoon, Mr Evans, and thank you for calling me to speak in this important debate in reference to my amendments 1, 2 and 3 to the Bill and some others that I will cover during the course of my remarks. I am not a lawyer or an immigration specialist, but I have sought advice, done my research and, above all, spoken to the people of my constituency.

[Mr Roberts]

This is the first time that I have been sufficiently animated to speak in a debate on this issue. Contrary to what we hear regularly from hon. and right hon. Members, when I walk the streets of Delyn and speak to my constituents, almost none of them raise the issue of illegal migration as being among the things they are most concerned about. I appreciate that rural north Wales is a different place to many constituencies, but it is worth noting for the record that it is not the priority of everyone in the country. They would rather the Government spent more time improving public services, making our streets safer, returning us to a period of greater economic stability and—dare I say it—aiming for prosperity, but here we are in another effort to solve the intractable problem of small boat crossings with this Bill.

Some elements do not necessarily sit well with me, but some of the amendments, sadly, sit even worse. Some of the rhetoric that we hear on this subject is quite alarming. I have tried in my small number of amendments to apply a little common sense and compromise, neither of which appear to be in abundant supply when it comes to discussing this issue.

I listened carefully to the right hon. Member for Newark (Robert Jenrick), who is sadly no longer in his place, who spoke passionately on this issue and answered my question and others put to him in interventions very well, but I cannot help but retain a feeling of the fundamental unfairness of some of his amendments. I will expand on that later.

Turning to my amendments, amendment 1 seeks to compel the Home Secretary to confirm on an ongoing basis that Rwanda remains a safe country. I have no interest in restarting the debate about whether it is safe now; for the purposes of this legislation, we assume that it is. What I am trying to address in the amendment is the political and social instability that exists in many parts of Africa, and that regime change is more common in that part of the world than any other.

It will be 30 years this year since the horrific Rwandan genocide in 1994, and a lot of things have happened in those years, largely down to stability and the steps taken by President Kagame. It is probably worth noting that since 1994, Rwanda has had two Presidents, whereas the UK has had eight Prime Ministers of varying levels of honesty and competence. It might therefore seem unusual to table an amendment on regime change, but it is a real concern none the less.

In 2021, coups d'état ousted four Heads of State in sub-Saharan Africa. Elected leaders in other African nations were accused of enacting a more authoritarian approach, presumably to stave off a similar rise of forces against them. Between 2017 and 2019, President Bouteflika of Algeria, President al-Bashir of Sudan and President Mugabe of Zimbabwe were ousted after a combined 90 years in power. In a paper released two years ago almost to the day, experts from the London School of Economics and Political Science showed that,

"their removal, rather than a direct consequence of mass protests and economic downturns, was the culmination of ripened factionalism, which had blossomed after the leaders' attempts to centralise power."

That simply illustrates the potential volatility of politics in the region and the rationale behind my amendment. It is not an onerous requirement that the Home Secretary must lay before the House a report every 12 months confirming that Rwanda remains safe. As a responsible partner to various international agreements and conventions, it would seem the least we should do in that regard.

I will take amendments 2 and 3 together, as they are related, as well as commenting on other amendments on the same issue. As a layperson who is not legally trained in any way, but hopefully has a decent dose of common sense, I find it unthinkable that individuals against whom any kind of judgment is made would not be allowed the right to appeal against that judgment. That type of thinking puts our legal process back 100 years; it is frankly beneath us and beneath what this Parliament should stand for.

We have in this country a robust and well-established legal system, from magistrates to county court, Crown court, High Court, Court of Appeal and finally the Supreme Court, with various tribunals and other such devices for specific purposes. As a matter of law and simple fairness, we allow people to question and appeal. Shoplifters can appeal. Car thieves can appeal. Abusers can appeal. Perpetrators of domestic violence can appeal. Rapists can appeal. Murderers can appeal.

I have listened carefully to the arguments of some of my colleagues, both personally and what has been said in the House and in various media outlets. I feel compelled to conclude that the trend towards dog-whistle politics and putting the label of enemy on people where no such label needs to apply seems to have got the better of some people. I point out to colleagues that although it is often the noisiest voices that call for migrants simply to be rounded up and shipped out, the noisiest voices are almost certainly not the voices of the majority of the people of the United Kingdom, which is and always has been a welcoming and kind country to those in need.

We can point to all manner of schemes to show that that has been the case. Even recently, between 2015 and June of last year, more than 179,000 people arrived in the UK from Ukraine. Over that same period, more than 123,000 people have come to the UK on the basis of being granted British national overseas status and more than 50,000 people have come as part of the Afghan and Syrian resettlement programmes. We are a kind and supportive country to those in need—but have we become what many consider to be a soft touch? Perhaps in some ways we have.

I look at the movement of people in two distinct ways: they are either moving away from something or moving towards something. What I mean by that is that some people are, as we all know, in a horrific situation. Whatever people think of the Government in the UK, it does not carry out large-scale attacks against its own people, as we have seen in Syria, and the Government of the UK does not routinely persecute and incarcerate people who dare to speak out against them. Of course we recognise that people in many places across the world need to flee. They need to move away from that situation.

Where I end up, however, and where I have sympathy with some of the arguments made by those on the right among Conservative Members, is that there is a clear and distinct dividing line between someone moving away from danger by necessity and someone moving towards something else by choice. That is where much of the message is lost and drowned out by noisy activists

on both sides, when a calm and common-sense approach to thinking about the problem would make it very clear. Those people I mentioned earlier, in danger and in fear of persecution, incarceration or worse, must of course do all they can to remove themselves from that situation and to save their lives and those of their families. I have absolutely no problem with that.

Where the problem lies, however, is that once there is no danger and the fear of persecution, incarceration or worse has passed, movement is out of choice rather than necessity. People are then moving towards something they consider preferable, rather than away from danger—the danger is over. I completely understand the arguments and the confusion about why people need to move from France, a perfectly safe country. Aside from the occasional street protest, and baggage handlers battering luggage when they actually turn up for work, France is a civilised, modern and, above all, safe country where people are not in danger, so people who come from there are no longer seeking to escape but are in fact moving towards something preferable. That is where the arguments of certain charities and some Opposition Members sadly lose their credibility.

The problem is that, once they have made that journey across the channel, they are our responsibility, and we simply cannot send them back unless France agrees to take them, which it will not—why would it? Aside from the fact that the French have no desire to increase their own problem, we have just spent the last decade calling them and their friends everything under the sun and saying that we do not want anything more to do with them, so of course they are not inclined to help us deal with this problem.

What do we do when we cannot just send people back and have to deal with the situation ourselves? We have heard many Opposition Members say that we cannot do this or that, but no one has said, "Here is what we would do instead." Many people have said throughout the debate that there is no capacity in the UK—that we do not have enough houses for everyone, or enough doctors, dentists, hospitals schools or general infrastructure for even our existing population—and they are right. Relocating asylum seekers to a safe third country is a long-established mechanism used all over the world—it is nothing new—but I do not like the push for a lack of due process in order to remove people's rights in favour of speed, expediency and a populist movement.

Amendments 2 and 3 would balance those competing needs by allowing for appeals if they are heard remotely from Rwanda post-deportation, which seems perfectly feasible. If covid taught us anything helpful, it was that we could be a lot more flexible in our use of technology than we had been. Since 2020, courts have been rapidly moving online: the cloud video platform was introduced in response to the pandemic, and a video hearing system is already being used nationally in tax and property tribunals, as well as in Chester Crown court, not far from my constituency. By all accounts, it works seamlessly and is a great success. His Majesty's Courts and Tribunals Service plans to transition to a new service of video hearings covering more areas, so it seems perfectly reasonable for the same technology to be used to hear appeals against asylum decisions.

As the Government have considerably narrowed the eligibility of appeals in clauses 2 and 3, the chance of any eligible claim rearing its head is negligible, so there is no reason that individuals cannot continue to be removed before having their appeal heard via a Government-established video conferencing facility in Rwanda. I am aware of the established principle laid down in law, in the European convention on human rights, that people cannot be removed to Rwanda if there is an imminent and foreseeable risk of serious and irreversible harm. The Government rightly need to pay heed to that situation, as the UK is very much a signatory to the ECHR—a situation that should not even be considered for change.

As the Chair of the Home Affairs Committee, the right hon. Member for Kingston upon Hull North (Dame Diana Johnson), mentioned, it would not be appropriate simply to ignore that rule. I thank the Minister for the time he took to address that concern in relation to my amendment and to explain why he did not feel that my proposals would be possible. I completely accept his explanation and am pleased to have had it confirmed by the right hon. Lady earlier, but I hope that a simple common-sense approach will be taken in the aftermath. For example, colleagues have expressed concern that women who are heavily pregnant might be able to appeal on the basis of being unfit to fly. I hope that the process will recognise that anyone determining themselves fit enough to take a 30-mile journey across a dangerous sea in a barely floating craft that could capsize at any moment cannot then claim to be unfit to take a flight in perfectly comfortable and safe conditions.

4.15 pm

The Government have rightly narrowed down the possible reasons for appeals so much that I am astonished that there are still people who are arguing it is not enough. Once again, we allow murderers to appeal. We remain a civilised society; we cannot simply rule it out. We hear all the time about people being wrongly convicted of things: we have spent the last few weeks hearing about a bunch of people who were wrongly convicted in the Horizon scandal. I do not believe for a second that anyone in the House would have denied them the right to appeal, so I implore colleagues not to lose sight of their humanity. The grounds for appeal are so narrow that they will hardly ever apply.

I have spoken for plenty long enough, apart from to say that amendments 56 and 57, which stand in the name of the right hon. Member for Gainsborough (Sir Edward Leigh), are also eminently sensible and would close another potential loophole. I hope upon hope that colleagues will be able to see the wood for the trees on these issues, understand that entirely taking away the right of appeal would be an affront to our legal framework, and not obstruct the Bill any further.

Michael Shanks (Rutherglen and Hamilton West) (Lab): It is a pleasure to follow a contribution that was slightly more rational than those we have heard from a number of Members on the Conservative Benches during today's debate. This is my first Committee of the whole House, and it has been an interesting experience. We have had 17th-century constitutional and political lectures, analysis of the US constitution and, really interestingly, the suggestion from a number of Conservative Members—which slightly lets the cat out of the bag—that this policy is all about the upcoming general election and

[Michael Shanks]

how quickly we can get flights off the ground before that happens. We have heard very little about whether the Bill actually contributes to an effective immigration strategy.

I rise to speak in support of new clause 6. I have spoken in various other debates on this legislation and outlined my objections. It is a fundamentally ridiculous proposition that is becoming increasingly ridiculous as we see the Tory psychodrama playing out in front of us—slightly less dramatic this time than it was in December, but I am sure that will change—and pulling the Bill in two completely opposing directions while the Government still claim that it is an entirely workable policy. It has the dubious distinction of being a policy that is both utterly immoral and completely ineffective, at the same time as costing an extraordinary amount of money. It is seemingly not even supported by the Prime Minister, yet here we are, debating amendments that will take the Bill even closer to breaching international law—if it does not already—and further diminish Britain's standing in the world. The Bill should be voted down on Third Reading, and from the looks of the Tory chaos it might well be, but for now we have an opportunity to try to make it a little better with some safeguards.

In my view, new clause 6 should be completely uncontroversial. If the Government genuinely believe that Rwanda is a safe country—if they believe it is able to meet all the expectations placed on it in the Rwanda treaty—why should there be any hesitation at all about putting the monitoring committee on a statutory footing? That would ensure that Rwanda's status as a safe country can be suspended if the facts change—if we uncover additional evidence that perhaps it is not a safe country, if the political situation changes, or if the Foreign Office changes its travel guidance. Surely those are basic things that would lead us to question the safety of Rwanda.

It is on that evidence base that I will focus my remarks. As has been discussed, clause 2 of the Bill is an attempt to replace facts with legally binding fiction. The Bill might be said to legislate for a lie—to make something that is not true on the evidence we have seen true in the eyes of the legal establishment. It was Orwell who wrote:

"In the end the Party would announce that two and two made five, and you would have to believe it…the very existence of external reality…was tacitly denied by their philosophy."

We are in that situation now: "Forget the evidence to the contrary. Just take our word for it: this is fact." Through new clause 6, we have an opportunity to ensure that if evidence of human rights abuses or the mistreatment of migrants were to emerge, there is a mechanism to suspend the Government's alternative truth and make legal decisions in our courts on the basis of reality.

It is risible that this is even debatable. Given the security situation near the border with the Democratic Republic of Congo and Burundi, which the Foreign Office, in its own international travel guidance today, says makes Rwanda "unstable", is it not a sensible precaution to introduce a protection saying that if the Foreign, Commonwealth and Development Office were to advise against travel to Rwanda, the statement that Rwanda is a safe country for migrants should be suspended? Otherwise, we have a Bill that the Government seek to make into law that simply says that in perpetuity, no matter what, Rwanda is a safe country.

The 137 pages of the Home Office's information note on human rights, which it published this week, make for interesting reading. I spent some time reading all 137 pages, and I encourage Members to do so, although I wonder how many have. In some ways, when I was reading it, I was surprised that the Government had actually put it on their website, given the litany of evidence it presents on why Rwanda cannot in all seriousness be declared a safe country. It details examples of the state prosecuting political opponents, deaths in police custody, unofficial detention facilities, police torture, ill treatment and torture in custody, the recruitment of child soldiers as recently as last year, and countless other breaches of human rights law. It also covers the questionable strength of Rwandan Government institutions to challenge those breaches, so I do wonder whether the Government have read their own evidence pack.

To add to that, this week the UNHCR has provided further evidence, updated just yesterday, that the UK-Rwanda scheme does not meet the required standards relating to the legality and appropriateness of the transfer of asylum seekers. It states that the scheme is therefore

"not compatible with the international refugee law."

It cites numerous concerns about fair and efficient procedures in Rwanda for handling asylum applications and the continued risks of refoulement, and it concludes that this

"undermines the universality of human rights, has implications for the rule of law both domestically and internationally, and sets an acutely troubling precedent."

The evidence is clear on the Government's own website that Rwanda cannot be defined as a safe country, but even if we were to accept that it is a safe country, surely new clause 6 gives scope in the future should circumstances change—even if it is the Government who decide that—to suspend the idea that it is a safe country and allow the courts to make their own decisions.

Although voting down this entire Bill on Third Reading is the right course of action, we should at least try to do what we can to make it slightly more sensible—to oppose some of the amendments tabled by Conservative Members that would take us even further towards breaching our international obligations, and to support amendments that seek to make it slightly more sensible. New clause 6 is a sensible amendment that I would encourage Members to vote for.

This Bill must be defeated and the policy it seeks to enact must be abandoned. It is hugely costly and it is ineffective. With the news this week that, as Members have said, five more people have been tragically killed in the freezing cold waters of the channel trying to make their way to this country, it is time to move beyond these gimmicks and the appeasement of the extremes in the Conservative party and to deliver some workable policies.

Sir Simon Clarke (Middlesbrough South and East Cleveland) (Con): It is a pleasure to speak in the debate. I rise to speak in support of the amendments standing in the names of my hon. Friend the Member for Stone (Sir William Cash) and my right hon. Friend the Member for Newark (Robert Jenrick), who I believe has shown considerable political and personal courage during the course of this legislation to date.

I want to open my remarks by saying how strongly I believe in the principles of the Rwanda scheme. It is imperative that we break the business model of the people smugglers in a way that means the trade is not merely dented but ceases. We have heard platitudes, I fear, from Opposition Members about how if only we worked a bit more closely with the European law enforcement agencies, everything would resolve itself. Of course, would that that was so.

I can testify not only from my own time in Government but from having spoken to Ministers in the Home Office both currently and previously that a litany of work is under way to make sure that we bear down on this evil trade, and it has had some success. Crossings are down by approximately a third on their peak in 2022, and there has been enforcement action ranging from the French coast right through to dinghy sales in Bulgaria, which testifies to the fact that the UK is working at pace with our partner agencies to try to end these crossings. However, unless we address the root causes, we will always be left dealing with the consequences of the problem. That, I am afraid, is not acceptable to me and, much more importantly, it is not acceptable to my constituents or to the people of this country.

Just this weekend we had, as the hon. Member for Rutherglen and Hamilton West (Michael Shanks) said, a tragic reminder of the human cost of allowing this trade to persist. Clearly it also has serious consequences for the United Kingdom. It makes a mockery of our border security and damages social cohesion. The accommodation costs alone of our asylum seeker population are somewhere in the region of £8 million a day, and that is before the through-life costs of these people being in this country. It also compromises our security, as the awful murder in Hartlepool a few months ago made clear. We do not know—we cannot know—who is coming into this country, and that is a serious and substantial risk that it is incumbent on us to acknowledge.

As my right hon. Friend the Member for Newark alluded to, the test that faces us as legislators is simple: will this legislation work? It is not, "Is this legislation the strongest ever?", although for the record it is, but it is still likely to prove insufficient. Still less is the test, "Is this as far as the Prime Minister is willing to go?" There is a crisis of faith in our politics. That boils down, as it has done for a number of years, spanning the Brexit debate and the causes of that, to whether we as Members of Parliament mean what we say. Is our word worth anything? Are we capable as a country of asserting our national sovereignty? Are we as a country capable of policing our borders?

I welcome the fact that the Government have decided that we now need to derogate from parts of the Human Rights Act 1998, which is welcome, brave and commendable. We now need to follow that logic to its conclusion. As amendment 10, in the name of my hon. Friend the Member for Stone, sets out, we should set out clearly and unambiguously that this Act will have effect notwithstanding the Human Rights Act. We must also close the loopholes that regrettably remain in the legislation. We have proposals to do so, with an accompanying legal opinion from John Larkin KC, the former Attorney General for Northern Ireland.

As my right hon. Friend the Member for Newark set out eloquently a few hours ago, we must in particular strengthen provisions against individual claims, as opposed to the general principle of the safety of Rwanda. It is welcome that we are asserting that, but it will be critically undermined unless we can stop the profusion of individual claims that will materialise, not least with the help, I am afraid, of the creative legal fraternity, if we do not close off that route.

Contrary to what the hon. Member for Delyn (Mr Roberts) said a few minutes ago, we are not excluding appeal rights entirely. If, for example, someone is seriously ill, they will not be eligible for removal to Rwanda under the amendment of my hon. Friend the Member for Stone. However, we must make it clear that we will not tolerate the abuses—and they are abuses—that we witness day in, day out under the current system.

We must also make clear in the Bill that rule 39 interim injunctions from the European Court of Human Rights in Strasbourg will not have automatic binding effect. That is something that I think many of us regarded as a settled issue. Anyone who watched the Prime Minister's appearance on the Kuenssberg show on the BBC just 10 days ago will have seen that he was unable to offer that guarantee. He was unable to offer it in good conscience, because here we enter the contested territory of what the Attorney General is prepared to sign off and what the ministerial code will allow. That goes to show precisely why the issue is so pressing. If we do not assert it as a sovereign Parliament in the Bill, it is highly likely that the issue will rear its head again in the months ahead.

Failure to close the loopholes will mean that, as my right hon. Friend the Member for Newark said, we will face pressing operational problems that will significantly impair, and perhaps totally frustrate, our ability to pursue what this side of the Committee wishes to deliver. Our court system will be overwhelmed, our detained estate for asylum seekers will be overwhelmed, and the public's patience will be exhausted. We have marched the British public up this hill not once, but twice already and failed both times. This is our third attempt. The Government's own estimate, as we know, is that as we stand today, the Bill's best chance of success can be rated at around 50:50. That is simply not adequate.

4.30 pm

We hear today that 150 judges and their courts will be made available to process appeals arising under the legislation. Apart from being one of the most effective devices I can conceive of to worsen our existing court backlog, that is simply confirmation of the scale of the problems that the Government anticipate as a result of what will happen under the Bill as drafted. I do not know where we will find these judges, and it would be helpful if the Minister—I hope he knows that I have an enormous amount of personal and professional respect for him—could elucidate that in his remarks. I do not know from which cases they will be diverted, and I certainly do not know at what cost that will all be accomplished, but it is not a tenable strategy for us to set aside such a huge amount of court time when we can act now to prevent spurious abuses being sustained still further.

As my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) said, this is our last chance to act in this Parliament. We have tried on multiple occasions. Despite the valiant efforts of my right hon. Friend the Member for Witham (Priti Patel), my right hon. and learned Friend the Member for Fareham (Suella Braverman),

my right hon. Friend the Member for Newark, my hon. Friends the Members for Torbay (Kevin Foster) and for Corby (Tom Pursglove) and others, we have not succeeded. It comes down to this fundamental question: in whose interest do we sit here? Do we legislate today? It is clearly in the public interest that we sit here.

I warned in the debates on Brexit, which I had hoped were relegated to the annals of history, that the House was playing with fire. If mainstream democratic politicians do not or cannot resolve the problems that face this country, our political process will, I am afraid, move inextricably to the extremes. We have heard a lot of rhetoric—it is rhetoric—from those on the Opposition Benches about the extremeness of the position we are advocating. Trust me: it will be as nothing compared with who will sit on these Benches if we fail in our task, because we are at the limits of the tenable when it comes to the feelings of the British public.

If the Labour party wins the general election that will be held later this year—I freely admit that the polling at the moment suggests that it will, in large part because of the frustration, frankly, that the British people feel about this issue—it will have to confront these same problems. If it is not willing to act any more than we have been willing to act, it will be eaten by this issue just the same. It is a certainty that we have to slay this beast, if it is not to destroy all the mainstream centre ground of British politics and leave it in the hands of people who will advocate genuinely radical and unacceptable solutions.

Mr Roberts: My right hon. Friend is making a powerful speech. I am curious, and it is possibly my procedural unawareness that leads me to ask this question, but if this Bill is voted down tomorrow evening on Third Reading, is it not the case that we will not be able to bring anything else back within this Parliament, on the basis that we cannot ask the same question twice if it has already been negatived? He said that it is not an ideal Bill, it is flawed and its success is 50:50 at best, but if he votes it down, there is surely a zero per cent. chance of anything happening.

Mr Deputy Speaker (Mr Nigel Evans): Order. I remind Members that when intervening they should please look forward, so that their voice, mellifluous as it may be, can be picked up and the *Hansard* reporters can get the words down accurately.

Sir Simon Clarke: I thank the hon. Gentleman for his intervention. It is possible to bring back a Bill on this issue, providing there is a substantial difference in what is brought forward from what we are debating. I would argue that a Bill that was not focused, as this one is, on the general safety of Rwanda, but on the wider enforceability of our immigration law could be brought forward in this Session.

It was a regrettable farce—I use the word advisedly—in the previous Parliament of which I was a Member that the overt bias of the then Speaker, Mr Bercow, meant that we were frustrated when we attempted to deal with this issue in the context of Brexit. If the Government do not support amendments to the Bill—I hope they will—I do not anticipate that situation arising in what would be the happy event of their coming forward with a new Bill that goes further on these points so that they can command the support of the whole of the Conservative party.

Mr Roberts *rose—*

Sir Simon Clarke: I will not give way further on this point. We are clearly keen as a Conservative party to deliver on this problem in a way that will satisfy the British public.

The Prime Minister has said that he will do "whatever it takes". Unfortunately, I do not believe that, as of this moment, we are set to do whatever it takes to stop the problem. I can vote for this legislation only if I believe genuinely and sincerely that it will resolve the problem and I can look my constituents—the people who send me here—in the eye and say, "This is going to fix it", because I have done so twice before and let them down. I urge my colleagues to reflect carefully on that.

The Prime Minister has confirmed that the general election is likely to be held in the latter half of this year. I am afraid that, by that time, there will have been contact between this Bill and the reality of our court system, and I do not think the outcome will be a pretty one. There will have been time for it to be tested and, I fear, for it to fail. At best, as my right hon. Friend the Member for Newark observed, we are likely to see a few token flights setting off—not the automatic deterrent that will be required to change the incentives. The expectation for a young male who is in essence an economic migrant in all but name seeking a better life in the UK needs to be that he will be detained and removed. That, and that alone, is what will change the incentives driving this trade. That is not what is set to be delivered by the Bill.

In the absence of amendments being brought forward and supported by the Government, I will not be able to support the Bill. More than that, I will vote against it on Third Reading. I say that with real sadness but with total determination that we as a Conservative party should show that we are honest with the British people about the nature of the crisis we face, and that we are determined to do everything in our power to resolve it. Short of that, this legislation cannot have my support.

Jane Stevenson (Wolverhampton North East) (Con): I rise to speak to the amendments tabled by my hon. Friend the Member for Stone (Sir William Cash) and my right hon. Friend the Member for Newark (Robert Jenrick). Those of us in this place who are not learned Members have had interesting conversations in the past weeks and months with learned colleagues on both sides of the argument on the Bill. Some want it toughened and some want it slightly softened, but all of us are united in wanting a Bill that works and allows the Prime Minister to deliver on his promise.

I absolutely trust the Prime Minister's commitment to ensuring that we can stop the boats. I believe that the Rwanda policy can be a deterrent to people. If their expectation is that they will not succeed and they do not have a right to remain in the United Kingdom, they will not pay their money to a person who promises they can succeed. I am grateful to my learned colleagues for putting forward their opinions. If that has shown me anything, it is that lawyers like to talk and argue, and it is in their interests to do so, so we cannot pass a Bill that

enables lawyers to bat cases around indefinitely and allow appeals to be lodged—enough to make the policy ineffective.

My constituents find it ludicrous that they elect Members to come to this place and act in their interests, yet we do not seem to be able to do that. I think the small boats trade is raised with me on the doorstep more than any other issue. It is an evil practice on so many levels. These are people making money from others' misery, and they are putting lives at risk. As I have said before, it is perverse, because a fair and just asylum system should not be reliant on a person's ability to scramble thousands of miles—across a continent—and to pay people smugglers. It is absurd to any rational person.

Alison Thewliss: The hon. Lady says that the asylum system has limitations, but does she accept that the only way legally to claim asylum in the United Kingdom is to put feet on these shores? There is no asylum visa, and the Government have not proposed any new safe and legal routes to allow people to come here.

Jane Stevenson: Another absurdity that my constituents raise with me is that Opposition parties seem to speak for the rights and interests of 8 billion in the world above the rights of the people who elect us to serve here. I invite the hon. Lady to intervene again, because I do not ever hear a sensible limit. I will come to international development later in my remarks, but undoubtedly, many more people would have the right under the current framework to claim asylum here than we could ever possibly hope to accept into the United Kingdom. Does she have a number that she thinks would be acceptable? At what point is this argument exhausted?

Alison Thewliss: The hon. Lady's point is quite absurd. Nobody is saying, realistically, that 8 billion people are coming to the UK. The vast majority of people who flee their countries stay in a neighbouring country. They do not go any further because they want to return home. The UK takes a very small percentage of that number, and those who come often do so to reunite with family and for safety, because there are people already here who can look after them and support them.

Jane Stevenson: I fundamentally disagree with the hon. Lady. Scotland does not have the same issues as many English places, and I do not think that Scotland has taken its fair share of asylum seekers in recent months. Globally, we need to look at a bigger reality. Our responsibility in this place is to look forward. The Rwanda Bill will be a deterrent. If it succeeds, it will put people off making those perilous journeys and break the evil, perverse model of people smuggling.

We need to look at the wider framework as well. I had an interesting visit to Washington last year, when I met many people, including from the Word Bank. If anyone has not read its report last year on global migration trends that it anticipates over the coming decades, I invite them to read it. We also met the United States Agency for International Development. My profound belief is that the answer for the world is not to empty the less affluent bits into the stable, affluent bits. Mathematically, if nothing else, that cannot work.

Now is the moment for us to consider a much wider picture and to question the whole framework, much of it devised for a European issue 70 years ago. We live in a very different world. Twenty years ago, information was not available to people living in developing countries. The internet was not there. They had no idea how to get from point A to point B, who to pay, what to say and what to expect when they arrive. We are living in a totally different world. I welcome the Prime Minister's commitment to dealing with that. In December, he spoke to the Fratelli d'Italia conference in Rome, where he was quite clear, on breaking the business model of the criminal gangs, that

"if that requires us to update our laws and lead an international conversation to amend post-war frameworks around asylum, then we must do that. Because if we don't fix this problem now, the boats will keep coming and more lives will be lost at sea."

I wholeheartedly agree.

I am well known in Wolverhampton for telling my Labour council to get a move on, and on this issue I turn my fire, briefly and in a friendly way, on the Prime Minister. He should get a move on. He should be leading that global conversation. It is one that so many countries are ready to have. The United States is ready to have it, and most European countries are looking to our policy to see if it will work, They accept the mathematical and social reality, and that is what our constituents want.

I will conclude, as I do not wish to speak at great length. I thank all colleagues who are trying to strengthen the Bill. I want it to be as robust as possible, because we need it to be fit for the crisis we face. It is a crisis and my constituents certainly want to see results, so I will support the amendments. I also want to put on record my wholehearted thanks to the Prime Minister for his determination to sort this issue out.

4.45 pm

Mr Deputy Speaker (Mr Nigel Evans): After Miriam Cates, Matt Warman will be the last Back-Bench speaker. The wind-ups will begin after he sits down.

Miriam Cates (Penistone and Stocksbridge) (Con): It is a pleasure to follow my hon. Friend the Member for Wolverhampton North East (Jane Stevenson). She made a fantastic speech and got to grips with the heart of the issue.

I rise to speak in support of the amendments in the name of my hon. Friend the Member for Stone (Sir William Cash) and my right hon. Friend the Member for Newark (Robert Jenrick). In particular, I want to speak to amendments 19 to 22 to clause 4, in the name of my right hon. Friend the Member for Newark. Taken together, they will prevent individual migrants blocking their removal to Rwanda by using the UK courts to make claims over months and even years. The Bill already blocks claims relating to the general safety of Rwanda in particular, but it does not stop individual challenges like those that stopped the flight in June 2022, which ended up with the case that went to the Supreme Court last year.

As drafted, the Bill states that for an individual to avoid deportation, there must be compelling evidence that they would come to serious and irreversible harm if deported to Rwanda. That sounds like a very high bar, but in reality all that would be required is a doctor's certificate certifying mental health problems if they were taken to Rwanda. Indeed, that is what happened in

[Miriam Cates]

June 2022 to a couple of dozen people sitting on the flight on the tarmac. Nothing in the Bill materially changes that fact in terms of individual claims.

Even if claims are eventually not accepted, they still clog up the courts. They can still end up on appeal and, as we have heard, that can be for a matter of years. The Government said last night that they will increase, I think by about 150, the number of judges on the tribunals. All that shows is that the Government expect a large number of individual claims. If the Bill, as drafted, blocks individual claims as the Government suggest, why would they need additional judges to move through the courts? The questions raised by my right hon. Friend the Member for Middlesbrough South and East Cleveland (Sir Simon Clarke), about where the judges would come from and what impact that would have on our wider courts system, are very valid.

If individual claims clog up the courts for months or even years, then even if they are not ultimately successful they will automatically weaken the deterrent effect of the Bill. The whole purpose of the Rwanda plan is to be a deterrent, and deterrents only work if the same action is always followed by a consistent response. It is the same with the criminal justice system and the same with parenting. Effective deterrents are by definition fair, because they treat everybody equally. Some of those opposing the amendments are normally highly in favour of equality. The amendments make it equal: everybody who arrives here illegally will be detained and deported. That is how we create an effective deterrent.

I readily admit that the Government have made progress and I warmly welcome all the progress that has been made: the deal with Albania, the upstream work with Bulgaria, and the attempts to help the French prevent more boats from launching in the first place. But to actually stop the boats, which is the Prime Minister's pledge and the pledge we as a party have made to our constituents, migrants in Calais and the international criminal gangs must know beyond doubt that anyone arriving illegally in the UK will swiftly be detained and deported.

My hon. Friend the Member for Wolverhampton North East is absolutely right; criminal gangs and migrants have smartphones. They can tell instantly which routes are available, where the boats are, how much they have to pay, what different countries' asylum systems look like and what different countries' benefit systems look like. They have an instant trade in information. A deterrent can only work if everyone knows beyond doubt that that is exactly what will happen to everyone who lands on our shores.

Lia Nici (Great Grimsby) (Con): I commend my hon. Friend for all the work that she has been doing in this regard. Does she agree that the reason we need to strengthen these clauses—this is why I will support the amendments—is that the whole purpose of the majority of people who come here illegally is to claim asylum in order to prevent the possibility of deportation? The Home Office's own figures show that when that process has happened, 70% of those people abscond. We need to stop that now.

Miriam Cates: I entirely agree. The problem is that Britain has become known as a soft touch, partly because of the delays in our courts, partly because of the generosity that has led to the housing of migrants in hotels, and partly because our acceptance rate is very high compared with those in other countries. If the Bill is to serve as an effective deterrent, we must remove the limitations of the current scheme by ensuring that everyone who arrives here illegally is swiftly detained and then deported.

The amendments argue that individual migrants should not be able to make suspensive claims—they should not be able, in British courts, to claim against deportation—but should retain those rights when they arrive in Rwanda. We are not talking about removing those individual rights to claim asylum, or even to be sent back to the UK in some circumstances. However, it is essential for that process to happen offshore, in the third country of Rwanda, because it is the deportation that is the deterrent. That is why the amendments are so necessary for all individuals, except those who are unfit to fly or in respect of whom obvious mistakes have been made. Of course they should not be put on planes to Rwanda, but the amendments would make it consistent for all others to be sent there.

As I have said, the point of this is a deterrent, but there is strong opposition to the amendments—on the Opposition Benches, obviously, but also among many on these Benches. Let me draw their attention to a poll published last night in *The Telegraph*, which showed that in nearly every constituency swift detention and deportation is the most popular way of dealing with illegal immigration. It is the preferred option for a large proportion of the general public. While various interpretations of international law and its application may be strongly contested in Westminster, as we have heard today, the need for secure borders is not a contested idea in the country as a whole.

The British people are generous and compassionate. They support managed schemes to welcome refugees, as we have seen over the past few years. However, when they see tens of thousands of mostly able-bodied young men coming from France, which is a safe country, taking physical risks to cross the world's busiest shipping lane in dinghies, and then being housed in hotels at great expense to taxpayers—and when they see some of those people absconding and some committing horrific crimes, and then hear Westminster commentators saying that because of international conventions we cannot deport them—they ask, "Are you serious?" Are we, indeed, serious in saying that we cannot do that?

Most ordinary people in this country do not lie awake at night worrying about our standing among elite international lawyers. They lie awake at night worrying about security, crime and the cost of housing, all the issues that are made significantly worse by the abuse of our asylum and immigration system—because, without doubt, our system is being abused, and will continue to be abused unless the Bill is strengthened to limit those suspensive claims so that all the people arriving on our shores illegally are treated in the same way, and are detained and deported.

The fact is that weaknesses are always exploited. That is a sad fact of history and human nature, and those who do not believe it are, I am afraid, naive. We must deal with the reality. My right hon. Friend the Member for Gainsborough (Sir Edward Leigh) put it very well: many of us would behave in exactly the same way in these circumstances, if we saw what was available in the

UK and compared it to a life in another country, and if we knew that it was easy to come here, tie up the courts for a long time and, potentially, abscond. Many would do the same, because that is human nature. The reality is what we have to deal with.

This is a matter of responsibility. The responsibility of the British Government is the safety and welfare of the British people. It is not our responsibility to rehouse everybody in the world who would like to leave their own country and come to ours. We can absolutely sympathise with their plight as individuals, but it is simply unrealistic to say that the UK has a responsibility to any asylum seeker anywhere in the world who would like to come here. We have a responsibility for our constituents; other Governments have a responsibility for theirs. If they are not engaging with that responsibility correctly, that is not our fault.

Jane Stevenson: Would my hon. Friend agree that a focus on foreign aid and a united effort—*[Interruption.]* I thank the hon. Member for Glasgow Central (Alison Thewliss) for shouting at me. Does my hon. Friend agree that there should be a united focus on helping safe developing countries to benefit from giving these people asylum? They could make good lives there, with education and good prospects for their children. That is the way forward rather than this mass influx into the UK.

Miriam Cates: I agree with my hon. Friend, who of course is right. One of the many solutions to this problem is to improve conditions in some of the countries from which people are fleeing, but we also have to be realistic. We cannot solve all the problems in the world. We are speaking about illegal migration, but there are also ethical issues with legal migration. Taking large numbers of well-trained, well-educated young people from developing countries into our NHS and our workforce is not helping the countries that they are leaving. The ethics of the whole immigration debate need careful scrutiny in both directions.

I shall come back to my point. Yes, we should be compassionate and yes, we need well-managed schemes for taking refugees, but it is not the responsibility of the British Government to rehouse everybody in the world who would like to come here. That does not mean that we do not have sympathy for the plight of individuals, but the definition of responsibility and accountability matters, and our responsibility is first and foremost to our constituents and the welfare of those in the UK.

I support these amendments and I will be voting for them tonight because the Bill must work. It must work to provide an effective deterrent; it must work to secure our borders; it must work to prevent people smuggling; and it must work to show the British people that their elected representatives really do take their concerns seriously.

Mr Deputy Speaker (Mr Nigel Evans): After Matt Warman we will have the ministerial response, then Alison Thewliss will make references to her amendment, and then we are expecting multiple votes.

Matt Warman (Boston and Skegness) (Con): I want to begin by talking about the remarkable contribution of my hon. Friend the Member for Stone (Sir William Cash), to whose amendment I wish to speak. In a constituency such as mine, which voted overwhelmingly for Brexit, the work that he has done over many decades is appreciated, and it is something that has served the national interest, so I am somewhat nervous about criticising amendment 10. None the less, I know that he and I, more than anything else, can disagree courteously, which is perhaps more than I and many others have managed with some Brexiteers who have perhaps got too much credit for a project that has now run its course.

I could talk a little about why I worry that a Bill that is already judged to have a 50:50 chance of success could, in the pursuit of toughening it up, be driven to having a far lesser chance of success. The people who say that they want it to work, and to work quickly, in fact run the risk of driving it into the courts, seeing it fail and seeing us as a party take less of the action that is so clearly in the national interest.

Sir William Cash: Having looked at my amendment carefully, has my hon. Friend observed that the only way to guarantee that this Bill will be satisfactorily regarded by the courts is if the sovereignty of an Act of Parliament is combined with clear, unambiguous words that improve the Bill? That does not mean that it will not go through; it means that it will go through and the courts will accept it.

Matt Warman: I would agree with my hon. Friend that the Bill could go through, but that does not guarantee legal success, as he knows. He is right to say that there is a respectable legal argument to be made for it, but a respectable legal argument does not guarantee success. I want, not least because of the poll that he and others have cited, to see us taking clear and effective action on this. To be successful, that clear and effective action must be able to survive the potential legal challenges. I argue in favour of the tightrope on which the Government are walking not because I lack conviction but because I want to see action as quickly as possible on an issue that, I hear from my constituents day in, day out, has a clear and real impact on their lives.

Only yesterday, the Home Office announced that it is closing another two hotels in my constituency that are being used to house asylum seekers. The global migration crisis is on the doorstep of constituents in Boston and Skegness, which is why we must tackle it effectively. I will take no lectures from anyone in this Committee on my personal commitment to tackling this issue, and I want the Government to stay on the tightrope and to get on with addressing this vital matter.

5 pm

I fear the signals that amendment 10 would send, as it would mean this country is able to ignore more of the European convention on human rights, more of the refugee convention and more of a whole host of international agreements. Surely, having helped to write those agreements 70 years ago, this country has a duty, as my hon. Friend the Member for Wolverhampton North East (Jane Stevenson) said, to see them reformed and improved. Spain, Germany, Italy and France do not think the refugee convention is working for them either, and I do not think it is working for this country or for my constituency. I want to see it reformed and

improved because, more than anything, the refugee convention is not working for refugees. The role of this great country surely should be to stay at the table and to work within a global system. The ECHR, the refugee convention and a whole host of other international agreements need to be better, and we have already seen some positive reforms, but we could see more if we stay at the table.

If we say those rules should not apply to us, we would be sending a signal that we are stepping back from that conversation. We would be saying that we are resiling rather than wanting to see reform. We would be saying that we want to back out rather than back ourselves in having a place in the world and a place at the table.

Sir William Cash: I hope my hon. Friend noticed that I said that changes to the European Union's charter of fundamental rights and the European Court of Human Rights will ultimately lead to constitutional referenda and amendments, which would not only take a long time but might be impossible.

Matt Warman: I fear that some of what my hon. Friend says is correct, but it is also true that we lessen our ability to make that case, on our own behalf and in the global interest, if we step back. I want to see Britain leading that conversation and taking its place at the table. If we can do that, we will be able to construct a global system today, just as we did 70 years ago. It worked then, and we need a system that works now.

The more we send a signal that says Britain is stepping back, the less we have the right to make the case, and making that case is surely in the interest of all our constituents. My hon. Friend is right that it will take a long time, but he surely has to acknowledge that we must have that long-term view, because this global migration crisis will be with us for decades. If we step back, we will have less right to influence that conversation.

Lia Nici: I thank my hon. Friend and near constituency neighbour for giving way. I am sure his constituents are in the same frame of mind as mine on how illegal migration is having a detrimental effect on our communities. Does he agree that that is why it is so important for us to be able to have these wider discussions, and for the Government to take our amendments seriously? It is only by having robust discussions on the options and amendments that we want the Government to consider that, internationally, we can get to the place he talks about.

Matt Warman: I agree up to a point, but the Government can go only so far before they lessen their chances of getting the Bill through successfully in terms of potential future legal challenges. This is about the practicality of delivering a Bill and about Britain's place on the world stage, which should allow us to continue to play a leading role in reforming those vital conventions and international agreements.

Does the Bill work? Does it go as far as it can without fundamentally jeopardising its chance of legal success? Yes, it does. It walks a tightrope. I know that my right hon. Friend the Member for Newark (Robert Jenrick) says that there is legal advice supporting his position, and I would like to see it, as I am sure the Government would. However, that practical issue of whether the Bill can work is a tightrope that the Government have to judge. I accept that the Bill goes as far as it can—for me, in some ways, it goes too far. Some Conservative Members have said that it goes too far for them but that they are prepared to support it because of the importance of the issue.

Beyond that, we need to address Britain's place in the world and our role: our ability to help shape a new set of conventions that work not just for us or for countries that share our values and share this problem, but for the countries that people are fleeing from. We have an opportunity to reform that global system and we lessen our ability to do so if we say that we are able to stand apart from its rules. That is a balance we can strike, and if we are optimistic about Britain's future place in the world, we should be saying that we stay at that table, not that we resile from it. That is why I will support the Government in seeking to rebuff the amendments and to get on with addressing this vital issue, because it will establish Britain as a country that is committed to those commitments that we made some time ago and helped to draw up. It will also demonstrate that we are committed to going as far as possible in pursuit of challenging a vital issue that affects all our constituents. I look forward to the Government's winning the vote this evening.

The Minister for Countering Illegal Migration (Michael Tomlinson): What a great pleasure it is to follow my hon. Friend the Member for Boston and Skegness (Matt Warman). I believe it is the second time I have done so on this Bill, and I will try to emulate his courteous exchanges with colleagues. I enjoyed his exchanges with my hon. Friend the Member for Stone (Sir William Cash) and with his near neighbour, my hon. Friend the Member for Great Grimsby (Lia Nici), because it is with such courtesy that we can still have a robust discussion about this vital issue. We have had a wide-ranging debate and I am grateful to all right hon. and hon. Members for their contributions.

As the hon. Member for Glasgow Central (Alison Thewliss) had the lead amendment, I start by making some overarching remarks in response to her amendments. This House has a fundamental choice: we can legislate, as the Government propose, to end the perilous journeys being made across the channel, by enabling Parliament to confirm that, in the light of the treaty that the Home Secretary signed on 5 December and of the updated evidence, the Republic of Rwanda is a safe third country, or we can put into statute a scheme that is riven with holes by amendments tabled by right hon. and hon. Opposition Members that make the Bill simply unworkable.

The new legally binding treaty with the Government of the Republic of Rwanda does respond to the concerns set out by the Supreme Court. It also reflects the strength of the Government of Rwanda's protections and commitments, both to this scheme and to the rule of law—I will return to that point later in my speech. Let there be no doubt that our Government are focused and determined to stop the boats. We have made progress, but we must be enabled to finish the job.

Clause 2 creates a conclusive presumption that the Secretary of State, immigration officers, and courts and tribunals must start from the basis that Rwanda is safe. It is right to say that it will not send someone to another country in breach of the refugee convention. The Supreme Court's ruling on the Rwanda policy recognised that changes could be delivered in the future that could

address the conclusions they came to, and we have been working closely with Rwanda to address those issues. When considered together, the treaty and the evidence of the changes in Rwanda since the summer of 2022—I will come back to that evidence in relation to points picked up by right hon. and hon. Members during the debate—mean that we can confidently conclude that Rwanda is a safe country.

Patrick Grady: If Rwanda is a safe and secure place in which asylum seekers can live comfortable and productive lives, why should the prospect of being sent there be a deterrent?

Michael Tomlinson: The deterrent is because they are seeking to come to this country and not Rwanda. I hope the hon. Gentleman listens to the evidence that I am about to set out. He has sat through a fair amount of the debate and I always enjoy taking interventions from him, so I encourage him to consider the evidence as I progress with my remarks.

Sir William Cash: On that point, will the Minister give way?

Michael Tomlinson: How could I refuse?

