

**Tuesday
17 June 2025**

**Volume 769
No. 154**



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES
(HANSARD)**

Tuesday 17 June 2025

House of Commons

Tuesday 17 June 2025

The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

ROYAL ALBERT HALL BILL [*LORDS*]

Second Reading opposed and deferred until Tuesday 24 June (Standing Order No. 20).

Oral Answers to Questions

HEALTH AND SOCIAL CARE

The Secretary of State was asked—

NHS Buildings: Maintenance Backlogs

1. **Helen Maguire** (Epsom and Ewell) (LD): What recent progress his Department has made on tackling the backlog of repairs in hospitals. [904622]

15. **Joe Powell** (Kensington and Bayswater) (Lab): What steps his Department is taking to tackle building maintenance backlogs in the NHS estate. [904636]

The Secretary of State for Health and Social Care (Wes Streeting): The Under-Secretary of State for Health and Social Care, my hon. Friend the Member for West Lancashire (Ashley Dalton), sends her apologies due to a family issue. She is very much in our thoughts today.

Thanks to the decisions taken by my right hon. Friend the Chancellor at the spending review, health capital budgets will increase to £14.6 billion by the end of the spending review period. That will deliver the largest-ever health capital budget in NHS history. Across this settlement, more than £5 billion will be invested to address the most critical building repairs, reducing the most serious and critical infrastructure risks and rebuilding the broken NHS left by the Conservatives.

Helen Maguire: While I welcome the recent announcement of £12 million of extra funding for Epsom and St Helier university hospitals NHS trust, it is quite frankly a drop in the ocean in comparison with the scale of need, because the current backlog at the trust costs £150 million. Patients and staff deserve safe and modern facilities, not patchwork repairs. I therefore ask the Secretary of State to meet with me and visit Epsom and St Helier hospitals to see at first hand the scale of the challenge and how we can accelerate progress.

Wes Streeting: I absolutely appreciate the challenges that the hon. Member describes, having met with the trust myself. The Minister for Secondary Care, my hon. Friend the Member for Bristol South (Karin Smyth) and I have both met with local MPs about the challenges facing Epsom and St Helier. Lord Darzi's investigation found that the Conservatives left a £37 billion black

hole in NHS capital. We are reversing that trend, with the largest-ever capital budget for health. The £12.1 million for Epsom and St Helier trust for estate safety is in addition to the £207 million of capital that the NHS South West London integrated care board is receiving, including for maintenance backlogs. It will take time, but brick by brick Labour is rebuilding our NHS.

Joe Powell: The Imperial College healthcare NHS trust has the largest high-risk repair backlog in the country. The support from the Government estates safety fund is very welcome, but to solve this problem we ultimately need a new St Mary's hospital. Will the Secretary of State join me in praising the work of the new three-year St Mary's taskforce, which aims to get to full planning consent and explore different financing models so that we can finally get this hospital built?

Wes Streeting: I thank my hon. Friend for the work that he and my hon. Friend the Member for Cities of London and Westminster (Rachel Blake) are leading in partnership with the trust and Westminster city council to ensure that the people of his constituency have the hospital they deserve. As he knows, this will be the most complicated scheme in the new hospital programme, but that is no excuse for the years of delay that the scheme has faced. The trust now boasts the biggest high-risk repair backlog in the country, so my hon. Friend is right to ensure that this is not allowed to be put in the "too difficult" pile again. We look forward to engaging constructively and doing everything that we can to expedite the progress that is desperately needed for his community and our city.

Pharmacies

2. **Caroline Voaden** (South Devon) (LD): What steps he is taking to support rural pharmacies. [904623]

10. **Charlotte Cane** (Ely and East Cambridgeshire) (LD): What steps his Department is taking to support community pharmacies. [904631]

The Minister for Care (Stephen Kinnock): After years of underfunding, the Government agreed a record uplift of £3.1 billion for '25-26 for the pharmacy sector. The pharmacy access scheme provides £19 million to support pharmacies in areas with fewer pharmacies, including in rural areas, but funding must always come with reform. Our hub and spoke legislation, if it is passed in the other place today, will allow pharmacies to streamline their dispensing processes, and it is a major step in the right direction in marrying reform with investment.

Caroline Voaden: I recently visited Modbury pharmacy, where owner Phil Dawes highlighted the challenges facing small rural pharmacies. He explained how the current funding model does not take into account the lower footfall and limited referral rates that are common in rural areas. We know that if a pharmacy in a small market town closes, it can cause extreme difficulties for people to access advice and medicines, particularly where there is little or no public transport and they have to go a long way. Will the Government consider introducing rural exceptions or adjusted funding thresholds so that we can keep community pharmacies open?

Stephen Kinnock: The pharmacy sector is facing huge challenges after massive cuts over the past 14 years. We are beginning to rebuild, but the hon. Lady is right that there are particular challenges for rural pharmacies. We are looking at comprehensive reform in the pharmacy sector involving the better use of technology, hub and spoke dispensing, and a range of other options that would enable better remote dispensing for rural pharmacies.