Sir William Cash: As he heard, I made reference to the Rwanda judgment and the case of ASM, whose claim was dismissed because of the sovereignty of Parliament in the context of immigration laws that were revoked under the Retained EU Law (Revocation and Reform) Act 2023. That is a perfect example of what the courts will do under paragraph 144 of the judgment. Does he accept that it is the sovereignty of Parliament that led the Court to make that decision, as it itself stated?

Michael Tomlinson: As my hon. Friend knows, he and I agree on a great deal and I have paragraph 144 engraved on my heart. We have had a number of exchanges about that paragraph, and it is clear that the Court will not disregard an unambiguous expression of Parliament's intention, as set out in paragraph 144. I will come back to the comments made by my hon. Friend a little later in my speech.

Since the evidential position considered by the courts in summer 2022, there have been further specific information, evidence and assurances from the Government of Rwanda that explicitly address the challenges raised by the claimants and the UNHCR in the litigation, and the findings of the Supreme Court, following its judgment in November. My right hon. and learned Friend the Member for South Swindon (Sir Robert Buckland) mentioned the evidence and the importance of looking at it, so it is worth setting out some of that here, at least in outline.

First, let me set out the headlines from the world rankings. The World Economic Forum global gender gap report ranked Rwanda 12th in the world for gender parity. Interestingly, it ranked the UK 15th. Secondly, Rwanda's overall score in the World Justice Project's rule of law has increased consistently from 2019 and 2023, and Rwanda ranked first in its region and 41st out of 142 globally. I will come back to that important point and provide more detail. The World Bank scored Rwanda 16 out of a maximum score of 18. That is just some of the evidence.

The Government published a policy note on the date of Second Reading and it has been updated this month. There are country information notes on Rwanda's human rights and asylum system, and on the evidence provided by the Government of Rwanda and the UNHCR. A lot of that evidence is substantial and helpful, but we have not cherry picked evidence, unlike some Members. Other material has also been published. It is worth considering that evidence because that is what has changed since summer 2022.

Lia Nici: Perhaps I am being facetious, but seeing as so many illegal migrants are fleeing France, should we think about a safety of France Act next?

Michael Tomlinson: My hon. Friend might have been a touch facetious in her intervention—she herself said it, otherwise I would not have dared to say it—but I understand what she says. Suffice to say, we are confident in the safety of Rwanda and the aim of the Bill is to prevent domestic courts and tribunals from considering claims that relate to the general safety of Rwanda, hence clause 2 and the points raised by my right hon. and learned Friend the Member for South Swindon about the evidence, the treaty and the fundamentally changed situation.

Let me turn to the hon. Member for Glasgow Central and her amendments. She is right that the amendments seek to undermine the core objectives of the Bill.

Alison Thewliss *indicated assent.*

Michael Tomlinson: The hon. Lady has been straightforward about that; she is nodding. We are agreeing yet again during the course of these exchanges. It will do nothing for her street credibility in her constituency, but we are agreeing at least on that point. Her amendments would undermine the provisions aimed at narrowing the grounds on which people can challenge their removal to Rwanda in courts or tribunals.

5.15 pm

The treaty agreed by both countries makes it crystal clear that asylum seekers sent to Rwanda are not at risk of being returned to a country where their life or freedom would be threatened—known as refoulement. Article 10(3) spells that out very clearly. We therefore do not accept that there is any risk of refoulement given that article, given those reassurances and given the treaty. This point also relates to amendments 35 and 37, tabled by the Opposition.

I remind Opposition Members that the Government of Rwanda, the African Union and the UNHCR have signed an agreement to continue the operation of the emergency transit mechanism centre in Rwanda. By temporarily accommodating some of the most vulnerable refugee populations who have faced trauma, detentions and violence, Rwanda has showcased its willingness and its ability collaboratively to provide solutions to the refugee situations and to crises.

The policy statement that was published by the Government set out further evidence on that very point, and it might be worth dwelling on that for a moment or

two. In November 2021, the Government of Rwanda set out the details of the emergency transit mechanism. The agreement has attracted EU funding, which will support the operation of the ETM until 2026.

On 9 February, the EU announced a €22 million support package for the scheme, which the European Union ambassador described as a

"crucial life-saving initiative to evacuate people facing major threats and inhumane conditions in Libya to safety in Rwanda. It is a significant example of African solidarity and of partnership with the European Union."

He continued:

"We are grateful to the Government of Rwanda for hosting these men, women and children until such time, durable solutions can be found."

That is further evidence of the safety of Rwanda—not in the future but now—and further evidence for the hundreds of thousands of refugees that Rwanda is welcoming and already hosting, and that it has over the years.

I am grateful to my right hon. Friend the Member for Gainsborough (Sir Edward Leigh) for tabling his amendments. I listened intently as he spoke. The Bill allows the decision maker to consider whether the Republic of Rwanda is a safe country for the person in question only when the individual has presented compelling evidence relating specifically to their individual circumstances, and only when their claim does not relate to the risk of onward removal from Rwanda. We all share my right hon. Friend's desire on this, but there is already a high bar, both legally and evidentially, for making a successful individual claim, and clause 4 sets that out. If people try to use this route without compelling evidence, they will have their claim dismissed by the Home Office and be removed.

My right hon. Friend mentioned people concocting and fabricating evidence, but, of course, that is the exact opposite of compelling evidence. Concocted evidence cannot amount to compelling evidence. It cannot be merely a bare assertion; it cannot even simply be a tweet, as he set out.

I am grateful to the hon. Member for Delyn (Mr Roberts) for his amendments, his exchange and engagement and his constructive remarks. He was the first out of the blocks to get an amendment in. I am grateful to him for the way he set out amendment 1. We do assess that Rwanda is safe for those being relocated there for the reasons that I have given, but the terms of the treaty that we have negotiated with Rwanda address the findings of our domestic courts and make specific provision for the treatment of relocated individuals, guaranteeing their safety and protection. The implementation of those provisions in practice will be kept under review, exactly as he asked for. The independent monitoring committee, whose role was enhanced by the treaty, will look at it and ensure compliance with the obligations agreed.

I also say to the hon. Gentleman that it is worth considering article 4 of the treaty, because that means that in many scenarios, as is already the case, the Government can and will adapt and respond as necessary. On his other amendments, it is right that an individualised claim cannot be considered to the extent that it relates to whether Rwanda will, or may, remove or send the person in question to another state in contravention of its international obligations. That is already there, and there is only an extremely limited route for individual challenge. However, removing judicial oversight until after a person has been removed to Rwanda in its totality and preventing interim relief even if they can show—however unlikely—a real, imminent and foreseeable risk is unlikely to be compatible with convention rights.

It is important to note that just this week—in fact, last night—the House passed legislation to add India and Georgia to the list of safe countries to which we will be able to return nationals with no right to be here. It is also worth pointing out that the Labour party is so divided on this that they could not even agree among themselves that India and Georgia are generally safe countries. It is no wonder that they cannot formulate an immigration policy.

I turn to some of the evidence from the World Justice Project's rule of law index 2023, which mentions Rwanda. In fact, it lists 142 countries, from Denmark at No. 1 all the way down to the bottom. It is important to note that Georgia appears at No. 48 on the list and India at No. 79. The House has already passed legislation confirming that they are safe countries.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): On India, Jagtar Singh Johal has now been detained for over six years. Is the Minister saying that India is a safe country for every UK national?

Michael Tomlinson: No, I am saying that this House passed legislation last night stating that India is generally a safe country for the purposes set out in the legislation. I point out—I am grateful to him and other hon. Members who are listening—that India happens to be 79th in the global rankings. Vietnam, where we regularly return citizens to, is 87th. Albania, which we have mentioned and I will come back to, is 91st, and Rwanda is 41st on that list. It is marginally lower down the rankings than Poland, comparable to Romania and higher than Croatia, Greece, Bulgaria, Hungary and all these other countries that are safe, strong international partners of this country. That is the evidence that has been published and that is before the House, and that evidence shows compellingly that Rwanda is a safe country.

I turn to amendments 19, 20, 21 and 22 and amendment 10. I thank my right hon. Friend the Member for Newark (Robert Jenrick) for his engagement and remarks—he is absolutely right. He set out the moral imperative that we need to act and limit individual claims, and I agree that we need to focus on what works.

As I said earlier, I agree with much of what my hon. Friend the Member for Stone said. He is right about dualism and sovereignty. We may, indeed, debate sovereignty again tomorrow when we come to clause 1. There is a lovely accord between him and my right hon. and learned Friend the Member for South Swindon on the very point of sovereignty, and doubtless we will debate that again. Where I respectfully disagree with my hon. Friend the Member for Stone is in his assessment of whether the Bill will work. As drafted, this legislation is clear and unambiguous. Parliament is setting out the law clearly and it will work.

Sir William Cash: I merely repeat the point that parliamentary sovereignty has to be combined with clear and unambiguous words. The word "notwithstanding"

is hallowed; it is in the withdrawal agreement of 2020 and it makes the wording absolutely clear. Otherwise it is not clear and the courts could rule against us—as they did, conversely, on the Rwanda judgment, where they agreed that clear and unambiguous words are necessary and essential with regard to claims under matters relating to this Bill.

Michael Tomlinson: I am grateful for the intervention, and I agree with my hon. Friend: he is absolutely right about clear and unambiguous language. However, clause 2 as drafted is clear and unambiguous; if I may say so, it is simply a different way of saying the same thing. Either we have a deeming clause that deems Rwanda to be safe, or a notwithstanding clause. Clause 2 has the joy of both a deeming clause and a notwithstanding clause. It is clear, it is unambiguous and the courts will follow it.

My right hon. Friend the Member for Middlesbrough South and East Cleveland (Sir Simon Clarke) passionately believes that this is the right policy, and I agree with that. He mentioned that it is important to tackle the root causes and that we must not allow this evil trade to persist, and I agree with him entirely. He asked about the courts and the tribunals, as did the Chair of the Select Committee—the right hon. Member for Kingston upon Hull North (Dame Diana Johnson)—and my hon. Friend the Member for Penistone and Stocksbridge (Miriam Cates). A written ministerial statement was laid earlier today, and I encourage my right hon. Friend the Member for Middlesbrough South and East Cleveland to consider the detail of it. He is right that more judges are being recruited.

It is important to say that deployment of the judiciary is of course a question for the independent judiciary—that is absolutely right—but more are being identified and trained, and I encourage my right hon. Friend and other right hon. and hon. Members who mentioned that to look out for the Lord Chancellor's written ministerial statement, published today.

Miss Sarah Dines (Derbyshire Dales) (Con): Will the Minister clarify whether, if the Government can, as reported in *The Times* and *The Daily Telegraph*, find as many as 150 extra judges, we could perhaps divert that judicial capacity to prosecute some alleged rapists and murderers here in the United Kingdom? Will he clarify and exemplify what he means and whether those reports are true?

Michael Tomlinson: My hon. Friend is right and I sense, understand and share her passion for resolving the issues in relation not only to the tribunals but to the courts. I know her background and passion for ensuring that the backlog in the court system is dealt with, and she knows my position on that as well. I encourage her to look at the detail that the Lord Chancellor set out in the written ministerial statement. It is right to say that it is in response to the Illegal Migration Act 2023, which my right hon. Friend the Member for Newark and my right hon. and learned Friend the Member for Fareham (Suella Braverman) took through the House, and it is right to say that it is there to ensure capacity in our tribunal system. I entirely agree with my hon. Friend the Member for Derbyshire Dales (Miss Dines)—there was an exchange on this in the debate—that we must ensure that that capacity is there in our court system as well.

Mr Roberts: Before the Minister moves on from the contribution of the right hon. Member for Middlesbrough South and East Cleveland (Sir Simon Clarke), I intervened in his speech to say that my opinion was that if the Bill was voted down tomorrow on Third Reading, no similar Bill could be brought back because it would be an issue the House had already dealt with. The right hon. Member for Middlesbrough South and East Cleveland was of the opinion that a substantially different Bill could be brought back. The problem is that if the House declines all the amendments, as it is entirely likely to do, presumably any future Bill that was brought back would include all those amendments. Therefore, as the House will have substantially dealt with all those issues, if the Bill is voted down tomorrow, it will not be able to come back in any form.

Michael Tomlinson: The hon. Gentleman will appreciate my determination to get the Bill through. I am the Minister for this Bill, and I am determined to get it through today, tomorrow and at its further stage.

I thank my hon. Friend the Member for Wolverhampton North East (Jane Stevenson) for her constructive speech and the constructive tone that she adopted during the debate. She is right: we are united in wanting to make the scheme work. I am very grateful to her for mentioning the Prime Minister's words in Italy, which bear repetition. He said rightly:

> "If we do not tackle this problem, the numbers will only grow…If that requires us to update our laws and lead an international conversation to amend the post-war frameworks around asylum, then we must do that. Because if we don't fix this problem now, the boats will keep coming".

My hon. Friend was right to echo those words, and I am pleased to have the opportunity to re-emphasise them now.

5.30 pm

Tom Hunt (Ipswich) (Con): It has been explained that the grounds for individual appeals are exceptionally narrow, so why are 150 judges needed?

Michael Tomlinson: As I said in response to a previous intervention, they are being stood up in relation to the Illegal Migration Act 2023, which was taken through by my right hon. and learned Friend the Member for Fareham and my right hon. Friend the Member for Newark, in anticipation of the work that will need to be done—that is sensible governance, dare I say it. My hon. Friend the Member for Ipswich (Tom Hunt) is right to take me back to individual claims, which I will now turn to in the few minutes I have left.

The legislation provides that a court may grant interim relief only where there is

> "a real, imminent and foreseeable risk of serious and irreversible harm".

There must be credible evidence of that; there cannot simply be a bare assertion. Clause 4(5) cites the Illegal Migration Act, which my right hon. Friends took through last summer. It is worth pointing out that section 39 of that Act sets out an extremely narrow range of circumstances in which an individual claim can be

[Michael Tomlinson]

made. I encourage right hon. and hon. Members on both sides of the Committee to look at section 39 of that Act and just how high the threshold for serious and irreversible harm is set.

Let me turn briefly to new clause 6, which was tabled by Opposition Members. I was intrigued to hear the shadow Minister state that the purpose of the new clause is to invite further legal challenge. That seems to be Labour's plan—to invite further legal challenge. That is the purpose of new clause 6, and it is the exact opposite of the purpose of Conservative Members. We want this to work.

Stephen Kinnock: The Minister is simply misrepresenting the purpose of new clause 6. Its purpose is to put the monitoring committee on a statutory footing so that it can potentially be subject to our domestic courts. I do not know whether he thinks that our domestic courts should be lower down the pecking order than the courts of Rwanda.

Michael Tomlinson: I am grateful to the shadow Minister for his intervention. When he was setting the policy out in his opening remarks, he said that it would invite further legal challenges. Those of us on the Conservative Benches want to shut out legal challenges; those on the Opposition Benches want to encourage further legal challenges.

The Government have delivered a plan for immigration that will work. It builds upon the excellent work of my right hon. Friend the Member for Witham (Priti Patel)—the champion of the Nationality and Borders Act 2022—and of my predecessors, my right hon. Friend the Member for Newark and my right hon. and learned Friend the Member for Fareham, who worked incredibly hard to deliver the long-awaited Illegal Migration Act, the toughest piece of immigration legislation until the Bill before us.

Just look at Albania. Our successful deal with Albania, which started with small numbers, has now removed nearly 6,000 people with no right to be here. We know that deterrence has worked because small boat arrivals from Albania are down by 94%. Legal challenges have not successfully stopped the flights to Albania. Those flights have not been stopped; in fact, not a single case of Albanian small boat arrivals has reached a substantive hearing at the upper tribunal in the past year.

We on the Conservative side of the Committee are united in our determination to ensure that the Bill works. As drafted, it creates an ever-tighter test than for illegal migrants facing removals to Albania. Our Rwanda Bill is tougher, tighter and goes further. We have a plan to stop the boats, and I invite hon. Members to back it.

Alison Thewliss: What a despondent, pathetic, ridiculous Bill this has been, and what a grim debate it has been to listen to. We have heard a wide range of speeches, most of which, I am afraid to say—I am putting it politely—were absolute guff. The UK is not looking to accommodate 8 billion people—of course it is not. Most people in small boats are not economic migrants; we know that, because the Home Office grants them asylum.

The only Member, I believe, who mentioned the people whom this Bill will affect was my friend the hon. Member for Sheffield, Hallam (Olivia Blake), who talked about the impact it will have on real people, on their lives and their futures. As far as I can establish, not one of the Conservative Members has ever met or spoken to an asylum seeker, or has any conception of the struggles they have been through, because they were not able to cite a single one sitting opposite them in their surgeries. Asylum seekers have done them no personal harm, yet they seek to ruin their lives. To make it light for a second, my hon. Friend the Member for Inverclyde (Ronnie Cowan), who ended up being crocked at the refugee football tournament he played in, does not bear any ill will towards the asylum seekers who played in that game. I think he mostly bears ill will towards me for forcing him to play in it, not the asylum seekers and refugees whose silky skills outclassed us on the football pitch. I encourage Members who want to learn a little bit more to sign up for the refugee football tournament, which will be coming up before we know it.

The UNHCR does not buy the Government's assurances. It has been very clear that nothing that has been said or done has changed the situation. The UNHCR says that the Rwanda partnership treaty is not compatible with international refugee law, and that we cannot declare Rwanda a safe country in perpetuity. I do not believe that we should be declaring any country a safe country in perpetuity, as my hon. Friend the Member for West Dunbartonshire (Martin Docherty-Hughes) said in relation to India, where Jagtar Singh Johal is still being held in arbitrary detention with no effort from this Government to see justice done for him.

This scheme fails in many respects. It is an affront to human rights, to the dignity of individuals and human beings, and to the international obligations that this Government have claimed they hold dear—they ask other countries to abide by international conventions and rules, yet undermine those rules when it suits them. There is a practicality issue as well. *The Independent* has just published some figures that the Committee may find interesting. Over the past five years, Rwanda has assessed only 421 asylum cases in total, and has refused two thirds of those cases. Many of those people are from Afghanistan and Syria, and have an indisputable case for their asylum claim to be heard. We know that Rwanda has form in not upholding its obligations: when it had a deal with Israel, it did not uphold those obligations, and nobody has given any evidence that anything has changed since the Supreme Court's ruling on this issue last year.

Turning to the issue of deterrence, which many Conservative Members have mentioned, 70,000 people have crossed the channel since the Rwanda deal was signed. If that deal were any kind of deterrent, it would have had some kind of effect, would it not? That has not happened, and in any event, this Government seek to remove to Rwanda only a couple of hundred people out of that 70,000. They are absolutely incompetent in bringing this Bill before us today. It is a toxic distraction from a failing Home Office and a failing Government. They should do the work, process the cases, and give refugees and asylum seekers the dignity and safety that they so richly deserve.

Question put, That the amendment be made.

The Committee divided: Ayes 66, Noes 337.

Division No. 46] **[5.38 pm**

AYES

Bardell, Hannah
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Bonnar, Steven
Brock, Deidre
Brown, Alan
Callaghan, Amy *(Proxy vote cast by Marion Fellows)*
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Chapman, Douglas
Cooper, Daisy
Corbyn, rh Jeremy
Cowan, Ronnie
Crawley, Angela *(Proxy vote cast by Owen Thompson)*
Davey, rh Ed
Day, Martyn
Docherty-Hughes, Martin
Doogan, Dave
Dorans, Allan *(Proxy vote cast by Marion Fellows)*
Dyke, Sarah
Edwards, Jonathan
Farron, Tim
Farry, Stephen
Fellows, Marion
Flynn, Stephen
Foord, Richard
Gibson, Patricia
Grady, Patrick
Green, Sarah
Hanna, Claire
Hanvey, Neale
Hendry, Drew
Hobhouse, Wera
Hosie, rh Stewart
Jardine, Christine
Lake, Ben
Law, Chris
Linden, David
Lucas, Caroline
MacNeil, Angus Brendan
Mc Nally, John
McDonald, Stewart Malcolm
McDonald, Stuart C.
McLaughlin, Anne
Monaghan, Carol
Moran, Layla
Morgan, Helen
Nicolson, John *(Proxy vote cast by Marion Fellows)*
O'Hara, Brendan
Olney, Sarah
Oswald, Kirsten
Qaisar, Ms Anum
Saville Roberts, rh Liz
Sheppard, Tommy
Smith, Alyn
Stephens, Chris
Stone, Jamie
Thewliss, Alison
Thompson, Owen
Thomson, Richard
Webbe, Claudia
Whitford, Dr Philippa *(Proxy vote cast by Marion Fellows)*
Williams, Hywel
Wilson, Munira
Wishart, Pete

Tellers for the Ayes:
Peter Grant and Gavin Newlands

NOES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart *(Proxy vote cast by Mr Marcus Jones)*
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, rh Victoria
Bacon, Gareth
Bacon, Mr Richard *(Proxy vote cast by Mr Marcus Jones)*
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, rh Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Dame Karen
Brady, rh Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Sir Robert
Burghart, Alex
Butler, Rob
Cairns, rh Alun
Cameron, Dr Lisa
Campbell, Mr Gregory
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Sir David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, rh Michelle
Double, Steve
Dowden, rh Oliver
Drax, Richard
Drummond, Mrs Flick
Duddridge, Sir James *(Proxy vote cast by Mr Marcus Jones)*
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Sir Liam
Francois, rh Mr Mark
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Girvan, Paul
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, rh Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John *(Proxy vote cast by Mr Marcus Jones)*
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Jenkin, Sir Bernard
Jenkinson, Mark
Jenrick, rh Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate *(Proxy vote cast by Mr Marcus Jones)*
Kruger, Danny
Lamont, John
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Levy, Ian
Lewer, Andrew
Lewis, rh Sir Brandon
Liddell-Grainger, Mr Ian

Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig *(Proxy vote cast by John Redwood)*
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Mayhew, Jerome
Maynard, Paul
McCartney, Karl
McPartland, rh Stephen
McVey, rh Esther
Menzies, Mark
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Milling, rh Dame Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrissey, Joy
Mortimer, Jill
Morton, rh Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
Nokes, rh Caroline
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Patel, rh Priti
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Sir Jeremy
Quince, Will
Raab, rh Dominic
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Richardson, Angela
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Ross, Douglas
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Shelbrooke, rh Sir Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, rh Graham
Sturdy, Julian
Sunak, rh Rishi
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, rh Laura
Truss, rh Elizabeth
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, rh Craig *(Proxy vote cast by Mr Marcus Jones)*
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, rh Craig
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Zahawi, rh Nadhim

Tellers for the Noes:
Mark Fletcher and Robert Largan

Question accordingly negatived.

Amendment proposed: 10, in clause 2, page 3, line 13, leave out subsection (5) and insert—

"(5A) This Act and the Illegal Migration Act 2023 will have effect in relation to removals to Rwanda notwithstanding—

(a) any provision made by or under the Immigration Acts,

(b) the Human Rights Act 1998,

(c) EU derived law and case law retained under sections 2 to 7 of the European Union (Withdrawal) Act 2018,

(d) any other provision or rule of domestic law (including any common law), and

(e) international law, including any interpretation of international law by the court or tribunal.

(5B) Nothing identified in paragraphs (a) to (e) of subsection (5A) may prevent or delay the removal to Rwanda of an individual under this Act or the Illegal Migration Act 2023, or affect the interpretation or application of any provision of this Act or the Illegal Migration Act 2023, including the actions or policies of public authorities, in relation to the removal of a person to Rwanda.

(5C) To the extent that any provision or requirement included in paragraphs (a) to (e) of subsection (5A) has been given effect to in legislation (including the Asylum and Immigration Appeals Act 1993, the Nationality, Immigration and Asylum Act 2002 and the Asylum and Immigration (Treatment of Claimants etc) Act 2004), that legislation does not apply in relation to provision made by or by virtue of this Act or the Illegal Migration Act 2023 in relation to the removal of an individual to Rwanda, and shall not prevent or delay the removal to Rwanda of an individual under this Act or the Illegal Migration Act 2023.

(5D) A person or body to which subsection (5E) applies may not have regard to international law, in the circumstances mentioned in subsection (5G).

(5E) This subsection applies to —

(a) the Secretary of State or an immigration officer when exercising any function related to removing, or considering for removal a person to Rwanda under this Act or the Illegal Migration Act 2023,

(b) a court or tribunal when considering any application or appeal which relates to a decision or purported decision to remove, or to consider the removal of a person to Rwanda under this Act or the Illegal Migration Act 2023.

(5F) No inference is to be drawn from this section as to whether or not a person or body mentioned in subsection (5E) would otherwise have been required to have regard to international law.

(5G) The Asylum and Immigration Appeals Act 1993 is amended as follows.

(5H) In section 2 at the end insert "except in relation to the removal of a person to Rwanda under the Safety of Rwanda (Asylum and Immigration) Act 2024 and the Illegal Migration Act 2023"."—*(Sir William Cash.)*

This amendment specifically excludes the legislation raised in AAA v Secretary of State of the Home Department [2023] UKSC 42 as potential blocks to removal and excludes from consideration any international law (including the ECHR and anything put out by its court).

Question put, That the amendment be made.

The Committee divided: Ayes 68, Noes 529.

Division No. 47] **[5.52 pm**

AYES

Afriyie, Adam
Anderson, Lee
Atherton, Sarah
Benton, Scott
Berry, rh Sir Jake
Blackman, Bob
Bradley, Ben
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Bristow, Paul
Campbell, Mr Gregory
Cash, Sir William
Chishti, Rehman
Chope, Sir Christopher
Clarke, rh Sir Simon
Clarke-Smith, Brendan
Davies, Philip
Dines, Miss Sarah
Donaldson, rh Sir Jeffrey M.
Drax, Richard
Duddridge, Sir James *(Proxy vote cast by Mr Marcus Jones)*
Duncan Smith, rh Sir Iain
Fabricant, Michael
Fletcher, Nick
Foster, Kevin
Francois, rh Mr Mark
Girvan, Paul
Green, Chris
Grundy, James
Gullis, Jonathan
Hayes, rh Sir John
Henry, Darren
Hollobone, Mr Philip
Holloway, Adam
Hughes, Eddie
Hunt, Tom
Jenrick, rh Robert
Johnson, Dr Caroline
Jones, rh Mr David
Kruger, Danny
Lewer, Andrew
Lockhart, Carla
Longhi, Marco
Lord, Mr Jonathan
Mackinlay, Craig *(Proxy vote cast by John Redwood)*
McCartney, Karl
Millar, Robin
Morris, Anne Marie
Mortimer, Jill
Morton, rh Wendy
Nici, Lia
O'Brien, Neil
Offord, Dr Matthew
Paisley, Ian
Randall, Tom
Redwood, rh John
Robertson, Mr Laurence
Robinson, Gavin
Sambrook, Gary
Shannon, Jim
Smith, Greg
Smith, Henry
Stevenson, Jane
Swayne, rh Sir Desmond
Truss, rh Elizabeth
Wiggin, Sir Bill
Wilson, rh Sammy

Tellers for the Ayes:
Sir Jacob Rees-Mogg and Miriam Cates

NOES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Afolami, Bim
Aiken, Nickie
Aldous, Peter
Ali, Rushanara
Ali, Tahir
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Anderson, Stuart *(Proxy vote cast by Mr Marcus Jones)*
Andrew, rh Stuart
Ansell, Caroline
Antoniazzi, Tonia
Argar, rh Edward
Ashworth, rh Jonathan
Atkins, rh Victoria
Bacon, Gareth
Bacon, Mr Richard *(Proxy vote cast by Mr Marcus Jones)*
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, rh Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Bardell, Hannah
Barker, Paula
Baron, Mr John
Baynes, Simon
Begum, Apsana
Bell, Aaron
Benn, rh Hilary
Beresford, Sir Paul
Betts, Mr Clive
Bhatti, Saqib
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bonnar, Steven
Bottomley, Sir Peter
Bowie, Andrew
Bradley, rh Dame Karen
Bradshaw, rh Mr Ben
Brady, rh Sir Graham
Brennan, Kevin
Brine, Steve
Britcliffe, Sara
Brock, Deidre
Brown, Alan
Brown, Ms Lyn
Browne, Anthony
Bruce, Fiona
Bryant, Sir Chris
Buchan, Felicity
Buckland, rh Sir Robert
Burghart, Alex
Burgon, Richard
Butler, Dawn
Butler, Rob
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Cairns, rh Alun
Callaghan, Amy *(Proxy vote cast by Marion Fellows)*
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Carter, Andy
Cartlidge, James
Caulfield, Maria
Chalk, rh Alex
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Churchill, Jo
Clark, Feryal
Clark, rh Greg
Clarke, Theo
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Cooper, Daisy
Cooper, rh Yvette
Corbyn, rh Jeremy
Costa, Alberto
Courts, Robert
Cowan, Ronnie
Cox, rh Sir Geoffrey
Coyle, Neil
Crabb, rh Stephen
Crawley, Angela *(Proxy vote cast by Owen Thompson)*
Creasy, Stella
Crosbie, Virginia
Crouch, Tracey
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Dalton, Ashley
Daly, James
Davey, rh Ed
David, Wayne
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies-Jones, Alex
Davis, rh Sir David
Davison, Dehenna
Day, Martyn
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dinenage, Dame Caroline
Dixon, Samantha
Djanogly, Mr Jonathan
Docherty, Leo
Docherty-Hughes, Martin
Dodds, Anneliese
Donelan, rh Michelle
Doogan, Dave
Dorans, Allan *(Proxy vote cast by Marion Fellows)*
Double, Steve
Doughty, Stephen
Dowd, Peter
Dowden, rh Oliver
Drummond, Mrs Flick
Duffield, Rosie
Duguid, David
Dunne, rh Philip
Dyke, Sarah
Eagle, Dame Angela
Eagle, rh Maria
Eastwood, Colum
Eastwood, Mark
Edwards, Jonathan
Edwards, Ruth
Edwards, Sarah
Efford, Clive
Elliott, Julie
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Eustice, rh George
Evans, Chris
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Farris, Laura
Farron, Tim
Farry, Stephen
Fell, Simon
Fellows, Marion
Firth, Anna
Fletcher, Colleen
Fletcher, Katherine
Flynn, Stephen
Foord, Richard
Ford, rh Vicky
Fovargue, Yvonne
Fox, rh Sir Liam
Foxcroft, Vicky
Foy, Mary Kelly
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Furniss, Gill
Gardiner, Barry
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Patricia
Gibson, Peter
Gideon, Jo
Gill, Preet Kaur
Glen, rh John
Glindon, Mary
Goodwill, rh Sir Robert

Gove, rh Michael
Grady, Patrick
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Grant, Peter
Gray, James
Grayling, rh Chris
Green, rh Damian
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Andrew
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Halfon, rh Robert
Hall, Luke
Hamilton, Fabian
Hamilton, Mrs Paulette
Hammond, Stephen
Hands, rh Greg
Hanvey, Neale
Hardy, Emma
Harman, rh Ms Harriet
Harper, rh Mr Mark
Harris, Carolyn
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, Helen
Heald, rh Sir Oliver
Healey, rh John
Heappey, rh James
Heaton-Harris, rh Chris
Hendrick, Sir Mark
Hendry, Drew
Higginbotham, Antony
Hillier, Dame Meg
Hinds, rh Damian
Hoare, Simon
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Holden, rh Mr Richard
Hollern, Kate
Hollinrake, Kevin
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Howell, John *(Proxy vote cast by Mr Marcus Jones)*
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, rh Jeremy
Huq, Dr Rupa
Hussain, Imran
Jack, rh Mr Alister
Jardine, Christine
Jarvis, Dan
Javid, rh Sir Sajid
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, rh Dame Diana
Johnson, Gareth
Johnson, Kim
Johnston, David
Jones, Andrew
Jones, Darren
Jones, Fay
Jones, Gerald
Jones, rh Mr Kevan
Jones, rh Mr Marcus
Jones, Ruth
Jones, Sarah
Jupp, Simon
Kane, Mike
Kawczynski, Daniel
Keegan, rh Gillian
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kniveton, Kate *(Proxy vote cast by Mr Marcus Jones)*
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lamont, John
Latham, Mrs Pauline
Lavery, Ian
Law, Chris
Leadbeater, Kim
Leadsom, rh Dame Andrea
Levy, Ian
Lewell-Buck, Mrs Emma
Lewis, rh Sir Brandon
Lewis, Clive
Liddell-Grainger, Mr Ian
Lightwood, Simon
Linden, David
Loder, Chris
Logan, Mark
Long Bailey, Rebecca
Lopresti, Jack
Lopez, Julia
Loughton, Tim
Lucas, Caroline
Lynch, Holly
Mackrory, Cherilyn
Maclean, Rachel
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Shabana
Mak, Alan
Malhotra, Seema
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Maskell, Rachael
Mather, Keir
Mayhew, Jerome
Maynard, Paul
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Dame Siobhain
McDonald, Andy *(Proxy vote cast by Ian Mearns)*
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
McMorrin, Anna
McVey, rh Esther
Mearns, Ian
Menzies, Mark
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Miliband, rh Edward
Miller, rh Dame Maria
Milling, rh Dame Amanda
Mills, Nigel
Mishra, Navendu
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Monaghan, Carol
Moore, Damien
Moore, Robbie
Moran, Layla
Mordaunt, rh Penny
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, David
Morris, Grahame
Morris, James
Morrissey, Joy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Ian
Murray, James
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nandy, Lisa
Neill, Sir Robert
Newlands, Gavin
Nichols, Charlotte
Nicolson, John *(Proxy vote cast by Marion Fellows)*
Nokes, rh Caroline
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Opperman, Guy
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo *(Proxy vote cast by Chris Elmore)*
Patel, rh Priti
Pawsey, Mark
Peacock, Stephanie
Penning, rh Sir Mike
Pennycook, Matthew
Penrose, John
Percy, Andrew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Philp, rh Chris
Pollard, Luke
Poulter, Dr Dan
Pow, Rebecca
Powell, Lucy
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Qaisar, Ms Anum
Quin, rh Sir Jeremy
Quince, Will
Qureshi, Yasmin
Raab, rh Dominic
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Ribeiro-Addy, Bell
Richards, Nicola
Richardson, Angela
Rimmer, Ms Marie
Roberts, Mr Rob
Robinson, Mary
Rodda, Matt
Ross, Douglas
Rowley, Lee
Russell, Dean
Russell-Moyle, Lloyd
Rutley, David
Saville Roberts, rh Liz
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shah, Naz
Shanks, Michael
Shapps, rh Grant
Sharma, Mr Virendra
Sheerman, Mr Barry
Shelbrooke, rh Sir Alec
Sheppard, Tommy
Siddiq, Tulip
Simmonds, David
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, rh Chloe
Smith, Jeff
Smith, rh Julian
Smith, Nick
Smith, Royston
Smyth, Karin
Sobel, Alex
Solloway, Amanda
Spellar, rh John
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Starmer, rh Keir
Stephens, Chris
Stephenson, rh Andrew
Stevens, Jo
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Stone, Jamie
Strathern, Alistair
Streeter, Sir Gary
Streeting, Wes
Stride, rh Mel
Stringer, Graham
Stuart, rh Graham
Sturdy, Julian
Sultana, Zarah
Sunak, rh Rishi
Sunderland, James
Syms, Sir Robert
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Derek
Thomas, Gareth
Thomas-Symonds, rh Nick
Thompson, Owen

Thomson, Richard
Thornberry, rh Emily
Throup, Maggie
Timms, rh Sir Stephen
Timpson, Edward
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trickett, Jon
Trott, rh Laura
Tuckwell, Steve
Tugendhat, rh Tom
Turner, Karl
Twigg, Derek
Twist, Liz
Vara, rh Shailesh
Vaz, rh Valerie
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Wakeford, Christian
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whately, Helen
Wheeler, Mrs Heather
Whitehead, Dr Alan
Whitford, Dr Philippa *(Proxy vote cast by Marion Fellows)*
Whitley, Mick
Whittaker, rh Craig *(Proxy vote cast by Mr Marcus Jones)*
Whittingdale, rh Sir John
Whittome, Nadia
Wild, James
Williams, rh Craig
Williams, Hywel
Williamson, rh Sir Gavin
Wilson, Munira
Winter, Beth
Wishart, Pete
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Yasin, Mohammad
Young, Jacob
Zahawi, rh Nadhim
Zeichner, Daniel

Tellers for the Noes:
Mark Fletcher and Robert Largan

Question accordingly negatived.

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

The Committee divided: Ayes 331, Noes 262.

Division No. 48] [6.11 pm

AYES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy (*Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart (*Proxy vote cast by Mr Marcus Jones)*
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, rh Victoria
Bacon, Gareth
Bacon, Mr Richard (*Proxy vote cast by Mr Marcus Jones)*
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, rh Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Dame Karen
Brady, rh Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Burghart, Alex
Butler, Rob
Cairns, rh Alun
Cameron, Dr Lisa
Campbell, Mr Gregory
Carter, Andy
Cartlidge, James
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Sir David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, rh Michelle
Double, Steve
Dowden, rh Oliver
Drax, Richard
Drummond, Mrs Flick
Duddridge, Sir James (*Proxy vote cast by Mr Marcus Jones)*
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Sir 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, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Sir Liam
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Girvan, Paul
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen (*Proxy vote cast by Mr Marcus Jones)*
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, rh Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John (*Proxy vote cast by Mr Marcus Jones)*
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane (*Proxy vote cast by Mr Marcus Jones)*
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sir Sajid
Jenkin, Sir Bernard
Jenkinson, Mark
Jenrick, rh Robert
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate (*Proxy vote cast by Mr Marcus Jones)*
Kruger, Danny
Lamont, John
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Levy, Ian
Lewer, Andrew
Lewis, rh Sir Brandon
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan

Loughton, Tim
Mackinlay, Craig (*Proxy vote cast by John Redwood)*
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, rh Stephen
McVey, rh Esther
Menzies, Mark
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Milling, rh Dame Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrissey, Joy
Mortimer, Jill
Morton, rh Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Patel, rh Priti
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Sir Jeremy
Quince, Will
Raab, rh Dominic
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Richardson, Angela
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Ross, Douglas
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Shelbrooke, rh Sir Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, rh Graham
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, rh Laura
Truss, rh Elizabeth
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, rh Craig (*Proxy vote cast by Mr Marcus Jones)*
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, rh Craig
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Young, Jacob
Zahawi, rh Nadhim

Tellers for the Ayes:
Mark Fletcher and Robert Largan

NOES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
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
Bryant, Sir Chris
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Callaghan, Amy (*Proxy vote cast by Marion Fellows)*
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Clark, Feryal
Cooper, Daisy
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela (*Proxy vote cast by Owen Thompson)*
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Dalton, Ashley
Davey, rh Ed
David, Wayne
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan (*Proxy vote cast by Marion Fellows)*
Doughty, Stephen
Dowd, Peter
Duffield, Rosie
Dyke, Sarah
Eagle, Dame Angela
Eagle, rh Maria
Eastwood, Colum
Edwards, Jonathan
Edwards, Sarah
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Fletcher, Colleen
Flynn, Stephen
Foord, Richard
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Grady, Patrick
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hillier, Dame Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, Gerald
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kyle, Peter

Lake, Ben
Lammy, rh Mr David
Lavery, Ian
Law, Chris
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
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Mather, Keir
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Dame Siobhain
McDonald, Andy (*Proxy vote cast by Ian Mearns)*
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Nichols, Charlotte
Nicolson, John (*Proxy vote cast by Marion Fellows)*
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo (*Proxy vote cast by Chris Elmore)*
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qaisar, Ms Anum
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Shanks, Michael
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Strathern, Alistair
Streeting, Wes
Stringer, Graham
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
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa (*Proxy vote cast by Marion Fellows)*
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Noes:
Peter Grant and Gavin Newlands

Question accordingly agreed to.
Clause 2 ordered to stand part of the Bill.

Clause 4

DECISIONS BASED ON PARTICULAR INDIVIDUAL CIRCUMSTANCES

Amendment proposed: 19, page 4, line 11, leave out from "whether" to the end of line 14 and insert

"and in what manner a person is to be removed, or considered for removal, to Rwanda under this Act or the Illegal Migration Act 2023".*—(Robert Jenrick.)*

This and other amendments to Clause 4 are intended to remove the ability of individuals to block their own removal through suspensive claims and to limit such claims to rare situations where there is bad faith on the part of decision-makers in relation to decisions as to medical fitness to travel.

Question put, That the amendment be made.

The Committee divided: Ayes 58, Noes 525.

Division No. 49] [6.24 pm

AYES

Afriyie, Adam
Anderson, Lee
Atherton, Sarah
Benton, Scott
Berry, rh Sir Jake
Blackman, Bob
Bradley, Ben
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Bristow, Paul
Cash, Sir William
Chope, Sir Christopher
Clarke, rh Sir Simon
Clarke-Smith, Brendan
Clifton-Brown, Sir Geoffrey
Davies, Philip
Dines, Miss Sarah
Drax, Richard
Duddridge, Sir James *(Proxy vote cast by Mr Marcus Jones)*
Duncan Smith, rh Sir Iain
Fabricant, Michael
Fletcher, Nick
Francois, rh Mr Mark
Green, Chris
Grundy, James
Gullis, Jonathan
Hayes, rh Sir John
Henry, Darren
Hollobone, Mr Philip
Holloway, Adam
Hughes, Eddie
Hunt, Tom
Jenrick, rh Robert
Johnson, Dr Caroline
Jones, rh Mr David
Kruger, Danny
Leigh, rh Sir Edward
Lewer, Andrew
Longhi, Marco
Mackinlay, Craig *(Proxy vote cast by John Redwood)*
McCartney, Karl
Millar, Robin
Mills, Nigel
Morris, Anne Marie
Mortimer, Jill
Nici, Lia
O'Brien, Neil
Offord, Dr Matthew
Randall, Tom
Redwood, rh John
Robertson, Mr Laurence
Sambrook, Gary
Smith, Greg
Smith, Henry
Stevenson, Jane
Swayne, rh Sir Desmond
Truss, rh Elizabeth
Wiggin, Sir Bill

Tellers for the Ayes:
Sir Jacob Rees-Mogg and Miriam Cates

NOES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Afolami, Bim
Aiken, Nickie
Aldous, Peter
Ali, Rushanara
Ali, Tahir
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
Anderson, Stuart *(Proxy vote cast by Mr Marcus Jones)*
Andrew, rh Stuart
Ansell, Caroline
Antoniazzi, Tonia
Argar, rh Edward
Ashworth, rh Jonathan
Atkins, rh Victoria
Bacon, Gareth
Bacon, Mr Richard *(Proxy vote cast by Mr Marcus Jones)*
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, rh Mr Steve
Baldwin, Harriett

Barclay, rh Steve
Bardell, Hannah
Barker, Paula
Baron, Mr John
Baynes, Simon
Beckett, rh Margaret
Begum, Apsana
Bell, Aaron
Benn, rh Hilary
Beresford, Sir Paul
Betts, Mr Clive
Bhatti, Saqib
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Blake, Olivia
Blomfield, Paul
Bonnar, Steven
Bottomley, Sir Peter
Bowie, Andrew
Bradley, rh Dame Karen
Bradshaw, rh Mr Ben
Brady, rh Sir Graham
Brennan, Kevin
Brine, Steve
Britcliffe, Sara
Brock, Deidre
Brown, Alan
Brown, Ms Lyn
Browne, Anthony
Bruce, Fiona
Bryant, Sir Chris
Buchan, Felicity
Buckland, rh Sir Robert
Burghart, Alex
Burgon, Richard
Butler, Dawn
Butler, Rob
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Cairns, rh Alun
Callaghan, Amy *(Proxy vote cast by Marion Fellows)*
Cameron, Dr Lisa
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Carter, Andy
Cartlidge, James
Caulfield, Maria
Chalk, rh Alex
Chamberlain, Wendy
Champion, Sarah
Churchill, Jo
Clark, Feryal
Clark, rh Greg
Clarke, Theo
Clarkson, Chris
Cleverly, rh James
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Cooper, rh Yvette
Corbyn, rh Jeremy
Costa, Alberto
Courts, Robert
Cowan, Ronnie
Cox, rh Sir Geoffrey
Coyle, Neil
Crabb, rh Stephen
Crawley, Angela *(Proxy vote cast by Owen Thompson)*
Creasy, Stella
Crosbie, Virginia
Crouch, Tracey
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Dalton, Ashley
Daly, James
Davey, rh Ed
David, Wayne
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies-Jones, Alex
Davis, rh Sir David
Davison, Dehenna
Day, Martyn
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dinenage, Dame Caroline
Dixon, Samantha
Djanogly, Mr Jonathan
Docherty, Leo
Docherty-Hughes, Martin
Dodds, Anneliese
Donelan, rh Michelle
Doogan, Dave
Dorans, Allan *(Proxy vote cast by Marion Fellows)*
Double, Steve
Doughty, Stephen
Dowd, Peter
Dowden, rh Oliver
Drummond, Mrs Flick
Duffield, Rosie
Duguid, David
Dunne, rh Philip
Dyke, Sarah
Eagle, Dame Angela
Eagle, rh Maria
Eastwood, Colum
Eastwood, Mark
Edwards, Jonathan
Edwards, Ruth
Edwards, Sarah
Efford, Clive
Elliott, Julie
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Eustice, rh George
Evans, Chris
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Farris, Laura
Farron, Tim
Farry, Stephen
Fell, Simon
Fellows, Marion
Firth, Anna
Fletcher, Colleen
Fletcher, Katherine
Flynn, Stephen
Foord, Richard
Ford, rh Vicky
Fovargue, Yvonne
Fox, rh Sir Liam
Foxcroft, Vicky
Foy, Mary Kelly
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Furniss, Gill
Gardiner, Barry
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Patricia
Gibson, Peter
Gideon, Jo
Gill, Preet Kaur
Glen, rh John
Glindon, Mary
Goodwill, rh Sir Robert
Gove, rh Michael
Grady, Patrick
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Grant, Peter
Gray, James
Grayling, rh Chris
Green, rh Damian
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Andrew
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Halfon, rh Robert
Hall, Luke
Hamilton, Fabian
Hamilton, Mrs Paulette
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Hanna, Claire
Hardy, Emma
Harman, rh Ms Harriet
Harper, rh Mr Mark
Harris, Carolyn
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, Helen
Heald, rh Sir Oliver
Healey, rh John
Heappey, rh James
Heaton-Harris, rh Chris
Hendrick, Sir Mark
Hendry, Drew
Higginbotham, Antony
Hillier, Dame Meg
Hinds, rh Damian
Hoare, Simon
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Holden, rh Mr Richard
Hollern, Kate
Hollinrake, Kevin
Holmes, Paul
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Howell, John *(Proxy vote cast by Mr Marcus Jones)*
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, rh Jeremy
Huq, Dr Rupa
Hussain, Imran
Jack, rh Mr Alister
Jardine, Christine
Jarvis, Dan
Javid, rh Sir Sajid
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, rh Dame Diana
Johnson, Gareth
Johnson, Kim
Johnston, David
Jones, Andrew
Jones, Darren
Jones, Fay
Jones, Gerald
Jones, rh Mr Kevan
Jones, rh Mr Marcus
Jones, Ruth
Jones, Sarah
Jupp, Simon
Kane, Mike
Kawczynski, Daniel
Keegan, rh Gillian
Keeley, Barbara
Kendall, Liz
Khan, Afzal
Kinnock, Stephen
Kniveton, Kate *(Proxy vote cast by Mr Marcus Jones)*
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
Lamont, John
Latham, Mrs Pauline
Lavery, Ian
Law, Chris
Leadbeater, Kim
Leadsom, rh Dame Andrea
Levy, Ian
Lewell-Buck, Mrs Emma
Lewis, rh Sir Brandon
Lewis, Clive
Liddell-Grainger, Mr Ian
Lightwood, Simon
Linden, David
Loder, Chris
Logan, Mark
Long Bailey, Rebecca
Lopez, Julia
Lopresti, Jack
Loughton, Tim
Lucas, Caroline
Lynch, Holly
Mackrory, Cherilyn
Maclean, Rachel
MacNeil, Angus Brendan
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana

Mak, Alan
Malhotra, Seema
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Maskell, Rachael
Mather, Keir
Mayhew, Jerome
Maynard, Paul
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McCartney, Jason
McDonagh, Dame Siobhain
McDonald, Andy *(Proxy vote cast by Ian Mearns)*
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
McMorrin, Anna
McVey, rh Esther
Mearns, Ian
Menzies, Mark
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Miliband, rh Edward
Miller, rh Dame Maria
Milling, rh Dame Amanda
Mishra, Navendu
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Monaghan, Carol
Moore, Damien
Moore, Robbie
Moran, Layla
Mordaunt, rh Penny
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, David
Morris, Grahame
Morris, James
Morrissey, Joy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Ian
Murray, James
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Nandy, Lisa
Neill, Sir Robert
Newlands, Gavin
Nichols, Charlotte
Nicolson, John *(Proxy vote cast by Marion Fellows)*
Nokes, rh Caroline
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Opperman, Guy
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo *(Proxy vote cast by Chris Elmore)*
Patel, rh Priti
Pawsey, Mark
Peacock, Stephanie
Penning, rh Sir Mike
Pennycook, Matthew
Penrose, John
Percy, Andrew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Philp, rh Chris
Pollard, Luke
Poulter, Dr Dan
Pow, Rebecca
Powell, Lucy
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Qaisar, Ms Anum
Quin, rh Sir Jeremy
Quince, Will
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Ribeiro-Addy, Bell
Richards, Nicola
Richardson, Angela
Rimmer, Ms Marie
Roberts, Mr Rob
Robinson, Mary
Rodda, Matt
Ross, Douglas
Rowley, Lee
Russell, Dean
Russell-Moyle, Lloyd
Rutley, David
Saville Roberts, rh Liz
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shah, Naz
Shanks, Michael
Shapps, rh Grant
Sharma, Mr Virendra
Sheerman, Mr Barry
Shelbrooke, rh Sir Alec
Sheppard, Tommy
Siddiq, Tulip
Simmonds, David
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, rh Chloe
Smith, Jeff
Smith, rh Julian
Smith, Nick
Smith, Royston
Smyth, Karin
Sobel, Alex
Solloway, Amanda
Spellar, rh John
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Starmer, rh Keir
Stephens, Chris
Stephenson, rh Andrew
Stevens, Jo
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Stone, Jamie
Strathern, Alistair
Streeter, Sir Gary
Streeting, Wes
Stride, rh Mel
Stringer, Graham
Stuart, rh Graham
Sturdy, Julian
Sultana, Zarah
Sunderland, James
Syms, Sir Robert
Tami, rh Mark
Tarry, Sam
Thewliss, Alison
Thomas, Derek
Thomas, Gareth
Thomas-Symonds, rh Nick
Thompson, Owen
Thomson, Richard
Thornberry, rh Emily
Throup, Maggie
Timms, rh Sir Stephen
Timpson, Edward
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trickett, Jon
Trott, rh Laura
Tuckwell, Steve
Tugendhat, rh Tom
Turner, Karl
Twigg, Derek
Twist, Liz
Vara, rh Shailesh
Vaz, rh Valerie
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Wakeford, Christian
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whately, Helen
Wheeler, Mrs Heather
Whitehead, Dr Alan
Whitford, Dr Philippa *(Proxy vote cast by Marion Fellows)*
Whitley, Mick
Whittaker, rh Craig *(Proxy vote cast by Mr Marcus Jones)*
Whittingdale, rh Sir John
Whittome, Nadia
Wild, James
Williams, rh Craig
Williamson, rh Sir Gavin
Wilson, Munira
Winter, Beth
Wishart, Pete
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Yasin, Mohammad
Young, Jacob
Zahawi, rh Nadhim
Zeichner, Daniel

Tellers for the Noes:
Mark Fletcher and Robert Largan

Question accordingly negatived.

Clause 4

DECISIONS BASED ON PARTICULAR INDIVIDUAL CIRCUMSTANCES

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

The Committee divided: Ayes 330, Noes 55.

Division No. 50] [6.40 pm

AYES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart *(Proxy vote cast by Mr Marcus Jones)*
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, rh Victoria
Bacon, Gareth
Bacon, Mr Richard *(Proxy vote cast by Mr Marcus Jones)*
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, rh Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Beresford, Sir Paul
Berry, rh Sir Jake

Bhatti, Saqib
Blackman, Bob
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Dame Karen
Brady, rh Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Sir Robert
Burghart, Alex
Butler, Rob
Cairns, rh Alun
Cameron, Dr Lisa
Campbell, Mr Gregory
Carter, Andy
Cartlidge, James
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Sir David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, rh Michelle
Double, Steve
Dowden, rh Oliver
Drax, Richard
Drummond, Mrs Flick
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Sir 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, Nick
Ford, rh Vicky
Foster, Kevin
Fox, rh Sir Liam
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Girvan, Paul
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, rh Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John *(Proxy vote cast by Mr Marcus Jones)*
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sir Sajid
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate *(Proxy vote cast by Mr Marcus Jones)*
Lamont, John
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Sir Brandon
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig *(Proxy vote cast by John Redwood)*
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, rh Stephen
McVey, rh Esther
Menzies, Mark
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Milling, rh Dame Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrissey, Joy
Mortimer, Jill
Morton, rh Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Patel, rh Priti
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Sir Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Richardson, Angela
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Ross, Douglas
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Shelbrooke, rh Sir Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, rh Graham
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, rh Laura
Truss, rh Elizabeth
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt

Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Wallis, Dr Jamie
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, rh Craig *(Proxy vote cast by Mr Marcus Jones)*
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, rh Craig
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Young, Jacob
Zahawi, rh Nadhim

Tellers for the Ayes:
Mark Fletcher and Robert Largan

NOES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Bardell, Hannah
Begum, Apsana
Black, Mhairi
Blackford, rh Ian
Blackman, Kirsty
Bonnar, Steven
Brock, Deidre
Brown, Alan
Callaghan, Amy *(Proxy vote cast by Marion Fellows)*
Chapman, Douglas
Corbyn, rh Jeremy
Cowan, Ronnie
Crawley, Angela *(Proxy vote cast by Owen Thompson)*
Day, Martyn
Docherty-Hughes, Martin
Doogan, Dave
Dorans, Allan *(Proxy vote cast by Marion Fellows)*
Eastwood, Colum
Edwards, Jonathan
Fellows, Marion
Flynn, Stephen
Gibson, Patricia
Grady, Patrick
Hanna, Claire
Hanvey, Neale
Hendry, Drew
Hosie, rh Stewart
Lake, Ben
Law, Chris
Linden, David
Lucas, Caroline
MacNeil, Angus Brendan
Mc Nally, John
McDonald, Stewart Malcolm
McDonald, Stuart C.
McLaughlin, Anne
Monaghan, Carol
Nicolson, John *(Proxy vote cast by Marion Fellows)*
O'Hara, Brendan
Oswald, Kirsten
Qaisar, Ms Anum
Ribeiro-Addy, Bell
Saville Roberts, rh Liz
Sheppard, Tommy
Smith, Alyn
Stephens, Chris
Sultana, Zarah
Thewliss, Alison
Thompson, Owen
Thomson, Richard
Webbe, Claudia
Whitford, Dr Philippa *(Proxy vote cast by Marion Fellows)*
Williams, Hywel
Wishart, Pete

Tellers for the Noes:
Peter Grant and Gavin Newlands

Question accordingly agreed to.
Clause 4 ordered to stand part of the Bill.

New Clause 6

CHANGES TO THE CLASSIFICATION OF RWANDA AS SAFE

"(1) A Monitoring Committee overseeing removals to Rwanda must be established and maintained in accordance with Article 15 of the Rwanda Treaty.

(2) Section 2(1) of this Act does not apply if—

(a) the Monitoring Committee established under subsection (1) has formally concluded that the Republic of Rwanda is in breach of its obligations under that Treaty,

(b) the Secretary of State has advised against travel to the Republic of Rwanda, or

(c) if a court or tribunal has found the Republic of Rwanda to be unsafe in accordance with subsection (3) below.

(3) On an application for judicial review, if a UK Senior Court determines that credible evidence exists that the Republic of Rwanda is no longer safe on the basis of non-compliance with its obligations under the Rwanda Treaty, nothing in this Act shall prevent a court or tribunal from further considering an application for judicial review brought by an individual so affected."—*(Stephen Kinnock.)*

This new clause places the Monitoring Committee for the Rwanda Treaty on a statutory basis, and places conditions on when the classification of Rwanda as 'safe' can be suspended in accordance with material conditions and/or non-compliance with obligations under the Rwanda Treaty.

Brought up, and read the First time.

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

The Committee divided: Ayes 262, Noes 336.

Division No. 51] [6.54 pm

AYES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abrahams, Debbie
Ali, Rushanara
Ali, Tahir
Allin-Khan, Dr Rosena
Amesbury, Mike
Anderson, Fleur
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
Bryant, Sir Chris
Burgon, Richard
Butler, Dawn
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Callaghan, Amy *(Proxy vote cast by Marion Fellows)*
Campbell, rh Sir Alan
Carden, Dan
Carmichael, rh Mr Alistair
Chamberlain, Wendy
Champion, Sarah
Chapman, Douglas
Clark, Feryal
Cooper, Daisy
Cooper, rh Yvette
Corbyn, rh Jeremy
Cowan, Ronnie
Coyle, Neil
Crawley, Angela *(Proxy vote cast by Owen Thompson)*
Creasy, Stella
Cruddas, Jon
Cryer, John
Cummins, Judith
Cunningham, Alex
Daby, Janet
Dalton, Ashley
Davey, rh Ed
David, Wayne
Davies-Jones, Alex
Day, Martyn
De Cordova, Marsha
Debbonaire, Thangam
Dhesi, Mr Tanmanjeet Singh
Dixon, Samantha
Docherty-Hughes, Martin
Dodds, Anneliese
Doogan, Dave
Dorans, Allan *(Proxy vote cast by Marion Fellows)*
Doughty, Stephen
Dowd, Peter
Duffield, Rosie
Dyke, Sarah
Eagle, Dame Angela
Eagle, rh Maria
Eastwood, Colum
Edwards, Jonathan
Edwards, Sarah
Efford, Clive
Elliott, Julie
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Farron, Tim
Farry, Stephen
Fellows, Marion
Fletcher, Colleen
Flynn, Stephen
Foord, Richard
Fovargue, Yvonne
Foxcroft, Vicky
Foy, Mary Kelly
Furniss, Gill
Gardiner, Barry
Gibson, Patricia
Gill, Preet Kaur
Glindon, Mary
Grady, Patrick
Grant, Peter
Green, Sarah
Greenwood, Lilian
Greenwood, Margaret
Griffith, Dame Nia
Gwynne, Andrew
Haigh, Louise
Hamilton, Fabian
Hamilton, Mrs Paulette
Hanna, Claire
Hanvey, Neale

Hardy, Emma
Harman, rh Ms Harriet
Harris, Carolyn
Hayes, Helen
Healey, rh John
Hendrick, Sir Mark
Hendry, Drew
Hillier, Dame Meg
Hobhouse, Wera
Hodge, rh Dame Margaret
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Rachel
Hosie, rh Stewart
Howarth, rh Sir George
Huq, Dr Rupa
Hussain, Imran
Jardine, Christine
Jarvis, Dan
Johnson, rh Dame Diana
Johnson, Kim
Jones, Darren
Jones, rh Mr Kevan
Jones, Ruth
Jones, Sarah
Kane, Mike
Keeley, Barbara
Kendall, Liz
Kinnock, Stephen
Kyle, Peter
Lake, Ben
Lammy, rh Mr David
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
Mahmood, Shabana
Malhotra, Seema
Maskell, Rachael
Mather, Keir
Mc Nally, John
McCabe, Steve
McCarthy, Kerry
McDonagh, Dame Siobhain
McDonald, Andy *(Proxy vote cast by Ian Mearns)*
McDonald, Stewart Malcolm
McDonald, Stuart C.
McDonnell, rh John
McFadden, rh Mr Pat
McGovern, Alison
McKinnell, Catherine
McLaughlin, Anne
McMahon, Jim
McMorrin, Anna
Mearns, Ian
Miliband, rh Edward
Mishra, Navendu
Monaghan, Carol
Moran, Layla
Morden, Jessica
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Murray, Ian
Murray, James
Nandy, Lisa
Newlands, Gavin
Nichols, Charlotte
Nicolson, John *(Proxy vote cast by Marion Fellows)*
Norris, Alex
O'Hara, Brendan
Olney, Sarah
Onwurah, Chi
Oppong-Asare, Abena
Osamor, Kate
Osborne, Kate
Oswald, Kirsten
Owatemi, Taiwo *(Proxy vote cast by Chris Elmore)*
Peacock, Stephanie
Pennycook, Matthew
Perkins, Mr Toby
Phillips, Jess
Phillipson, Bridget
Pollard, Luke
Powell, Lucy
Qaisar, Ms Anum
Qureshi, Yasmin
Rayner, rh Angela
Reed, Steve
Rees, Christina
Reeves, Ellie
Ribeiro-Addy, Bell
Rimmer, Ms Marie
Rodda, Matt
Russell-Moyle, Lloyd
Saville Roberts, rh Liz
Shah, Naz
Shanks, Michael
Sharma, Mr Virendra
Sheerman, Mr Barry
Sheppard, Tommy
Siddiq, Tulip
Slaughter, Andy
Smith, Alyn
Smith, Cat
Smith, Jeff
Smith, Nick
Smyth, Karin
Sobel, Alex
Spellar, rh John
Starmer, rh Keir
Stephens, Chris
Stevens, Jo
Stone, Jamie
Strathern, Alistair
Streeting, Wes
Stringer, Graham
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
Turner, Karl
Twigg, Derek
Twist, Liz
Vaz, rh Valerie
Wakeford, Christian
Webbe, Claudia
West, Catherine
Western, Andrew
Western, Matt
Whitehead, Dr Alan
Whitford, Dr Philippa *(Proxy vote cast by Marion Fellows)*
Whitley, Mick
Whittome, Nadia
Williams, Hywel
Wilson, Munira
Winter, Beth
Wishart, Pete
Yasin, Mohammad
Zeichner, Daniel

Tellers for the Ayes:
Tonia Antoniazzi and Gerald Jones

NOES

Afolami, Bim
Afriyie, Adam
Aiken, Nickie
Aldous, Peter
Allan, Lucy *(Proxy vote cast by Mr Marcus Jones)*
Anderson, Lee
Anderson, Stuart *(Proxy vote cast by Mr Marcus Jones)*
Andrew, rh Stuart
Ansell, Caroline
Argar, rh Edward
Atherton, Sarah
Atkins, rh Victoria
Bacon, Gareth
Bacon, Mr Richard *(Proxy vote cast by Mr Marcus Jones)*
Badenoch, rh Kemi
Bailey, Shaun
Baillie, Siobhan
Baker, Duncan
Baker, rh Mr Steve
Baldwin, Harriett
Barclay, rh Steve
Baron, Mr John
Baynes, Simon
Bell, Aaron
Benton, Scott
Beresford, Sir Paul
Berry, rh Sir Jake
Bhatti, Saqib
Blackman, Bob
Bottomley, Sir Peter
Bowie, Andrew
Bradley, Ben
Bradley, rh Dame Karen
Brady, rh Sir Graham
Braverman, rh Suella
Brereton, Jack
Bridgen, Andrew
Brine, Steve
Bristow, Paul
Britcliffe, Sara
Browne, Anthony
Bruce, Fiona
Buchan, Felicity
Buckland, rh Sir Robert
Burghart, Alex
Butler, Rob
Cairns, rh Alun
Cameron, Dr Lisa
Campbell, Mr Gregory
Carter, Andy
Cartlidge, James
Cash, Sir William
Cates, Miriam
Caulfield, Maria
Chalk, rh Alex
Chope, Sir Christopher
Churchill, Jo
Clark, rh Greg
Clarke, rh Sir Simon
Clarke, Theo
Clarke-Smith, Brendan
Clarkson, Chris
Cleverly, rh James
Clifton-Brown, Sir Geoffrey
Coffey, rh Dr Thérèse
Colburn, Elliot
Collins, Damian
Costa, Alberto
Courts, Robert
Cox, rh Sir Geoffrey
Crabb, rh Stephen
Crosbie, Virginia
Crouch, Tracey
Daly, James
Davies, rh David T. C.
Davies, Gareth
Davies, Dr James
Davies, Mims
Davies, Philip
Davis, rh Sir David
Davison, Dehenna
Dinenage, Dame Caroline
Dines, Miss Sarah
Djanogly, Mr Jonathan
Docherty, Leo
Donaldson, rh Sir Jeffrey M.
Donelan, rh Michelle
Double, Steve
Dowden, rh Oliver
Drax, Richard
Drummond, Mrs Flick
Duddridge, Sir James *(Proxy vote cast by Mr Marcus Jones)*
Duguid, David
Duncan Smith, rh Sir Iain
Dunne, rh Philip
Eastwood, Mark
Edwards, Ruth
Ellis, rh Sir Michael
Ellwood, rh Mr Tobias
Elphicke, Mrs Natalie
Eustice, rh George
Evans, Dr Luke
Evennett, rh Sir David
Everitt, Ben
Fabricant, Michael
Farris, Laura
Fell, Simon
Firth, Anna
Fletcher, Katherine
Fletcher, Nick
Ford, rh Vicky
Foster, Kevin

Fox, rh Sir Liam
Francois, rh Mr Mark
Frazer, rh Lucy
Freeman, George
Freer, Mike
French, Mr Louie
Fuller, Richard
Garnier, Mark
Ghani, Ms Nusrat
Gibb, rh Nick
Gibson, Peter
Gideon, Jo
Girvan, Paul
Glen, rh John
Goodwill, rh Sir Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen *(Proxy vote cast by Mr Marcus Jones)*
Gray, James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Griffith, Andrew
Grundy, James
Gullis, Jonathan
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Harrison, Trudy
Hart, Sally-Ann
Hart, rh Simon
Hayes, rh Sir John
Heald, rh Sir Oliver
Heappey, rh James
Heaton-Harris, rh Chris
Henry, Darren
Higginbotham, Antony
Hinds, rh Damian
Hoare, Simon
Holden, rh Mr Richard
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Adam
Holmes, Paul
Howell, John *(Proxy vote cast by Mr Marcus Jones)*
Howell, Paul
Huddleston, Nigel
Hudson, Dr Neil
Hughes, Eddie
Hunt, Jane *(Proxy vote cast by Mr Marcus Jones)*
Hunt, rh Jeremy
Hunt, Tom
Jack, rh Mr Alister
Javid, rh Sir Sajid
Jenkin, Sir Bernard
Jenkinson, Mark
Johnson, Dr Caroline
Johnson, Gareth
Johnston, David
Jones, Andrew
Jones, rh Mr David
Jones, Fay
Jones, rh Mr Marcus
Jupp, Simon
Kawczynski, Daniel
Keegan, rh Gillian
Knight, rh Sir Greg
Kniveton, Kate *(Proxy vote cast by Mr Marcus Jones)*
Kruger, Danny
Lamont, John
Latham, Mrs Pauline
Leadsom, rh Dame Andrea
Leigh, rh Sir Edward
Levy, Ian
Lewer, Andrew
Lewis, rh Sir Brandon
Liddell-Grainger, Mr Ian
Lockhart, Carla
Loder, Chris
Logan, Mark
Longhi, Marco
Lopez, Julia
Lopresti, Jack
Lord, Mr Jonathan
Loughton, Tim
Mackinlay, Craig *(Proxy vote cast by John Redwood)*
Mackrory, Cherilyn
Maclean, Rachel
Mak, Alan
Malthouse, rh Kit
Mangnall, Anthony
Mann, Scott
Marson, Julie
Mayhew, Jerome
Maynard, Paul
McCartney, Jason
McCartney, Karl
McPartland, rh Stephen
McVey, rh Esther
Menzies, Mark
Mercer, rh Johnny
Merriman, Huw
Metcalfe, Stephen
Millar, Robin
Miller, rh Dame Maria
Milling, rh Dame Amanda
Mills, Nigel
Mitchell, rh Mr Andrew
Mohindra, Mr Gagan
Moore, Damien
Moore, Robbie
Mordaunt, rh Penny
Morris, Anne Marie
Morris, David
Morris, James
Morrissey, Joy
Mortimer, Jill
Morton, rh Wendy
Mullan, Dr Kieran
Mumby-Croft, Holly
Mundell, rh David
Murray, Mrs Sheryll
Murrison, rh Dr Andrew
Neill, Sir Robert
Nici, Lia
O'Brien, Neil
Offord, Dr Matthew
Opperman, Guy
Paisley, Ian
Patel, rh Priti
Pawsey, Mark
Penning, rh Sir Mike
Penrose, John
Percy, Andrew
Philp, rh Chris
Poulter, Dr Dan
Pow, Rebecca
Prentis, rh Victoria
Pritchard, rh Mark
Pursglove, Tom
Quin, rh Sir Jeremy
Quince, Will
Randall, Tom
Redwood, rh John
Rees-Mogg, rh Sir Jacob
Richards, Nicola
Richardson, Angela
Roberts, Mr Rob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Ross, Douglas
Rowley, Lee
Russell, Dean
Rutley, David
Sambrook, Gary
Saxby, Selaine
Scully, Paul
Seely, Bob
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Shelbrooke, rh Sir Alec
Simmonds, David
Smith, rh Chloe
Smith, Greg
Smith, Henry
Smith, rh Julian
Smith, Royston
Solloway, Amanda
Spencer, Dr Ben
Spencer, rh Mark
Stafford, Alexander
Stephenson, rh Andrew
Stevenson, Jane
Stevenson, John
Stewart, rh Bob
Stewart, Iain
Streeter, Sir Gary
Stride, rh Mel
Stuart, rh Graham
Sturdy, Julian
Sunderland, James
Swayne, rh Sir Desmond
Syms, Sir Robert
Thomas, Derek
Throup, Maggie
Timpson, Edward
Tolhurst, rh Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Trevelyan, rh Anne-Marie
Trott, rh Laura
Truss, rh Elizabeth
Tuckwell, Steve
Tugendhat, rh Tom
Vara, rh Shailesh
Vickers, Martin
Vickers, Matt
Villiers, rh Theresa
Walker, Sir Charles
Walker, Mr Robin
Warman, Matt
Watling, Giles
Webb, Suzanne
Whately, Helen
Wheeler, Mrs Heather
Whittaker, rh Craig *(Proxy vote cast by Mr Marcus Jones)*
Whittingdale, rh Sir John
Wiggin, Sir Bill
Wild, James
Williams, rh Craig
Williamson, rh Sir Gavin
Wilson, rh Sammy
Wood, Mike
Wragg, Mr William
Wright, rh Sir Jeremy
Young, Jacob
Zahawi, rh Nadhim

Tellers for the Noes:
Mark Fletcher and Robert Largan

Question accordingly negatived.

The occupant of the Chair left the Chair (Programme Order, 12 December 2023).

The Deputy Speaker resumed the Chair.

Progress reported; Committee to sit again tomorrow.

Business without Debate

DELEGATED LEGISLATION

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

IMMIGRATION

That the draft Immigration Act 2014 (Residential Accommodation) (Maximum Penalty) Order 2023, which was laid before this House on 15 November 2023, be approved.—*(Ruth Edwards.)*

The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until tomorrow (Standing Order No. 41A).

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

IMMIGRATION

That the draft Immigration (Employment of Adults Subject to Immigration Control) (Maximum Penalty) (Amendment) Order 2023, which was laid before this House on 15 November 2023, be approved.—*(Ruth Edwards.)*

The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until tomorrow (Standing Order No. 41A).

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

COUNCIL TAX

That the draft Representation of the People (Postal and Proxy Voting etc.) (Amendment) Regulations 2024, which were laid before this House on 11 December 2023, be approved.—*(Ruth Edwards.)*

Question agreed to.

PETITIONS

Buy now, pay later products

7.7 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): I rise to present a petition on behalf of the constituents of Linlithgow and East Falkirk in relation to buy now, pay later products. Used correctly, those products can be fantastic, but 37% of UK adults have used them in the past 12 months, and Citizens Advice has reported an increase in people seeking help as they are turning to them to support themselves through the cost of living crisis.

The petition states:

The petition of residents of the constituency of Linlithgow and East Falkirk,

Declares that buy now, pay later products are becoming increasingly mainstream, with 37% of adults in the IL using an unregulated credit products in the last 12 months, and with many of the most vulnerable people turning to these products to cope with the cost of living crisis; further that Citizens Advice report an increase in people seeking help with these products, with some facing unmanageable debt and requiring food bank referrals and other charitable support, and notes that unregulated Buy Now Pay Later products lack consumer safeguards, such as requirement for firms to carry out affordability checks, bringing lenders under the oversight of the Financial Conduct Authority, and ensuring borrowers can take complaints to the Financial Ombudsman Service.

The petitioners therefore request that the House of Commons urge the Government to implement regulation of buy now, pay later products as a matter of urgency, to prevent any more people falling into serious and unmanageable levels of debt.

And the petitioners remain, etc.

[P002893]

Community Hospitals

Richard Foord (Tiverton and Honiton) (LD): I rise to present a petition on behalf of the residents of the Axe valley, and the towns of Seaton, Beer, Colyford and the surrounding area, who are objecting in the strongest possible terms to the disposal of an entire wing of Seaton Community Hospital. The petition has been signed by over 9,000 of my constituents, because they object to the fact that the hospital, which was funded by generous local donations, is being ripped away from them, and in part potentially sold off by NHS Property Services, and disposed of for potential sale for housing.

The petition states:

The petition of residents of Axe Valley in the Tiverton and Honiton constituency,

Declares that community hospitals play a vital role supporting health and wellbeing in rural communities; further that the hospital in Seaton was built with active support and fundraising efforts by residents across the Axe Valley; and further that plans to turn the wing of the hospital building over to NHS Property Services puts the future viability of the hospital at risk.

The petitioners therefore request that the House of Commons urge the Government to take into account the concerns of petitioners and take action to return the facility to the local community, so it can be repurposed to provide better care for those living in the area.

And the petitioners remain, etc.

[P002897]

Defence Equipment and Support site in Beith

Patricia Gibson (North Ayrshire and Arran) (SNP): I rise to present a petition on behalf of the constituents of North Ayrshire and Arran, who are deeply concerned by the ongoing industrial dispute at Defence Equipment and Support in Beith, North Ayrshire. It is an arm's length body of the Ministry of Defence. The strike for improved pay and conditions is unprecedented, involving non-craft workers preparing arms for shipment at the depot, who face discrimination in the payment of bonuses to workers. The petitioners are concerned that these bonuses are withheld from workers earning less than £21,000 a year and have been excluded from retention bonuses. The petitioners stand with the workers in rejection of a two-tier workforce.

The petition states:

The petition of residents of the constituency of North Ayrshire and Arran,

Declares deep concern about the ongoing industrial dispute at Defence Equipment and Support in Beith, North Ayrshire (an arm's-length body of the Ministry of Defence); further that this strike, for improved pay and conditions is unprecedented; notes that non-craft workers preparing arms for shipment at the depot face discrimination in the payment of bonuses, relative to craft workers who assemble munitions; further that the petitioners reject the fact that retention payments are made to managers and craft workers, while non-craft workers earning less than £21,000 per year have been excluded from retention bonuses and stands with the workers in rejecting a two-tier workforce.

The petitioners therefore request that the House of Commons urge the Government to take into account the concerns of the petitioners and urgently intervene to ensure a fair resolution to the industrial dispute.

And the petitioners remain, etc.

[P002898]

Cost of Living: Pensioners

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

7.11 pm

Wendy Chamberlain (North East Fife) (LD): There are 2 million older people living in poverty—that is one in six—and another million are sitting just above the poverty line silently struggling to make ends meet. Together, a quarter of older people are in or at risk of being in poverty. In recent years, the phrase "heating or eating" has become shorthand for the cost of living crisis. It rhymes, and it is easy to say, but it is the reality facing too many of our pensioners. Age UK research found that 4.2 million people cut back on food or groceries last year, while a survey by this House's Petitions Committee of those engaging in petitions on pension levels found that three quarters were worried about affording food.

Health statistics always worsen in the cold winter months, with mortality rising in all parts of the UK last year compared with previously. As we face an even colder winter —in my constituency we often reach minus temperatures overnight—there are real consequences when older people cannot afford to properly heat their homes. The reality is that heating or eating is not a catchphrase, but a decision about survival. It is our duty as policy makers in this place to ask why that is a reality for so many of our older people and to find solutions.

I welcomed the Government's eventual decision to keep the triple lock this year, but the lack of clarity and uncertainty about that decision appeared to be electorally motivated, and I argue it caused a great deal of anxiety for many older constituents.

Richard Foord (Tiverton and Honiton) (LD): My hon. Friend is talking about the triple lock on pensions. I have heard it said in this House in recent months that the triple lock on pensions was a Conservative proposal, so I went to the Library to find out whether that was true. The 2010 Conservative manifesto talks about

"restoring the link between the basic state pension and average earnings",

while the 2010 Liberal Democrat manifesto states:

"We will uprate the state pension annually by whichever is the higher of growth in earnings, growth in prices or 2.5 per cent."

Does she agree with me that the triple lock was a Lib Dem proposal?

Wendy Chamberlain: I regularly meet Steve Webb, the former Lib Dem Pensions Minister from the coalition, and I know how hard he worked when in government on this policy, so I entirely agree with my hon. Friend and thank him for his intervention.

The triple lock is of no use to anyone if the Government cannot get their systems working to pay people what they are due. Repeatedly last year we learned of pensioners nearing or reaching pension age trying to top up their national insurance records and seeing their money disappear without a trace. It would appear again some weeks later, but often only after chasing by an MP, an adviser or due to media coverage. That was not just in one or two cases; what became apparent were systemic problems of jammed helplines and hundreds upon hundreds of people losing track of their savings as they paid them over to the Government. Will the Minister tell us what he is doing to resource properly the Future Pension Centre?

Christine Jardine (Edinburgh West) (LD): My hon. Friend is making a strong point and an excellent speech. On savings and topping up national insurance, we hear that about two thirds of those over 64 are dipping into their savings just to keep going. They are cutting down on food, and eating less healthily. Apart from the cruelty shown to pensioners by forcing them into that position, are the Government not short-sighted in not seeing the implications of treating our pensioners so badly for the NHS, the welfare system and social care?

Wendy Chamberlain: I think it is reflected across a number of policy areas that we should look in all our services at sufficiency of income, allowing people to live with dignity and respect and knowing that they can cover the essentials, and for pensioners as well as for other age groups.

Jim Shannon (Strangford) (DUP): Further to that point, will the hon. Lady give way?

Wendy Chamberlain: I give way to the hon. Member—it is not an Adjournment debate without him.

Jim Shannon: I congratulate the hon. Lady, who always brings to the House and Westminster Hall bread-and-butter issues that I support. I am glad to come along and give my support to her tonight. The price of electricity in Northern Ireland is rising by 20%, but pensions are rising by only 8.5%. With similar increases in the cost of meat and veg, it is clear that those comfortable on their pension in 2020 will be substantially less comfortable now. Does she not agree that an investigation into energy prices must take place as people feel that they are being gouged every time they put on their light or gas and feel the pain of prioritising one necessity over another?

Wendy Chamberlain: I am grateful to the hon. Member. I agree that many people feel they are being held hostage by the vagaries of energy prices and systems. Although the cap and other measures have gone some way to helping with that, there is no doubt that it is a huge challenge. It also demonstrates why the triple lock remains required.

Mr Alistair Carmichael (Orkney and Shetland) (LD): While we are on energy prices, I am acutely aware that, as we speak, pensioners in my constituency are having to brave serious snow conditions and, because we have the highest level of fuel poverty anywhere in the country, they will feel literally and metaphorically out in the cold. Does my hon. Friend agree that Ofgem has a role to play in the creation of a social tariff, or even a geographically-based tariff?

Wendy Chamberlain: One challenge in my right hon. Friend's constituency is the number of his constituents who are off grid. We know that there is a lack of regulation in the sector off grid. One other challenge for the Government in responding to energy price fluctuations was getting a lot of money out to many people easily, and administrative issues materialised for those off grid. Many of them have still not seen the money to which they are entitled. We need to look at better regulation of our energy system.

[Wendy Chamberlain]

I was talking about the Future Pension Centre and the challenges experienced by many constituents across the UK in topping up their pensions. I tabled a presentation Bill on the issue to extend the deadline and was glad that the Government took that up. In responding, will the Minister tell us what discussions he is having with His Majesty's Revenue and Customs about making its systems align and function properly? If those systems were working as they should, many constituents would not have a gap to fill in the first instance. Will he consider implementing a proper receipting system so that older people have proof of payment as they do with any other transaction?

We know that errors by the Department for Work and Pensions are all too commonplace; we need only to look at the experience of the WASPI women—the Women Against State Pension Inequality—to see that. Those women, through no fault of their own, lost their ability to plan for their retirements. They lost their financial autonomy. Many of them continue to live in poverty, while others have sadly died without seeing any compensation.

I know that we are all awaiting the final report of the ombudsman setting out its recommendations for compensation for the WASPI women, but in the meantime will the Minister agree to meet me to discuss the next steps? He and I worked successfully together on the all-party parliamentary group on ending the need for food banks before he took on his current role, and I hope that we can do so again.

I return to pension income and want to raise pension credit with the Minister. This top-up benefit is the simplest tool at the Government's disposal to lift pensioners out of poverty. It feels like every year we have a new attempt at increasing uptake with a fancy leaflet or other information campaign. I am sure we all go to the drop-ins, have our pictures taken and share them with our constituents, but pension credit take-up remains stuck at 63%, which suggests that the campaigns simply are not working. Pensioners either do not know about the benefit or do not realise they are eligible, or some struggle with the stigma of being seen to claim it.

I have been in this role for more than three years, and I have spent a lot of time having conversations about how to improve uptake. Clearly, an annual leaflet is not doing the trick. We need a long-term strategy on pension credit uptake with two key focuses: how we share data to identify people eligible for pension benefit, and how we target them efficiently and effectively so that they actually claim it and do not feel stigmatised?

Jim Shannon: The hon. Lady makes a critical point. When I talk to pensioners in my constituency, I always ask what benefits they are on. I always mention carer's allowance if they do not receive disability living allowance, and I always mention pension credit. In many cases, they are not on it. How do we make a better system? I suggest, with great respect, that maybe the Department needs to physically go to those people and introduce it to them. Many people are proud, independent and do not want to take it up because they think they should not, but they should. They worked hard all their days and paid their tax and national insurance, and it is time for payback.

Wendy Chamberlain: Stigma is definitely a part of it, but some think they do not qualify as they have a sufficiency of income that would result in their being rejected. I always say to them that even if it is only 50p, it is worth doing because of the passporting benefits. We have seen this challenge around child benefit. Having not seen an increase in the thresholds, we are in a ludicrous situation where if a single earner earns over £60,000, the household is not entitled to it. The challenge is that if the non-earning parent does not apply, they do not get their national insurance contributions for their pension. Why would people apply for something that they do not think they are entitled to? We must do more to make it easier for people to get what they are entitled to. They do not want to end up 20 years down the line finding out that they do not have full pension contributions, because we know that topping it up is quite challenging, as I have talked about.

Going back to pension credit, perhaps once the Minister's Department has published the results of last summer's trials of targeting recipients of housing benefit, he could give us an update on the outcome of the trial to see whether that might work for pension credit, and what lessons can be learned. Missing out on pension credit has serious implications beyond the credit itself. As I mentioned, it is the main passporting benefit for older people for cost of living payments. While we focus on a long-term strategy for pension credit, will the Minister consider extending entitlement to those payments to older people in receipt of housing benefit and council tax reduction, for example? I suspect that if they are eligible for those things, they are probably eligible for pension credit.

Before I move on to long-term strategies to tackle pension poverty, I want to raise one more benefit-related point. This is not strictly in his portfolio, but will the Minister commit to providing the House with an update on the future of the household support fund? I know from English colleagues that there is significant distress at the prospect of its not being renewed in March.

I dispute the claim of the Minister's colleague, the Minister for Disabled People, Health and Work, the hon. Member for Mid Sussex (Mims Davies), in a written response to me yesterday, that pensioner poverty is falling. It is not. The claim was based on statistics before housing costs, which is distinctly disingenuous. Increasingly, pensioners face high housing costs, as more continue to rent privately into older age. Twice as many rent now than a decade ago—a trend set to continue as it is harder for young people to get on to the housing ladder.

We must tackle the poverty immediately in front of us, but we must look at long-term drivers of poverty among pensioners and stop this trend in its tracks. There are two parts to that: ensuring that people enter retirement sufficiently equipped, and ensuring that no one falls into poverty after ending their working life. Ultimately, our experience during our working life determines what happens to us when we retire. If someone has to take time out of work or only works part-time because of ill health, child rearing or caring, they will be substantially worse off in retirement. Those last two reasons are incredibly gendered, with women more likely to miss out on savings for their retirement.

Dr Dan Poulter (Central Suffolk and North Ipswich) (Con): It was right earlier to highlight the benefits of the coalition Government introducing the triple lock, which this year will mean an uptick of between £650 and £1,000 for pensioners. The coalition Government also introduced mandatory pension contributions and pension pots from employers. Does hon. Lady not think that that is the sort of long-term planning that will make a difference to help this generation to be in a better place financially when they retire?

Wendy Chamberlain: I assume the hon. Gentleman is referring to automatic enrolment; if he waits, I will mention that. I will not let it go amiss.

Returning briefly to the gender pay gap, the Government's own research puts the gender pensions gap at 35%. I would argue that we could call it the caring gender gap, because life is arguably more complicated for retirees with caring responsibilities. I am not just thinking about older couples who increasingly rely on each other as their health starts to deteriorate, but people who move into retirement while carrying on caring for their adult children or for other family members.

Constituents have written to me to protest about the injustice of having lost out on the opportunity to build up retirement savings and now, moving into pension age, losing their carers allowance but still continuing to provide unpaid care to their loved ones while others in their cohort settle into a more comfortable retirement. I would like to see a comprehensive plan from the Government, across Departments, to tackle that unfairness. Are there ways of bringing unpaid carers into auto-enrolment through a credit scheme? Could we increase the employer contribution to auto-enrolment to help to build the savings of those in low-paid work? How can we encourage more carers back into the workplace?

I was proud to pass the Carer's Leave Act 2023, but that is not enough. We need policies on issues such as staying-in-touch days and we need a carer's allowance that incentivises work. I look forward to meeting a colleague of the Minister on just that. There is definitely an education piece here. Auto-enrolment was an incredible policy, but it also means that people do not really think about their pensions. The Money and Pensions Service estimates that 22 million people say they do not know enough to plan for their retirement, while Department for Work and Pensions research last year found that attitudes to pensions are

"characterised by detachment, fear and complacency".

I think that those views would be represented in this place, too, when I think about the different things I did before I came to this place and the different pension pots I have.

I understand that planning for retirement is difficult and complicated unless you are an actuary or a financial specialist. I can hear the response of my teenage children if I try to bring it up at home or see the eyes glaze over on the doorstep, but people do care about the result of not engaging. My challenge for the Minister is to bridge that gap and change our culture so that people knowing about their pension is normal, and not scary but a standard part of people's financial planning and education.

I am interested to hear the Minister's ideas, but I will put to him just one that keeps coming up when I speak with experts and stakeholders. Will he consider a trial to test the impact of automatically booking savers for pensions guidance appointments when they turn 50? Let us try to make it easy, because lots of things can happen in retirement: your health can change, you could be bereaved or divorced, you could become a carer. The economy could be crashed, causing a sustained cost of living crisis. To try to understand drivers of poverty among older people, Independent Age followed the outcomes for a cohort of pensioners who entered state pension age above the poverty line. Within 10 years almost half had fallen into poverty. Something else is clearly happening that we need to understand. I have talked about a lot of different moving parts in the overall pension and poverty landscape, but what we need—what older people need—is a comprehensive plan.

I will end by asking the Minister this: will he consider a cross-Government review of what support an older person needs to stay out of poverty? Will he bring Westminster up to the standards of other nations and support a Westminster commissioner for older people and ageing? I would like to get something done and I am sure that the Minister would too. I look forward to hearing his response.

7.29 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Paul Maynard): I congratulate the hon. Member for North East Fife (Wendy Chamberlain) on securing the debate. I am always happy to meet her, as she knows. I think I have been given eight minutes to respond. Is that correct, Madam Deputy Speaker? *[Interruption.]* I have been misinformed. Madam Deputy Speaker, you will get more of me than I anticipated! I will do my best to respond to all the hon. Lady's points where I can.

As the hon. Lady will of course know, we have both toured the United Kingdom looking into issues relating to poverty and visiting food banks in Hackney and Newcastle. I have toured North East Fife and thoroughly enjoyed myself, and the hon. Lady has come to Blackpool to look at the situation on the ground—an experience that I trust she enjoyed equally. I know how passionate she feels about this matter, and I hope she knows how passionate I feel about it. As I have said, I shall be more than happy to meet her. She put forward so many ideas in her speech that I may not be able to do justice to them all, but I will do my best to touch on some of them in the time that is available.

The Government fully recognise the challenges facing pensioners owing to the higher cost of living, and we are committed to action that helps to alleviate levels of pensioner poverty. We have taken significant steps to ease financial pressures by providing total support of £104 billion over 2022-25 to help households with the high cost of bills. In 2023-24 we will spend more than £152 billion—5.6% of GDP—on benefits for pensioners, including £125.4 billion on the state pension alone. Tackling high inflation remains a core priority for the Government. At its peak inflation was 11.1%, but the latest Office for National Statistics data shows that we have reduced it to 3.9%, which is good news for everyone but particularly for pensioners, on whom, in my view, inflation bears down particularly hard.

We also recognise the exceptional circumstances of the last two years and have committed ourselves to providing timely relief for those who need it most.

[Paul Maynard]

That has been especially important following the inflationary pressures. We have provided one of the largest support packages in Europe, including two rounds of cost of living payments. More than 8 million UK households receiving means-tested benefits for which they are eligible, including an estimated 1.4 million pensioner households, may receive additional cost of living payments totalling up to £900 in the current financial year, and 8.9 million pensioner households across the UK will have received an additional £300 cost of living payment this winter as a top-up to their winter fuel payment, worth a total of £4.8 billion.

The Government remain committed to ensuring that older people can live with the dignity and respect they deserve. When I was a Member of Parliament in the coalition, we achieved many things, and to put it bluntly, I happen to think that the Conservatives have a good record as well. I will not get into a fight over whose idea was what when, and who first made the comment when, because I do not think that that would do much credit to the joint endeavours on which we are engaged, but we have stuck with the triple lock. The state pension will increase by 8.5% in April 2024, following the 10.1% increase in April 2023, and the standard minimum guarantee in pension credit will also increase by 8.5%. Like the hon. Lady, I often meet Steve Webb and listen carefully to what he says; he is a wise man indeed.

The hon. Lady focused a great deal on pension credit, as do I, for that matter. It provides invaluable financial support for about 1.4 million households claiming about £5.4 billion. The hon. Lady is right: the latest figures suggest that take-up is 63%, although they are based on cohort estimates, so they are not quite as accurate I would like them to be. Unfortunately, it is often hard to identify actual take-up; that, I think, is one of the deficits of our data system. However, take-up of the guarantee credit element, which is perhaps the main safety net, is at 70%.

I believe we can always do more. In benefit circles, we talk about stock and flow. The new pensioners flowing on to the system need an approach that will ensure that they are signposted speedily, and at an early stage, to the existence of pension credit and the question of whether it is right for them, but in recent years we have been trying to focus on the stock, not least through the advertising campaigns to which the hon. Lady referred. I am sad that Harry Redknapp did not get a mention, given the fantastic video that we put out on social media. As the hon. Lady said, we have also been considering more targeted efforts, including writing to housing benefit claimants. There has been an important trial run, but I do not have the results yet. I want them yesterday because I think they are so important, but I also want to ensure that the data is validated properly and actually means something, so that decisions based on it can then be made.

However, the work we have done already has improved uptake. The quarterly caseload statistics show a rise in the number of households in receipt of pension credit, after about 12 years of the caseload being in decline. I cannot say that that is entirely due to our campaign; Martin Lewis can probably take a share of the acclaim following his ITV series this year. I entirely agree that there are much more creative things that we can do, and we can discuss some of those ideas during our meeting when we get around to it.

The hon. Lady made a point about topping up national insurance and the issues around that. We are looking at introducing online services that will allow people to make their own payments for voluntary national insurance contributions directly to HMRC. I heard the point she made around receipting and the proper provisioning of the service, and she was quite right to do that. That will be uppermost in my mind as we go forward.

I could talk for half an hour on the gender pensions gap, although I am not sure that I have that much time. We all know that the pension gap is there, and part of the reason why auto-enrolment was introduced was to try to address that pension gap over time. In 2012, 40% of eligible women were participating in a workplace pension; 10 years on, that has increased to 86%. That shows that auto-enrolment has been a great success, but in my view it is a work in progress. There are still groups in society who are under-saving, even among those participating in auto-enrolment, and women and those with caring responsibilities are at the forefront of my mind. The hon. Lady might have seen a report by Scottish Widows back in November that identified those issues. I have had multiple discussions within my Department on what we are going to do about each particular group, so that is of particular interest to me as well.

My other point relates to pensioner poverty and poverty indicators, and I suspect we could argue about this until the cows come home. The latest statistics show that in 2021-22 there were 200,000 fewer pensioners in absolute poverty after housing costs than there were in 2009-10. Average pensioner incomes are growing in real terms, and in 2021-22 the average net income of all pensioners was £349 per week after housing costs, compared with £335 in 2009-10. As I have outlined, the Government take the cost of living pressures facing pensioners and pensioner poverty extremely seriously.

The amount we are spending is clear, but I recognise that the task will never end. The hon. Lady is quite right about that, and I think the hon. Member for Strangford (Jim Shannon) mentioned it as well. She and I discovered this on our tours around the country. She will have been sick of hearing me talk about trying to identify people upstream, as soon as something occurs, when the state can intervene and help them, rather than waiting for issues to accumulate further down the track, where the cost to the public purse is that much higher. That is very much the spirit in which I have embarked on this particular part of my ministerial journey. Many of the questions the hon. Lady raised are the questions that I have been raising in my introductory meetings, and I am now getting a chance to put some of the ideas into practice. When she and I meet, I will be in listening mode and I look forward to hearing more about some of her ideas.

Question put and agreed to.

7.37 pm

House adjourned.

Westminster Hall

Tuesday 16 January 2024

[Sir Gary Streeter *in the Chair*]

Excess Death Trends

9.30 am

Andrew Bridgen (North West Leicestershire) (Ind): I beg to move,

That this House has considered trends in excess deaths.

It is always a pleasure to serve under your chairmanship, Sir Gary. I thank the Backbench Business Committee for scheduling this debate and my 17 colleagues from across the House who supported the application for a debate on the trends on excess deaths. This debate follows on from my Adjournment debate on 20 October on the same issue.

The eyes of history are upon us. Every generation looks back in wonder at the incredible mistakes of its forebears. They will ask questions such as, "How could they possibly not have realised how wrong they were?", "What on earth happened to them?", "Why did they ignore the evidence for so long, as well as their values and every opportunity to learn from the mistakes of yesteryear?" and "What madness captures men?"

From 2010 to 2019, annual death rates in England and Wales oscillated between 484,000 and 542,000. In 2020, there were 607,000 deaths, which is 65,000 more than the maximum figure in 2018. In 2021, there were 586,000 deaths, which is 44,000 more than the 2018 figure. After such a rise, there should be a significant deficit. In fact, our most vulnerable and elderly, who might have lived a while longer, were sadly taken from us early. In 2022, there were 577,000 deaths in England and Wales, and in 2023 there were 581,000. That is a huge rise when a significant deficit would, and should, have been expected. The deficit has been filled not with the extremely old and vulnerable, but has been filled—and then some—with many, many others who are often young or in the prime of their lives.

Some people might want to ascribe the excess deaths in 2022 and 2023 to the virus, but that would be a mistake; that is not what their death certificates say. Moreover, far too many young people are dying. Far from being below the recent rolling average, excess deaths in 2022 were above that average: 6% above. In 2023, when one might have expected deaths to finally fall below the average, the excess was also 6% above. Those numbers are higher in the younger age groups.

No one with integrity can fail to be troubled by those figures. What is actually going on? That is why we need to have this debate. This problem affects us all. It affects every community in every constituency across the country. I thank all right hon. and hon. Members attending this debate, and we need to thank the public for their interest, which has stirred the interest of colleagues. I am very encouraged by the turnout for today's debate, which is considerably better than we have seen in the past.

Not everyone in this room will be comfortable with analysing scientific data and figures, but that is not my position. I was fortunate enough to take a degree in biological sciences from Nottingham University many years ago. I specialised in biochemistry, genetics, behaviour and virology.

Alexander Stafford (Rother Valley) (Con): The hon. Gentleman has secured a very important debate. In 2022, we saw nearly as many excess deaths across the UK as during the blitz. In my region of Yorkshire, there have been excess deaths every year since the pandemic. My constituents are very concerned about that. They are also concerned about the almost deafening silence from the NHS about what is causing this, why this is happening and what it is doing to alleviate it. I thank the hon. Gentleman for securing this very important debate. Only by talking about this can we get to the root cause of the issue—and there clearly is an issue.

Andrew Bridgen: That is the whole point of a representative democracy. We are here to raise issues on behalf of our constituents and to look after their best interests at all times. I thank the hon. Gentleman for his attendance. We had enough signatures for a three-hour debate in the Chamber, but we are having a 90-minute debate in Westminster Hall. I mentioned to the Chair of the Backbench Business Committee that I felt that that was a bit of an insult, given the gravity that the issue we are debating has for those who have lost loved ones over the last few years.

Jonathan Edwards (Carmarthen East and Dinefwr) (Ind): The hon. Gentleman is right that there is considerable concern about this issue. Does he agree that we should use the most accurate data available and the dataset of the age-standardised mortality rate, which takes into consideration a growing and ageing population?

Andrew Bridgen: Of course we should be using the most accurate figures that we have. Later in the speech, I will talk about the data we really want, which would settle this matter once and for all beyond reasonable doubt.

I thank the public for their pressure and interest in these statistics, the people who have attended in person today and the thousands who will be watching on television or online.

There is a burning question at the heart of this debate. After excess deaths, there should be a deficit: where is it? When will we have it? Worse, why is the deficit being not just filled but significantly exceeded? Why are the institutions, whose job it is to notice, record, publicise and call attention to such matters, apparently asleep at the wheel?

A second burning question is why no one is listening to those raising the alarm. The research and analysis done by two of Britain's most trusted doctors provide us with alarming clarity. Only this week, Professor Carl Heneghan, director of the Centre for Evidence-Based Medicine at the University of Oxford, reviewed the causes of excess deaths and concluded that they are predominantly related to cardiovascular disease. He told the *Sunday Express* newspaper that this cannot be explained by covid, population growth or an ageing population. Yesterday, consultant cardiologist Dr Aseem Malhotra, who is a world-leading expert in the causes of heart disease, told TNT Radio that even though cardiovascular disease is multifactorial, top of the list in

[Andrew Bridgen]

the hierarchy of causes behind excess cardiac-related deaths has to be the experimental covid mRNA vaccine until proven otherwise. This is not speculative.

Dr Luke Evans (Bosworth) (Con): Will the hon. Gentleman give way?

Andrew Bridgen: No—let me finish the point and I will then give way.

Dr Malhotra's point is not speculative but based on the highest level of data that combines plausible biological mechanism, randomised control trials, high-quality observational data, pharmacovigilance data, autopsy data and clinical data. Those who choose not to acknowledge these cold, hard facts are either unaware of the evidence, wilfully blind or lacking in conscience.

Dr Evans: I am grateful to the hon. Gentleman for shining a spotlight on the important issue of excess deaths, but I am keen to understand the difference between correlation and causation. There is a correlation between eating ice cream and sunburn, but we do not necessarily assume the two go together; they could be caused by sunny weather. The same goes in this case. Is the cause to do with lockdown, late presentation or access to the NHS? Understanding causation and correlation are key to understanding why the numbers are so high.

Andrew Bridgen: I agree with the hon. Gentleman. He is a medical doctor, so he clearly has some knowledge. Correlation is not causation, but it is an alarm bell. Alarm bells are going off all over the building, but no one wants to open the door to see whether there is a fire.

Future generations will ridicule us for what we have done in response to a seasonal airborne virus. We have apparently lost our collective minds. We have imposed a brand-new type of quarantine on a healthy population, in breach of all previous public health advice and our own carefully crafted expert pandemic plan, and in flagrant breach of the sensible and experienced advice of many professionals.

The noble dissenters are inevitably being vindicated, one by one, as the suppressed, shaming, real-world evidence finally emerges. I will not mention those who harass, discredit and ridicule the dissenters; they loudly parade their egotistical virtue on social media, in the press and on television. I know exactly how harassment feels.

We inflicted social distancing, masking and school closures on healthy children who were at no risk from the virus. We did that to protect adults, at the expense of our children's social and mental health. People raised the alarm, but nobody listened. A society that consciously and knowingly sacrifices perfectly healthy children for adults is sick. This time will not be looked on well by future generations. That will be our legacy, and I call on this House and those in authority to right that grievous wrong quickly. With unbearable cruelty, we isolated even those who would gladly have made the individual choice to see their grandchildren.

Worst of all, we bypassed the procedures, protocols and science to inflict on a healthy population a brand new and untested product that had never before been used outside clinical trials, never mind approved. There was no long-term safety data. The safety analysis in the trials was eight weeks, and then the control group was vaccinated. There was no age stratification for recipients of an experimental medication for an illness with an average mortality age of 82. There was no liability under any circumstances for the manufacturers of those experimental treatments. Furthermore, there were good reasons, based on the science known at the time, for thinking that those products might be harmful. Rather than ridicule us, future generations may come to loathe us. We will forever be the poster boys and girls of a society that collectively lost its mind and its moral compass. They will hang that millstone around our necks for eternity.

What is the flaw in human nature that latches on to things and destroys all before it? It has been dubbed by some as the madness of crowds or a kind of mass formation psychosis. It is the sort of thing that allowed China to commit population Armageddon with the one-child policy for decades. It is the sort of thing that allowed us to slaughter millions of cattle during the apparent foot and mouth outbreak, when we were persuaded not by the science but by the plausible patter of provable idiots such as Professor Neil Ferguson—yes, the very same. His advice led to the bankruptcy, immiseration and utter despair of countless farmers who were forced to destroy their livelihoods in a futile attempt to prevent the spread of an airborne virus, which had already managed to pass in the air all the way from France to the Isle of Wight. How many times must the so-called experts be caught with their pants down as their models fail yet again? How long must we be subjected to debunked drivel dumped in our political discourse? How long must decision makers deal with discredited modelling and moribund and captured institutions? Why will no one listen to reason when they have been proved wrong so many times?

There are many other examples in medicine, from bloodletting with leeches to pointless lobotomies to not washing hands between the mortuary and the labour ward. Doctors and scientists are far from immune from groupthink, and the current batch are living proof.

Graham Stringer (Blackley and Broughton) (Lab): This will not be the first, or I suspect the last, Government in history not to follow the evidence when it comes to difficult issues. When Governments make mistakes, protect themselves and do not look at the evidence, we as a democratic society should expect there to be an inquiry that establishes what happened, what should have happened and what should happen in the future. Does the hon. Gentleman agree that the inquiry that we set up is failing to do that job, and is assuming that lockdown was right from the beginning?

Andrew Bridgen: I agree wholeheartedly. This is not a political issue; it is a public health issue that affects every constituency. The so-called covid inquiry has already set out the answers it wants to get. It has all the appearance of a whitewash. It was deeply disappointing that it announced this week that the module on the safety and efficacy of the vaccines has been put off indefinitely—certainly until after the general election, which is extremely disappointing.

I contacted every public and media body I could think of in 2014 to tell them again and again that the sub-postmasters were innocent, but no one listened. I knew the sub-postmasters in my constituency were completely honest; anybody who knew those pillars of society knew it. The innocent were falsely accused of dishonesty over the Horizon scandal and were relentlessly pursued by a merciless, mendacious and malicious bureaucracy. It is the coldness that shocks most—the imperious arrogance and the mercilessness that capture institutions and cowards in authority when a single narrative closes our collective minds to nuance, to experience and to the inconvenient truths. No one listened to the sub-postmasters; no one cared. No one in power moved a muscle to help, but now, all of a sudden, one media programme has shifted the narrative to reveal that the experts were wrong, our institutions were wrong, those in authority were wrong and an infallible computer system was, in fact, fallible. Even our justice system got it so tragically wrong, with thousands of court hearings and judges making wrong judgments. Will the Post Office lessons be learned regarding the covid insanity?

Who is actually dying now? It is not the old and frail, as it was with covid; in fact, deaths from dementia, a key benchmark of elderly deaths, have been in deficit ever since covid, as we would expect after a period of high mortality. Instead, particularly for cardiovascular deaths, there has been incessant week-on-week excess mortality for months and months in the young and middle-aged. Every age group is affected, but the 50 to 64 age group has had it worst—I declare an interest. They were struck with 12% more deaths than usual in 2022 and 13% more in 2023, and at least five in six of those deaths this year had nothing to do with covid whatever.

My constituent, Steven Miller, was a healthy IT engineer in his 40s. He had two doses of AstraZeneca jabs in the summer of 2021 and was ill shortly afterwards. His side effects were so bad that he lost his job, and in November 2021 he was rushed into hospital. He now has cardio-myopathy and ventricular failure with a maximum of five years to live, taking him to 2026, unless he has a heart transplant. When I saw him last, he had a resting heart rate of 145 beats per minute. He has subsequently lost his partner and access to his child, and he is at risk of losing his house. He now has a diagnosis from Glenfield Hospital in Leicester of vaccine-induced cardio- myopathy, and I want to help him to try to get his compensation. However, he is just one example among my constituents who will probably have 30 years of his life stolen from him. His child will lose his father. How is £120,000 of compensation possibly adequate for that?

Sir Christopher Chope (Christchurch) (Con): I am grateful to my hon. Friend for introducing the debate so coherently. Can he explain why module 4 of the public inquiry into the safety of the vaccines has been arbitrarily postponed from next July? Surely the case that he mentioned highlights the need for urgent inquiry.

Andrew Bridgen: My hon. Friend is absolutely right to raise that issue. Why would they put back any investigation in the public inquiry, which I think costs some hundreds of millions of pounds and therefore should be in the public interest, indefinitely? I fear that political pressure has been placed on the inquiry. Clearly, a lot of political capital in the run-up to the next election has been placed on the fact that the Government, with support from the Opposition parties, did the right thing in our pandemic response, including the roll-out of the vaccines. The very fact that they have done that indicates that there is something to hide, and it should make the public extremely suspicious. I will come on to that shortly.

For two years we have turned society upside down so as not to "kill granny". Now that mum and dad are dying, it appears that no one cares. This is "Alice in Wonderland" thinking. People in their 50s and 60s—I declare an interest again—would normally, I hope, have many more years of active contribution and deeply fulfilling lives left to live, and they are the people being hit hardest.

Furthermore, the raw number of lives lost is not the only measure that we can look at. We have better methods, and the most famous is known as quality-adjusted life years—those who understand public health generally refer to them as QALYs. They measure healthy years of life lost and are the most sensible metric for properly assessing the impacts of deaths and lost life on families and society. QALYs were ignored at the outset. They were ignored in July 2020 when the Government's own assessment was that lockdowns would reduce QALYs by about 1 million years in the UK—I repeat, 1 million years. They were ignored when deciding to inject the young with experimental vaccines despite the refusal of the Joint Committee on Vaccination and Immunisation to recommend jabbing under-15s in September 2021.

Even at the covid inquiry when the Prime Minister tried to raise the issue of quality-adjusted life years, he was shouted down by Hugo Keith KC, the lead lawyer at the inquiry. He then revealed his unbelievable, unforgivable negligence and ignorance by saying:

"I don't want to get into quality life assurance models."

This, I repeat, is the most senior lawyer at the so-called covid inquiry, so when I say that future generations will ridicule us, it is not hard to see reasons why. The pandemic—a term that some of our best academics from around the globe questioned from the outset in published and peer-reviewed papers—is over. The crisis has passed. Yet still, empty vessels continue to drown out intelligent, reasoned, expert discourse. Not knowing what QALY means is one thing, but parading his ignorance with arrogant disdain ought to disqualify Mr Keith from any further part in that inquiry. Sadly, his condescending disdain for open inquiry epitomises what many of us have encountered time and time again when raising these issues.

A smorgasbord of fanciful excuses has been proffered for the rise in heart attacks. Sir Chris Whitty laughably claimed that it was from a reduction in statin prescriptions, even though prescribing levels were exactly the same, and it would take years or even decades for changes on that issue to take effect and be seen in population mortality data. The media have tried to persuade us—persuade the people—that eating eggs or the wrong kind of breakfast or climate change is to blame. People are sick of being patronised with these lies. Some have claimed that the excess deaths are due to covid. The literature is littered with studies claiming that covid causes heart disease. Almost all include covid cases from spring 2020, when it was almost impossible for someone to be tested and become an official case unless

[Andrew Bridgen]

they were sick and in hospital. Proving that sick people get heart disease more than healthy people does not mean that covid causes heart disease. Indeed, the claims can be easily debunked. There has been a steep rise in cardiac deaths in both Australia and Singapore, as well as the UK. Those countries did not have any significant covid until 2022, but they did roll out the jabs at exactly the same time as we did in the UK. Correlation does not prove causation—we have already heard that in this debate—but correlation with and without covid can rule out causation. The excess cardiac deaths were certainly not caused by covid.

Some have claimed that the excess deaths were caused by lockdowns. It is well known that psychological stress increases the risk of heart disease. The Government subjected people to a massive propaganda campaign of fear—well documented by Laura Dodsworth in her book, "A State of Fear". We were cut off from our usual support networks. For many, there were immense financial pressures. Such policies could contribute to heart disease in a minor way. However, the sharpest rise came later, entirely coincident with the jab roll-out, so we have a clear temporal link between increased deaths and vaccination.

Some have claimed that the excess cannot be down to the jabs, because Sweden has not had as many excess deaths as elsewhere despite having a very similar number of doses, per million, of the experimental vaccines, but it is important to understand that heart disease is a cumulative risk. In the UK, we already had a serious problem with heart disease before the pandemic, and it has got much worse following the vaccine roll-out. By contrast, Sweden has the longest healthy life expectancy in Europe. It is no wonder that it is a statistical outlier on excess deaths now. If someone is under 50 and lives in Sweden, their chances of dying from heart disease were already half that of a resident of the UK of the same age.

Some have admitted to the problem but claimed it was worth it. Science journalist Tom Chivers even said regarding jabbing children: "It sounds cruel—but a small number of deaths would be worth it". As I pointed out earlier, from China through to the UK, any culture willing to openly sacrifice children for adults is rotten, in my view, to its very core.

Look at what is happening now. Yet again we are seeing a peak in covid hospitalisations, as we should be expecting from a coronavirus in January. The number of people infected and the number of intensive care admissions were about the same every six months before and after the vaccinations. The number of covid intensive care admissions in the January to June 2020 wave was about the same as the number in the July to December 2020 covid wave, and the figure remained similar in the January to June 2021 and July to December 2021 covid waves. The jab therefore had no impact whatsoever. Those interested may wish to consult a recent paper in the *Journal of Clinical Medicine* that demonstrates exactly this point.

The next important factor is that omicron is far less deadly. The reason why there are fewer covid deaths now is because of omicron's arrival at the beginning of 2022, but viral waves will continue to come and go until almost everyone has post-infection immunity. We are not there yet.

It is clear that viral waves were not impacted by lockdowns, and it is increasingly clear that they were not impacted by the jabs either. People have denied that viral waves peak naturally at predictable times of year, but how much longer can that be denied? The lockdowns did not cause deaths to decline from their peak in April 2020, because they also peaked and fell in April 2022 and March 2023 without lockdowns. Indeed, in 2020 infections were already falling before the lockdowns were even started.

The problem with excess deaths started in spring 2021 with the jab roll-out, and there was a stepwise rise in ambulance calls for life-threatening emergencies at exactly the same time. Hospitals started to be overwhelmed for the first time, and the number of people unable to work because of long-term sickness started to rise. Even the number of mayday calls from aircraft rose. Are we meant to think that this was all a coincidence, when we know that these injections cause a range of serious adverse events, especially cardiac events?

The excess deaths are the tip of a very ugly iceberg, and we have not even mentioned the world-shaking scandal of jabbing people who had already had covid, which, at a stroke, almost entirely demolishes the credibility of our public health policies during this period. We completely ignored natural immunity. That one fact ought to be a red flag of gigantic proportions, but no one is listening. I do not have time to discuss the fact that the jab was not pulled when it became clear that an incredible one in 800 doses administered led to serious adverse events and consequences. The rotavirus vaccine was pulled entirely after causing an adverse event rate of one in 10,000. For the 2009 swine flu vaccine, one in 35,000 was harmed, and it was then pulled from the market. The covid jab is still being pushed and it is seriously harming people, inevitably at a much higher rate than one in 800, because most people are being exposed to multiple doses of the vaccine, with the same adverse event risk at each dose.

Thalidomide, syphilis treatment and all the other infamous, appalling and shattering medical scandals are dwarfed by the iceberg under the water that is the medical scandal we are currently living through: the experimental, so-called vaccines for covid-19. It took 11 years after the drug was withdrawn in 1961 for the thalidomide scandal to be first raised in Parliament—11 years before the word "thalidomide" could even be mentioned in the Chamber of the House of Commons. I am not going to let that happen this time, which is why I fought so hard to raise this issue in Parliament, at a cost to my reputation, my career and the financial security of my family.

The public inquiry should urgently be looking at this issue. Instead, it is wasting taxpayers' money on obsessing over WhatsApp messages while people are dying. As if that is not bad enough, we learned this week that the vaccine module has been postponed indefinitely, for no good reason. It is as if the inquiry is so desperate not to find fault that it cannot even look at what has happened with the vaccines. We need transparency.

Dr Clare Craig, co-chair of the Health Advisory and Recovery Team, has been doggedly pursuing the UK Health Security Agency for its record-level data on

dosage, dates and deaths for a year. That data could sort out this issue once and for all. The UKHSA admits that it has it. The Medicines and Healthcare products Regulatory Agency admits that all this data has been released to Pfizer, AstraZeneca and Moderna, yet claims that it cannot anonymise it for release to the public. A failure to release the data makes it look like there is definitely something to hide.

A recent poll in the USA shows that more than half of the public thinks the vaccines are responsible for a significant number of deaths. If there was nothing to hide, the anonymised data would certainly be released for analysis to stop the upswell of legitimate concern. The latest response from the Information Commissioner's Office is that Dr Clare Craig has to wait at least another six months before a case officer will be assigned to this issue. That is not acceptable. They have released our health data to big pharma, but they will not release it to us. The record-level data must be released. Is it really too much to ask that the British public be given the same level of access to the relevant data given to big pharma companies actually responsible for the debacle? Those are corporations that carefully secured immunity from all legal liability—or, in this country, indemnity—from the Government before dangerously and negligibly experimenting on the health of our nation and the world. We are witnesses to the greatest medical scandal in living memory. The consequential fallout in trust, public opinion and public confidence is only just beginning. Continued attempts to shut down debate, flatten dissent and obstruct independent analysis can only delay the eventual collective shame. There will be a reckoning and we will have to try and rebuild trust in our health services, our media and our politics. We have not even started on that journey.

Before I was expelled from the Conservative party for voicing my concerns over the experimental vaccines and the harms I believe they caused, I met a senior member of the party who, after listening to my concerns about the vaccines and NG163—the midazolam and morphine scandal—told me quite calmly, "Andrew, there is currently no political appetite for your views on the vaccines. There may well be in 20 years' time and you will probably be proven right, but in the meantime, you need to bear in mind that you are taking on the most powerful vested interest in the world, with all the personal risk for you that that will entail."

I refused to bow to that threat and as they say, the rest is history. People have alleged that I am spouting conspiracy theories. I think it is a conspiracy; a conspiracy against the science, a conspiracy of silence and a conspiracy against the people—and I will have none of it.

Several hon. Members *rose—*

Sir Gary Streeter (in the Chair): Colleagues, more than nine of you wish to be called. Wind-ups will begin at 10.38 am, so I impose a voluntary time limit of three minutes each and I will try and get everybody in if I possibly can.

10.2 am

Sir George Howarth (Knowsley) (Lab): I am afraid that the evidence the hon. Member for North West Leicestershire (Andrew Bridgen) is basing his arguments on is highly controversial and strongly contested as to its reliability. I will shortly explain what I mean by that assertion.

I attended two meetings on the issue that the hon. Gentleman chaired, the latter of which, late last year, included a panel of "experts" who made presentations. I attended both meetings on the basis that I am aware that there are cases in which some people with underlying or pre-existing medical conditions were vaccinated inappropriately, in some cases with lethal consequences. I support the case for some form of restitution for them and their surviving families.

At the second meeting, I was alarmed that some of the evidence given was polemical rather than scientific. The nature of some of the expert presentations alarmed me—specifically, the misleading and inaccurate assertions, similar to those made, for example, by Andrew Wakefield on the measles, mumps and rubella scandal, which tried to make the link between vaccination and autism. That was thoroughly discredited subsequently, but the consequence of that, which is still being felt, is that children are not being vaccinated and there is now an upturn in the incidence of measles, in some cases with serious consequences.

The meeting I attended involved a number of "experts" who gave presentations that included data that I am frankly sceptical about. At that meeting, I undertook to raise my concerns about the accuracy of the data with the Office of National Statistics, and I have done so. In his response, Professor Sir Ian Diamond, the national statistician, said that he has undertaken to

"consider and investigate any possible misrepresentation of the data."

I am grateful to Sir Ian for that undertaking.

In a report in *The Times* today, reference is made to a study published in *The Lancet* that said:

"Missed vaccines 'caused 7,000 Covid hospitalisations and deaths'"—

that is missed covid vaccines.

Sir Gary Streeter (in the Chair): Order. Ten seconds please.

Sir George Howarth: I am drawing to a close. By the way, that evidence involved 67 million people. The hon. Member for North West Leicestershire quoted some research based on unreliable data, but that is a major undertaking published in *The Lancet*, and it makes completely the opposite point to his.

10.6 am

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): This is a very important debate and I will try to make my speech as short as possible. I congratulate the hon. Member for North West Leicestershire on raising this issue and on his determination to highlight the challenges that we are facing. On the one hand, we might have expected that the pandemic would shorten the lives of a number of our more frail citizens and thus have expected a fall in deaths post-pandemic, and we saw that. The ONS reported roughly 608,000 deaths in England and Wales in 2020, 586,000 in 2021, and 577,000 in 2022—that was higher than 2019 when there were about 531,000 deaths, so that does warrant further inspection. We expect a fluctuation year on year, and we also expect

[Dr Caroline Johnson]

the total number of deaths to increase year on year as the population increases and ages. We therefore look at the five-year average, and currently we are using 2017, 2018, 2019, 2021 and 2022 because of the outliers in 2020. Even then, it is unlikely that we will be exactly at the average, and we would expect some years to be higher or lower.

The ONS monthly mortality analysis shows that, in 2022, there were 32,000 more deaths than the five-year average, and in January to July 2023, there were 21,809 more. That equates to an annualised figure of around 37,000, but the figures appear to stop in July 2023. Would the Minister advise as to why the data series has been discontinued? It would be helpful if it were not. However, those are raw numbers and we must be cautious because, as the population ages and increases, so will the number of deaths. The ONS therefore uses the age-standard mortality rate, which has fluctuated month on month but is actually down for both 2022 and 2023 when compared with the five-year average. Overall, when adjusted for age and population size, the number of deaths is not excessive, given what we would expect.

We need to look further at the trends on age and the causes of death to see a fuller picture. Others will no doubt speak of rising cardiovascular disease in men, the late presentation of cancers or the rise in liver disease, but as a consultant paediatrician, I would like to focus on children. The National Child Mortality Database collates data on children's deaths from nought to 18. Its latest bulletin from March 2023 shows that there were sadly 3,743 deaths to the end of that month, which is an increase of 8% on the previous year. Would the Minister comment on what investigation she is doing into the cause of that increased mortality and what is being done to prevent further deaths? The purpose of the child death overview panel is to investigate those deaths, but the average investigation is taking 392 days, with less than half completed in 12 months and a significant fall in the number being completed in 12 months. What is the Minister doing to improve that process?

One particularly distressing feature of child death data is that suicide or deliberate self-harm was a primary cause of death of children between 10 and 17 years, and looking at the data, it is getting much worse with children between 10 and 14. I understand that the Government are aware of those figures and are investing in mental health for children and improving online safety. I would be grateful if the Minister elaborated further on the steps they are taking to support children and prevent further tragedies.

Sir Gary Streeter (in the Chair): Order. The hon. Member is running out of time.

Dr Johnson: I will finish on this point. One reason why I get exasperated with the covid inquiry is that there seems to be too much focus on who said what to whom—did someone swear, did the actors like each other? I am not that interested. I want to know what lessons can be learned. Was lockdown useful? Was getting children out of school useful? Was the vaccine a suitable thing to give to children or not, particularly if they had had covid before? Those are the answers that we need.

10.10 am

Neale Hanvey (Kirkcaldy and Cowdenbeath) (Alba): Time is tight, so I will cut to the chase. I pay tribute to the hon. Member for North West Leicestershire (Andrew Bridgen) for his courage and determination on this important matter. I also challenge the right hon. Member for Knowsley (Sir George Howarth) on his assertion that these were so-called experts at that meeting. They are world-renowned experts in their field; that is just a matter of observable fact.

I want to focus on the safe use of novel mRNA agents and on concerns over their alleged role in driving excess deaths. I repeat a point that I have made previously in this place and directly with the Minister: any agent has the potential to cause harm or injury to the subject. For the avoidance of doubt, the position I have taken is based on decades of involvement in the management and delivery of clinical trials. Politicians who dismiss the data and emerging clinical evidence are acting in a wholly irresponsible manner, and posing a real threat to the duties of honesty and candour at the heart of good clinical practice. If substantiated, the concerns surfacing around falsified or concealed data are the most serious that I can imagine.

Sir George Howarth: The hon. Member is defending the "experts", but has he actually checked their backgrounds? Has he checked the criticisms and the fact that, in some cases, they have had their medical practitioner status withdrawn?

Neale Hanvey: I am not going to get into the detail of that; I have far too little time and too many important points to make. I have worked in the same institution as Professor Dalgleish, and his credentials are impeccable.

Addressing this matter is necessary because we are talking about the standards on which good clinical practice, or GCP, is based. GCP is not about a nice bedside manner or knowing what treatment to prescribe; it is a set of internationally recognised ethical and scientific requirements, which must be followed when designing, conducting, recording and reporting on clinical trials that involve people, and have their origin in the declaration of Helsinki.

The rights, safety and wellbeing of trial subjects are the most important consideration, which should prevail over interests of science and society, including commercial or political interests, and I will conclude with a reflection on that important principle. The foundation of good clinical practice is under threat. In their December 2023 pathology research and practice paper on gene-based covid-19 vaccines, Rhodes and Parry gave the following warning:

> "Pandemic management requires societal coordination, global orchestration, respect for human rights and defence of ethical principles. Yet some approaches to the COVID-19 pandemic, driven by socioeconomic, corporate, and political interests, have undermined key pillars of ethical medical science."

None of these clinical experts are quacks or conspiracy theorists. As the Government said so often during the pandemic, we must follow the science.

Sir Gary Streeter (in the Chair): Colleagues have three minutes.

10.14 am

Philip Davies (Shipley) (Con): As we have seen in data published by the ONS, non-covid excess deaths continue to run higher than they should. People are dying unexpectedly across all age groups, particularly at home. Since the restrictions in March 2020, there have been 110,000 excess deaths in people's own homes. In the week ending 22 December 2023, deaths at home were 11% higher than the five-year average. In the first 11 months of 2023, over 21,000 excess deaths took place at home, which is roughly one every 25 minutes.

Last month an article in *The Lancet*, co-authored by the head of mortality analysis at the ONS, stated that although

"the causes of these excess deaths are likely to be multiple",

ONS data did show some clear trends—in particular, the "largest relative excess deaths" since the pandemic occurred in young and middle-aged adults, with the number of cardiac deaths happening outside hospitals the most elevated. In other words, young and previously healthy people are dying at home from cardiac-related events, and we do not know why. The article concludes:

"Timely and granular analyses are needed to…inform prevention and disease management efforts."

Let us be clear: this is not a new phenomenon. Experts have been raising concerns about excess deaths since as early as 2021. I remember seeing an interview with Professor Carl Heneghan, professor of evidence-based medicine at Oxford University, where he called for an investigation into the 75,000 excess deaths at home between March 2020 and October 2021. Some 90% of those excess deaths were not covid-related, but related to things such as diabetes, heart disease and cancer. Many of those deaths could have been prevented had people not been dissuaded from seeking care, because they were told by the media and the Government to stay at home and protect the NHS. Perhaps they tried to get help but were dismissed by a health service concerned with only one disease.

The calls for an investigation went ignored then, just as they are ignored now. Perhaps the covid inquiry, as others have said, should make better use of Professor Heneghan's time by asking about this topic rather than the tittle-tattle that it seems to revel in. The pertinent question is: why did we lock down at all? That is what I think did the biggest damage.

We can all speculate on the cause of excess deaths, which are clearly happening, from withdrawal of healthcare during lockdown, the increased risk of sedentary lifestyles and alcohol consumption, the impact of the pandemic and related restrictions on NHS staffing levels, increasing NHS waiting times, lack of access to emergency care, covid-19 vaccine adverse reactions or another unknown cause—perhaps a mix of all of the above. Until the Government commit to a robust and independent investigation, we will not know for sure and the speculation will keep going. That is why the Government need an investigation rapidly.

10.17 am

Grahame Morris (Easington) (Lab): It is a pleasure to serve under your chairmanship, Sir Gary. I congratulate the hon. Member for North West Leicestershire (Andrew Bridgen) on securing this debate. It is important that Parliament considers all the available evidence. As you might expect, Sir Gary, I have to declare an interest: I am vice-chair of the all-party parliamentary group for radiotherapy. I am a supporter of Action Radiotherapy and an advocate for the Catch Up With Cancer campaign. The two issues that I will highlight are delayed access to cancer treatment and health inequalities.

Inequitable access to and availability of radiotherapy services are leaving the UK lagging behind other countries in cancer outcomes. That was true before the pandemic and it was amplified by the delayed diagnosis and treatment caused by the pandemic. I hope the Minister is well versed in the arguments, but I am always happy to meet if it would help to advance the cause of the campaign and promote the idea of accessing this cost-effective life-saving treatment.

There is no doubt that covid-19 impacted routine access to healthcare. It is little comfort to those protected from covid through cancellations and delays to routine services and treatment if the outcome for them is delayed cancer diagnosis, with the inevitable impact on prognosis and delayed treatment. I do not always agree with the hon. Member for North West Leicestershire, but never again can the whole NHS be subverted to deal with a single illness or condition, no matter what challenges we face. As other Members have highlighted, cancer is not the only condition affected in this way.

Health inequalities are also an important issue, and I hope the Minister is aware of a recent report by Professor Peter Goldblatt of University College London entitled "Health Inequalities, Lives Cut Short". The report considered the life expectancy of people across England and Wales, and it is clear that those in the poorest areas suffer the worst health inequalities. Economic inequalities affect health outcomes, and my constituency is on the frontline of health inequalities. We have the worst rate of chronic obstructive pulmonary disease in the UK, the highest levels of obesity and the third highest rates of epilepsy. We are well above the national average for diabetes, heart failure, depression and dementia.

For me, this is political. The hon. Member for North West Leicestershire said that this is not a political issue, but a public health issue—but public health is a political issue. In 2024, as in 1997, I expect it will once again fall to a Labour Government to begin the process of fixing the years of Tory neglect and mismanagement. For my constituents—the communities of east Durham—the general election cannot come quick enough.

Sir Gary Streeter (in the Chair): You were doing so well until that point. I call Miriam Cates.

10.20 am

Miriam Cates (Penistone and Stocksbridge) (Con): I will be brief, because it is clear that there is far more demand to speak in the debate than there is time. That shows that we absolutely need a longer debate; we need a debate on the Floor of the House, because it is not just Members present who want to speak, and members of the public have shown enormous interest.

I will not go over the excellent points that have been made and the data that has been shared. We know we have a problem in this country with excess deaths, particularly among younger people and particularly from cardiovascular disease. That, in itself, is a huge challenge. We need medical experts and statisticians to address those issues—I am not qualified to do so.

[Miriam Cates]

What I will say is this: lockdown changed everything. Our response to covid changed everything. Just as we look back on different periods of history—before the war; before the industrial revolution—I believe we will look back at before and after lockdown. Lockdown has changed our economy and how we relate to each other. It has changed our health and our understanding of children's development.

The conditions under which those decisions were made—decisions that were overwhelmingly wrong, in my opinion, although I do not blame any individuals, given the pressure they were under—have not changed. The conditions under which we suspended the precautionary principle, ignored the fact that interventions may cause harm, suspended the importance of children's education, suspended the safeguarding of children, suspended the need for medical trials and suspended all sorts of safeguards that have stood society in good stead for a long time have not changed.

The conditions in Government, the media and wider society under which those decisions were made have not changed because, unfortunately, we have not yet got to the heart of the matter. Why did that pressure come from the media? Why did we have to follow what other countries were doing? Why were we obsessed with particular points of data, such as deaths from covid, rather than considering the wider impact on society?

My concern about the covid inquiry is that it is asking all the wrong questions. It is concerned with who swore at whom on WhatsApp, and not the wider conditions under which decisions were made. When, several Education Secretaries ago, the former, former, former Secretary of State for Education, my right hon. Friend the Member for South Staffordshire (Sir Gavin Williamson), stood up in the House of Commons and said that he would close schools, I remember, as a mother, shouting at the television, "Don't do it! Don't do it!". I could see the impact it would have—not just on my own children, but across all the wider components of society. Society is like a big machine; we cannot just take out one part and assume that the rest will continue to operate. We have seen that clearly over the past three years.

We must address the reasons why these decisions were made. We cannot do that in three minutes each—we must have a longer debate.

Sir Gary Streeter (in the Chair): I remind colleagues that they have three minutes. I call Jim Shannon.

10.23 am

Jim Shannon (Strangford) (DUP): Thank you, Sir Gary, for giving me a chance to speak. I also thank the hon. Member for North West Leicestershire (Andrew Bridgen) for setting the scene. The issue is clearly sensitive. I come from the angle of someone who wanted to be and who is fully vaccinated, and who accepted that and believed in the process. However, I am also one who advocated for those who did not want to take the vaccine and whose freedoms were curtailed. It was a strange balance for me, and perhaps others, to strike, and yet I was firm in that stance.

I found myself in a delicate position as I listened to the hon. Member for North West Leicestershire, as I do believe there are questions to be answered. With all due respect to the Minister—I respect her greatly, as she knows—despite hon. Members' various attempts and different approaches, those questions have not been answered to their satisfaction, and there are many in my constituency with similar questions.

I lost my mother-in-law to covid two and a half years ago. It was well publicised. I miss her every day. I have lost other loved ones to complications of this disease, and I have seen more who are living with the long-term effects. I can understand the drive for a vaccine and the fact that, to achieve the vaccine, emergency legislation was enacted. This House and the Government happily allowed that to take place, as our medical professionals deemed it to be necessary.

Mr Gregory Campbell (East Londonderry) (DUP): Does my hon. Friend agree that, as the hon. Member for Easington (Grahame Morris) said, we now need to focus on the fact that the approach of society and Government must never again be all-consuming, with them dealing with one particular public health issue almost to the total exclusion of others?

Jim Shannon: I thank my hon. Friend for that intervention, and I agree.

I do not understand why the supposed links between donors and PPE provision are worthy of investigation, yet excess deaths demonstrably linked to vaccines have not been deemed important enough for investigation. For me, there is a question to be answered. It seems a natural follow-on that the unprecedented steps taken should be held to the scrutiny of an investigation and that the points that have been raised are seemingly supported by medical evidence.

I am not a doctor and I do not profess to be, but the facts raised by the hon. Member for North West Leicestershire do call for scrutiny. Therefore, I support calls for an investigation. I have seen young men in my constituency struck down with unexplained cardiomyopathy before covid, and seen the heartache that the families deal with as they wonder why. There are many families at this time with similar questions. It could well be that the increase has nothing to do with the vaccine, but we must look into why fit young men, or fit, non-smoking, healthy-weight women in their 50s, are having heart attacks, and their consultants are asking them, "Which injection did you take?"

To me as an unlearned man, those are signals that there are questions to be asked, and there is an onus on our Government and our Minister, with great respect, to see that the questions raised by medical professionals and voiced by Members of this House are taken seriously and addressed. Not for one second do I claim to see the correlation, but enough people have warranted it, so I support the calls for an investigation and ask for one to be carried out.

Sir Gary Streeter (in the Chair): Thank you. The voice of Cornwall, Derek Thomas.

10.26 am

Derek Thomas (St Ives) (Con): I thank the hon. Member for North West Leicestershire (Andrew Bridgen) for securing the debate and for his effort to bring it to the House. I have received a significant number of emails, and the consistent theme is a lack of trust. Trust is key, and constituents have a right to know that elected

representatives take them seriously and work to find out why these excess deaths are occurring. Every death is a tragedy; in each home there is devastation. We see this in all our constituencies. I have sat with several families who have lost loved ones, and I am not satisfied with the answers they have been given. We owe it to them to restore trust and to be transparent about why death rates are higher than expected.

Ignoring the issue will only increase the anxiety and distress further. People deserve answers to why the numbers are high, what the cause is, whether deaths could have been avoided and who and what were responsible. We all know people who have died. No one could realistically deny that deaths are higher than expected. Too many families are left without answers. But what is the cause? That is what needs to be established. Are these deaths attributable to covid? Is it the vaccine? Is it misdiagnosis? Is it lack of access to treatment? Is it constituents choosing to stay at home?

I have two examples. One lady, who had had cancer and seemed completely clear of it, chose not to go back for a check-up and then died quickly after that. A gentleman who had a severe lung problem was denied drugs because of gaps in the assessment of the degradation of his lungs. He died very horribly and quickly at 56 years old. As has been said, a deafening silence will not reassure our constituents or ensure that we learn and respond effectively in future health pandemics.

Carla Lockhart (Upper Bann) (DUP): The hon. Member makes an important point about cancer. Operations were cancelled and treatments delayed. More and more stories are coming to the fore around vaccinations of cancer patients, how that triggered other complications and caused deaths. Does he agree that more needs to be done to investigate that?

Derek Thomas: I thank the hon. Lady for that intervention, and I was coming on to that. Whatever the Minister is minded to say today, a proper understanding is needed of what is behind these excess deaths and the examples that have just been given.

We seem incapable in this country of talking openly about death. It will come to all of us, but we lack the courage to discuss it openly, and the consequences are widespread. Addressing the issue openly and transparently can only help our effort to bring healing and some comfort to grieving families.

10.29 am

Andrew Selous (South West Bedfordshire) (Con): I am here because a number of my constituents—the people I work for; they are my employers—have asked me to be here. I congratulate the hon. Member for North West Leicestershire (Andrew Bridgen) on securing this debate. He is right to ask the questions that he did, and right that the Post Office Horizon scandal has taught us that asking hard questions is really important.

This country generally does hard science well, and I am very proud of that. I do not think it is immodest to say that we are a science and technology superpower. However, science always needs to be evidence-based. We need to be unafraid to ask difficult questions, and we must never lack the professional curiosity to challenge and interpret data. That is really important for all of us. We have had references to lockdowns. I do not think that Parliament will ever agree to lockdowns again, because the situation is completely different now. We now have testing, vaccines and medicines, so I cannot ever see a future Parliament agreeing to lockdowns again.

I am one of the 93.6% who freely chose to be vaccinated against covid. That was my choice, but I support people who did not choose to be vaccinated. However, it is worth just mentioning that figure of 93.6%, and I am grateful for the opportunity to have been vaccinated.

I will just look at the facts. Unlike the hon. Member for North West Leicestershire, I do not have a biotechnology degree, but it has been put to me that according to the Office for National Statistics, which is independent, the mortality rate in 2022 in England was significantly lower than it was in 2020, before the arrival of covid-19. Also, analysis from the ONS published in August last year shows that people who have received a covid vaccination have a lower mortality rate than those who have not been vaccinated against covid. I accept that there are other data sets, and I completely agree with him that if there is more information that should be in the public domain, it should be put there; I support him in that regard. However, I also support the independent ONS. We challenge it at our peril, because it is important that we politicians have reliable data that is genuinely independent.

Wera Hobhouse (Bath) (LD): Will the hon. Gentleman give way?

Andrew Selous: I am afraid that I will not, because I have so little time in which to speak, and I do not want to knock other speakers out.

What is the NHS doing about people dying who should not be dying? There are such deaths from cancer, cardiovascular disease, stroke, diabetes, respiratory disease, dementia and musculoskeletal conditions, because people stayed away from their GPs or from hospitals for too long. To be fair to the Government, there is a major programme in place. We want an additional 9 million treatments and diagnostic procedures over 2023 and 2024, and 30% more elective activity. There is £8 billion extra put in by the Chancellor, and a big focus on pharmacy. However, I think there should also be a focus on diet, exercise, lifestyle and air quality, all of which are important issues.

10.32 am

Karl McCartney (Lincoln) (Con): As ever, it is a pleasure to serve under your chairmanship, Sir Gary, and I am grateful to the hon. Member for North West Leicestershire (Andrew Bridgen) for securing and leading this debate.

Like many hon. Members, I have been concerned by the increasing trend in excess deaths in recent years, which includes deaths in the male population; indeed, there have been a higher number of excess deaths of men than of women, although all excess deaths are of course a tragedy.

According to the Government, from the start of the pandemic until 1 December 2023, there were 77,907 excess female deaths and 92,913 excess male deaths, the latter figure making up 54% of the total. However, once we delve into the data, we find that there are deeper differences.

[Karl McCartney]

Between the ages of 25 and 64, the number of excess deaths for women was 12,579, while the number for men was 24,688, so nearly twice as many working-age men as working-age women have died unexpectedly since the pandemic.

Where is the research to find the underlying causes for these excess male deaths from conditions affecting the heart, diabetes and urinary disease? Where are the reports saying what we need to do to address these issues, both as a whole and in response to the nuances of particular figures? Who is looking into how this happened? In Government, which Minister, which Department, which corner of our expansive NHS, which think-tank and which Select Committee—either in the Commons or the Lords—is examining this issue?

The myriad external health and wellbeing-orientated bodies, whether they be quangos, non-governmental organisations or charities, have a plethora of experts, who are available across the state and in the various institutions that we have in this country. However, for some reason—maybe one that centres on an uncomfortable truth—no one who should be interested in the huge rise in excess deaths seems very interested in them at all. Is that a scandal? Perhaps; time will tell. However, the silence from the Secretary of State and the Ministers in her Department speak volumes, as does the silence from the civil servants at the Department. The silence from the Office for Health Improvement and Disparities is similarly underwhelming, and the silence from the health community at large is echoed by the silence from the royal colleges, as is the silence from Sir Chris Whitty and his colleagues. That is worrying, not just because we all know that if the gender figures were the other way round, there would be huge publicity and research, but because it seems that these figures, in general, are purposely being ignored. Is it because men in this age group are more affected? Do men not count as much?

Overall, there have been huge number of excess deaths from covid, and we do not know what the underlying causes are for a range of conditions. It is as if the health authorities and the Government do not want to talk about it. Have they something to hide? Do they know something we do not? Back in the dark days of the pandemic, there was a debate in the Chamber about vaccinating young people, perhaps mandatorily. Only two Opposition Members turned up to support the Government, and more than 40 of the Minister's Government colleagues did not support the Government's approach. In my speech I said that, with regard to the health of the youngest in society, we should do no harm.

Similarly, I am not proud of the Government for ignoring the higher excess deaths. I hope the Minister will announce investigations to ascertain why the ultimate harm of excess death numbers is rising, and how excess deaths might be tackled, for women and men of all ages. As an aside, it is commendable that the Government recently ensured that all schools have defibrillators, but to my mind, that raises more questions than it answers. Is this the next Post Office Horizon-type scandal? Time will tell. One suspects that the truth will eventually out.

Sir Gary Streeter (in the Chair): I call Dean Russell, but please sit down at 10.38 am.

10.35 am

Dean Russell (Watford) (Con): I pay tribute to the hon. Member for North West Leicestershire (Andrew Bridgen) for securing this debate. I will be brief, as I have a very specific point to make.

Losing a loved one can be a profoundly painful experience. In Hertfordshire, families are experiencing delays from the coroner due to the apparent increase in complicated deaths over a number of years. Although it is right to take time to do a full investigation, I am concerned about the lack of communication with families who have lost loved ones to update them about the reasons for the delays and set out what the timings will be. I am getting inquiries from families who are suffering and do not know what is happening and why there are delays, and that is feeding their concerns. Does the Minister agree that this only adds to families' pain? They just want answers, and to know what is happening. Will the Minister please urge coroners, if they are not able to do the work, to at least communicate regularly, and provide updates, so that grieving families know what is happening and suffer less?

Sir Gary Streeter (in the Chair): We now come to the Front Benchers. Will the Minister please give the mover of the motion at least two minutes to respond?

10.37 am

Abena Oppong-Asare (Erith and Thamesmead) (Lab): It is a pleasure, as always, to serve under your chairship, Sir Gary. I congratulate the hon. Member for North West Leicestershire (Andrew Bridgen) on securing this important debate on trends in excess mortality. I also congratulate all hon. Members who have spoken in this lively debate.

The phrase "excess deaths" refers to the difference between the actual registered number of deaths, and the expected number of deaths, based on data from previous years. Recording and understanding such trends is important for any Government of this country, because through that lens we discover areas of growing irregular activity, and we can use that information to tackle issues and improve the lives of our families, our constituents and everyone in this country.

It is sad that excess deaths appear to have increased in recent years. Although there is a range of estimates from different bodies, they all point to an increasing trend. Life expectancy in the UK has also fallen to its lowest level in a decade. Male life expectancy is down 38 weeks from its pre-pandemic peak, and female life expectancy is down 23 weeks. Those worrying trends reinforce the need for us to understand what is happening and what we can do to turn them around.

However, it is important to tackle the claim by the hon. Member for North West Leicestershire that there is a causal link between the covid-19 vaccines and excess deaths in this country.

Paul Girvan (South Antrim) (DUP): Will the hon. Lady give way?

Abena Oppong-Asare: I am afraid I have limited time.

The Opposition have stated clearly, and I confirm again, that we believe vaccines are the most effective public health intervention in relation to coronavirus

and health in general. It is clear from extensive independent research that the covid-19 vaccines have been and continue to be extremely successful at preventing deaths. Sadly, there have been extremely rare cases of people suffering side effects that are possibly linked to the vaccine, but the data does not suggest that there is a link between that and the large increase in excess mortality in recent years. However, when serious side effects do occur, it is right that individuals and their families should have access to the vaccine damage payment. I encourage anyone who has a side effect from any vaccine to use the yellow card system and to report the side effect to their general practitioner.

It is wrong, however, to consistently link the observed excess deaths to covid-19 vaccines. Like my right hon. Friend the Member for Knowsley (Sir George Howarth), I have concerns that making that link not only stokes fear and misinformation, but distracts the public conversation away from other health concerns of critical importance.

Philip Davies: Will the hon. Lady give way?

Abena Oppong-Asare: I normally would, but I have limited time, and I really want to explain the Opposition's thoughts. Although I disagree with hon. Members on this issue, I am pleased that we are discussing the topic today, because as I have mentioned, we face increased excess deaths and a wider health crisis across the country.

The primary cause of excess mortality has, of course, been covid-19. The pandemic was one of the most profound events of our lifetime, and in the UK, hundreds of thousands of people died, and millions were extremely ill. In fact, there are perhaps 2 million people still shielding because of their clinical vulnerability to the virus. I am sure that we all know who some of those individuals are.

The Opposition have made the case over many years that the Government and our health system were not fully prepared, and were far too slow to act throughout the crisis. It is vital that we learn lessons from the pandemic, and take steps to strengthen our resilience for the future. That is why it is so important that the covid-19 inquiry receives the support that it needs: to ensure that mistakes are not repeated.

The Government have named several other reasons, apart from the pandemic, for the increase in excess deaths in recent years.

Mr Philip Hollobone (Kettering) (Con): On a point of order, Sir Gary.

Abena Oppong-Asare: These include high flu prevalence, a strep A outbreak, an increase—

Sir Gary Streeter (in the Chair): Abena, we have a point of order; I am so sorry. Philip, it had better be a point of order.

Mr Hollobone: Sir Gary, your chairmanship is superb. Will you confirm that it is normal in these debates that the Opposition spokesperson has up to 10 minutes to make their case? The hon. Member for Erith and Thamesmead (Abena Oppong-Asare) therefore has just under five minutes left, which is plenty of time for interventions.

Sir Gary Streeter (in the Chair): That is entirely a matter for the Opposition spokesman, but thank you for the point of order.

Abena Oppong-Asare: There is an increase in conditions such as heart disease, diabetes and cancer. As a number of Members have mentioned, the Government say that they are attempting to reduce excess deaths through more health checks, as part of their major conditions strategy. We in the Opposition welcome all efforts to improve the health of our country and tackle these issues, but we must have a Government who will build an NHS and a healthcare system that is there for the public when they need it.

Mr Hollobone: Will the hon. Lady give way?

Abena Oppong-Asare: I am afraid not; I really want to explain our concerns, and what the Opposition will do.

Unfortunately, through 14 years of Conservative mismanagement, the country has seen the Government do the exact opposite. On patients being seen on time, the situation continues to get worse; so many key NHS targets are being missed. The Prime Minister promised last year to get NHS waiting lists down by 2024, yet this month, waiting lists remain sky high at 7.6 million—400,000 higher than he promised. One year on, that is another pledge missed by the Prime Minister and this Government, and it leaves so many families waiting for urgent care across the country.

What is more, we are so far behind on critical health challenges. As the hon. Member for Easington (Grahame Morris) mentioned, on cancer mortality, thousands are needlessly dying because of slow and late diagnosis, combined with delays to urgently needed treatment. Cancer waiting time targets are consistently being missed, and some of them have not been met for over a decade—a leading cause of avoidable deaths in England. It is urgent that we swiftly tackle this crisis. That is why Labour has committed to improving cancer survival rates by hitting all NHS cancer waiting time targets, and to ensuring early diagnosis within five years, so that no patient waits longer than they should.

When it comes to the NHS and the health of our nation, Labour offers a different plan. We are fully committed to delivering a mission-driven Government who will cut NHS waiting times and build our NHS, so that it is there for the people when they need it. That includes measures such as delivering 2 million more appointments and operations a year at evenings and weekends.

Miriam Cates: Will the hon. Lady give way?

Abena Oppong-Asare: It means doubling the number of scanners, so that patients with conditions such as cancers are diagnosed early.

Karl McCartney: Will the hon. Lady give way?

Sir Gary Streeter (in the Chair): Order. The hon. Lady has indicated that she will not give way. Let us hear the end of this speech. Thank you.

Abena Oppong-Asare: And it includes ensuring that ambulances get to people in time to save lives, not when it is too late. We will also tackle the wider health inequalities that mean that life expectancy is much worse in our country's poorest regions, through our focus on intervention and a shift to community care.

Just last week, we announced our detailed child health action plan to reverse the plummeting health outcomes for our children. Through specific measures, targeting waiting lists, mental health, dentistry and more, we will ensure that that we have the healthiest generation of children ever. That area of concern has been echoed by a number of Members during this debate.

I will conclude by restating the Opposition's concerns about increasing excess deaths in recent years. Covid-19 was the most significant threat that our public had faced in over 100 years. It is vital that we all learn lessons from that profound event and make sure that mistakes like this never happen again. It is critical that we understand other trends in the excess mortality seen across the country, and that we build our NHS as a healthcare system that invests in prevention—because prevention is key—and that is there for the public when it is needed.

I look forward to hearing from the Minister on the issues that have been raised, and about how we can tackle rising excess deaths across the country.

10.47 am

The Parliamentary Under-Secretary of State for Health and Social Care (Maria Caulfield): It is a pleasure to serve under your chairmanship, Sir Gary. I thank the hon. Member for North West Leicestershire (Andrew Bridgen) for securing this important debate. We have had a number of debates; I responded very briefly to his Adjournment debate in October. I acknowledge that he is absolutely correct that there is an increase in excess deaths. We take that very seriously; I take that seriously as a Minister, and from the point of view of my clinical background.

To echo the thoughts of many hon. Members around lessons to be learned from the covid period, I too, as Minister with responsibility for pandemic preparedness, would like answers and advice on the impacts of lockdowns, face masks and the timings of vaccine roll-outs, so that those can be taken into consideration for any future pandemic. Although the inquiry is independent, a focus on those issues would be extremely helpful to me, as Minister.

Paul Girvan: Will the Minister give way?

Maria Caulfield: Not for the moment; let me respond to as many points from hon. Members as I can.

There is an increase in excess deaths. A number of factors contribute to that. We take that seriously, and monitor it constantly. Looking at the past year, for example, there was a high flu prevalence last winter, when there were still ongoing challenges relating to instances of covid-19 and a strep A outbreak, particularly among children. Those had an impact. Statistics from the Office for Health Improvement and Disparities showed that last year, there were almost 26,400 excess deaths in England, and of those excess deaths, 7,300 were due to acute respiratory infections, including flu and pneumonia.

Last winter, the number of positive tests for flu peaked at 31.8%—the highest figure in the last six years. There are schools of thought on that; one is that when people were locked down, they were not exposed to flu for a couple of years, so their immune systems struggle to cope. We have learned those lessons, and that is why, this year, we have brought forward our flu vaccination programme. We have successfully vaccinated over 17.6 million people since the campaign started in September. It is still early in the winter season, but—touch wood—we are seeing fewer admissions from flu and covid than we did last year. We are learning lessons from those excess deaths.

There are also excess deaths from cardiovascular diseases; that was pointed out during the debate. The figure is 6% higher than expected in England, with almost 13,500 excess deaths attributed to cardiovascular disease. Lockdown did have an impact on that. We know that people were not getting their cholesterol tested or their blood pressure checked, and were still smoking. Antihypertensives and statins were not being prescribed. Again, we have taken action. As my hon. Friend the Member for South West Bedfordshire (Andrew Selous) pointed out, we are supporting local authorities to resume normal NHS healthcare checks; between April and June last year, the highest number of checks were offered since the programme began in 2013. We are investing £17 million in innovative new digital health checks, to be rolled out this spring, that will deliver an additional 1 million checks in the first four years. We have a £10 million pilot to deliver up to 150,000 cardiovascular disease checks in the workplace, with free blood pressure checks being rolled out in community pharmacies to people over 40, and we are investing £645 million to include blood pressure checks in our community pharmacy facilities. That is in addition to the work the Prime Minister announced on a smoke-free generation, which will be debated further, through which we want to see smoking rates further reduce.

I turn to the elephant in the room—covid vaccines—because the hon. Member for North West Leicestershire and other hon. Members have raised concerns about their safety. It is true that Office for National Statistics data, published only in August, shows that people who have had a covid-19 vaccine have a lower mortality rate than those who have not been vaccinated. My hon. Friend the Member for Bosworth (Dr Evans) and the hon. Member for North West Leicestershire are absolutely correct that a high number of people who were vaccinated appear in the excess death population, but when 93.6% of the population have had at least one dose of a covid vaccine, there will be a high number of vaccinated people in the excess death numbers. That is prevalence, not causality. It is important that we look at the causes of excess deaths and tackle them.

Dr Caroline Johnson: The Minister is saying that the number of people dying who are vaccinated is higher than the number of people who are not. That is to be expected because they are more likely to be older and frailer. Does she have any data that are adjusted for age and frailty—to say whether the vaccinated population are more or less likely to die?

Maria Caulfield: I do not have those figures on me, but I will be very happy to write to the hon. Lady with them. I am not saying that the rate is higher if people are vaccinated but that a high number of vaccinated people appear in the excess death figures because 93.6% of the population were vaccinated. That does not link to causality; it shows a high prevalence instead.

Paul Girvan: On that very point, during the public inquiry, should greater importance not have been placed on investigating the excess deaths, as opposed to delaying that part of the inquiry?

Maria Caulfield: The public inquiry is independent, and the Government are under heavy scrutiny from it. It is not for me to say how the inquiry should be conducted. As a Government, we are looking at the causes of excess deaths and introducing, where we can, urgent measures to reverse that increase as quickly as possible.

No vaccine or medicine—even simple paracetamol—is completely risk free, but we have systems in place to continually monitor the safety of our medicines. For example, in April 2021, following concerns raised through the yellow card system or by GPs or clinicians, the MHRA reacted to rare cases of concurrent thrombosis and thrombocytopenia following the AZ vaccine. That resulted in actions, with adults under 30 not offered the vaccine any further. In May of that year, that was extended to adults under 40. Where there is concern, we will take action and take recommendations from bodies like the MHRA to make sure that those vaccines are as safe as they can be.

Neale Hanvey: The Minister knows as well as I do that the yellow card scheme sits at the heart of safe clinical care, but allegations are circulating that the MHRA is sitting on 50 times more yellow cards related to the covid-19 vaccine than those related to any other vaccine that have been reported to it. Will she commit to asking the MHRA to account for that and to taking urgent action if, indeed, it is sitting on the yellow card system reports?

Sir Gary Streeter (in the Chair): Minister, please leave some time for the Member in charge to wind up.

Maria Caulfield: Thank you, Sir Gary, for reminding me that I have two minutes left.

I absolutely take the hon. Gentleman's point. If people have concerns, I am more than happy to raise them with organisations or to provide hon. and right hon. Members with answers. Although we have had over 8,000 claims to the vaccine damage payment scheme so far, 4,000 of them have been rejected on the grounds of causation or not meeting the severity threshold, and 159 have been awarded—156 for the AZ vaccine, two for Pfizer and one for Moderna. As well as the information that the MHRA is collecting, we are analysing the vaccine damage payment scheme to keep constantly reviewing the safety of the vaccines.

We must be careful with the language we use. We have a measles outbreak at the moment that is affecting young children, with particularly high outbreaks in London and the west midlands. Thankfully, it is mild in most cases, but children can die or have long-term side effects, and there is a danger if we are not careful with the language we use. We should absolutely scrutinise the safety of vaccines, but we need to make sure that we are not deterring parents from coming forward. We nearly eradicated measles, and we are now seeing outbreaks because of concerns about vaccinations. Although we have concerns, we also have responsibilities.

I do not have much time left, so I will make one quick point. If clinicians and experts have concerns, we should point them to the funding that we have made available for the National Institute for Health and Care Research. Some £110 million has been allocated for covid-19 vaccine research, and I encourage them to make use of that fund to develop our knowledge further.

I reassure colleagues that we absolutely acknowledge that there is a risk of excess deaths. We are working towards how we reduce that as quickly as possible, but the lockdowns have had a negative effect in many cases. We are also mindful of the safety of vaccinations, and have taken action when safety concerns have been raised.

My hon. Friend the Member for Watford (Dean Russell) mentioned coronial delays. That is a matter for the Ministry of Justice, but if he wants to write to me with the details of his case, I would be happy to take it up with that Department.

I thank my hon. Friend the Member for North West Leicestershire for bringing forward this issue. My door is open, and I am very happy to continue the discussion with him on it.

Sir Gary Streeter (in the Chair): Andrew Bridgen will have the final say.

10.57 am

Andrew Bridgen: As it always should be, Sir Gary; your chairing of the debate has been excellent. I have been extremely impressed by the turnout, which is far in excess of my expectations. I congratulate all hon. and right hon. Members who have attended, especially those who have contributed, and I thank the Minister and the shadow Minister, the hon. Member for Erith and Thamesmead (Abena Oppong-Asare), for their participation. Respectfully, I advise the Front-Bench spokespeople that not taking interventions will not fill colleagues or the wider public with confidence that they are being open and transparent. If we want to reassure people, they need to have confidence in us.

Clearly, time has been in short supply; three minutes for Back-Bench contributions was insufficient, and I hope that everyone present today, and those who have not been able to attend but who wanted to speak, would support an immediate call for a three-hour debate in the main Chamber. That would treat the whole issue of trends in excess deaths with the reverence, time and respect that our constituents demand and that we need in order to get to the absolute truth. I am saddened that I do not believe that this trend in excess deaths will stop any time soon; in fact, I think it will continue and that the concern from our constituents will only escalate.

The Minister talked about the elephant in the room: the vaccine harms. It is that bad, and it is going to get that bad, that apparently even the elephant in the room has died suddenly. The Minister could sort all this out if her Department were to tell the data holders to release the record-level data: the vaccine records, the vaccination data, the age of the vaccinated, what they were vaccinated

[Andrew Bridgen]

with, and whether they have died or had a severe adverse event. That level of data would sort out this argument once and for all, and if—

Sir Gary Streeter (in the Chair): Order. We must move on to the next debate.

Motion lapsed (Standing Order No. 10(6)).

Heritage Assets: Uxbridge and South Ruislip

11 am

Steve Tuckwell (Uxbridge and South Ruislip) (Con): I beg to move,

That this House has considered the protection of heritage assets in Uxbridge and South Ruislip constituency.

It is a pleasure to serve under your chairmanship in this—my first Westminster Hall debate.

"Never in the field of human conflict was so much owed by so many to so few."—[*Official Report*, 20 August 1940; Vol. 364, c. 1167.]

As I am sure colleagues will know, those words were immortalised by Sir Winston Churchill, as Prime Minister, on 20 August 1940 in the House of Commons Chamber, only a few steps away from this very room. The speech containing those famous words came at a time when Nazi invasion was long suspected and indeed feared. Adolf Hitler knew that if an invasion of the British Isles were to be successful, the German Luftwaffe would have to establish superiority over our skies. This was inconceivable, but by the end of June 1940—only a couple of months before Churchill gave his speech—the Luftwaffe's superiority in terms of planes seemed insurmountable, with a count of 2,550 planes to the RAF's 750.

Let us fast forward a couple of months. With war now raging over the skies of Britain, the sound of a Spitfire or Hurricane drawn into a dogfight against its Nazi foe echoed all around. The airfields of southern England faced the full force of the Third Reich, and what's more, by 16 August the resources of Fighter Command in this part of the country had almost been completely spent. In Churchill's speech, he remarked on and paid tribute to the enormous bravery and sacrifice of Fighter Command and the wider Royal Air Force. Sir Gary, I hope you will forgive my short history lesson; I know how famous those words are, how they epitomised that point in the war, and everything they represented.

What many people do not know, however, is that that day in the Commons Chamber was not, in fact, the first time that Churchill spoke those words. Indeed, the first time he quipped, "Never in the field of human conflict was so much owed by so many to so few" was four days earlier in my constituency of Uxbridge and South Ruislip. On 16 August 1940, Churchill, along with Major General Hastings Ismay, visited the then RAF Uxbridge, including what we today call the Battle of Britain Bunker. The trip was especially eye-opening for the then Prime Minister, as it was from that bunker that No. 11 Fighter Command operated.

Of the four Fighter Command groups, No. 11 saw the most action during the battle of Britain, shooting down many of the 1,700 enemy aircraft lost during the war. The sheer scale of No. 11's work was evident when, on Churchill's visit, each squadron in the group was actively engaged in combat, right at that moment, against the continuous Luftwaffe raids pouring from over the channel. When leaving the bunker, Churchill said to Ismay,

"Don't speak to me; I have never been so moved."

A couple of moments later, while still reflecting on what he witnessed, he turned and uttered those famous words. No. 11 Fighter Command's continuous defence on that day was not a one-off either. Churchill would go on to write in his memoirs

"all the bulbs glowed red"

in reference to the tracking boards in the bunker's operation room, which showed each group's squadron engaged on 15 September that year as well.

It was not just as the stage from which Churchill uttered his famed words, or as the home of No. 11 Group's operations, that the bunker underlined its important part in the history of Uxbridge and South Ruislip and of the entire country. I am incredibly proud of the part that the bunker played in our national history, and of the immensely courageous and brave men and women based there during the most momentous moment in Britain's history. I am also proud that the bunker not only exists, but is one of the most popular places to visit in my constituency. I hope to be able to welcome the Minister there soon.

The bunker shows what can happen when local interest groups, alongside the wider community—those keen to preserve important parts of our history—are given institutional support. After the war, No. 11 Group relocated elsewhere, with Dowding unveiling a memorial close to the bunker entrance noting the role it played during the second world war. Thirty years after the war, and through painstaking work, the operations room of the Battle of Britain Bunker was recreated in that very room, through the tireless work of those committed to the building and its history, and those associated with it. A couple of years on, a museum was opened in the bunker, with the operations room open to visits.

When I was growing up, the bunker was an incredibly interesting place for me to visit and to learn more about my local area's ties with the wider war effort and the role it played protecting Britain in some of her darkest days. Much of the work, however, was done off the back of volunteers and special interest groups, which is why in 2015 the whole community was thrilled when the Government pledged £1 million to fully restore the bunker, and even more people were able to visit through a specially built visitor centre. Alongside that pledge was a multi-million pound grant from Hillingdon Council to celebrate and build the visitor centre. Along with its incredible popularity, the bunker demonstrates what can happen when local heritage projects and assets have institutional support, whether from local or national Government or established charities and organisations.

Jim Shannon (Strangford) (DUP): I remind the hon. Gentleman, as I think he probably already knows, that the United Kingdom of Great Britain and Northern Ireland has some of the richest heritage around. We in Northern Ireland have some of that, including at the Conlig mines, where the first world war and second world war soldiers trained. The hon. Gentleman mentioned funding. It is incredibly important that the seed funding and help for councils to develop our heritage is made available. Does he agree that when it comes to the Minister's input, which we very much welcome, the opportunity to have projects in my constituency of Strangford should also be supported?

Steve Tuckwell: I think that later in the debate we will see how the Minister responds on the issue of funding, but I thank the hon. Member for those remarks.

What is more, this does not always have to be about funding; it can be about advice and even signposting. I recently spoke in the main Chamber on a similar project, so I look forward to the Minister expanding on other ways in which local residents in Uxbridge and South Ruislip can access support and guidance to ensure that the heritage assets that they believe are worth saving can be saved. I hope to come on to a number of those.

Just as decades ago it played host to the valiant men of No. 11 Group, Fighter Command, the Battle of Britain Bunker has now become the very place where those people's stories are told. I wholeheartedly thank all the team who work at the Battle of Britain Bunker for all that they do as part of this important work. As I have already noted, the bunker's experience shows how local heritage assets can be protected. The process can be summed up in three stages: identification, protection and capitalisation. Each of those stages can have its own pitfalls. For the remainder of my time, I will try to address each of these within the local context of Uxbridge and South Ruislip.

We are incredibly lucky to have organisations such as Historic England, which maintains the "Heritage at Risk" register, giving a yearly glimpse at the state of England's heritage fabric. But the register can make for troubling reading. For instance, the 2023 edition details 392 buildings, 98 places of worship and 25 archaeological sites at risk in London. Altogether, with the other categories combined, there are 599 entries from across London. For the Borough of Hillingdon, the register contains 44 entries, including historic stables, crumbling church walls, a cinema and Hubbard's Farm Barn and outbuildings in Uxbridge. However, the register is only as effective as the information that it contains, and I am sure that, despite the valiant work of Historic England, some sites may go undetected, known only to niche local knowledge and unfortunately then lost when that local knowledge is lost. On this, I would like to repeat my ask of the Minister to highlight how residents in Uxbridge and South Ruislip might go about highlighting the local assets that they are worried about, and how they can get them through the first and most important step of the protection process.

I have said that the register can make for troubling reading, but it can also provide a positive glimpse into the state of heritage preservation in our communities. For example, the 2023 register details that 203 assets, including 41 sites in London, were removed from the register for positive reasons. These success stories show the importance of identifying heritage assets at risk, as they underpin the protection process that I have been talking about. However, any prospect of this success stands to be undercut by a lack of suitable funding and expertise to get the work under way suitably, sympathetically and in a way that will ensure longevity.

Here is where I draw on another part of Uxbridge and South Ruislip's aviation history—although to call RAF Northolt "aviation history" is not quite true, as it is still a fully working airfield, dealing with commercial and military flights, including Government, both national and international, to and from London. Established in 1915, RAF Northolt actually predates the establishment

[Steve Tuckwell]

of the Royal Air Force and is the longest continuously used RAF airfield in the country. Like the Battle of Britain Bunker, RAF Northolt has a number of links with the second world war, but especially with the battle of Britain itself. Indeed, RAF Northolt was the first airfield to receive the Hawker Hurricane in 1937, two years before the outbreak of the second world war. The Hurricane, often overshadowed in the public psyche by the sprightly Spitfire, was the workhorse of the battle of Britain, inflicting 60% of the Luftwaffe's losses. Four out of the five squadrons based at RAF Northolt at the time of the battle of Britain would fly Hurricanes during that time.

One of the squadrons that we are especially proud of in Uxbridge and South Ruislip was No. 303 Polish Fighter Squadron. The squadron was made up of Polish forces who were withdrawn to Britain following the 1939 invasion of Poland and then the fall of France. By 1940, 8,000 Polish airmen had arrived in Britain from across the channel. Unlike many of their British counterparts, the Polish pilots were incredibly experienced and had already had wartime service. Despite that, many of the Polish servicemen were originally met with scepticism and often relegated to jobs that left them stood firmly on the ground. The 303 Squadron would go on to serve with enormous heroism and skill. Indeed, during the battle of Britain, the squadron shot down the greatest number of enemy aircraft. Air Chief Marshal Hugh Dowding noted:

> "Had it not been for the magnificent material contributed by the Polish squadrons and their unsurpassed gallantry, I hesitate to say that the outcome of the Battle would have been the same."

Neither that nor the service of the Polish squadron is lost on my residents. We are proud custodians of the Polish air force memorial. Dedicated to Polish airmen who lost their lives during the second world war, the memorial stands close to the airfield's south-eastern corner.

All squadrons based at RAF Northolt during the battle of Britain and beyond demonstrated great courage, skill and resolute determination, and 30 allied airmen from the United Kingdom, Poland, Belgium, Canada, Czechoslovakia and New Zealand were killed after flying out of RAF Northolt. That is why I would like to draw the Minister's attention to one small part of the airfield's fabric that those overseeing the airfield believe to be at risk and would like to preserve. The physical space of RAF Northolt went through a lot during the second world war, with the Luftwaffe concentrating its efforts on crippling Britain's air superiority by targeting airfields. More than 4,000 bombs fell within two miles of the airfield in just over 14 months. During the war, the airfield was camouflaged to look like housing from the air to confuse the German bombers, and a stream was even painted over the primary runway. The only problem was that these designs were so ingenious that they even fooled allied pilots when approaching Northolt for the first time.

The airfield saw so much of the physical effects of war and the lives and stories of the brave few. That is why it is important to protect the remaining fabric of the airfield such as the scramble hut, which airfield authorities are looking to preserve and to better protect. To have this physical asset harking back to a point of huge bravery during wartime, while continuing to operate as an RAF airbase, would underline the timeless notions of bravery, commitment and what is right. I hope the Minister will agree to meet me, the airfield authorities and other local groups to discuss how best to preserve this second world war asset. Hopefully we can guarantee the stories of those who have used it, including our Polish allies, and continue their legacy of fighting for what is right.

So far, I have explored the first two parts of the heritage asset journey: identification and protection. The final part remains. For this last stage, I am departing from the aviation of Uxbridge and South Ruislip and instead making a pit stop at another local point of pride for many residents and myself: our pubs, and especially our historic heritage pubs. Across our area, we are incredibly lucky not just to have pubs but to have historic pubs. This is a topic I have contributed on before in Westminster Hall, although I hope that you will allow me the chance to briefly revisit it, Sir Gary.

Sir Gary Streeter (in the Chair): I just want to make clear that I want to give the Minister a good 10 minutes to respond and that the debate must conclude by 11.30 am.

Steve Tuckwell: Okay, I will move on. In the 16th-century Red Lion, regulars and one-off visitors can sup a pint or something less alcoholic, taking in the pub's original Tudor fireplaces and beams. One of the most distinctive and storied pubs is The Crown and Treaty, which is historic and entwined with this very place. Both sides of the English civil war met in the pub to discuss a document that proved to be ill fated and short lived. The treaty of Uxbridge was an attempt at negotiated peace between the two sides, which had already been at war for three years. The treaty failed, but the pub is still going after 400 years.

As I said earlier, this is a potted history of Uxbridge and South Ruislip, and I recognise the work that the Department has already done on heritage asset protection and especially their engagement with myself. I hope that the Minister and hon. Members leave this debate with greater knowledge of places to visit when they are next in Uxbridge and South Ruislip.

The process of ensuring that an asset survives is identification, protection and consistent consolidation. These assets are more than just structures; rather, the stories of ordinary men and women and of extraordinary situations and moments in history are woven into their fabric. Finally, I look forward to working with the Minister to ensure that these stories of the few are left for the many to hear and learn from in the centuries to come.

11.19 am

The Minister for Media, Tourism and Creative Industries (Julia Lopez): It is a pleasure to serve under your chairmanship, Sir Gary. I am grateful to my hon. Friend the Member for Uxbridge and South Ruislip (Steve Tuckwell) for securing this debate. I was on maternity leave when he was elected, so I belatedly welcome him to this place. I am proud and glad to be responding to his first ever Westminster Hall debate, which is on such an important subject. As he knows, we are committed to protecting the historic environment for the benefit of present and future generations.

As my hon. Friend said, he has a significant number of important historic buildings in his constituency, many of which are already protected for future generations to enjoy, including a total of 148 listed buildings—nine at grade II* and 138 at grade II. The most recently designated was the church of St Mary's, South Ruislip, which was listed at grade II in 2022. It is clear that Uxbridge and South Ruislip is a standout place for heritage and history, particularly military history. He and I have similar constituencies in many regards. Our constituents are virulently anti-ultra low emission zone, and we have histories of protecting the capital of our nation in the battle of Britain. RAF Hornchurch is in my constituency, and my hon. Friend eloquently set out the role that his constituency played.

I recommend that my hon. Friend join the armed forces parliamentary scheme. I did so, and I was honoured to be able to go to RAF Coningsby in Lincolnshire, which had the battle of Britain memorial flight. I also had the opportunity to visit RAF Northolt on that tremendous scheme, which connects today's parliamentarians to the service and sacrifice that so many of our fellow citizens have made over the course of our nation's history.

One of my projects on maternity leave was publishing the memoirs of my late auntie, who spoke about her time in Bexley when London was under the blitz. We forget about the terrible human cost that was paid by ordinary people in those terrible times for our nation, so I am grateful for the role that our constituencies played in protecting London.

The story of Uxbridge and South Ruislip is an important source of local pride, but it also brings in visitors and has an important and positive economic impact. I am speaking on behalf of my noble Friend Lord Parkinson, the Minister for Arts and Heritage, but I am the tourism Minister, so I recommend my hon. Friend's constituency, which I have visited, to those who are interested in military history and those from across the world who want to think about the role this nation played in the war.

The primary way that my Department protects heritage assets is through the designation system, which highlights an asset's special interest and value to this and future generations, and provides protection under law. The grade I listing of the Battle of Britain Bunker means that potentially harmful changes to it are given particularly careful scrutiny through the listed building consent process. DCMS works closely with Historic England to protect England's heritage. Historic England gives expert advice to the Secretary of State on the listing of historic buildings and the scheduling of ancient monuments, and to central and local Government, property owners and other stakeholders. Anybody can request an assessment through Historic England with a view to listing a building, and it can then set out, with its experts, the process to ensure that an applicant has all the information they need for a listing to take place.

My hon. Friend mentioned Historic England's "Heritage at Risk" programme, which is another excellent way to ensure that our most vulnerable heritage sites are highlighted and protected. The risk register also has available repair grants, which are given to local community groups. Again, that is something that my hon. Friend might consider.

I mentioned that my constituency has RAF Hornchurch. We have a fantastic band of volunteers, and it sounds like my hon. Friend has a similar group in his constituency. There are myriad ways in which local volunteers can leverage their position in the community. In my case, they did work with a developer to get some section 106 and community infrastructure levy funds to help to fund local heritage. Similarly, work is under way in my constituency with National Highways to help to protect some of our heritage. My hon. Friend might look into those initiatives, and his band of volunteers can also look at the National Lottery Heritage Fund as a potential avenue for funding.

According to the community life survey, 5% of all adults who have volunteered in the last year did so in the heritage sector. There is enormous enthusiasm across many people's constituencies for that kind of work, and I want volunteer groups to be aware of the range of ways in which they can access it. The Friends of the No.11 (Fighter) Group Operations Room are very appreciated by our Department for the vital work they do so that others in London and beyond can understand our history.

Historical buildings are also a key part of our high streets. The £95 million high streets heritage action zones programme, delivered by Historic England, looks at how we can remind people of the histories of their high streets. As I said, the battle of Britain bunker is an important tourism destination. Local lists also play an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment. Historic England provides guidance on local heritage listing for councils, community groups, and other interested stakeholders. The assets of community value and community right to bid initiatives are further opportunities for local groups to protect locally important assets. The heritage action zone scheme has also worked closely with building preservation trusts, such as Valley Heritage in Lancashire and the Tyne and Wear building preservation trust, to support community groups in ownership of particular assets. That is something that my hon. Friend's local group might want to explore. I encourage local groups across the country to contact our public bodies and their local councils for advice on how to support heritage in their area.

My hon. Friend also mentioned another important aspect of our country's heritage: historic pubs. As he so perfectly summarised it in the debate on heritage pubs back in November:

> "They are not just pubs. They are our communities; they are our history."—[*Official Report,* 16 November 2023; Vol. 740, c. 24WH.]

There are currently over 12,250 listed pubs in England. That is 3.2% of all listed buildings, so the appreciation for the local boozer is well known and appreciated by people across the country. Since 2015, a number of listings have taken place as a result of research projects into heritage pubs undertaken by Heritage England. I am sure my hon. Friend is aware that barriers to the serving of building preservation notices by local planning authorities have been removed by the Levelling-up and Regeneration Act 2023, which means that historic buildings at risk of development or demolition can be protected much more quickly. Through measures such as our designations process and the serving of building preservation notices, our historic pubs, such as Uxbridge's nearly 400-year-old The Crown and Treaty, can be preserved for generations to come.

[Julia Lopez]

I shall pass on my hon. Friend's kind invitation to the heritage Minister, my noble friend Lord Parkinson, who sits in the other place. We will also look at this issue from a tourism perspective. I thank my hon. Friend again for bringing such an important debate to this place and highlighting the fantastic history that his constituency has to offer the rest of the country.

Question put and agreed to.

11.27 am

Sitting suspended.

Online Filter Bubbles: Misinformation and Disinformation

[Sir Mark Hendrick *in the Chair*]

2.30 pm

John Penrose (Weston-super-Mare) (Con): I beg to move,

That this House has considered the matter of preventing misinformation and disinformation in online filter bubbles.

It is good to see you in the Chair and in charge of our proceedings, Sir Mark. It is also good to see the Minister in his place. He confessed gently to me beforehand that this is the first Westminster Hall debate in which he has had the honour of being a Minister. I am sure that he will mark his debut with elan.

This important issue has not had enough exposure and discussion so far in Parliament, so I am pleased to see so many colleagues present. I suspect that they have all had far too many examples than they can possibly count of not just fake news but fake science, fake medicine or online memes of one kind or another landing in their in-trays from constituents. This is not just about constituents writing to Members of Parliament; it is a much broader issue that affects the whole tenor and fabric of our democracy and public debate. It is particularly important because public debate, in these online days, happens in a far wider and more varied collection of different forums than it used to before the internet was so commonly and widely used. It is something that needs to be addressed.

Mr Gregory Campbell (East Londonderry) (DUP): I congratulate the hon. Member on securing this timely debate. Does he agree that the prevalence of fake news is all consuming? There was a quote put to me, as a Member of Parliament, on social media a few years ago. It was along the lines of, "In the words of Abraham Lincoln, don't believe all you read on the internet."

John Penrose: The hon. Gentleman is absolutely right. The saying used to be, "Don't believe everything you read in the newspapers," but it applies equally strongly in the modern digital world to everything that we read on the internet.

Fake news, or misinformation and disinformation, really matters, particularly this year. A large proportion of the democratic world will have general elections in the next 12 months. The scope for interference in those elections by malign actors, whether they are foreign states, organised criminals or people of a particular religious or political persuasion, is very strong. They try to sway public debate through fair means or foul, and if we are talking about misinformation and disinformation, that means foul means. The potential in the next 12 months for bad things to happen is very high, and that is just when it comes to democracy. That does not cover the other examples of fake news or fake science that I mentioned, such as fake medicine. Believing quack cures can lead to more deaths, more people getting the wrong kinds of medical treatments and so on. There are many different opportunities.

There is also a serious issue around radicalisation. Somebody who is fed a diet of alt-left or alt-right political views, or extremist religious views—it does not

really matter what it is—can easily disappear down a rabbit hole, into an echo chamber of views where only one particular strand of opinion is put in front of them again and again. That way leads to radicalisation on a whole range of different topics, and it undermines both our society and our democracy, and science in many cases. It means that societies as a whole become much more brittle and more divided, and it is much harder for democracy to flourish.

What is misinformation and disinformation, without getting sucked into technocratic definitions? It is rather like trying to define pornography. As the famous phrase goes, "You may not be able to define it, but like a hippopotamus, you recognise it when you see it." *[Interruption.]* I will ignore the heckling on my right; it will not help. There are two underlying facets to misinformation and disinformation. One is that if someone is simply making stuff up, telling lies and saying things that are factually inaccurate and false, that can easily become misinformation and disinformation. The second is when things are factually accurate and correct but really one-sided and biased. That matters too; it is extremely important, and we have long had rules for our broadcasters, to which I will return in a minute, that are designed to prevent it.

The good news is that the Online Safety Act 2023 took a few early steps to do something about factual inaccuracy, at least. It does not do a great deal—it should do more—but it takes some early steps, and it would be churlish to pretend that there is nothing there at all. I tabled a couple of early amendments to get us to think about factual inaccuracy and to work out where it came from—provenance, in the jargon—so that we could tell whether something comes from a trusted source. We ended up with some useful points, particularly duties on Ofcom relating to media literacy and making sure that people know what questions to ask when they see something on the internet and do not, as we were just hearing, necessarily believe everything they read online but ask questions about where it came from, who produced it and whether it has been altered. Ofcom has that duty now; it has not yet grown teeth and claws or started to bite but at least, in principle, that power is there and is very welcome.

There is also the advisory committee enshrined in the Act, which ought to make a difference, although precisely how will depend on how actively it flexes the muscles it has been given. Separately from the Online Safety Act, there are the national security laws about foreign interference too. There is some protection, therefore, but it is not nearly enough. The Minister's predecessors, in what used to be the Department for Digital, Culture, Media and Sport before it was reorganised, will say that in the early days of the Online Safety Act's gestation, it was intended to cover misinformation and disinformation, but that was hived off and fell away at an early stage. That is an important omission, and we need to come back to it now.

I want to make a modest proposal. The Online Safety Act will start to make modest progress towards media literacy and people understanding and asking questions about factual accuracy and where something comes from when they see it on the web. It will go some way to addressing the first of the two sources of misinformation and disinformation—people telling lies, making stuff up, deepfakes of one kind or another. The sad fact is that the chances of deepfakes getting better with the advent of artificial intelligence is very high indeed so that, even if we think we can spot them now, we are probably kidding ourselves and in a year or two's time it will be doubly, trebly or quadruply difficult to work out what is real and what is completely made up.

If we accept that at least something is in place in this country to deal with factual inaccuracy, we are still stuck with absolutely nothing, as yet, to deal with the one-sided and deeply biased presentation of factually correct narratives. I therefore want to draw a comparison, as I mentioned earlier, with what we already do and have been doing very successfully for decades in the broadcasting world, where Ofcom, through the broadcasting code, has been in charge of the duty of balance and undue prominence. That duty has very successfully said for decades that the analogue broadcasting world has to make sure that, when it presents something that is supposedly factual in a broadcast news programme, it must be balanced and must not give undue prominence to one side of the argument. That works really rather well, and has been a core part of ensuring that our public debates in this country are not sidetracked by fake news.

I suspect that every one of us here will, at various different times, have gnashed our teeth and shouted at the telly because we felt that the BBC, ITV or Sky News was presenting something in a slightly partisan way; depending on which side of the House we are on, we may have thought that the partisanship was on one side of the argument rather than the other. However, the fact remains that we all know the way they are supposed to do it and that there is some kind of redress, and there is generally an acceptance that it is the right thing to do. The duty matters not just because politicians think it is important, but because it has—very successfully, I would argue—made sure that there is a tendency towards reasoned, evidence-based consensus in British public debate, online and in broadcast news, over more than half a century.

The title of this debate is not just, "Misinformation and Disinformation"; it is about those two things in online filter bubbles. Online filter bubbles bear some quite important similarities to what broadcast news editorial room decision making has long been doing. The reason is that when we go online, we all have our own personal online filter bubble. Whether we use Google, Facebook, TikTok, all of the above, or whatever it might be, those platforms have an algorithm that says, "John Penrose likes looking at stuff to do with fishing tackle—we're going to send him more stuff about fishing tackle." I am not sure what the equivalent would be for the Minister; I am sure he will tell us in due course, unless he is too shy.

The algorithm works out what we have personally chosen to look at and gives us more of the same. That can also lead to radicalisation. If I start looking at things to do with Islamic jihad, it will say, "Oh! He's interested in Islamic jihad", and send me more and more things about Islamic jihad—or the alt-left, the alt-right, or whatever it might be. The algorithm's decision to send people more of what they have already chosen—when it sends people things they have not chosen, but which it thinks they will like—is effectively a digital editorial decision that is, in principle, very similar to the editorial decisions going on in the Sky, ITV or BBC newsrooms, either for radio or for broadcast TV.

[John Penrose]

We need to come up with a modern, digital version of the long-established and, as I said, very successful principle of the duty of balance and undue prominence and apply it to the modern, digital world. Then, if I started looking at Islamic jihad, and I got sent more and more things about Islamic jihad, as I saw more and more things about Islamic jihad, the algorithm that was creating my personal filter bubble would start sending me things saying, "You do know that there is an alternative here? You do know that there is another side of this argument? You do know that the world is not just this, and this particular echo chamber—this rabbit hole of radicalisation that you are enthusiastically burrowing your way down—may actually be exactly that? You need to understand that there is more to it." That is something that happens to all of us all the time in the old, analogue world, but does not happen in the digital world. I would argue that it is one of the reasons that many of us here, across the political spectrum, are so worried about the divisive nature of the online world and the rising levels of disrespect and potential incitement of violence there.

I plan to do something rather unusual for politicians and stop talking very soon, because I hope that this has served as a proposal for colleagues to consider. It is something that would need cross-party consensus behind it in order to be taken forward, and there may be better ways of doing it, but I am absolutely certain that we do not have anything in our legal arsenal in this area at the moment. I would argue that we need to act quite promptly. As I have said, the stakes in the next 12 months democratically are very high, but the stakes have been very high in other areas, such as medical disinformation, for a very long time because we have just come through a pandemic. The scope for damage—to our society, to our health and to our entire way of life—is very high.

Therefore, I hope that colleagues will consider what I have said, and if they have a better answer I am all ears and I would be absolutely delighted to hear it. This is a very early stage in the political debate about this issue, but we cannot carry on not having a political debate about it; we cannot carry on not addressing this central issue. So, I am glad that everybody is here today and I hope that we will all go forth and tell our political friends and neighbours that this issue is important and that they need to address it as well. And as I say, if people have better solutions than the one that I have just politely proffered, then my pen is poised and I look forward to taking notes.

2.46 pm

Stewart Malcolm McDonald (Glasgow South) (SNP): It is most unusual for me to called so early in a Westminster Hall debate, Sir Mark, so I am grateful to you.

I congratulate the hon. Member for Weston-super-Mare (John Penrose) on securing this debate. There is no question that preventing misinformation and disinformation is one of the great challenges of our time, and it will only become more and more challenging, as he has adumbrated in his remarks to the House this afternoon.

Unfortunately, we have many active theatres of conflict around the world at the moment, so I will begin by thanking all of those who take to social media to counter so much of the disinformation that exists. Whether it is about the war in Ukraine or about the situation in the Red Sea, Gaza and Israel, so much disinformation is doing the rounds. Some of it is clearly state-sponsored; some of it less so.

Indeed, there is also misinformation or disinformation about elections, so no doubt we will see more of that as the elections in this country and elsewhere in the west draw closer. Also, last week there were elections in Taiwan, when the Taiwanese political parties said it was the harshest election yet in terms of Chinese-sponsored disinformation against a democratic people. However, a great many people invest time, effort, energy, money and resources online to counter such disinformation and they do a public service.

I will mention the negative part first, if I may; there is no point in my going over all the various examples of disinformation that exist. I recall being in a conference a few years ago with the hon. Member for Folkestone and Hythe (Damian Collins) where one of the complaints that we had—it is so often a complaint—was that when there are conferences and workshops and think-tank events about disinformation, everybody wants to talk about examples of disinformation but few people want to talk about how we arm ourselves against it.

So, as I say, let me start with the negative part first. I do not mean any of what I say today to be against the Minister—the Under-Secretary of State for Science, Innovation and Technology, the hon. Member for Meriden (Saqib Bhatti)—who, I will confess, I do not think I have faced on this issue before. Nevertheless, the Government do not have a coherent strategy on this issue. There are a great many officials across Government and across Whitehall who are doing some sterling work on it; no question about that. At a political level, however, this issue has not been given the serious consideration that it deserves; although it may be uncharitable of me to say so, that was evidenced most of all by the fact that Nadine Dorries was put in charge of it. *[Laughter.]* Having said that, I will come on to a central problem that is less about personalities and more about the policy framework and the institutions that are required.

As I understand it, and the Minister may correct me in his remarks, misinformation is the responsibility of the Department of Culture, Media and Sport; some disinformation is also that Department's responsibility. Foreign disinformation falls with a mixture of the Foreign Office, the intelligence services and the Home Office. Other parts of disinformation are the responsibility of the Ministry of Defence and defence intelligence. I spent five and a half years as my party's spokesperson for defence and the type of question that I wanted to ask depended on whether or not the Ministry of Defence could answer it. Who does this madness—a madness of responsibility and lines of accountability lying all over Whitehall—benefit? Certainly not our constituents.

Alex Davies-Jones (Pontypridd) (Lab): The hon. Member is making a very important point. I have tried repeatedly to find answers from the Government's Counter Disinformation Unit. That specialist unit, set up in Whitehall to counteract some of this disinformation, is meant to be cross-departmental, but sadly it has been quite dormant. We have had very little information and transparency. Does the hon. Member agree that, if we had more transparency, we could see what Departments were working on across Government and seek to tackle the problem?

Stewart Malcolm McDonald: Indeed. The hon. Lady is entirely correct. The fact that so much of this has spread like a great blob—some might say—around Whitehall benefits only our adversaries and those who wish to pursue disinformation in this country. That is before we get to the growing problem of the things the hon. Member for Weston-super-Mare mentioned—deep fakes and AI-generated disinformation—all of which is going to get worse and worse. As long as responsibility and lines of accountability and policy formation are a bit all over the place, when in my mind the obvious place for them to lie would be with the Cabinet Office, that will be of benefit only to those who want to sow disinformation.

In June 2021, in the spirit of trying to be a helpful Scottish nationalist, which might be an oxymoron to some people, I published a report that made nine recommendations on how, in fairness to the UK Government and Scottish Government, they can better counter disinformation in public life. I want to go through a couple of those. First, we need a proper national strategy that is a whole-society national strategy, imitating the excellent work done in countries such as Finland and Latvia, where countering disinformation and hybrid threats is not the job of the Department of Defence or even the Government but involves public institutions, other public bodies, the private sector, non-governmental organisations, civil society and private citizens. There is much that can be done. Surely we saw that in the generosity people showed during the pandemic. There is so much good will out there among the population to counter hybrid threats when they arise.

Although we have the counter disinformation unit, I would suggest a commissioner, perhaps similar to the Information Commissioner, with statutory powers on implementing the national strategy and countering disinformation. There is a job for our friends in the media, too. The media need to open up to explain to the public how stories are made. There is a job to be done in newspapers and broadcast media. It would be to the benefit of mainstream media—that phrase is often used in a derisory way, although I like my media to be mainstream—as the more the media explain to the public how they make news, the better that would be for those of us who consume it.

There should also be an audit of the ecosystem. One thing I suggested in the report is an annual update to Parliament of a threat assessment of hostile foreign disinformation to this country. The better we understand the information ecosystem, the better we can equip ourselves to counter hostile foreign disinformation. I also suggest literacy programmes across all public institutions, especially for public servants, whether elected or unelected. My goodness, some of them could do with that in this House.

I also suggest we look to host an annual clean information summit. There is so much good work that goes on, especially in Taiwan, and right on our own doorstep in Europe. So much good work goes on that we could learn from, and hopefully implement here. If we do not have a whole-society approach, involving public bodies, faith groups, trade unions, private enterprise and even political parties, fundamentally any strategy will fail.

I will end on this: political parties need to get their acts together, and not just on some of the stuff that gets put out. I am not going into things that individual parties have put out. But at either this election or the next—I would argue that the upcoming election is already at risk of a hostile foreign disinformation attack—what will happen when that disinformation gets more sophisticated, better funded and better resourced than anything we have to see it off? I come back to the conference I attended with the hon. Member for Folkestone and Hythe, where we took part in a war game: it was a presidential election, and our candidate was subject to a hostile foreign disinformation attack to spread smears and lies about them. We need to get used to this now. Political parties need to set their arms to one side and work together so that we can preserve that thing we call democracy. I think it is worth fighting for. I look forward to the other suggestions we will hear in the rest of the debate.

Sir Mark Hendrick (in the Chair): I note the number of people present, and ask Members to keep their contributions to around seven minutes so that we can get everybody in.

2.55 pm

Andrew Percy (Brigg and Goole) (Con): It is a pleasure to serve under your chairmanship today, Sir Mark. I congratulate my hon. Friend the Member for Weston-super-Mare (John Penrose) on securing the debate. I agreed with a lot of what was said by the hon. Member for Glasgow South (Stewart Malcolm McDonald)—did he say a "helpful Scottish nationalist"? I am not sure whether or not that was disinformation, but we will not debate that today.

I am extremely concerned about misinformation on a whole range of subjects. We saw it during the pandemic, with the vaccine debate; all Members will have received communications from constituents that were completely and utterly false, where people had been wound up online by fake doctors and people who were not vaccine specialists and were then presenting that information to us as fact. We see it in the immigration debate, where people are subjected to what is often racist commentary online, which then directs them towards other accounts—a lot of them anti-Muslim—which reinforce what they have heard. These people then appear in our inboxes, quoting that bile.

As others have mentioned, we also see it in election campaigns. I think all political parties can sometimes be a little guilty of promoting elements of disinformation. In the 2017 election in particular, I remember being on the receiving end of abuse and torrents of stuff that was put out about votes here, which, when I looked into the detail, just was not true. It was not as presented. I am afraid that all political parties sometimes cannot resist the urge to perhaps slightly misrepresent what has gone on in this place.

It will perhaps come as little surprise that I want to talk today about antisemitism—the anti-Jewish racism that remains prevalent and pernicious throughout our online platforms. Perhaps I am a hypocrite for talking about this, because I am not actually on any of these social media networks. I left them all, and it was the best thing I ever did for my mental health. I realised the power of filter bubbles, though, when I once looked at an account about a trainspotter, and ended up getting presented with lots of other trainspotting information. I thought, "Why is this all happening?"—it is because if someone looks at something once, they are driven down

[Andrew Percy]

that path. Now, I could have become a radicalised trainspotter, but I was able to cut myself off just at the right point. I joke, but in other debates and on other accounts, this is incredibly frightening and dangerous.

We see it with antisemitism, with conspiracy theories reaching back hundreds of years, which, like artificial intelligence, mutate and evolve. It will be of little surprise to Members to hear that it can be found in relation to misinformation and disinformation too. We have particularly seen that since the start of the conflict in the middle east. Following the terror attacks on 7 October, there has been a significant proliferation of disinformation and misinformation. Shortly after the attacks, conspiracy theories emerged that were rooted in the anti-Jewish ideologies of those who wished to deny the atrocities that took place—denying that innocent civilians were attacked, that children were murdered and that women were subjected to gender-based violence.

I have seen some of that hate in the past 24 hours, following an outrageous smear somebody put out about me on social media that has resulted in a trickle of abuse coming at me, some of which is questionably antisemitic. Those emails have included a denial that Hamas was responsible for the deaths on 7 October, while someone else questioned, in relation to the Houthis, whether interrupting shipping lanes is really a heinous act. Worst of all, someone emailed me and described the hostages as "them Zionist rat hostages". People have not come up with those comments and views themselves, but they have seen them online. They have been pointed in a particular direction through a series of misinformation and disinformation. It has had no effect on me, of course. I will continue to speak out and call out whatever I wish wherever I think it appropriate to whoever. It will not have any impact on me, but it has proven to me once again what a cesspit of hate and antisemitism social media can be. I will give a couple of examples to emphasise that.

One major conspiracy since 7 October is that the attacks on that day were a false flag operation by Israel—we have all probably had emails stating that. In one particular viral claim, social media users argued that the attack at the Nova music festival, in which 364 people were murdered and many abducted, was not carried out by Hamas but by Israeli forces, despite the fact that there was video evidence taken by the people there. Some try to be clever and deny one single aspect of the atrocity in order to skirt some of the social media rules.

In another example, it was claimed that the Israeli Government knew of the attack, but did not deploy the army in the hope that the crisis would help restore popularity. The Institute for Strategic Dialogue found that many of the conspiracies contain common antisemitic tropes. For example, sites affiliated with QAnon spread a conspiracy that the war was part of a plan to start a third world war, with a hidden ambition to start a new religion and cause chaos, which is of course a trope straight out of the Protocols of the Elders of Zion. We have seen that throughout.

AI has also played a major role in disseminating disinformation. I will use a few examples to demonstrate that. A Facebook post shows Israeli civilians cheering Israeli Defence Forces soldiers in an image that was heavily altered by AI. Of course, the people who shared it do not know that. There was a deepfake video of President Biden calling for a military draft in response to the war with Hamas. It appeared on TikTok and Facebook, where it managed to fool users into thinking that was real. I note that other people have talked about the difficulties of deepfake.

Deepfake images of abandoned and injured Palestinian babies in the ruins of Gaza have been viewed and shared millions of times. Because AI-generated content has become widespread, people now doubt genuine content. When authentic images of the luxurious homes of some Hamas leaders were shared, it was immediately pooh-poohed as an AI deepfake. Because of the algorithms that personalise the content, as other Members have said, users are drawn into filter bubbles on social media and continuously exposed to a specific narrative, with little or no exposure to counter-information.

The proposal of my hon. Friend the Member for Weston-super-Mare was spot on. I am conscious of your guidance on time, Sir Mark, so I will end there. I will just say that there is more we can do. The ideas that my hon. Friend has outlined are important, as are the things about digital media literacy and all the rest of it that the Government can invest in.

3.3 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to see you in the Chair this afternoon, Sir Mark. I am very sorry to hear about the abuse that the hon. Member for Brigg and Goole (Andrew Percy) has received. It is something that many of us unfortunately have experienced from time to time.

However, I want to start on a positive note and congratulate the hon. Member for Weston-super-Mare (John Penrose) on securing the debate and coming up with a sensible suggestion, which has to be the basis of further consideration. He was right. The matter is very dangerous for democracy and is an urgent issue that needs to be addressed. He used the term "radicalised", which is a good way of looking at how that affects people.

People can hold views that they might not have countenanced a few months ago. The effect of filter bubbles can be that, in effect, they become a totally different person and they are completely unaware of the process that they have been through. There should be greater openness with individuals about the type of content that is being pushed on to their timeline. If an individual user could see, for example—or better still, be directed to—the tags that they have amassed, that knowledge would be of great assistance. It would hopefully prevent people from passively entering the echo chamber that we have heard so much about, and, crucially, would alert people to the possibility that the process is happening at all.

Anyone who has talked to someone whose worldview has been altered by what they have seen online will know that they will not be persuaded that their view might not be accurate. They can make no distinction between information they have picked up online as opposed to from traditional media sources, and they truly believe what they are being told. I have seen the terror in a person's eyes as they recounted to me a particular conspiracy theory. That fear was absolutely real, and there was no dissuading them.

How widespread is the problem? Some academic research says that about 2% of the population are in an alt-left echo chamber, and 5% in an alt-right one. Another survey found that about 10% of those in the UK claim to see only social media that agrees with their particular views. That seems quite low, but it is actually still millions of people. I believe it is far easier to fall into these traps than to get out of them, so the potential for the number to grow is there. Even on these relatively low numbers, their potential to influence society is corrosive.

Groups of people operating in a sphere with a different factual basis from wider society have implications for how our democracy works, not only in terms of their own participation but in how they can shape debate outside their echo chamber. Voices airing conspiracy theories about 15-minute cities have, as we learned last week, impacted Government policy. It was reported in *The Guardian* that Ministers began considering curbs on cycling and walking schemes last year in response to concerns about 15-minute cities. Conspiracy theorists believe that 15-minute cities are designed to be part of the "great reset", under which people will be forcibly locked down within their own local neighbourhood and not allowed to travel outside of it. After gaining traction online among right-wing fringe groups, mainly in echo chambers, it found its way into a Government policy. One of the biggest shifts in transport policy in decades had its origins in online conspiracy theories. From that, we can see the potential it has to really impact on Government policy.

That is one reason why foreign powers have used prominent social media platforms to seek to influence elections and disrupt civic debate. We know from extensive investigations by the US and UK security organisations that Russian state security services conduct operations via social media in order to influence the results of elections. The potency of infiltrating echo chambers and manipulating those inside can have national consequences. We have elections across the world this year, including in this country and the United States, so tackling the issue now is incredibly important.

When I have constituents who seem to believe that I and the majority of people in this place are lizards, who believe that I want to deliberately stop them from moving about freely, or who recite to me with unwavering certainty any number of other examples of absurd but dangerous conspiracy theories, we have to take seriously the threat to the democratic process that this represents. It is no coincidence that many of those online conspiracy theories have very negative things to say about UK politicians and the political process; the people peddling this stuff have no interest in seeing western liberal democracies flourish. They want to see them fail. It is fair to ask whether democracy can function properly when people are so trapped in their own warped realities that they cannot see any other viewpoint than their own, they immediately distrust anything that comes from an official source, and they cannot agree with others on basic, previously uncontested, facts.

We know trust in politics and politicians is at an all-time low. Those who end up in online bubbles tend to have zero confidence in politicians and the political process. Some people might say, "Well, so what? There have always been people who do not trust authority. There have always been people who have a propensity to believe conspiracies and operate outside the mainstream of society." It is clear that those numbers are on the rise, their influence is growing, and there is a concerted effort by people hostile to this country to increase their ranks.

We cannot afford to be blasé. Our liberal democracy is fragile enough as it is, and it cannot be taken for granted. It has to be protected, defended and supported by us in this place as the guardians of democracy. It is not enough for us to be simply participants in the political process; we need to be its guardians. In this place, we debate and argue over interpretation of facts, but we do so within a framework where we are at least debating within the same reality. We also share a common understanding that if our arguments do not succeed on this occasion, the democratic process ensures that we will have another chance sometime. However, having so many and growing numbers of people who do not share the same reality as us and do not think that democracy works represents a real threat to democracy as a whole. We should not write those people off: we should try to engage with them as much as possible. However, we must also take on the source of their discomfort, challenge their beliefs and really lift the lid on who is pushing the disinformation and why. If we ignore that, it will grow, and before we know it there will be enough people sufficiently motivated to take matters into their own hands that this will not be just a dark corner of the internet: it will be on every street corner, and by then it will be too late.

3.10 pm

Damian Collins (Folkestone and Hythe) (Con): I congratulate my hon. Friend the Member for Weston-super-Mare (John Penrose) on securing the debate. It could not be more important or timely; as he alluded to in his speech, half the world is voting this year. We have already seen some of those elections take place in Taiwan and Bangladesh, and in America the Republican party had the Iowa caucus last night. It is interesting to see a demonstration of the impact of disinformation on ordinary people going about their daily lives. It has been heavily reported in America that 60% of Republicans voting in the caucus believe that the last presidential election was stolen and illegitimate and that Donald Trump was elected as President.

The challenge of disinformation is not just from foreign state interference. When we first started talking about the issue some five or six years ago, we were looking principally at the influence networks of Russia and Iran and their ability to try to reshape the way in which people saw the world and the institutions in their own countries to sow fear and discord and make people distrust the institutions of their own society, the legitimacy of their courts, the freedom of their elections and the truth of their media. However, it is happening in our society as well. The pandemic was a demonstration of the potency of conspiracy networks such as QAnon to persuade people that the vaccine was not safe, and we see it today to persuade people that our public institutions and elections are not safe. It is being done to undermine the fabric of democracy. There is a lot more to being a democracy than holding elections, and having faith in our institutions, trusting our media and trusting the news and information that we get are all essential to the citizen's job of casting their vote every four or five years to determine who should run their country. If that is attacked and undermined, it is an attack on our entire

[Damian Collins]

democratic way of life. This year, we will see that challenge in a way that we have not seen before, with a level of technical sophistication that we have not seen before, and we should be concerned about it.

I will respond briefly to the remarks by the hon. Member for Glasgow South (Stewart Malcolm McDonald) in his speech. I was briefly the Minister responsible for the Counter Disinformation Unit, and I thought that I had better meet it, because it is not a particularly public-facing organisation, to see what it had to say. The Government quite rightly have different strategies for dealing with disinformation across Government: some of it is led by policing and security; some of it is led by looking at bad actors internally; and some of it is led by the Foreign Office and Ministry of Defence looking at bad actors externally. The Government should trigger different responses: some that respond with news and information that challenge conspiracy theories and networks, and some that identify networks of disinformation being controlled and operated by foreign states against which we want companies and platforms to take action. That was included in the National Security Act 2023 last year, and the Online Safety Act places a further obligation on companies to act in response to intelligence reports that they receive. If they do not take action against those known networks of disinformation controlled and run by hostile foreign states, action can be taken against the companies as well.

That is why the Online Safety Act was so important; it creates, for the first time, the principle of liability of platforms for the information that they distribute and promote to other users. Central to the debate on the Bill that became the Online Safety Act was finally answering the false question that was posed all the time: are platforms, such as Facebook, actually platforms or publishers? They do not write the content, but they do distribute it. People have first amendment rights in America to speak freely, and we have freedom of speech rights in this country—that is not the same as the right actively to be promoted to millions of people on a social media platform. They are different things. The companies promote content to users to hold their attention, drive engagement and increase advertising revenue. It is a business decision for which they should be held to account, and the Online Safety Act now gives a regulator the power to hold companies to account for how they do that.

I listened carefully to what my hon. Friend the Member for Weston-super-Mare said about whether we could borrow from the broadcasting code to try to create standards. Can we break filter bubbles by trying to give people access to different sorts of information? I think this is a difficult area, and there are subtle differences between a broadcaster and a social media platform. It is true that they both reach big audiences. It is also true that social media platforms exercise editorial decisions, just like a broadcaster does. However, the reason why it was so important for broadcasting and broadcasting licences to make sure that there were fair standards for balance and probity was that there were not that many broadcasters when the licences were introduced. The list has now grown. People tuning in do not necessarily know what they will get, because the content is selected and programmed by the programme maker and the channel.

I would say that social media have become not broadcast media, but the ultimate narrowcast media, because the content to which people are being exposed is designed for them. An individual's principal experience of being on social media is not of searching for things, but of having things played and promoted to them, so the responsibility should lie with companies for the decisions they make about what to promote. There is nothing wrong with people having preferences—people have preferences when they buy a newspaper. I am sure that when the hon. Member for Strangford (Jim Shannon) watches services by Rev. Ian Paisley on YouTube, he does not want to get a prompt saying, "You've had enough this week. We're going to give you some content from the Sinn Féin party conference." We do not want that kind of interference going on. People have perfectly legitimate viewing habits that reflect their own preferences. The question is, do platforms push and actively promote conspiracy theories and fake news? I think they do, and there is evidence that they have done so.

I will mention one of the clearest examples of that in the brief time I have left. In the 2020 US presidential election, the platforms agreed, under pressure, to give far greater prominence to trusted news sources in their newsfeeds, so that people were far more likely to see content from a variety of different broadcasters. It was not necessarily all from CNN or Fox News—there could be a variety—but it was from known and legitimate news sources as a first preference. The platforms downgraded what they call civic groups, which are the friends and family groups that are often the breeding ground for conspiracy theories. One reason why they often spread so quickly is that people push them on their friends, who look at such content because it has come from someone they know and trust. However, when the platforms changed the ranking and promotion factor, it had a big impact: it dampened down disinformation and promoted trusted news sources, but it also reduced engagement with the platform. After the election, Facebook reversed the change and the conspiracy theorists were allowed to run riot again, which was a contributing factor in the insurrection we saw in Washington in January 2021.

Companies have the ability to make sure that fair and trusted news gets a better crack, which is absolutely essential in this digital age. They should be very wary about allowing AI to use content and articles from legitimate news organisations as training data to create what would effectively become generic copies to sell advertising against, steering people away from journalism that people have to pay for and towards free content that looks very similar but is far less likely to be trustworthy. We need to get the news bargaining code right so that proper news organisations do not see their content being distributed for free, and ads sold against it by other people, without getting fair remuneration. These are things we can do to protect our news ecosystem, and the Online Safety Act is essential for making sure that Ofcom holds companies to account for actively promoting known sources of conspiracy theories and disinformation. It is important to tackle the big threat to democracy, just as it is important to combat fraud and protect citizens from financial harm.

Several hon. Members *rose—*

Sir Mark Hendrick (in the Chair): I am conscious of the time, so I will limit Back-Bench contributions to six minutes each.

3.18 pm

Jim Shannon (Strangford) (DUP): I thank the hon. Member for Weston-super-Mare (John Penrose) for securing the debate and for giving us all an opportunity to participate. I am not technically minded, but he mentioned TikTok. In all honesty, I have no idea how it works, but my staff do, so I let them look after all the correspondence and contacts. I thank other Members for their significant contributions to the debate, and for the contributions that will follow.

We are here to discuss a critical issue that affects the very fabric of our society. In an era dominated by digital connectivity, the internet has become an indispensable tool for information transmission and exchange. It has also given rise to filter bubbles and echo chambers that reinforce our existing beliefs and shield us from alternative perspectives. I am very fortunate to have my office staff, who challenge me every day, so I never get an easy passage, so to speak. If I say something, they will always say, "Look, here's the other side of that story." It is good to have that challenge, because it keeps us sharp and focused on the issue, making us better understand the direction we are taking.

We live in a time when misinformation and disinformation can spread like wildfire, influencing public opinion, shaping public discourse, and even undermining the very foundations of our democratic systems. It is imperative that we address this issue head-on and take collective action to prevent the further entrenchment of filter bubbles in our online spaces. I am fortunate to have had a very good friend for some 45 or 46 years. If ever I have a problem or need some advice, it his wisdom I go to. He never tells me what I want to hear; he tells me what I need to hear. That helps us form our policies, strategies and thoughts for the way forward in the future.

First and foremost, we must acknowledge the role that social media platforms play in shaping our online experiences. These platforms, while providing a valuable means of communication, also contribute to the creation of filter bubbles by tailoring content to suit our preferences. To combat this, we must advocate for transparency and accountability from these platforms. They must disclose how their algorithms work and take responsibility for the unintended consequences of creating echo chambers.

Education is the most powerful tool in the fight against misinformation. We need to equip individuals with the critical thinking skills necessary to evaluate information critically, discern credible sources from unreliable ones, and challenge their preconceived notions. By fostering media and digital literacy, we empower citizens to navigate the vast online landscape using good judgment, balanced with a healthy scepticism. They say that as we grow older, we become more cynical. I would say that, no, we become sceptical. We are shaped by decisions and experiences, by those around us, and perhaps by the realities of life as well.

Collaboration between Government, technology companies and civil society is essential. We must work together to develop and implement policies that promote transparency, accountability and the ethical use of algorithms. Government should invest in initiatives and strategies that promote media literacy, while technology companies should prioritise the ethical design of their algorithms to mitigate any unintentional elaboration of misinformation and disinformation. This sounds very technical, but the fact is that we need to be wise, sensible and aware. That is what we are saying. By integrating these strategies into their practices, the IT sector can contribute significantly to the prevention of misinformation and disinformation in online filter bubbles.

There must also be encouragement for our online social media platforms to become more diverse. By engaging with individuals who hold different perspectives, we can burst the filter bubbles that insulate us from alternative viewpoints. This not only makes for a more robust and resilient society; it helps in breaking down the walls that misinformation and disinformation build around us. What steps will the Minister's Department take to engage with platforms such as Meta and Google in building a more user-educated and factually informed society? We need to be aware of the power of media and those companies. It influences our young people—my generation, maybe not as much—because of access.

I conclude by suggesting that tackling misinformation and disinformation in online filter bubbles requires a multi-faceted approach that holds technology companies and platforms accountable and promotes education, critical thinking and collaboration. By taking these steps, we can strive towards a digital landscape that promotes the free exchange of diverse ideas, with the benefits of a more informed and connected society. With the help of the Minister, we can do that. I appreciate the contributions of all those who have spoken in the debate today and those who will speak after me. I believe we are all on the same page. We just need to do it better.

3.24 pm

Alex Davies-Jones (Pontypridd) (Lab): It is a pleasure to speak in this debate under your chairship today, Sir Mark. I thank the hon. Member for Weston-super-Mare (John Penrose) for securing this timely and important debate on such an important issue.

Let us be clear that the Online Safety Act is an extremely important and very long-overdue piece of legislation. In reality, however, gaps remain in that legislation that need to be addressed. In this debate, we have heard about what are hopefully some positive ways forward.

There is huge cross-party consensus. It is a shame and a frustration that, when cross-party amendments were tabled to the Online Safety Bill, they were not taken seriously enough in Committee and were not carried forward. We raised serious questions about social media platforms, their responsibility to protect users, young and old, and to tackle the rise in disinformation. That was a clear opportunity that has now sadly passed, but the fact remains that this issue needs to be tackled.

This debate is timely, but when the Bill was progressing through Parliament, the debate focused on misleading information around the conflict in Ukraine. We all know that an alarming amount of information has recently been shared online regarding the situation in Israel and the middle east. As the hon. Member for Brigg and Goole (Andrew Percy) mentioned, the horrendous atrocities that occurred on 7 October were livestreamed by Hamas. They wore GoPros and uploaded the footage

[Alex Davies-Jones]

directly to social media platforms, yet an incredible number of people still did not believe it, saying it was not true or that it was a hoax. How far do we have to go for women in particular to be believed when they report crimes against them and to take this seriously? I cannot help but think that if the Government had listened to the concerns that I and others raised at that time, then we would be in a much better position to deal with these issues. Sadly, we are where we are.

As colleagues have mentioned, we also need to consider the role that AI plays in relation to misinformation and disinformation, particularly the impact of generative AI. That has the power and the potential to be at the forefront of economic growth in the country but, as others have mentioned, with a huge number of elections happening across the world this year, there has never been a more crucial time to tackle the spread of this misinformation and disinformation and the impact that it could have on our democracy. I would be grateful if the Minister reassured us that the Government have a plan; I would welcome his assurances, specifically in light of whatever discussions he has had with the Electoral Commission regarding plans to tackle this ahead of the next UK general election.

The Minister knows that, despite the passing of the Online Safety Act, many of the provisions in the legislation will not be in place for quite some time. In the meantime, Twitter—now X—has given the green light for Donald Trump's return. Political misinformation has increased since Twitter became X, and right-wing extremists continue to gain political traction on controversial YouTube accounts and on so-called free speech platform Rumble. Platforms to facilitate the increase in political misinformation and extremist hate are sadly readily available and can be all-encompassing. As colleagues have rightly noted, that is nothing new. We only need to cast our minds back to 2020 to remember the disturbing level of fake news and misinformation that was circulating on social media regarding the covid pandemic. From anti-vaxxers to covid conspiracists, the pandemic brought that issue to the forefront of our attention. Only today, it was announced in the media that the UK is in the grip of a sudden spike in measles. Health officials have had to declare the outbreak a national incident, and the surge has been directly linked to a decline in vaccine uptake as a result of a rise in health disinformation from anti-vax conspiracy theories. That causes real-world harm and it needs to be addressed.

Misinformation causes anxiety and fear among many people, and I fear that the provisions in the Act would not go far enough if we faced circumstances similar to the pandemic. We all know that this is wide-ranging, from conspiracy theories about the safety of 5G to nonsense information about the so-called dangers of 15-minute cities, about which my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) spoke so ably. Sadly, those conspiracy theories were not just peddled by lone-wolf actors on social media; they were promoted by parliamentarians. We have to take that issue very seriously.

There are dangerous algorithms that seem to feed off popular misinformation and create these echo chambers and filter bubbles online. They have not helped but have amplified the situation. Would the Minister explain why the Government have decided to pursue an Online Safety Act that has failed to consider platforms' business models and has instead become entirely focused on regulating content?

Moving on, possibly my biggest concern about misinformation and disinformation is the relationship between what is acceptable online and what is acceptable offline. As we all know, the issue of misinformation and disinformation is closely connected to online extremism. Although the Minister may claim that people can avoid harm online simply by choosing not to view content, that is just not realistic. After all, there is sadly no way to avoid abuse and harassment offline if individuals choose to spout it. In fact, only recently, when I dared to raise concerns and make comments here in Parliament about online misogyny and incel culture and ideology, I experienced a significant level of hate and harassment. Other colleagues have had similar experiences, as we have heard today.

This is a worrying trend, because we all know that online extremism can translate into the radicalisation of people in real-life terms, which can then heighten community tensions and make minority groups more susceptible to verbal and physical abuse and discrimination.

Online harm costs the UK economy £1.5 billion a year; we cannot afford to get this wrong. Online harm not only has that real-world impact, but it puts our country at an economic disadvantage. Recent research has shown that when there is a spike in online abuse towards one specific demographic, that translates to real-world abuse and real-world harm two weeks later, as the police themselves have said. There is only a two-week lag before online harm results in real-world attacks on certain individuals. No one should have to fear for their safety, online or offline.

In short, the Online Safety Act 2023 had the potential to be as world-leading as it was once billed to be, but the Minister must know that is far from being a perfect piece of legislation, particularly when it comes to misinformation and disinformation.

I am clearly not alone in expressing these views. I hope that the Minister has heard the concerns expressed in this wide-ranging debate, and that he will take seriously some of the proposals and move them forward.

Sir Mark Hendrick (in the Chair): We now move to the contributions from the Front Benches.

3.30 pm

John Nicolson (Ochil and South Perthshire) (SNP): I thank the hon. Member for Weston-super-Mare (John Penrose) for securing this debate. He and I sat together recently at a Quaker dinner in London, where we discussed disinformation and the coarsening of public debate, and I think that the small cross-party group present at the event all agreed that social media had been one of the driving factors behind that, if not the only one.

In 2015, as a new MP and a new user of social media, it took me quite some time to adapt. At first, I thought that when people wrote to me on Twitter the rules of normal social intercourse applied—that I might disagree with someone but if I responded courteously and offered facts, a respectful dialogue would then ensue or we could agree to disagree amicably.

Historywoman, a professor from Edinburgh University no less, soon disabused me of that view. The venom was staggering, and apparently it was just because we disagreed on facts about the constitution; she screamed abuse. Then there was Wings Over Scotland, with more eyeball-bulging, temple-throbbing hate. I had offered some facts about trans people, which he did not like; in fact, he hated it so much that he pounded his keyboard for months in a frenzy.

I got to understand the concept of pile-ons when a sinister organisation called the LGB Alliance decided to reward folk who gave them money by reposting disinformation and abuse about me from their account—a charity account, no less. Finally, when someone called me a "greasy bender" and Twitter moderators judged that comment to be factual and fair comment, I realised that courteous replies did not quite cut it and I became a fan of the block button.

Why are these people so angry and why do they believe that they can behave online in a way that would be considered certifiable offline? I sit on the Culture, Media and Sport Committee, which has undertaken long and detailed inquiries into the areas of disinformation and misinformation, and the impact of online filter bubbles. So what are filter bubbles? They are the result of algorithms designed to increase user engagement rather than correct inaccuracies; in other words, they are designed to show people content again and again based on their viewer biases. For some people, that can be innocent enough—I seem to be directed towards endless posts and films about house restoration options and Timothée Chalamet's latest outfits—but for others, the filter bubbles are far from benign. Indeed, Facebook itself warned its own staff that its algorithms

"exploit the human brain's attractiveness to divisiveness".

What does that mean in practice? It means that if someone watches one conspiracy video, the chances are 70% or more that another conspiracy video reinforcing their paranoia will be recommended for them to watch immediately afterwards. The result is to drive some users into a frenzy. This is why some people blow up 5G masts, convinced that they are the cause of covid. It is not just the underprivileged and ignorant who fall prey; even graduates of the world's most elite universities can become victims. Donald Trump thought that injecting bleach could cure covid and we now know from the covid inquiry that Boris Johnson wondered whether blowing a hairdryer up his nostrils might save him from the pandemic.

Filter bubbles pose an enormous threat to our democracy. We know how heavily engaged Vladimir Putin was in encouraging people to vote for Brexit by spreading disinformation online. He believed that Brexit would weaken the European Union and Britain's economy. He was successful but only half right. In the United States, swept away in a tsunami of ignorance, prejudice and shared disinformation, those who stormed the Capitol believed that the victor had lost and the loser had won. Who knew that one of the world's great democracies would be so vulnerable?

At the Select Committee, we have heard harrowing stories about vulnerable young people fed content persuading them to commit suicide. One father's testimony was especially harrowing, and I will never forget it. So what responsibility should Members of Parliament take? Surely we should have been much tougher, and dealt much sooner with cynical and unscrupulous social media companies that are driven only by profits and scared only by threats to those profits.

Of course, politicians are directly responsible for the way in which disinformation that they initiate is spread offline and online. All of us—at least almost all—condemned Nigel Farage's overtly racist Brexit campaign poster, with its image of outsiders supposedly queuing to get into the UK; it had hideous echoes of the 1930s. But what of the much mocked and seemingly more innocuous Tory conference speeches last September? Delegates were told that the UK Government had prevented bans on meat and single-car usage, and had stopped the requirement of us all having seven household bins. The claims were risible, false and mocked but, strikingly, Cabinet Minister after Cabinet Minister tried to defend them when questioned by journalists. Does it matter? Yes, it does. It has a corrosive effect on voters' trust. Knowingly spreading disinformation helps only those who would undermine our democratic institutions. Some call it post-truth politics: conditioning voters to believe no one and nothing—to believe that there is no difference between truth and lies, and no difference between "Channel 4 News" and GB News.

Our Committee found that there have been repeated successful attempts by bad-faith actors to insert their talking points into our democratic discourse online. The social media companies have shown little interest in tackling them. They were disdainful witnesses when we summoned them and, disturbingly, we have seen our once proudly independent broadcasting sector polluted with the arrival of GB News to challenge long-standing, universally accepted standards. Its aim: to become as successful as Fox News in the dissemination of on-air propaganda online and offline. We all hope that the Online Safety Act 2023 will help but, alas, I fear that the evidence hitherto suggests that our woefully passive regulator, Ofcom, will continue to be found wanting.

3.38 pm

Chris Evans (Islwyn) (Lab/Co-op): I congratulate the hon. Member for Weston-super-Mare (John Penrose) on securing this debate, which has come at a very important time as we face an election year, not only in this country but across the world. It was a theme developed by the hon. Member for Glasgow South (Stewart Malcolm McDonald) when he talked about the vigilance that we all must demonstrate in the coming months and years as, whatever our political stripe, lots of fake news and information will be thrown at us. I was particularly interested to listen to his views on the recent election in Taiwan and the interference of China. It is sad that the pedlar of fake news himself last night won a huge victory in the Iowa caucuses, and I do hope that the America that elected Barack Obama will come to the fore in November.

I was particularly saddened to listen to the hon. Member for Brigg and Goole (Andrew Percy). I have known him since we were both was elected in 2010, as a doughty fighter for social justice for those whose voices have not been heard. He has been a very strong advocate for his constituents and he is one of the most patriotic people I have ever met, so when I hear of the accusations he has faced online, it fills me with sadness—not only because I am a Member of Parliament, like him, but because I feel that in the world we are living in, it makes

[Chris Evans]

it extremely difficult to put any view across. That means that people who come here, especially women and those who identify as being from an ethnic minority, can sometimes be afraid to speak for the abuse they will get online from people outside this place, and very often outside this country. As many have said, that is ultimately a danger to our democracy.

My hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) is right to say that the people who write to us with these crazy conspiracy theories actually believe them and nothing can be said to change their minds. I have someone who writes to me every week with increasingly outlandish views about what the next Labour Government will do. As often as I tell him that he is completely wrong, he tells me that I am a liar and he knows better than everybody else. What can we say to these people?

The hon. Member for Folkestone and Hythe (Damian Collins), a former Chair of the Select Committee, talked about the Online Safety Act, which was one of those rare occasions when the entire House comes together. He is right that social media platforms finally need to answer the question of whether they are just platforms or whether they are publishers. They should be held to account, because ultimately they are the mouthpiece for these crazy, odd, eccentric conspiracy theories that have permeated our society.

The hon. Member for Strangford (Jim Shannon), who probably has not missed a Westminster Hall debate since the hon. Member for Brigg and Goole and I were elected in 2010, spoke about ensuring that online platforms can be diverse; he made a great contribution, as always. I must congratulate my hon. Friend the Member for Pontypridd (Alex Davies-Jones), who was the shadow Minister before me and has proven to be quite a hard act to follow—*[Interruption.]* Who said that? *[Laughter.]* I pay tribute to the work of my hon. Friend in her new role on violence against women and girls. I know she will be a strong advocate for them, as she has proven already. She showed that in her passionate speech. I thank her for all her work in this area, and I think the entire House would agree with me. I listened to a very passionate and powerful speech by the hon. Member for Ochil and South Perthshire (John Nicolson)—I hope I pronounced that correctly, because very often people mispronounce my constituency. He gave lots of sad examples that were all too true. It is nothing we have not heard before; sadly, what he talks about has become all too familiar.

The concept of filter bubbles captures how digital platforms personalise information based on individuals' web history. These personalised digital environments create universes of information tailored to individual preferences, opinions and beliefs. This results in information being pushed on to a person's algorithm even if it is not necessarily true, yet because it might be something that already aligns with the person's beliefs, it could be taken as fact. In the realm of digital thought bubbles, individuals are primarily exposed to content aligned with their existing views, potentially fuelling polarisation and diminishing mutual understanding. The challenge we face, as highlighted by the Writers' Institute, is to navigate a society where finding common ground becomes increasingly elusive.

As we have heard today, we MPs are more than familiar with echo chambers. Most can see that echo chambers or filter bubbles affect others. However, accepting that they affect ourselves is more of a challenging task. When discussing this topic, we think of Americans with the Fox News logo burned on to the television screens, or our conspiracy theorist uncle sitting there in his tin foil hat, yet we fail to consider that we ourselves are scrolling through Twitter or Instagram, instantly consuming the posts we enjoy.

On a lighter note, you will be pleased to learn, Sir Mark, that through numerous posts I have discovered that Manchester City is the greatest team in the world. I know that Sir Mark is a long-time supporter, so I am sure he will tell me that that is absolutely correct and reaffirms what he already knows to be true. But in the interests of honesty, among our hon. Friends, I think he might concede that the algorithm is feeding us posts that may be biased or that tell us what we would like to hear. Members may think, with my example of football, that these clever algorithms are not particularly harmful, but as many have said, they have negative and dangerous consequences. They will limit our freedom of thought and are a danger to the democratic freedoms we have enjoyed throughout the years in this country and around the world. This is because within those filter bubbles divisive ideologies can take root and thrive, leading to the erosion of trust in our institutions.

We cannot ignore the fact that these bubbles are a by-product of algorithms designed to maximise user engagement. Although they keep us engaged, they can simultaneously trap us in a feedback loop of our own preconceptions. The danger lies in the fact that citizens become increasingly susceptible to manipulation, as misinformation tailored to their worldview becomes indistinguishable from reality.

Recent research has shown that absorption into these thought bubbles is not inevitable or a passive process. As my hon. Friend the Member for Ellesmere Port and Neston said, Oxford University does not think that filter bubbles affect the majority, but somewhere between 6% and 8% of the UK population. As my hon. Friend said, that might sound like a small figure, but it is millions of people.

What sets that 8% of people in echo chambers apart from those who are not? The primary causal mechanism is self-selection, when individuals actively choose to immerse themselves in echo chambers because they prefer news that aligns with and reinforces their existing views. It is not a process of hypnosis by the Twitter algorithm, over which one has no control. It is through an active dismissal of news sources that do not agree with their opinion.

Recent studies have gone as far as to suggest that, for some, passive personalisation results in a more varied source breadth. That is because passive personalisation is shown to enhance the probability of algorithms suggesting additional news content to individuals already immersed in news consumption. For those who are less like to actively seek out the news, it promotes news in the first place. For people who have no interest in current affairs, these algorithms produce a wider variety of news than they would otherwise see.

As such, the filter bubble theory does not seem to be comprehensive. In many cases, algorithm selections lead to slightly more diverse news than if the algorithm had

not been used. It is easy to see why many older people, or those who do not have smartphones, simply consume the news by reading the same paper every day. I must admit publicly that my grandparents were avid readers of the *Daily Mail* and believed everything it said—imagine the conversations when I became a Member of Parliament.

Many people took their paper's stance as gospel, as it aligned with their own political and social views. Now we can google a news story and hundreds of different stances are presented to us immediately, as is the ability to discuss and engage with those who do not agree with us. Of course, even if the proportion of people in these thought bubbles are small, that does not mean that the issue is not dangerous. We should work so that nobody is in a thought bubble. I believe that can be helped through proper education, giving people the skills to spot when they are in a thought bubble and arm them with the tools to get out.

In an era dominated by digital connectivity, the ability to navigate the vast sea of information online has become an essential skill. Sir Mark, I can see that I am pushed for time but I will try to speak on this issue as quickly as I can. One key aspect of cultivating digital literacy is the understanding of how online platforms curate content and of the formation of thought bubbles. A well-rounded education in digital skills plays a pivotal role in equipping individuals with the tools necessary to prevent entrapment in these echo chambers. An informed understanding of the process is critical, as is educating individuals on algorithms.

As a Welsh MP, I should raise the example of Wales. Welsh schools have introduced a digital competence framework, which teaches children from the age of three how to responsibly find and use information on the internet, further encouraging fact finding and verifying. As the child grows up to 16, the level of skills taught gradually increases, so as they first navigate the wide world of social media, they are best placed to curate their own nuanced social media needs.

As I said to someone this morning, by the age of six it is often too late; children already have exposure to social media platforms and devices. At one of my first events as shadow Minister, I saw the amazing example of the Kingston University digital skills campaign, which involves every student there having to pass an exam in a digital skills course. That enables students to be confident with media literacy and allows them to be resilient in the face of thought bubbles.

We face something we have never faced before. All that we have known to be true is in danger. It is only through education and debates like this that we can come to grips with those who seek to bring down our democracy.

3.49 pm

The Parliamentary Under-Secretary of State for Science, Innovation and Technology (Saqib Bhatti): I am conscious of time and of the broad range of this debate, but I will try to address as many issues as possible. I commend my hon. Friend the Member for Weston-super-Mare (John Penrose) for securing this important debate on preventing misinformation and disinformation in online filter bubbles, and for all his campaigning on the subject throughout the passage of the Online Safety Act. He has particularly engaged with me in the run-up to today's well-versed debate, for which I thank hon. Members across the Chamber.

May I echo the sentiments expressed towards my hon. Friend the Member for Brigg and Goole (Andrew Percy)? I thank him for sharing his reflections. I was not going to say this today, but after the ceasefire vote I myself have faced a number of threats and a lot of abuse, so I have some personal reflections on the issue as well. I put on the record my invitation to Members across the House to share their experiences. I certainly will not hesitate to deal with social media companies where I see that they must do more. I know anecdotally, from speaking to colleagues, that it is so much worse for female Members. Across the House, we will not be intimidated in how we vote and how we behave, but clearly we are ever vigilant of the risk.

Since the crisis began, the Technology Secretary and I have already met with the large social media platforms X, TikTok, Meta, Snap and YouTube. My predecessor—my hon. Friend the Member for Sutton and Cheam (Paul Scully)—and the Technology Secretary also held a roundtable with groups from the Jewish community such as the Antisemitism Policy Trust. They also met Tell MAMA to discuss Muslim hate, which has been on the rise. I will not hesitate to reconvene those groups; I want to put that clearly on the record.

It is evident that more and more people are getting their news through social media platforms, which use algorithms. Through that technology, platform services can automatically select and promote content for many millions of users, tailored to them individually following automated analysis of their viewing habits. Many contributors to the debate have argued that the practice creates filter bubbles, where social media users' initial biases are constantly reaffirmed with no counterbalance.

The practice can drive people to adopt extreme and divisive political viewpoints. This is a hugely complex area, not least because the creation of nudge factors in these echo chambers raises less the question of truth, but of how we can protect the free exchange of ideas and the democratisation of speech, of which the internet and social media have often been great drivers. There is obviously a balance to be achieved.

I did not know that you are a Man City fan, Sir Mark. I am a Manchester United fan. My hon. Friend the Member for Weston-super-Mare talked about fish tackle videos; as a tortured Manchester United fan, I get lots of videos from when times were good. I certainly hope that they return.

The Government are committed to preserving freedom of expression, both online and offline. It is vital that users are able to choose what content they want to view or engage with. At the same time, we agree that online platforms must take responsibility for the harmful effects of the design of their services and business models. Platforms need to prioritise user safety when designing their services to ensure that they are not being used for illegal activity and ensure that children are protected. That is the approach that drove our groundbreaking Online Safety Act.

I will move on to radicalisation, a subject that has come up quite a bit today. I commend my hon. Friend the Member for Folkestone and Hythe (Damian Collins) for his eloquent speech and his description of the journey of the Online Safety Act. Open engagement-driven algorithms have been designed by tech companies to maximise revenue by serving content that will best elicit user engagement. There is increasing evidence that the

[Saqib Bhatti]

recommender algorithms amplify extreme material to increase user engagement and de-amplify more moderate speech.

Algorithmic promotion, another piece of online architecture, automatically nudges the user towards certain online choices. Many popular social media platforms use recommender algorithms, such as YouTube's filter bubble. Critics argue that they present the user with overly homogeneous content based on interests, ideas and beliefs, creating extremist and terrorist echo chambers or rabbit holes. There are a multitude of features online that intensify and support the creation of those echo chambers, from closed or selective chat groups to unmoderated forums.

Research shows that individuals convicted of terrorist attacks rarely seek opposing information that challenges their beliefs. Without diverse views, online discussion groups grow increasingly partisan, personalised and compartmentalised. The polarisation of online debates can lead to an environment that is much more permissive of extremist views. That is why the Online Safety Act, which received Royal Assent at the end of October, focuses on safety by design. We are in the implementation phase, which comes under my remit; we await further evidence from the data that implementation will produce.

Under the new regulation, social media platforms will need to assess the risk of their services facilitating illegal content and activity such as illegal abuse, harassment or stirring up hatred. They will also need to assess the risk of children being harmed on their services by content that does not cross the threshold of illegality but is harmful to them, such as content that promotes suicide, self-harm or eating disorders.

Platforms will then need to take steps to mitigate the identified risks. Ofcom, the new online safety regulator, will set out in codes of practice the steps that providers can take to mitigate particular risks. The new safety duties apply across all areas of a service, including the way in which it is designed, used and operated. If aspects of a service's design, such as the use of algorithms, exacerbate the risk that users will carry out illegal activity such as illegal abuse or harassment, the new duties could apply. Ofcom will set out the steps that providers can take to make their algorithms safer.

I am conscious of time, so I will move on to the responsibility around extremism. Beyond the duties to make their services safe by design and reduce risk in that way, the new regulation gives providers duties to implement systems and processes for filtering out and moderating content that could drive extremism. For example, under their illegal content duty, social media providers will need to put systems in place to seek out and remove content that encourages terrorism. They will need to do the same for abusive content that could incite hatred on the basis of characteristics such as race, religion or sexual orientation. They will also need to remove content in the form of state-sponsored or state-linked disinformation aimed at interfering with matters such as UK elections and political decision making, or other false information that is intended to cause harm.

Elections have come up quite a bit in this debate. The defending democracy taskforce, which has been instituted to protect our democracy, is meeting regularly and regular discussions are going on; it is cross-nation and cross-Government, and we certainly hope to share more information in the coming months. We absolutely recognise the responsibilities of Government to deal with the issue and the risks that arise from misinformation around elections. We are not shying away from this; we are leading on it across Government.

The idea put forward by my hon. Friend the Member for Weston-super-Mare has certainly been debated. He has spoken to me about it before, and I welcome the opportunity to have this debate. He was right to say that this is the start of the conversation—I accept that—and right to say that he may not yet have the right answer, but I am certainly open to further discussions with him to see whether there are avenues that we could look at.

I am very confident that the Online Safety Act, through its insistence on social media companies dealing with the issue and on holding social media companies to account on their terms and conditions, will be a vital factor. My focus will absolutely be on the implementation of the Act, because we know that that will go quite a long way.

We have given Ofcom, the new independent regulator, the power to require providers to change their algorithms and their service design where necessary to reduce the risk of users carrying out illegal activity or the risk of children being harmed. In overseeing the new framework, Ofcom will need to carry out its duties in a way that protects freedom of expression. We have also created a range of new transparency and freedom-of-expression duties for the major social media platforms; these will safeguard pluralism in public debate and give users more certainty about what they can expect online. As I have said, the Government take the issue incredibly seriously and will not hesitate to hold social media companies to account.

Sir Mark Hendrick (in the Chair): John Penrose has 30 seconds to wind up.

3.59 pm

John Penrose: I thank everybody who has contributed: it shows that there is a great cross-party consensus on the need for more. I urge the Minister to understand that, because although the Online Safety Act is good and important and does vital things, I do not think that it will be enough in this area. It used to be said, and is still true, that a lie is halfway around the world before the truth has got its boots on.

Motion lapsed (Standing Order No. 10(6)).

Child Poverty: Greater Manchester

Sir Mark Hendrick (in the Chair): I will call Afzal Khan to move the motion and then call the Minister to respond. As is the convention in 30-minute debates, there will be no opportunity for the Member in charge to wind up. Interventions are okay, but there can be no speeches other than the Minister's and the mover's.

4 pm

Afzal Khan (Manchester, Gorton) (Lab): I beg to move,

That this House has considered child poverty in Greater Manchester.

It is a pleasure to serve under your chairmanship this afternoon, Sir Mark. I am deeply biased, but I believe that Manchester is the best city in the world. We have everything: rich cultural diversity, a bustling music scene, incredible football heritage, amazing food and beautiful green spaces. With two world-class universities, we are leading the way in education, research and innovation. However, among the vibrant energy that defines our great city, there exists a grim reality for too many families.

In 1821, the first edition of *The Manchester Guardian* reported that official figures citing that 8,000 children were receiving "free education"—a proxy term for poverty in those days—were wildly inaccurate: the actual figure was almost 25,000 children. Two centuries later, the official statistics on deprivation still mask the real number of children living in poverty in Manchester. We know that in Greater Manchester there are hundreds of thousands of children and families grappling with the harsh implications of poverty, made worse in recent years by the Tories' economic and cost of living crisis. However, child poverty is not just a statistic: it is a stark realisation of systemic failure by central Government, of persistent inequalities and of a long list of unmet promises. Greater Manchester is a region that embodies resilience, but unfortunately we are not immune to the deep-seated issues that contribute to cycles of poverty, particularly among the youngest of our residents.

In this debate, I will highlight just how bad child poverty in Greater Manchester is, and the range of factors and poor policy decisions by the Conservatives here in Westminster that have caused it. I will also pay tribute to the excellent work of Mayor Andy Burnham and Labour-led Manchester City Council to alleviate child poverty despite shoestring local authority budgets, and what Labour would do in government to tackle this important problem.

The UN lead on extreme poverty and human rights has said that, in the levels of poverty over which they preside, the UK Government are in violation of international law. According to Greater Manchester Poverty Action, an incredible organisation based in Ardwick that focuses on research and outreach, we have about 250,000 children living in poverty. The End Child Poverty coalition recently found that 11 children in a class of 30 in Greater Manchester live in poverty, which is higher than both the England and the UK average.

Navendu Mishra (Stockport) (Lab): I congratulate my constituency neighbour and good friend on securing this important debate. I agree that Manchester is the best city. However, my hon. Friend forgot to mention that Stockport is the best town not only in England, but in Britain.

Does my hon. Friend agree with me on a point about child poverty rates? In my constituency of Stockport, we have seen a 3.9% increase in child poverty since 2014; the average increase in the north-west region is 4.1%. Does he agree that the Conservative Government in Westminster have failed children not just in Greater Manchester, but across the UK?

Afzal Khan: I will simply say yes; I will make some of those points later.

Manchester City Council has the third highest rate of child poverty among local authorities in England. The Manchester, Gorton constituency has the sixth highest rate, with just over half of all children living in poverty. There are other ways in which we can understand the scale and impact of poverty. For example, 27% of secondary school pupils receive free school meals in Manchester, compared with 14.1% overall in England. Almost 20% of Manchester residents claim out-of-work benefits, compared with just 14.2% across England. Nearly 7,000 children across Greater Manchester were homeless on Christmas day, and the number of food parcels for children issued in Manchester, Gorton by the Trussell Trust network has risen by 81% since 2022. That all affects life expectancy, with men and women in Manchester living for an average of four years less than others across the country.

Alarmingly, the highest rates of child poverty are found among ethnic minority communities. Children in Bangladeshi and Pakistani households are most likely out of all ethnic groups to live with low income and material deprivation. After 14 years of harsh Tory cuts, child poverty levels in Manchester city have increased by almost 10%.

It has not always been like this. The Labour party, both in government and in opposition, has always prioritised tackling poverty, particularly child and pensioner poverty. In 1999, the Labour Government made a remarkable pledge to end child poverty in a generation. Gordon Brown set a further target of cutting child poverty in half in 10 years; as Chancellor and then as Prime Minister, he committed considerable resources to achieving that. In those 13 years, 2 million children and pensioners were lifted out of poverty, through a range of anti-poverty policies including spending on welfare, the introduction of the national minimum wage, the Sure Start initiative, financial support for childcare and increases in education spending. The Child Poverty Act was passed in 2010, enshrining in law four child poverty targets to be met within a decade.

In 2016, the Conservatives repealed the Child Poverty Act, axing Labour's four targets, the requirement for local authorities to develop child poverty strategies, and the duty on local authorities to conduct child poverty needs assessments over 14 years. The Tories have presided over monumental cuts in public sector spending that have worsened poverty levels, meaning that we now have more food banks than police stations. The shameful level of child poverty and deprivation that we see across Manchester today is the direct result of punitive austerity measures brought in by the Conservatives in 2010, and of the Tory Government's failure to undo any of them since then.

[Afzal Khan]

Too many issues have caused the high level of child poverty in Manchester, so I will focus on three: the two-child benefit cap, rising living costs and health deprivation. Introduced in 2017, the two-child benefit cap was supposed to incentivise parents into work by preventing them from claiming child tax credit or universal credit for any third or subsequent child. It has affected 1.5 million children, further impoverishing families rather than increasing employment. This has had a disproportionate impact on Manchester, with 22% of the children in my constituency alone living in affected households. The two-child limit impacts Muslims and orthodox Jewish communities more than any other faith group. For Muslims in particular we know that poverty levels are already high and 60% of all Muslim children live in families with three or more dependent children. Recent research has found that the two-child limit causes poverty—clearly failing to meet its ends.

There is no doubt that the cost of living crisis impacts us all, but no one more so than low-income families. More and more of people's incomes are being diverted to paying soaring rents, mortgage costs and extortionate energy bills, and food is becoming increasingly more expensive. Those on benefits are struggling to make ends meet.

Around five in six low-income households on universal credit are going without at least one essential such as food, a warm home or toiletries. Without universal free school meals, too many children go to school hungry, hindering their education and development. Manchester City Council has used the household support fund to address the impact of fuel and food poverty and to provide support to the most vulnerable households. The current scheme provides support to 60,000 residents through free school meals in the holidays for 40,000 children, cost of living support payments for 12,500 vulnerable households, and additional holiday activity fund support for 6,000 children.

Despite the perpetual cost of living crisis that we find ourselves in, the Tories have decided that households will need no more support beyond March 2024 and have scrapped that vital lifeline for millions of people across the country. The complete loss of that funding in the next financial year will have a significant impact on the council's financial capacity to provide support to some of Manchester's most vulnerable households and to deliver the free school meal programmes in the holidays to Manchester children.

Poverty is also a major issue for children's health. Many health challenges and inequalities in later life have their foundations in early childhood, with the poorest families experiencing the worst health outcomes. In the most horrific cases, health challenges caused by poverty end children's lives early. In 2020, Awaab Ishak from Rochdale died from a respiratory condition caused by extensive mould in the flat that he lived in with his parents in social housing. The Levelling Up Secretary described Awaab's death as

"a tragedy that should never have occurred."

I agree with him, but without proper support and funding for tackling poverty and improving social housing, we cannot guarantee that there will not be another Awaab.

Parents on low incomes worry about being able to offer their children a healthy lifestyle as they are less able to afford healthy foods. The recent increases in household energy costs mean that many families are choosing eating over heating. Living in a cold home hugely impacts physical health, especially by worsening respiratory illnesses.

One in three children are not school ready in terms of their development when they start in reception. For children eligible for free school meals, almost 40% have not achieved a good level of development at the point of starting school. That has an impact throughout their lives. The foundations for the healthy development of a robust respiratory system are built during infancy. Babies living in cold housing during their first winter will be burning up calories on maintaining body temperature rather than organ development.

The knock-on effects of socioeconomic inequality cost NHS England £4.8 billion a year—almost a fifth of the total NHS budget. If children had a better, healthier start in life, the NHS would have much more capacity and resource to help those who most need it.

As I have described today, the Conservatives are failing to look after our children. It is not because they do not know how to do so, but because there is no interest in improving the lives of vulnerable people and taking them out of poverty. There are straightforward solutions that would have an unimaginable impact on the lives of children and families trapped in poverty. We must consider scrapping the two-child benefit limit and the benefit cap; restoring the household support fund; expanding free school meals; ensuring that benefits for children are regularly uprated in line with inflation; supporting childcare costs; and providing local authorities with long-term, sustainable funding to deliver the vital services our constituents depend on. These are not all the solutions, but they would go a long way in alleviating child poverty.

In Manchester, while vulnerable children are exposed to the harsh cruelties of the Conservative Government, they are cushioned by the incredible work done by Mayor Andy Burnham and Manchester City Council. As the Government have no plan or strategy to address poverty, Manchester City Council and other local authorities across Greater Manchester have taken matters into their own hands and created their own anti-poverty strategies. To quote my colleague, Councillor Tom Robinson, executive member for healthy Manchester and adult social care:

"We know that the Government has given up trying to govern, but we in Manchester have not."

Manchester's anti-poverty strategy includes a range of measures, from helping residents on low incomes to manage their spending and reduce debt, to ensuring access to culture and leisure opportunities to help people experiencing poverty to have a good quality of life. Some of the other incredible initiatives delivered by Manchester City Council to help the most vulnerable include setting up a cost of living advice line on debt, bills and food support, which has already supported almost 8,000 people; distributing £55,000-worth of cash and household goods through the welfare provision scheme to those suffering financial hardship; and providing school uniform grants through Manchester Central food bank.

Mayor Andy Burnham recognises that food poverty is one of the biggest scourges on our society, with food bank usage in the city region higher than most other parts of the country. He launched the first ever food poverty action plan, calling for a campaign to increase uptake of Healthy Start vouchers, the provision of debt and welfare advice alongside food handouts, and the appointment of a poverty lead in each council and by the Greater Manchester Combined Authority. Many of these initiatives were recommended by the Greater Manchester Poverty Commission 10 years ago, chaired by the then Bishop of Manchester, the Right Reverend Nigel McCulloch, who called for, among other things, initiatives to reduce energy bills, access to financial support and services, and ensuring that people can access affordable fresh fruit and vegetables.

However, there is only so much we can do at a local level without ambition and investment from central Government. Under a Labour Government, this will change. Universal credit must work for those who rely on it, so Labour will reform the system so that it is effective in supporting vulnerable people and alleviating poverty. We will make it a fairer system that restores dignity and security, and we will address persistent inequalities, support workers and help people back into work. Our new deal for working people will cut poverty, increase wages and improve workers' rights.

In conclusion, as we have seen, child poverty is not a stand-alone issue, nor is it caused by one single thing. From health disparities to educational challenges, poor housing conditions and chronic low pay, the interconnected web of factors that cause and contribute to child poverty are extensive, but not undefeatable. My questions to the Minister today are very simple. Why have the Conservatives persistently enacted policies that make child poverty worse? When will they finally call a general election and make way for a Labour Government to take back the reins and clean up their horrible mess? British children deserve so much better. We have seen the incredible impact Labour councils can make. All children deserve to grow up under a Labour Government. Their future depends on it.

4.19 pm

The Minister for Employment (Jo Churchill): It is an honour to serve under your chairmanship, Sir Mark. I first thank the hon. Member for Manchester, Gorton (Afzal Khan) for securing this debate. I am sure we all believe that we represent the best place in the world, although I feel a little outflanked today, given the presence of the hon. Gentleman, the hon. Member for Stockport (Navendu Mishra) and my hon. Friend the Member for Bolton North East (Mark Logan), who is sitting behind me. All of them are probably fighting for the constituency they represent to be recognised as the best place in Manchester. As the hon. Member for Manchester, Gorton articulated, it is a wonderful and vibrant city with a huge number of positives driving its resources.

Obviously, I disagree with the picture that the hon. Gentleman has painted. I do not believe that any Member elected to this place wants to see any child living in poverty in our constituencies. I fully understand the passion that drives the contributions on this important issue. The hon. Gentleman himself has explained the complexity of the issue, and how the compounding of many factors and variables makes it an enormous challenge. I am very proud that it was us who introduced not only universal credit, which has transformed lives, to replace the old legacy benefits system, but free school meals for children in reception, year 1 and year 2. I gently say that we will probably agree to disagree at the end of this debate, but I will lay out what we have done. I always urge, in areas such as this, that we all work across the Floor to help all our children rise to fulfil their talents.

I start by reassuring colleagues about our commitment to a strong welfare system to support those most in need. That is reflected in the £276 billion that we will spend through the welfare system in Great Britain this financial year, including a £124 billion package on people of working age and their children. Having uprated in line with inflation this year, we have announced a further increase of 6.7% in working-age benefits for 2024-25, subject to parliamentary approval, and that is well ahead of inflation and its projections. On top of that, we are increasing the local housing allowance from April, which will give a further 1.6 million low-income households the support that they need.

I know that many people are concerned about the cost of living, as the hon. Gentleman said. The Government's commitment to provide support is reflected in the further £104 billion provided in this area over 2022-23 to 2024-25. In particular, 8 million households across the UK on eligible means-tested benefits have received the first two of three cost of living payments totalling up to £900 in this financial year. That includes over 400,000 homes in Greater Manchester, and I am very pleased to confirm that the final payment will be paid to most eligible households next month to further help ease the burden.

I think there is a small area of agreement on the household support fund. For people who require that extra support, we have provided an additional £1 billion of funding, including the Barnett impact, to enable the extension of the household support fund until March. As with all such issues, we keep these things under constant review in the usual way, and before the announcements in the spring, it is not right to say it has ended. This current household support package finishes in March, but it will be kept under review. The covid pandemic and Russia's illegal invasion of Ukraine have put pressure on virtually everyone, and the household support fund has been a hugely important asset. It has been in existence since October 2021 and we have provided a total of £2.5 billion in that time. It was introduced at a time when the pandemic placed real pressures on the economy, and it has provided that support through these disrupted times.

I am sure that the hon. Gentleman knows that the 10 upper-tier local authorities that make up Greater Manchester have together been allocated £134.6 million since October 2021, including £32.3 million for Manchester City Council, with nearly £13 million allocated to it in the last round. I was really pleased to hear his great examples of local authorities, but the third sector, which is so important in this area, has spent that money in order to add value. Funding has been distributed broadly in the sector and includes financial support to recent care leavers.

While we remain committed to a strong welfare safety net for families who need it, particularly during challenging times, we have always believed that the best way to help

[Jo Churchill]

children in families who are struggling with their financial circumstances is through work. The hon. Member for Manchester, Gorton said himself that levels of worklessness in his area are higher. Our approach is based on the clear evidence of the importance that work, particularly full-time work, plays in lifting children out of poverty. The most recent data showed that in the 2021-22 period, children living in workless households were five times more likely to be in absolute poverty after housing costs than those in households where adults worked, which shows how important work is.

The data also showed that there were 400,000 fewer children in absolute poverty after housing costs compared with 2009-10—hardly the glowing record that the hon. Gentleman painted. In the north-west in particular, in the three years to 2021, absolute child poverty reduced by 8 percentage points compared with the three years before 2010 after housing costs were accounted for. There are now over 1 million fewer workless households than in 2010. That is more people working and 680,000 fewer children growing up in a home where no one works. As of today, there are 934,000 vacancies across the UK, so our focus is to work with our work coaches across the Department for Work and Pensions family, holding people's hands and giving them confidence to step into work and progress into financial independence.

I speak to families regularly, as we all do, and they tell me that the two biggest barriers into work are childcare and transport. Manchester is a thriving transport hub and the extension of the £2 bus fares by this Government provides affordable travel options for many. Furthermore, we are extending childcare support so that from September, eligible working parents in England will have access to 30 hours of free childcare per week for 38 weeks of the year from when their child is nine months old.

Universal credit can provide up to 85% of a parent's childcare costs, and in June last year we increased that by almost 50% to £951 for a single child and £1,630 a month for families with two or more. Importantly, we can also help with advances to help people into work.

We are not stopping there. From April this year, subject to approval by Parliament, the maximum universal credit childcare amounts will increase further to over £1,000 a month for single children and over £1,700 for two or more children. We want to support people into work and allow them to progress. As I said, work coaches and those in our DWP centres stand ready. The national living wage has increased by some £6,700 since we first introduced it in 2016. This year, it has gone up to £11.44—an increase of 9.8%. That is not the record the hon. Member for Manchester, Gorton painted.

To conclude, we are committed to providing opportunities for parents, wherever they live in the UK, to succeed in work. That is the only sustainable way of tackling child poverty in the longer term. It balances the needs of families on benefits with the expectations of taxpayers who contribute to the system. At the same time, as we have done throughout this challenging time, we will of course continue to ensure that vulnerable families have the support they need through the welfare system—but that is a job for all of us. I thank the hon. Gentleman.

Question put and agreed to.

Illegal Vapes

4.30 pm

Peter Gibson (Darlington) (Con): I beg to move,

That this House has considered the matter of the use and sale of illegal vapes.

It is a pleasure to serve under your chairmanship, Sir Mark, and I am pleased to have secured this debate, in order to highlight my concerns about the use and sale of illegal vapes.

As a country, we should be pleased with the progress that we have made in reducing smoking, with smoking rates falling to their lowest since records began; now, only 12.9% of the population smoke. In some part, this progress is down to the wide array of nicotine replacement products: patches, pouches, gum, and of course, in more recent years, vapes.

However, despite vapes being an effective alternative for adults to use in order to quit smoking, we must be concerned about the risks they pose to children and non-smokers. Vapes are not risk-free. Nicotine is a highly addictive substance, whatever means are used to absorb it, and there remain unanswered questions about the longer-term use of vaping. As Professor Chris Whitty, the Chief Medical Officer, has said:

"If you smoke, vaping is much safer; if you don't smoke, don't vape."

I have concerns about vaping that I wish to raise with the Minister in this debate. They are threefold: first, the availability of vaping products to children; secondly, the sale and supply of illegal vaping products to children and adults; and thirdly, the organised crime and exploitation that lie behind the illegal products.

Jim Shannon (Strangford) (DUP): I commend the hon. Gentleman for securing this debate. Many people see vaping as an alternative to smoking and it probably is, but that does not mean that it is, in some cases, any less destructive. Indeed, it has become an overnight epidemic, with vape shops popping up, including in Newtownards, the main town in my constituency. My concern has always been about the regulation of these pop-up shops; they come here and they disappear, only to pop up somewhere else.

Does the hon. Gentleman share that concern and agree that there must be a licence to sell vapes, which should be vigorously checked by the local council to ensure that laws are being adhered to, so that the things he has expressed concern about regarding children gaining access to vapes cannot happen?

Peter Gibson: It would not be a Westminster Hall debate without an intervention from the hon. Gentleman. He anticipates two of the points that I am about to come on to in my speech—first, the popping up of these shops; and secondly, the need for licensing. So, I thank him for his intervention.

Legally supplied cigarettes have reached a price that puts them beyond the reach of children's pocket money. That has been brought about by a raft of measures, including a ban on smaller packets, a ban on advertising, plain packaging, concealed displays and raising the legal age to buy cigarettes to 18. However, we have seen

a worrying trend of children taking up the habit of vaping; the latest figures show that some 20% of children have tried vaping.

Those children have taken up the use of a product that is designed to help people to quit smoking, but—this is the important point—they themselves have never smoked. We know that the flavours, packaging and design of vapes are attractive to children, and that vapes are on very visible display in shops, in contrast to the cigarettes that they are designed to replace.

As with the sale of cigarettes, the sale of nicotine-related products is restricted to people over 18, but that restriction is clearly not working. To my mind, many of the measures that we introduced to curtail smoking need to be considered again in addressing this problem.

I have met the parents of children who are addicted to vaping. It is not uncommon to see children vaping in the street and the whole disposable vape industry is visibly responsible for the increase of litter on our streets, which local authorities face huge difficulties in dealing with and which increases the risk of fire in general waste collections.

The Local Government Association is deeply concerned about what to do with the almost 200 million disposable vapes that are thrown away every year in our country, and we should all be concerned about their environmental impact. However, my primary concern is the use and sale of illegal vapes, which do not always comply with our legislation and often have much higher concentrations of nicotine. They are sold with much higher capacities than their legal equivalents. It is estimated that a staggering one out of every three vapes sold in the UK is illicit. They are being sold with no care whatever for the user.

In the north-east, we have seen tragic cases of young children hospitalised as a result of using high-strength illegal vapes. The sale of these products is often concentrated in pop-up mini-markets, which are easily identifiable and distinguishable from reliable and traditional corner shops. Once upon a time criminality hid away, but these operators hide in plain sight. These shops appear quite rapidly, with blocked out windows, vivid lighting and a sparse supply of genuine goods on the shelf and are often, although not always, also selling illegal tobacco products.

I want to put on the record my thanks to Phoebe Abruzzese from *The Northern Echo* in Darlington for her campaigning journalism on this issue, and I am pleased to be working with her to highlight this problem.

Gareth Johnson (Dartford) (Con): I am grateful to my hon. Friend for securing this debate. He is right to want to see a clampdown on illegal vapes. They are very different from those produced by responsible manufacturers, which help adults quit smoking and thereby save lives. Does he agree that we should continue to encourage adult smokers to vape, and that we should not throw the baby out with the bathwater over this? The responsible attitude is to allow people to use legal vapes while clamping down on the illicit ones that we see too many of.

Peter Gibson: I am grateful to my hon. Friend for that intervention; he raises a really important point. It is right that we encourage people to stop smoking and that smokers have an array of products available to help them, but those products must be legal. They must be supplied legally and made available in the right way.

Trading standards in Darlington, which is doing a tremendous job led by Shaun Trevor, has had much success over the past 18 months in targeting these traders. Products with a value of over £300,000 have been seized from some 23 retailers. Among those products were almost 20,000 packets of illegal cigarettes. Their sale would have resulted in a massive loss of revenue to the Exchequer—something that I am sure the Chancellor would be interested to learn about.

Last week, I went to visit a number of my local independent corner shops. They report that their tobacco sales have fallen off a cliff. In one instance, a trader of some 40 years reported that his tobacco sales had fallen from more than £7,000 a week to just £2,000. One the one hand, we can celebrate that as it will partly be the result of some people giving up smoking, but we know that the real underlying cause is that the trade has shifted to illegal sales in newly popped-up competition, which is robbing trade from our legitimate traders. Together with the footfall that tobacco sales bring to those shops and the massive loss in revenue, one retailer I visited estimates that his store is collecting nearly £200,000 less duty and VAT because of the sale of illegal tobacco. That is just one shop in one town. Imagine the scale of that lost revenue to the country as a whole.

I have shared my concerns about children vaping and about the availability of illegal products, but for me the most important aspect of this debate is the organised crime that sits behind the illegal supply and sale of these products. I know at first hand of the collaborative work going on between my local council and police in the sharing of intelligence, and I know that they are acutely aware of the damage caused to our community and the local economy. We have evidence locally that the funding for these shops is rooted in organised crime and money laundering. We know that, besides being supplied with illegal tobacco and vapes, children are being used as mules to fetch and carry the illegal products, which are stored off site rather than on the shop premises, or to act as agents by selling the vapes to their friends in the school playground. The most shocking local case was of a young person being groomed for sex with the enticement of illegal vapes. We should be wide awake to the risks in our community to young people who are exposed to exploitation in this way.

I will conclude by putting to the Minister some suggestions of things that can be done that I believe can help tackle these issues. We need to see a nationwide awareness campaign on illegal vapes for both adults and children. We need to see much-increased awareness in our schools of the safeguarding risks to young people posed by the sale and supply of these products. I would like to see all vape products in plain packaging and out of sight, just like tobacco. We need to fully explore a robust licensing system for both vapes and tobacco. We need greater collaboration on intelligence between our very small trading standards departments and police forces across the country. We need on-the-spot fines, set at punitive rates, to tackle the sale of these illegal vapes and tobaccos, and we need to see swifter premises closure orders.

I am sure that all Members are as concerned as I am about the issues that I have shared, and I have no doubt that more worrying stories will be shared throughout this debate. I look forward to the Minister's response and to a plan that sees us clamp down on this danger.

Sir Mark Hendrick (in the Chair): I remind Members that they should bob if they wish to be called in the debate.

4.42 pm

Mary Kelly Foy (City of Durham) (Lab): I thank the hon. Member for Darlington (Peter Gibson) for securing this afternoon's debate. I am sure he knows that I have been discussing this issue and campaigning against the sale and use of illegal vapes throughout this Parliament, and I am sure he is aware that I tabled several amendments to the Health and Social Care Bill in 2021, when it was in Committee. I understand that the hon. Member was not a member of that Public Bill Committee, but he must share my frustration with his party on this issue. The Tory Whips instructed Conservative Members to vote down my amendments in 2021—amendments that were very similar to the proposals in the King's Speech last November. If my amendments had been voted for, it is fair to argue that fewer people—particularly young people—would be addicted to nicotine, and that as a result the tenor of this debate would be different.

"What ifs" aside, we need to see robust regulation and enforcement at local level. My constituency needs that, and I am shocked at the extent of illicit, non-compliant and even untraceable vaping products in my constituency. Over 6,000 illicit vapes were seized last year across County Durham, with three prosecutions linked to under-age sales and illicit vapes. I express my thanks to *The Northern Echo* for its investigation into that.

Although I welcome the Government's announcement of an illicit vapes enforcement squad, we are now nine months on from that announcement, and unregulated and potentially dangerous products continue to fly off the shelves. All the while, the tobacco industry is making profits off the back of youth vaping rates. Cuts to trading standards have not helped, either. Trading standards workers in Durham are at full capacity, so when will they receive something from the £30 million that was announced in October to help them do their job?

We need the Government to be bold. We need to stop rogue vape traders in their tracks, and we must ensure that the sale of illicit vape products does not deter smokers from switching to vaping. I welcome any Member's raising the issue of the use and sale of illegal vapes. Like the hon. Gentleman, I was pleased to be part of a rare example of cross-party unity in *The Northern Echo* but, at the end of the day, what matters in this place is how we vote on policies. If an issue similar to that posed by the Health and Social Care Act 2022 arises in the future, I hope that the hon. Gentleman and Members who are about to contribute to the debate will put their constituents before their party Whips.

4.45 pm

Sally-Ann Hart (Hastings and Rye) (Con): It is a pleasure to speak under your chairmanship, Sir Mark. I congratulate my hon. Friend the Member for Darlington (Peter Gibson) on securing today's debate on a very important issue.

On the face of it, nicotine vaping is substantially less harmful than smoking. It is also one of the most effective tools for quitting smoking. However, I believe that before I speak about illicit vapes it is worth noting that although vaping has helped adults to quit smoking, we do not know for sure its long-term health effects and have only an early understanding of the kinds of health problems that vaping poses. The Royal College of Physicians noted that some cancer-causing substances present in tobacco smoke have also been detected in e-cigarette vapour, which raises the possibility that long-term use of vapes may increase the risk of smoking-related diseases. However, the risks are obviously much lower than those posed by smoking.

Vaping is becoming more and more popular with young people. According to Action on Smoking and Health, over 20% of children between the ages of 11 and 17 tried vaping in 2023—up from 15.8% in 2022. There is potential for the major health disaster of a new generation of young people getting hooked on nicotine. Although nicotine itself is not the problem per se, the different substances found in e-liquids cause concern. To analyse the real contents of popular vapes, the Inter Scientific laboratory, which offers regulatory and testing services, looked at a selection of vapes confiscated from school pupils in the UK. It examined them to ensure that the UK tobacco and related products regulations were met, but it found high levels of metals in the e-liquid that far exceeded safe exposure levels. Results from the 18 vapes analysed showed 2.4 times the safe level of lead, 9.6 times the safe level of nickel and 6.6 times the safe level of chromium. Obviously there was a low dataset, but it shows that the regulations on vapes are not being met in this country.

Then we come to illegal vapes. Trading standards seized over 2 million illicit vapes across England between 2022 and 2023. In East Sussex, over 3,000 illegal vapes were seized in 2020. I believe that this is only the tip of the iceberg. Illicit vapes are particularly popular with under-age consumers, because they are cheap and can be bought in shops that are less likely to check ID. Research from the Chartered Trading Standards Institute suggests that a third of products sold in UK shops are likely to be illegal. Given the levels of metals found in legal vapes, I dread to think what the levels might be in the illegal ones. The situation is staggering, and young people are often unaware of what they are actually buying.

How do we tackle this problem? The solution lies in the method that we used to reduce smoking rates in children between 2000 and 2021. By reducing vaping rates in children, we can also help to address the scourge of illicit vapes. ASH's response to the Government's recent call for evidence on youth vaping is fantastic. I do not have time to go into the detail of its suggestions for tackling youth vaping, but it emphasises four key policy levers at the Government's disposal, and I am sure the Minister is considering its recommendations.

I am glad that the Government have set out plans to introduce a tobacco and vapes Bill in this parliamentary Session, and I hope it will address many of the issues highlighted in today's debate, because that will help to protect the health of children and adults in Hastings and Rye, now and in the future.

4.50 pm

Mark Eastwood (Dewsbury) (Con): It is a pleasure to serve under your chairmanship, Sir Mark. First, I thank my hon. Friend the Member for Darlington (Peter Gibson) for securing this important debate, which gives me the opportunity to highlight the seriousness of the use of illegal vapes and cigarettes in my constituency.

A week before Christmas, I was accompanied by a team of enforcement officers on a test purchase exercise in Dewsbury town centre. I put on record my thanks to the team for their professionalism and ingenuity. During the exercise, we discovered over 20 retail outlets selling illicit cigarettes and vapes across Dewsbury. Fourteen of them were selling illegal disposable vapes, one of which was on sale for £10—but it was £10 for 3,500 puffs. The maximum legal tank size equates to about 600 puffs, so £10 spent on that product would be equivalent to almost six legal vapes. Unlike a legal vape, however, this one had not had its chemical constituents approved by the Medicines and Healthcare products Regulatory Agency, so we have no idea what was in it.

Here are some further shocking findings from our investigation. That product was the smallest puff size available to purchase that day. Another product, available for £12, promised 4,000 puffs. Another claimed to provide 9,000 puffs for £13. For £17, two disposables claiming to provide 15,000 puffs and 24 ml tank sizes were available. The maximum legal tank size is 2 ml. Almost half the shops that sold these illicit vapes had them on display. They either did not care or did not realise that the products were illegal. The whole exercise was an eye-opener, but there have been several high-profile incidents involving the sale of illicit cigarettes and vapes in Dewsbury. Last October, £100,000-worth of such products were seized by West Yorkshire police and trading standards.

Last July, an independent report found that nearly a fifth by value and volume of the vaping industry appeared to be illicit in 2022 and that almost a third of e-liquid consumed in disposable vapes failed product compliance rules on nicotine concentrations and volume limits. It is clear that the industry finds itself in a challenging position but, in forging a path forward, it is important that we do not lose sight of other key facts. Scientific research indicates that vaping is less dangerous than smoking, with up to 95% fewer harmful chemicals in the emissions. The legal vape industry has had a positive impact on reducing smoking, converting 1.5 million people away from cigarettes. I have given up smoking in the last 12 months, and I used nicotine patches, but I recognise that there are other ways to stop smoking, including legal vapes. From a health benefit point of view, it is important that we recognise that aspect.

The legal vaping industry, like any other industry, needs protecting from criminal activity and illegal competition. There must also be a balance between discouraging young people from vaping and continuing to provide a route away from smoking for adults. Getting the regulation wrong could further undermine the Government's smokefree ambitions and would arguably give a significant boost to the illicit trade. I therefore urge them to carefully consider the implications of any proposed legislation and changes to regulations in the future, and I look forward to hearing the Minister's response to this important debate.

4.54 pm

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I congratulate my hon. Friend the Member for Darlington (Peter Gibson) on securing this important debate.

Hon. Members will not be surprised by my presence or to hear my stance on this issue. For more than a year now I have championed the fight against youth vaping, an epidemic that is spreading like wildfire. These sleek, colourful contraptions, once touted merely as a smoking cessation tool, have become ubiquitous. They are not just in shops, but litter our streets and are hidden away in our children's bedrooms and classrooms. According to a recent NASUWT survey, a staggering 85% of teachers reported vaping as an issue among their students. Teachers in my constituency have spoken of pupils struggling to concentrate because of their nicotine addiction and having to leave lessons for vape breaks—let us remember that these are not hardened junkies but schoolchildren.

I propose a number of solutions to this growing problem, including banning the sale of disposable vapes, removing them from public displays in shops and banning the bright colours and sweet flavours, which prolong the addictive effects and are so attractive to children. I welcome the Government's work and commitments in this area, and I particularly thank the Minister for her commitment to stopping children vaping and her broader commitment to children and their health. However, we need to go further, and I would like the Government to extend the existing restrictions on cigarettes to vaping in public places to ensure that no one, least of all children, becomes an unwitting victim of second-hand vapour.

Coupled with that, we must impose tougher regulations on the advertising and marketing of vaping products. I have previously spoken out against the sponsoring of sports teams and the pervasive advertising that glamourises vapes. I would like to see these products taken off the side of Transport for London buses, off prominent displays in corner shops and away from sports stadiums. Instead, they should be put discreetly away behind the counter, as the medical type of smoking cessation device they are supposed to be.

Moving on to the specifics of today's debate on illegal vapes, vapes can be illegal for one of two reasons. They are either illegally composed and perhaps have no self-extinguishing mechanism, excessive quantities of nicotine or more puffs than allowed. However, they may also contain harmful toxic chemicals. Last spring, Lincolnshire police took a selection of vapes from children and tested them. These are just some of the chemicals they found: diethylene glycol diacetate, aviptadil, 2-methoxyethyl acetate, poster varnish, Indian snakeroot and antifreeze. Those were all being inhaled by children using vapes in Sleaford.

The other way vapes can be illegal is that they can be sold illegally to children under the age of 18. Indeed, vapes can be illegal in both the ways I have mentioned. Newspapers locally are reporting an example of a police officer in Sleaford who recently stepped into a local shop to stop illegal vapes being sold to children. Those products were illegal not just because they were being sold to children, but because they contained much more than they ought to.

The next question is what we can do about this. We have talked about ways in which we can tackle the use of vapes. I welcome the vapes enforcement squad the Government put together with £3 million earlier this year, but we need more. There is no registration scheme for selling vapes, in the way there is for alcohol and tobacco. I would like to see a registration scheme for vapes, tied to alcohol and tobacco, specifically to disincentivise

[Dr Caroline Johnson]

unscrupulous sellers. If they lose the vaping licence, they would also lose the alcohol and tobacco licence. I would also like to see an increase in on-the-spot fines, from £2,500 to £10,000, so that there is a significant disincentive to this behaviour. Let us face it, these people are making money out of this, and that is why they are doing it—they are making money out of selling illegal things to children that will harm them.

Another idea is an import tax. It has been proposed to me that one challenge facing Border Force is that vapes are not subject to excise. If they were subject to excise controls, Border Force would be able to intercept some of the illegal vapes. That is much more challenging because there is no excise duty on vapes. Also on the issue of tax, I am a Tory and would normally advocate cutting as many taxes as possible, but I think there is a place to put tax on vaping devices. Even with tax, they would still be potentially much cheaper relative to their nicotine content than cigarettes, making them a cheaper option for a genuine adult smoker who wishes to quit, but they would be more expensive for children, taking them out of the realms of pocket money.

In summary, this issue demands bold action, as it did when I first stood up to discuss it a year ago. I urge the Government and all hon. Members to join me in ensuring that vapes are used as a cessation device, as they are supposed to be. Only by toughening our response to a rogue industry can we protect our children from the suffocating grip of addiction.

5 pm

Kirsten Oswald (East Renfrewshire) (SNP): It is a pleasure to serve under your chairship, Sir Mark. I am grateful to the hon. Member for Darlington (Peter Gibson) for securing the debate and for the powerful way he introduced the topic.

Like the hon. Member for Sleaford and North Hykeham (Dr Johnson), I have made no secret of my lack of enthusiasm for vapes—specifically disposable vapes. I have held my own debates on the topic, and I have supported others, including the hon. Lady, so I am pleased to speak today, because we need urgent action on these things.

We have heard about smoking cessation a couple of times during the debate. Smoking cessation is absolutely important, and we should all take it very seriously, but disposable vapes are not risk-free, as has been pointed out. There are other, more useful ways of supporting smoking cessation—for instance, reusable vapes, which are not seen as attractive to young people. However we look at it, and whether they are illicit or not, disposable vapes are harmful, particularly to young people and our environment.

The environmental side of things is what first caused me to become interested in disposable vapes. That was thanks to Laura Young, better known as "Less Waste Laura", who is a student from my constituency. Laura has worked tirelessly to rid our streets, parks and beaches of the discarded plastic, which is so familiar to us all, and the pollution that has become a torrent in recent years. These apparently disposable vapes are almost never properly disposed of; in fact, the way they are constructed means it is almost impossible to properly dispose of them even if someone wants to, which is quite unlikely, considering that this product is sold on the basis of its easily disposable nature.

It is a great pity—this is embarrassing for it—that the Labour party, propped up by the Tory party on East Renfrewshire Council, is so unwilling to support anything the SNP supports that it has, not once but twice, refused to support a motion to ban disposable vapes locally, putting the council out of step with almost every other local authority in Scotland and with the evidence of the harm that such devices do.

Gareth Johnson: Does the hon. Lady not accept that properly and legally produced disposable vapes provide an attractive alternative for adults to stop smoking and thereby save lives? Some companies, although this is not happening a great deal, can now almost fully recycle the components of disposable e-cigarettes. Does she accept that there is a danger that we move from illicit vapes and start targeting those that would be welcome for adult smokers to switch to?

Kirsten Oswald: No, I do not accept the hon. Gentleman's proposition at all. That is absolutely wrong-headed. We can see in front of our eyes that these products are so attractive to young people that they are hooking them in—*[Interruption.]* The hon. Gentleman is mumbling from his chair. If I can finish my speech, I will set out for him that these products are hooking young people in and getting them addicted, and some of these young people then go on to start smoking. That is far from the situation he laid out, and we should take a very serious attitude to these products.

I have spoken about the harms caused by legal vapes to the planet, whether it is plastic, overuse of precious metals or fires. We have heard today about the impact that these substances have on the young people who ingest them, which should be of significant concern to us. Vaping is popular among young people. Since 2021, there has been a more than sevenfold increase in the number of 11 to 17-year-olds vaping and using disposable vapes rather than reusable ones. These devices are colourful and attractive, with snazzy names and fruity flavours. Vaping has risen so rapidly among children that one in five are now using disposable vapes.

We are not speaking about a smoking cessation mechanism. We are speaking about something that health professionals increasingly warn about. They are increasingly worried about a generation of young people who are hooked on nicotine. As the Royal College of Paediatrics and Child Health has said:

"Youth vaping is fast becoming an epidemic".

Despite all that, and despite the fact that the public would be concerned to know all these things, we have this stream of illicit, and other, vapes on our streets. We know that local shops are the most likely source for young people to come by them, and we have heard quite a lot about that today. There is also the online space, which is a source of significant concern to me. Unregulated and untested products are coming via the online space, and we have no idea what harms will be caused to the young people consuming them.

I met a business owner from my area last week, and she talked me through her concerns about illegal medical products—obviously not proper medical products. She showed me how she was targeted by online accounts

pushing these goods to her. She is a responsible professional and she resisted, but let us be clear that there are many and complex routes by which these illicit vapes arrive here, just as there are for illicit medical products. All those routes need to be closed down, and they need to be closed down now. Whatever the disposable vape, it causes harm.

We know that there are significant kinds of harm being caused with the flavours and the colours. We have heard from the hon. Member for Hastings and Rye (Sally-Ann Hart) about the worries that Action on Smoking and Health spoke about. We are hearing more and more about vape use being glamourised online, and when people under the legal age cannot purchase vapes legally, they are purchasing them illegally or purchasing illegal ones.

The public health messaging on this issue is not as clear as it should be. The hon. Member for Dartford (Gareth Johnson) tried to tell me that vapes would be a perfectly reasonable way to expect adults to support themselves in smoking cessation, but that is not right and that should not be what the public health messaging tells us. We heard from the hon. Member for Darlington that vapes are a gateway to other, sometimes very serious, concerns and to riskier behaviour, such as smoking and substance abuse. He eloquently outlined the even greater and more significant harms that can be caused.

These things are arriving in huge numbers. I am grateful to the Advertising Standards Authority, which met with me after the most recent vape-related debate I spoke in. It is doing significant work trying to uphold the ban on advertising in various places, including on social media, of nicotine-containing cigarettes that are not licensed as medicines. None the less, Members may have seen adverts that would cause them to think that was not the case, and that is part of this torrent and this pushing of vapes, which needs our urgent attention.

Indeed, vapes need attention across the world. Let us be clear that the scale of the problem and the potential harms to young people and the planet should cause us deep worry. I read a really interesting piece by Chris Kirkham from Reuters last month about the owners of Elf Bar, which is a company with roots in China. Elf Bar products are very popular here, and the company is now, according to Reuters, flooding the US with illegal vapes—ones not covered by Food and Drug Administration regulations.

Peter Gibson: Will the hon. Lady give way?

Kirsten Oswald: I am going to make progress, but if I have time, I would be happy to let the hon. Gentleman come in later.

Elf Bar is simply ignoring those regulations to get its products to market. In the UK, it is taking a different approach and complying with regulations so that it can—one presumes—sell the maximum number of its products. That means that we need different regulations that will stop the surge in young people vaping. Of course, if we banned all disposable vapes, it would be far easier to identify the illicit ones, because all vapes would be illicit. It is far better that we close down the distributors and that we do so in a wholehearted way.

I have spoken before about my own concerns about sports advertising of vapes. I spoke about Blackburn Rovers, and a 15-year-old footballer, who came on as a substitute in their FA cup win recently, made history as their youngest ever player. However, his shirt did not have the club sponsor, Totally Wicked, on it. Blackburn Rovers said that, as the legal vaping age in the UK is 18, under-18s cannot wear that logo—but they can still see it, because it is displayed on everyone else's strip. We would not want tobacco companies advertising on sports strips. We would not want whisky, beer or cider companies on sports strips. None of those things should be acceptable to us, and advertising for vapes should not be acceptable to us either. If we are serious about dealing with the harms that young people experience because of vaping, we should expect sports clubs to take that seriously too. The claims by both Blackburn Rovers and Totally Wicked at the time that vaping had a positive and proven role in supporting the reduction of smoking are simply not credible when we think of the young people who are interested in football.

I will bring my remarks to a conclusion. I noticed recently that some vaping companies are actually going out and looking for sportspeople to sponsor. I think that is hugely dangerous and hugely unwelcome. I ask the Minister to give us some of her thoughts on that matter in her response.

Sir Mark Hendrick (in the Chair): Order. I am conscious of the fact that there may be a vote shortly. Have you finished?

Kirsten Oswald: Well, I have now.

Sir Mark Hendrick (in the Chair): Okay. There may be a vote so I may have to suspend proceedings. I call Preet Kaur Gill.

5.10 pm

Preet Kaur Gill (Birmingham, Edgbaston) (Lab/Co-op): It is an honour to serve under your chairmanship, Sir Mark. I thank the hon. Member for Darlington (Peter Gibson) for securing this important debate, and the many colleagues who have made excellent points, including my hon. Friend the Member for City of Durham (Mary Kelly Foy) who is a great campaigner on this issue.

Many Members have focused their remarks on the impact of vaping on children, and they are absolutely right to do so. The Opposition recognise the value of vapes as a stop-smoking tool. They have their place. The chief medical officer put it bluntly:

"If you smoke, vaping is much safer; if you don't smoke, don't vape".

But the CMO has also been blunt about the epidemic rise in youth vaping in recent years. Nicotine addiction is in no one's interest apart from the companies that profit from it. Certainly no child should be vaping. We do not even know some of the long-term risks of the ingredients used in vapes, and certainly not when inhaled by young people whose lungs and brains are still developing.

However, I am afraid to say that the Government have been asleep at the wheel. In 2021, as we have heard, Labour voted for an amendment to the Health and Care Act 2022 to crack down on the marketing of vapes to children. Since then, as Labour has found, the number of children aged 11 to 17 who are vaping regularly has more than trebled. That is more than 140,000 British

[Preet Kaur Gill]

children. Meanwhile, one in five children have now tried vaping. Does the Minister regret that her Government and MPs voted against the amendment in 2021?

The issue is that it is now 2024 and we still have no legislation in place. It is bad enough that so many children are using these products, but, as other Members have said, it is even worse when we consider how many products on the market are illegal in their own right. As the chief medical officer has warned, those products can contain dangerous chemicals such as lead and nickel. Some contain nicotine when claiming they do not, or harmful tetrahydrocannabinol chemicals found in cannabis. To be clear, in most cases that amounts to a failure in enforcing existing regulations, and it really is shocking.

Last year, Inter Scientific and the BBC conducted an analysis of vapes confiscated from schoolchildren, and found that the vast majority did not meet UK product regulations and were actually illegal. In a separate analysis of 300 products seized by various trading standards around the country, they found that 88% were non-compliant with UK regulations; 23% had a nicotine strength over the legal limit; 15% contained lead, which when inhaled can damage children's central nervous system and brain development; 100% contained nickel; and 33% contained nicotine, despite being marketed at 0%, which absurdly means that they can be sold to children. Can the Minister tell us what she will do to crack down on the influx of illegal vapes so that dangerous products are not falling into the hands of our young children?

From speaking to experts in the industry, I have heard that there has been an influx of illegal vapes into the United Kingdom in recent years. One expert I consulted said they think that around 6 million illegal vape products have flooded the UK in the last 12 to 24 months. Can the Minister comment on why the UK seems to be targeted more than many other countries, and where she thinks these products are coming from? Until now, UK regulations have largely inoculated us from public health scares such as the spate of hospitalisations from popcorn lung in the United States, but does she share my concern that if we do not get a grip on illegal products flooding our markets, we could face something similar here? Lastly, can she comment on what she has learned from the Government's consultation about the percentage of vapes circulating in the UK that are illegal under the 2016 regulations? If it is anything like the 88% found by Inter Scientific, we have a very big problem.

A glaring issue that many have identified is enforcement. As we all know, trading standards is stretched and Border Force is evidently not stopping the import of illegal vapes in sufficient numbers. However, the Government have not made their job easy. One issue is the confusing regulations. I know that the Government have said they will act to close the loophole that means that while it is illegal to sell vapes to children, it is fine to hand them out. We have heard less from the Government on the fact that it is also currently legal to sell nicotine-free vapes to under-18s, which is of serious concern. Labour has been vocal on this issue. As I have flagged, these 0%-nicotine vapes in fact often do contain nicotine or other harmful chemicals. Will the Minister confirm that the Government will take action to ban those vapes being sold to children? It strikes me as a blatant loophole that is giving unscrupulous companies scope to hook young children on their products as a gateway to addiction. These 0%-nicotine vapes are out of the scope of the regulations, meaning they do not need to be registered with the MHRA. Will the Minister now require all manufacturers to notify vape products regardless of nicotine content to the MHRA? This would allow for a complete database of products where currently it is not possible to say which products are legal or illegal, which really undermines enforcement action.

Speaking of the MHRA, we must also recognise that the relevant authorities are not always empowered to do what is needed to crack down on those breaking the rules. It strikes me as a serious shortcoming that as long as producers complete notification requirements with the regulator, their product is allowed to go on the UK market without being tested as a whole. The MHRA—the regulator—does not have powers to test products to determine whether they are even compliant with what producers claim are in them, nor to remove notifications once published.

The fact that under this Government children are using vapes with nicotine in them is pretty scandalous, given what we know about the lack of regulations. I say that because when the producer of Elf Bars was found to be selling products that had larger tank sizes than allowed, the regulations did not provide the MHRA with the power to remove the product from the market, as the product notifications said that it was compliant. That is farcical.

This matter is a huge concern not just for me, but for most Members across the House. Will the Minister say whether she is looking at this as part of the legislation? Will she consider allowing the MHRA to use notification fees for testing and enforcement and giving it the powers to remove notifications from publication and, if necessary, take products off the market? Likewise, does she believe that Border Force has the powers that it actually needs? Will the Minister finally tackle the issue of youth vaping, as we have heard about from many Members, by doing what Labour has called for for years and banning vapes from being branded and advertised to appeal to children? We have all seen the displays in our local off licences, with flavours like gummy bear and unicorn shake, looking like colourfully packaged pick 'n' mix products at pocket-money prices. These really do need to be banned.

Dr Johnson: The hon. Lady is making some very good points about the regulations that need to be brought in to protect children. I do not think anybody thinks that the colours and flavours are not there in some ways to attract children—how many adults are going to want a unicorn milkshake-flavoured vape, whatever that tastes like? On that point specifically, would the Labour party support legislation brought in by the Government to ban all but one colour and to severely restrict the flavours available?

Preet Kaur Gill: What has been marketed at children, definitely, is the different flavours. However, I appreciate that adults do choose different flavours as part of their whole smoking cessation, so we need to look at the evidence in the round once we are looking at the Bill. I would be keen to hear at what the Government say on that and to look at the evidence base. We need to look at

the ingredients, the make-up of colours and how we get those flavours—it is about what those ingredients actually mean. We have to ensure that we have a proper evidence base on that issue.

Dr Johnson: I was talking to an industry representative about the issue of flavours in particular, and he told me that when a smoker decides to quit, they often start with a tobacco-flavoured vape. When their sense of smell and taste improves because they have stopped smoking, they then no longer like the taste of the tobacco vapes, so they move on to cherry cola or some other flavour. That actually can persist their addiction. The concern about removing the flavours is that instead of stopping using the vapes, people will continue—

Sir Mark Hendrick (in the Chair): Order. Interventions are meant to be short. The hon. Lady has already spoken, and we still have the Minister to come. She requires 10 minutes at least, and it is now 5.19 pm. I suggest to the Opposition spokesperson that she makes an end to her speech fairly quickly.

Preet Kaur Gill: The next Labour Government would come down like a ton of bricks on companies profiting at the expense of our children's health. As part of our child-health action plan, we will crack down on companies peddling vapes to children. We will work with local councils and the NHS to ensure that they are being used as a stop-smoking aid, rather than as a new form of smoking. We will tackle health inequalities, get serious about prevention and ensure that children born in Britain today are part of the healthiest generation that ever lived. I look forward to the Minister's response.

5.20 pm

The Parliamentary Under-Secretary of State for Health and Social Care (Dame Andrea Leadsom): It is a pleasure to speak under your chairmanship today, Sir Mark. I thank my hon. Friend the Member for Darlington (Peter Gibson), and all my hon. Friends who are here today. It highlights the importance with which the Government Benches view this issue.

I would just assure the hon. Member for Birmingham, Edgbaston (Preet Kaur Gill) that all of the issues that she has mentioned are indeed top priorities for me. I am on the warpath when it comes to children vaping. Whether it is nicotine-free, cherry-cola flavoured, legal or illegal, children should not be vaping. I will bring forward, as soon as possible, the results of the consultation, and then the smoking legislation, and all colleagues will be able to see that. However, I pay tribute to all my hon. Friends, who are here in droves in this Chamber today to make known their very serious concerns about the protection of children. I also pay tribute to the hon. Member for City of Durham (Mary Kelly Foy), who has done so much to try and promote this issue and to ensure that children are kept safe.

I am pleased to have the opportunity to talk about the work that we are doing to tackle the use and sale specifically of illicit vapes, and I am grateful to all colleagues for this being largely a cross-party issue, where we are all on the same side, and I very much hope that we will keep it that way. Like so many parents right across the country, we are all incredibly worried about the damage that is potentially being done to children's bodies by vapes—particularly illegal vapes.

One of the main health risks posed by vapes is from their highly addictive nicotine content. Young brains are more susceptible to the effects of nicotine, and so the risk of becoming addicted is greater for younger people compared to adults.

Kirsten Oswald: Will the Minister give way?

Dame Andrea Leadsom: I will not give way, I am sorry; there is no time left and I want to make my points.

It is appalling and unacceptable when businesses knowingly and deliberately encourage children to use a product that was designed for adults to quit smoking. Often sold at pocket-money prices, easy to use and widely available, disposable vapes are the product of choice for children. Over two thirds of current youth vapers use disposable products—all illegally, because they are under age. And, as if we needed another reason to regulate, 5 million disposable vapes are either littered or thrown away in general waste every week. That has quadrupled over the last year.

Our duty is clear: to protect all kids from vaping while their lungs and brains are still developing. Businesses are shamelessly using bright colours, alluring packaging and attractive flavours, as hon. Friends and colleagues have said, like "candy bubblegum" and "blueberry razz", in Coke-can shaped packaging, right next to the sweet counter, in the full knowledge that our children are going to become addicted to nicotine. This cannot go on.

Businesses should abide by the existing regulations setting product standards, including prohibitions on certain ingredients and restrictions on nicotine strength, bottle size limits and advertising. Products should be registered with the Medicines and Healthcare products Regulatory Agency to be sold legally in the UK. Any product that is not notified and does not meet our high standards should not be sold to anyone, let alone children.

Unregulated vapes pose a massive risk because they circumvent the high standards of regulation, contain unknown ingredients, as colleagues across the Chamber have said, and stronger nicotine, and are often made available to children through black-market channels. Illicit vapes may contain dangerous metals such as lead, nickel and chromium, and contents such as antifreeze and poster varnish—unbelievable, extraordinary contents. We have no idea what frequent inhalation of those does to adult lungs, let alone still-developing lungs.

Independent research suggests that there is a direct link between the rise in children vaping and the flood of illegal, non-compliant vapes coming to our shores. That is why, to keep vapes out of our children's hands, we must first enforce our regulations to stamp out the sale and supply of illicit and underage vapes, and, secondly, educate our children about how those products will hurt them.

On enforcement, we have learned much from our successful campaign to tackle illicit tobacco. Targeted enforcement saw the overall consumption of illegal tobacco plummet from 17 billion cigarettes 25 years ago to 3 billion cigarettes last year. In April, building on this success, we announced the formation of a new, specialised illicit vaping enforcement team, named Operation Joseph, to identify and seize illicit vapes on entry to England through the seven ports that have seen increased illegal activity. We are giving National Trading Standards

[Dame Andrea Leadsom]

£3 million of new funding over two years for the sole purpose of getting illicit products off our shelves. Across the country, it is diligently testing products for dangerous substances, and carrying out test purchases online and in shops. Recently, I had the great pleasure of meeting some of its officers in action—people such as David Hunt, a senior officer and illicit tobacco lead in Hackney, who is doing incredible work to ensure there is a fair and honest market. As a result of National Trading Standards' work across the country, 2.1 million vapes were seized by trading standards officers in England between 2022 and 2023 alone.

My message to people and businesses that sell illegal vapes is clear: they should stop it right now. If they do not, they may receive an unlimited fine or a custodial sentence of up to two years. However, there is no room for complacency, and I am not naive to the scale of the challenge. That is why in October we announced an additional £30 million per year for our enforcement agencies over the next five years, to support their efforts to extinguish the illicit trade in tobacco and vapes. The additional funding will give agencies the resources they need to catch criminals and rogue traders.

Cracking down on illicit products entering the country is critical, but such efforts must go hand in hand with educating children about the dangers of these products to prevent their use in the first place. Over the past two years, we have taken a number of steps to increase the training resources and support available to teachers in schools, to update the curriculum to include the health risks of vaping, and to publish new online content on the potential risks of vaping for young people. We have also written to police forces right across England to ensure that dedicated school liaison officers are keeping vapes away from the playground as much as possible.

Finally, I want to touch briefly on our wider plans to reduce the overall rates of youth vaping. As I said at the start, I will set out much more detail in the near future. As colleagues know, we recently consulted on a range of measures to reduce the appeal, availability and affordability of vapes to children. Our consultation has also considered what further measures we could take to strengthen enforcement, such as by introducing new fixed penalty notices. We are in the process of finalising our response to the consultation and will update Parliament shortly on the measures we are taking forward.

As I said at the start of my remarks, we all have a duty to protect our children from under-age vaping as their lungs and brains continue to develop. We do not yet know about the long-term damage being caused to their lungs and brains, but I dread to think about it, so we will be ruthless towards those who disregard our safeguards and undermine our work to protect children's health. I am on the warpath where vaping is concerned, and I urge all children to stop vaping. I look forward to working with colleagues across parties and across Government to make youth vaping a thing of the past.

5.29 pm

Peter Gibson: I am delighted to have led the debate this afternoon and to have heard from the Minister. I was pleased to hear all the contributions from Members across the Chamber, and it is clear that there is cross-party and political-free concern about the issue of our children's welfare. I am particularly pleased that my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson) is here, given that she is a consultant paediatrician and has campaigned long and hard on this issue. I was particularly interested in her idea about bringing in some excise duties as a way to stop illegal vapes.

I am delighted to have heard from the Minister. She stole the words that I had written down—I was going to say that she was on the warpath. She is clearly—

5.30 pm

Motion lapsed, and sitting adjourned without Question put (Standing Order No. 10(14)).

Written Statements

Tuesday 16 January 2024

BUSINESS AND TRADE

UK Export Finance Support for Ukraine

The Minister for Industry and Economic Security (Ms Nusrat Ghani): Nearly two years since Russia brutally invaded the sovereign territory of Ukraine, the UK continues to stand resolutely with the Ukrainian people against Russian aggression.

The UK is providing significant economic, humanitarian and defensive assistance to Ukraine, including through export credits and insurance from UK Export Finance (UKEF). As part of the UK's support for the repair and defence of Ukraine's critical infrastructure, UKEF has already agreed to provide financing for the reconstruction of six bridges in Kyiv and support for Urenco's contract to supply fuel to Ukraine's largest power producer, Energoatom, and provided payment risk insurance for UK exporters trading with Ukraine.

Government Ministers have decided it remains in the national interest for UKEF to stay on cover for Ukraine. This means that UKEF's £3.5 billion of financial capacity for UK exporters and their buyers in Ukraine is still available.

The heightened risk of supporting Ukraine during a war falls outside UKEF's minimum risk standards as set by HM Treasury and is not a typical activity undertaken by UKEF. Therefore, ministers must instruct UKEF to operate.

Depending on the volume and value of the transactions supported by UKEF, the Government could incur up to £3.5 billion of contingent liabilities over time. UKEF will assess transactions on a case-by-case basis in accordance with normal policy and practice, while also obtaining written consent from Ministers and HMT before providing support for each transaction.

[HCWS185]

TREASURY

Tax Simplification Update

The Financial Secretary to the Treasury (Nigel Huddleston): The Government want the tax system to be simple and fair and to support growth, and have issued a clear mandate to officials in HM Treasury and HMRC to put tax simplification at the heart of policy making.

At autumn statement 2023, the Government published their four main objectives on tax simplification:

Tax rules should have a clear consistent rationale and be easy to understand.

The burden of compliance and administration should be proportionate for taxpayers and HMRC and it should be easy for taxpayers to get their tax right.

Taxpayers should be able to understand their obligations and options, particularly at key life-cycle points, such as when they do something for the first time or infrequently.

Tax policy should not unnecessarily distort the decisions of taxpayers and result in poorly informed choices.

The Government also announced a comprehensive set of changes to make it easier for businesses and individuals to interact with the tax system, reducing the time and money spent on tax administration and allowing them to focus on their businesses and daily lives.

Today, the Government are setting out further measures to simplify the experience of taxpayers, using the efficiencies of digital services to drive public sector productivity.

Enhancing the non-reimbursed expenses service

Each year, HMRC receives 1.1 million claims for tax relief from employees on their expenses. These claims are submitted through existing online services, or via digital or paper forms, resulting in some claims being manually processed. To simplify the process for many employees claiming tax relief on their expenses, and for HMRC to automatically process claims, the Government are designing a new, online service for employees to claim tax relief on all of their expenses in one place, meaning that employees will get relief sooner. HMRC will provide further details later this year.

Mandating the payrolling of benefits in kind

The Government will mandate the reporting and paying of income tax and class 1A national insurance contributions on benefits in kind via payroll software from April 2026, building on the progress already made on the Government's ambition to fully digitalise the reporting of benefits in kind. Mandation will simplify the tax affairs of 3 million people and reduce the need for them to contact HMRC.

This measure will reduce administrative burdens for thousands of employers and HMRC by simplifying and digitising the process of reporting and paying tax on all employment benefits. It will remove the need for 4 million end-of-year returns to be submitted to HMRC. HMRC will engage with stakeholders to discuss our proposals to inform design and delivery decisions, and draft legislation will be published later in the year as part of the usual tax legislation process. HMRC will also work with industry experts to produce guidance, which will be made available in advance of 2026. Further information will be published via usual communication routes, such as through employer bulletins.

Amending the parents' NI credit (child benefit)

As announced in April 2023, the Government will legislate to introduce a route for people to apply for national insurance credits for parents and carers for tax years where they have not claimed child benefit, to ensure that people do not miss out on their state pension entitlement. The credit will add qualifying years of national insurance where eligible, which will support future state pension eligibility. Individuals will be able to claim this credit from April 2026. The eligibility for the credit will be closely based on child benefit eligibility criteria. Transitional arrangements will ensure that those affected since 2013 are still able to claim. Going forward, applications will be available for six years following the relevant tax year. The Government will bring forward secondary legislation as soon as possible.

Today, the Government are also exploring further opportunities to make the tax system simpler and fairer.

Tax simplification for alternative finance

The Government are today publishing a consultation proposing changes to the capital gains tax rules that apply to alternative finance arrangements. The proposed changes seek to amend those rules so that where property is used as collateral for the purposes of raising finance,

the CGT outcome is the same whether alternative finance or conventional finance is used. The consultation also asks whether there are any implications for capital allowances. The consultation will be open to responses for 12 weeks, closing on 9 April 2024.

Reform of the UK law in relation to transfer pricing, permanent establishment and diverted profits tax

The Government are today publishing a summary of responses from a consultation undertaken last summer, which proposed reforms to transfer pricing, permanent establishment and diverted profits tax legislation. The aim is to develop simpler, shorter legislation that is easier to understand and to administer and provides greater certainty for both HMRC and taxpayers. The Government will continue to engage with stakeholders on the proposed approach set out in the summary of responses with a view to publishing draft legislation for consultation later in 2024.

[HCWS189]

ENERGY SECURITY AND NET ZERO

Road Fuels Consultation and Impact Assessment

The Secretary of State for Energy Security and Net Zero (Claire Coutinho): I would like to update the House on the Government's road fuels consultation and impact assessment that will be published today and closes on 12 March 2024. The Government are committed to reducing bills for families, including to ensure drivers get a fair deal at the pump. The proposals in the consultation will help with this by facilitating a competitive road fuels retail market, increasing price transparency and protecting consumer interests.

The UK is a nation of drivers. There are 41.2 million vehicles on the road in the UK today. For many people, vehicles are a critical part of everyday life, connecting countless communities and businesses up and down the country—whether that is getting to work or taking children to school, or for those living in rural areas.

The Government have already taken action to support drivers. At spring Budget 2023, the Government announced their continued support for households and businesses by maintaining the rates of fuel duty at the levels set on 23 March 2022 for an additional 12 months, by extending the temporary 5p fuel duty cut and cancelling the planned inflation increase for 2023-24. That represents an overall saving for drivers of around £10 billion over the two years from the 5p cut being introduced, and around £200 for the average car driver. From 2011-2022, the average driver made a cumulative saving of £1,900 from the freezing of fuel duty rates, compared with what would have been paid under the pre-2010 escalator.

When fuel prices are high the impacts are felt by everyone. That is why the Government were very concerned with the findings of the Competition and Markets Authority's road fuel market study published in July 2023. The CMA found that competition between fuel retailers at a national level had weakened since 2019, due to a decision by the historic price leaders to take a less aggressive approach to pricing by significantly increasing their internal margins for fuel. This was coupled with other retailers maintaining largely passive pricing policies rather than trying to win market share.

As a result, consumers were paying generally higher prices than would otherwise have been the case. Among the four largest supermarkets, the higher margins resulted in a combined additional cost of £900 million for consumers in 2022 alone.

The study also found that long-standing patterns of variation in pricing between different local areas remain across the UK, meaning that consumers in some areas can pay significantly more for fuel than those in others. Drivers are also paying significantly more to fill up at a motorway service station than they would elsewhere. In 2022, motorway retailers were on average charging around 20p per litre more for petrol and 15p per litre more for diesel than retailers elsewhere.

We are determined to ensure that consumers get a fair deal at the pump. It is crucial that we strengthen competition so that the market works for consumers. The Government have acted swiftly to address this and committed to introduce a statutory open data scheme and an ongoing road fuels price monitoring function. These measures will empower consumers to find the best price for fuel, igniting competition among fuel retailers for their business.

The open data scheme will increase price transparency for consumers, allowing them to compare prices more easily. It will grow our digital economy, creating opportunities for third-party app and website developers to use the data in innovative ways. This will end the need to drive around to find cheaper fuel, instead enabling live price data to be displayed on in-car displays, apps and price comparison sites.

The monitoring function will provide the Government with an assessment of competition in the market, acting as a deterrent against individual businesses taking actions that may weaken competition and holding industry to account. The Government recently announced that the CMA will undertake the monitoring function and amended the Digital Markets, Competition and Consumers Bill to provide the CMA with the necessary information-gathering powers.

We want to hear from everyone to ensure that the two recommendations work effectively to facilitate a competitive market, deliver on price transparency and protect consumer interests. We will closely assess all the responses, which will inform the design of the open data scheme and some aspects of the monitoring function that are not covered in the amended Digital Markets, Competition and Consumers Bill. The measures will improve competition for the benefit of consumers and get a better deal for drivers across the United Kingdom.

I am placing copies of the consultation and the impact assessment in the Libraries of the House.

[HCWS182]

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

Review of Wilton Park

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (David Rutley): I am announcing today the conclusion of the review of Wilton Park, an executive agency of the Foreign, Commonwealth and Development Office.

As I noted in my statement in June on the commencement of the review, the public bodies review programme delivers against the commitments made in the declaration on government reform to increase both the effectiveness of public bodies and departmental sponsorship, making government work better in service of the public. This review of Wilton Park follows the tailored review of Wilton Park in 2018.

Wilton Park is a key strategic asset in the FCDO's portfolio. The review found that Wilton Park continues to make valued contributions as a convenor and facilitator of international policy discussions, and noted that Wilton Park's most important feature is its ability to convene and facilitate extended, in-person conversations among diverse groups of policymakers at mid-senior level to support international policy objectives.

The review comes at an important time for Wilton Park, which has successfully steered through the challenges of the covid-19 period and is considering options for its future.

We are very grateful to the lead reviewer, Lorraine Wilkinson, and her team, for their hard work on behalf of Wilton Park and the Government. Their recommendations will give vital structure to further sharpen the strategic alignment of Wilton Park with the objectives of His Majesty's Government, while safeguarding its independence and ensuring that Wilton Park continues to provide value for money for the taxpayer.

The lead reviewer's overview and the review recommendations, along with the Government's statement of how it intends to take these recommendations forward, has been published on www.gov.uk.

A copy of the review and the Government's response will be placed in the Libraries of both Houses.

[HCWS187]

UK Delegation to the Parliamentary Assembly of the Council of Europe

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Leo Docherty): The right hon. Member for Alyn and Deeside (Mark Tami) has been appointed as a substitute member of the United Kingdom delegation to the Parliamentary Assembly of the Council of Europe.

[HCWS190]

JUSTICE

Personal Injury Discount Rate: Call for Evidence

The Parliamentary Under-Secretary of State for Justice (Mike Freer): My hon. Friend the Parliamentary Under-Secretary of State for Justice (Lord Bellamy KC) has made the following statement:

I announce today the publication of "Setting the Personal Injury Discount Rate: A Call for Evidence". This call for evidence is intended to obtain evidence to inform the second review of the personal injury discount rate (PIDR) under the Civil Liability Act 2018. The call will remain open for 12 weeks.

The PIDR is important in ensuring that claimants who suffer serious, life-changing personal injuries receive full damages, including for their future financial needs. It is the percentage figure used to help calculate how much a compensator—usually an insurer or body such as the NHS—pays to a claimant, in the form of a lump sum. It is assumed that claimants will invest this lump sum and accrue a return on that investment and the PIDR represents what the real rate of return on this investment is expected to be.

The Civil Liability Act 2018 introduced changes to the way the PIDR is reviewed and set, and this is the second review under that methodology. It is also the first where the Lord Chancellor will consult with the expert panel he has appointed as well as His Majesty's Treasury.

The responses to this call for evidence will inform the work of the expert panel and the Lord Chancellor's considerations in reviewing the PIDR later this year. The Lord Chancellor will formally consult the expert panel in due course and inform both Houses, in line with the timetables set out in part 2 of the Civil Liability Act 2018.

Copies of the call for evidence can be found here: https://www.gov.uk/government/calls-for-evidence/setting-the-personal-injury-discount-rate.

[HCWS183]

Hague Convention of 2019: Foreign Judgements in Civil and Commercial Matters

The Parliamentary Under-Secretary of State for Justice (Mike Freer): My hon. Friend the Under-Secretary of State for Justice (Lord Bellamy KC) has made the following statement:

On Friday 12 January, the UK signed the Hague Convention of 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters (hereafter: "Hague 2019"; "the convention"). The signing of Hague 2019 follows from the UK Government's decision, which was announced on 23 November 2023, to join the convention as soon as possible, following a public consultation.

Once in force, the convention will provide greater certainty and predictability for citizens and businesses dealing in cross-border civil and commercial disputes, about when judgments from courts in the UK will be recognised and enforced in the courts of other parties to the convention, and when judgments from those states can be recognised and enforced in the UK. By facilitating cross-border recognition and enforcement of judgments, the convention will provide a welcome uniform set of rules for a wide range of judgments between the UK and other contracting parties; increase confidence in the UK legal system; support international trade, investment and cross-border mobility; enhance access to justice and reduce the costs for litigants of determining whether a judgment obtained from one court is enforceable in another contracting state. And, by joining the convention the UK is indicating its position as a global leader in private international law—an area in which the UK undoubtedly has significant expertise.

For these reasons, the UK Government believe that joining the convention will be highly beneficial for the UK. Therefore, the UK Government have signed the convention as a signal of the UK's commitment to co-operation with our international partners and will now work to ratify the convention. Ratification will occur once all the necessary implementing legislation and rules have been put in place to facilitate the convention's smooth operation. As per the rules set out in the convention, Hague 2019 will come into force 12 months after the UK has deposited its instrument of ratification. As part of the procedural stages that precede any ratification, the treaty will be laid before Parliament for scrutiny in the coming months under the terms of the Constitutional Reform and Governance Act 2010 ("CRaG").

Concluded under the auspices of the Hague conference on private international law, the convention has a potentially global reach. There are currently 29 contracting parties (the 27 EU member states, the EU and Ukraine) to Hague 2019, for whom the convention entered into force on 1 September 2023. Uruguay has also ratified the convention, with it set to enter into force on 1 October 2024. There are also six signatories (Israel, Costa Rica, Montenegro, North Macedonia, the Russian Federation, the USA) who have not yet ratified.

The Hague 2019 convention was signed on behalf of the jurisdictions of Scotland, Northern Ireland, and England and Wales. While the decision to join an international convention is a reserved matter, the implementation of the convention is devolved to Scotland and Northern Ireland as it relates to private international law, a devolved matter. My officials have worked closely with colleagues in the devolved Governments and will continue to do so throughout the implementation process.

The UK is able to make declarations under the convention under articles 14, 16, 18, 19 and 25 at the point of signature, ratification, or any time thereafter to clarify or limit the application of the convention in the UK. Such declarations may be subsequently modified or withdrawn at any time.

The UK Government will keep questions of declarations under review as we proceed to signature and implementation and in the future as the convention comes into force between the UK and the current and future contracting parties.

A copy of the UK Government response to the Hague 2019 consultation was placed in the Libraries of both Houses at the time of publication and is also available online.[1]

[1] https://www.gov.uk/government/consultations/hague-convention-of-2-july-2019-on-the-recognition-and-enforcement-of-foreign-judgments-in-civil-or-commercial-matters-hague-2019.

[HCWS184]

Tribunal Capacity

The Lord Chancellor and Secretary of State for Justice (Alex Chalk): The Illegal Migration Act 2023, once commenced, will provide for accelerated claims and appeal timescales for individuals subject to the "duty to remove" provisions of the Act when making suspensive claims relating to the narrow grounds of serious harm and removals conditions. The Act provides that these appeals are to be heard in the upper tribunal—Immigration and Asylum Chamber—rather than the first-tier tribunal.

The Act sets out that, once issued with a third-country removal notice, individuals will have eight days to make a claim to the Secretary of State for the Home Department. Having received a claim, the Secretary of State will have four days to consider the claim and decide whether it should succeed, and if not, whether to certify it as clearly unfounded.

Where a claim is certified as unfounded, there is no automatic right of appeal. The individual can be removed unless they apply to the Upper Tribunal for permission to appeal within seven working days from being given notice of the certification. These applications will normally be dealt with on the papers, noting that this is a judicial decision. The upper tribunal must decide whether to allow the appeal to proceed and notify the parties within seven working days from when the application is made—there is no right of appeal against the tribunal's decision. The upper tribunal may not extend either of these timeframes, unless it is satisfied that it is the only way to secure that justice is done in a particular case.

Where the Secretary of State for the Home Department rejects the initial claim but does not certify it as clearly unfounded, or where the upper tribunal gives permission to appeal, the individual has seven working days from when they are notified of the Secretary of State's decision, or from when they are given permission to appeal, to give notice of appeal to the upper tribunal. The upper tribunal must make their decision and give notice of that decision to the parties within 23 working days from the day the appeal was lodged. Again, the upper tribunal may extend either of these timeframes only if it is satisfied that it is the only way to secure that justice is done in a particular case.

The Ministry of Justice has been working to increase capacity in the justice system in preparation for the commencement of the Act. Additional hearing rooms have been prepared, making a total of 25 hearing rooms available within the existing Immigration and Asylum Chamber estate in London. These rooms are set up with remote hearing technology, allowing for either in-person or remote hearings in order to maximise flexibility. Over 100 additional staff have been recruited to support the upper tribunal's work and are currently undertaking training ready for the commencement of the Act.

The Illegal Migration Act provides for first-tier tribunal judges to be deployed to sit in the upper tribunal to hear Illegal Migration Act appeals. The judiciary has identified relevant judges, which could provide over 5,000 additional sitting days. The decision on whether to deploy additional judges temporarily to the upper tribunal, including when they sit and the courtrooms they use, is for the independent judiciary and will be taken by the relevant leadership judges at the time and in the interests of justice. In addition, I have asked the Judicial Appointments Commission to recruit more judges to the first-tier tribunal and the upper tribunal. The recruitment will conclude in the next few months and new judges will be appointed, trained and start sitting from this summer.

We are confident that, with the additional courtroom and judicial capacity detailed above, in line with projected levels agreed with the Home Office, the vast majority of Illegal Migration Act appeal work will be dealt with by the courts in an expedited manner.

[HCWS188]

LEVELLING UP, HOUSING AND COMMUNITIES

New Overseas Electors Franchise

The Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Simon Hoare): On 27 May 2021, the former Minister for the Constitution and Devolution, my right hon. Friend the Member for Norwich North (Chloe Smith), updated the House on the Government's plans to bring forward measures in the Elections Bill—now the Elections Act 2022—to remove the arbitrary 15-year limit on the voting rights of British citizens living overseas.

The Government committed in their 2019 manifesto to enable more British citizens living overseas and with a demonstrable connection to the UK to vote in UK parliamentary elections—and to enable them to do so more easily. We have delivered on that promise.

Votes for life, delivered

I am pleased to be able to inform the House that, as of today, the 15-year limit on overseas electors' voting rights is abolished. British citizens living abroad who have been previously registered or previously resident in the United Kingdom can apply to register to vote in UK parliamentary elections.

British expatriates continue to have strong links with the United Kingdom. Decisions on foreign policy, Brexit and trade will directly affect their lives. Now we have left the EU, it is more important than ever to strengthen

our ties with the British expatriate community. We want all British citizens abroad to remain part of our democracy, and they should continue to have their say in UK parliamentary elections.

Improving accessibility, enhancing security

The registration period for overseas electors has been extended from one year to up to three, making it easier for an elector to maintain their registration for longer.

The majority of electors can now also apply for an absent vote—postal or proxy— online. This will be particularly useful to British citizens living overseas, as it will speed up the process for obtaining an absent vote.

In Great Britain, overseas electors' absent vote arrangements will—from now—also be tied to the registration renewal process, meaning that an overseas elector will be able to renew their registration and their absent vote arrangement at the same time. This makes it easier for an elector to maintain their registration for longer, with an absent vote arrangement in place ahead of elections. This means that, when a UK parliamentary election is called, the elector's absent vote can be issued without delay.

As now, the integrity of the registration process will be maintained, with all overseas applicants subject to identity checks when applying to register to vote, or when applying for an absent vote.

In the first instance, this will be matched against Government-held data, with documentary evidence provided as a new step, in alignment with domestic registration. All applicants will also have their connection to a qualifying address verified by electoral registration officers.

In addition, postal vote arrangements will be restricted to a maximum of three years. For proxy arrangements, a fresh signature will be required for identity verification purposes every three years. This is all part of the concerted effort by Government to improve the integrity of our elections.

A more inclusive and representative democracy

Together, these changes will help to ensure that more British citizens resident overseas are able to participate in elections, and maintain a secure and robust electoral system.

[HCWS186]

Petition

Tuesday 16 January 2024

OBSERVATIONS

LEVELLING UP, HOUSING AND COMMUNITIES

Local Government Funding and Food Voucher Provision

The petition of residents of the United Kingdom

Declares that many families are living in poverty and that the school holidays in particular are a difficult time for families who are struggling to afford to feed their children; further that Coventry City Council has in recent years supported these families through provision of food vouchers over school holidays; further that due to years of real terms cuts to local government budgets, Coventry Council can no longer afford to continue this provision of food vouchers over the school holidays; further that due to years of real term cuts to local government budgets, Coventry Council can no longer afford to continue this provision.

The petitioners therefore requests that the House of Commons urge the Government to provide increased support for local councils so that they can maintain services including cost-of-living support, and specifically for Coventry Council to be given adequate support to continue their provision of food vouchers to families in need over the school holidays including Christmas.

And the petitioners remain, etc.—*[Presented by Zarah Sultana, Official Report,* 19 December 2023; Vol. 742, c. 1317.*]*

[P002892]

Observations from the Parliamentary Under-Secretary of State for Levelling Up, Housing and Communities (Simon Hoare):

The Government recognise the vital role that local government plays in supporting communities up and down the country, including providing services for the most vulnerable in our society.

The Government published the provisional local government finance settlement for 2024-25 on 18 December. It makes available up to £64.1 billion to local authorities in England. This is an increase in core spending power of up to £3.9 billion, or 6.5%, in cash terms on 2023-24. For Coventry City Council, this represents an increase of up to 7.1 % compared to 2023-24, making available a total of £363.6 million in 2024-25. Of the almost £4 billion that is being made available for the 2024-25 local government finance settlement, £2 billion is additional Government funding; £1 billion of this is for children's and adult social care in 2024-25. The majority of the funding provided through the settlement is unringfenced in recognition of local authorities being best placed to understand local priorities, including, where they decide it is appropriate, the provision of schemes such as food vouchers.

We are seeking views on proposals for the 2024-25 settlement via a consultation, which can be found at this link:
https://consult.levellingup.gov.uk/local-government-finance/provisional-lgf-settlement-2024-25
The consultation closes on 15 January. We will consider the responses as soon as the consultation closes before moving on to publish a final settlement early this year, including final local authority allocations, which will be subject to a debate in the House of Commons.

The Government understand the pressures people are facing with the cost of living. That is why we are providing one of the largest support packages in Europe. This includes, for 2023-24, cost of living payments of up to £900 for households on eligible means-tested benefits. In addition, over 6 million people across the UK on eligible "extra costs" disability benefits have been paid a £150 disability cost of living payment and more than 8 million pensioner households have received a £300 cost of living payment as a top-up to their winter fuel payment.

In addition, the household support fund is a scheme run by upper tier local authorities in England to provide discretionary support to those most in need towards the cost of essentials. The current household support fund runs from April 2023 until the end of March 2024 and the Government continue to keep all their existing programmes under review in the usual way.

We are proud that the household support fund has been used to support many households in need in England with the cost of essentials. Over 26 million awards were made between October 2021 and March 2023 across the first three household support fund schemes, and over £2 billion in funding has been provided to local authorities via the household support fund since it began in October 2021.

Ministerial Correction

Tuesday 16 January 2024

CABINET OFFICE

Risk and Resilience: Annual Statement

The following is an extract from the annual statement on Risk and Resilience on 4 December 2023.

Jim Shannon (Strangford) (DUP): I very much thank the Deputy Prime Minister for his statement and the answers—every one—that he has given. On encouraging businesses to build resilience in a broad range of operations, I believe we must consider the risks in relation to the cost of energy, and others have asked similar questions. What discussions has the Deputy Prime Minister had with devolved Administrations—for example, on ensuring that businesses are able to build resilience on net zero targets and energy commitments—to ensure and secure prosperity for the future for everyone?

The Deputy Prime Minister: The hon. Gentleman is absolutely right to raise this. Under this Government, we have seen a 68% reduction in carbon emissions, which is faster than the EU, the United States of America and others. We are world leaders in many technologies, not least offshore wind and, I hope shortly, in the next generation of carbon capture and storage. We continue to work very closely with businesses to help them build that resilience.

[Official Report, 4 December 2023, Vol. 742, c. 67.]

Letter of correction from the Deputy Prime Minister, the right hon. Member for Hertsmere (Oliver Dowden):

An error has been identified in my response to the hon. Member for Strangford (Jim Shannon) in the statement on Risk and Resilience. My response should have been:

The Deputy Prime Minister: The hon. Gentleman is absolutely right to raise this. Under this Government, **we have committed to a 68% reduction in greenhouse gas emissions**, which is faster than the EU, the United States of America and others. We are world leaders in many technologies, not least offshore wind and, I hope shortly, in the next generation of carbon capture and storage. We continue to work very closely with businesses to help them build that resilience.

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not later than
Tuesday 23 January 2024

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