Charlotte Cane: I have visited pharmacies across my constituency. They are all struggling to provide a service, but are all very keen to take on the new services that the NHS is suggesting. Will the Minister commit to ensuring that rural and community pharmacies are properly staffed and equipped to deliver those community services, such as diabetes testing and weight management treatments, so that patients are not left behind just because of where they live?

Stephen Kinnock: The hon. Lady is right that pharmacies will play a central role in the shift from hospital to community that we will be putting at the heart of our 10-year plan. An important part of that, of course, is Pharmacy First. The take-up of Pharmacy First is not what we would like it to be, so we are looking at options to increase awareness of Pharmacy First and to free up pharmacists to be able to operate at the top of their licence. Part of that is about streamlining the dispensing side of what they do, and the hub and spoke legislation that I mentioned earlier will be really important in that context.

Steve Yemm (Mansfield) (Lab): The Minister has spoken many times about the importance of shifting from hospital to the community. I have visited many local pharmacies and met the chair of Community Pharmacy Nottinghamshire, seeing at first hand the important work they do to support communities in Mansfield. Does the Minister agree that community pharmacies have a key role to play in that shift and could help to take pressure off GP surgeries?

Stephen Kinnock: My hon. Friend is absolutely right, and I commend him for the work he is doing in his constituency, including with pharmacies. In many ways, what we want to see is a culture change, because the interface between general practice and community pharmacy is not where it should be. We believe that pharmacists have a huge amount more to offer, but that requires a better digital interface and better information sharing—a single patient record. That sort of vehicle will be really important for delivering some of those reforms.

Mr Speaker: I call the shadow Minister.

Dr Luke Evans (Hinckley and Bosworth) (Con): I am pleased to hear the Minister speak about Pharmacy First, which was brought forward by the previous Government and welcomed by communities, the public and the pharmacists. Although I am pleased to see the Government continue it, why have they decided to cap the number of consultations that a pharmacist may do?

Stephen Kinnock: Part of that is about the financial arrangements for Pharmacy First, which need to be set at a level that incentivises pharmacists. Sadly, given the

way in which the scheme was set up under the previous Government, those incentives were not working, which is one reason why the take-up of Pharmacy First has not been what it needs to be. It is a question not of capping but much more one of getting the right level of financial compensation for Pharmacy First so that it works and incentivises the system.

Dr Evans: I am grateful to the Minister for his answer, but part of the problem is that once pharmacists hit that cap, they are no longer paid the £17 per consultation. In turn, that means that either patients will be turned away, or the pharmacist must take the hit and pay for it themselves. That disjoins the system and could create extra costs, because patients who are turned away will turn up in other areas of primary care, such as their GP surgery. How does that fit with Darzi's push towards community-based services?

Stephen Kinnock: The hon. Gentleman will have seen—and I am sure will welcome—the record uplift of £3.1 billion that we are putting into the pharmacy sector after years of underfunding, incompetence and neglect from the Conservative party. A big part of this is ensuring that the shift from hospital to community takes place, and we want pharmacists to be taking pressure off primary care. We have to make Pharmacy First work effectively, which means getting the allocation of funding right. That is what we are working on in terms of reforms. Now that we have the spending review and the package, that is what we will be delivering.

Medicine Supply Chain: Community Pharmacies

3. **Sadik Al-Hassan (North Somerset) (Lab):** If he will undertake a review of the potential impact of medicine supply chain shortages on community pharmacies. [904624]

The Minister for Secondary Care (Karin Smyth): Increasing the resilience of the UK medical supply chain is a key priority. I regularly meet the team to routinely take action to mitigate supply issues, including requesting additional stock, identifying alternative global sources and issuing management advice. Although the Department has no plans to conduct a specific review, we constantly work to identify and take forward further actions to reduce the impact of medicine shortages, including targeted winter monitoring.

Sadik Al-Hassan: Having worked in community pharmacies for nearly 20 years, I have witnessed at first hand the pain that medicine shortages can cause North Somerset patients and their loved ones. Will the Minister meet me, along with my hon. Friend the Member for Exeter (Steve Race) and other members of the all-party parliamentary group on pharmacy, to discuss the outcome of our inquiry into these shortages?

Karin Smyth: I congratulate my hon. Friend and constituency neighbour on his dedicated career in community pharmacy, and thank him for the expertise that he brings to the work of the all-party parliamentary group to help Members understand the impact of this issue on patients and pharmacies. I am planning to hold a parliamentary event on the subject in the autumn, and I am keen to work with the APPG to make it a success for all Members.

Mr Richard Holden (Basildon and Billericay) (Con): Supply chain problems are just one of the many issues that are having an impact on community pharmacies. My local pharmacy in Noak Bridge is one of them, but it is also being hammered with national insurance increases, and the combination of these issues means that its long-term viability is at stake. Will the review that the Minister has mentioned include all the impacts on community pharmacies that are affecting their long-term viability?

Karin Smyth: The long-term viability of pharmacies and, indeed, the whole NHS was under threat from the right hon. Gentleman and his party, but thanks to this Government, it is being made fit for the future. This is a serious issue for all our constituents, and we want to make the system work better. The right hon. Gentleman will see from the 10-year plan that we will make the NHS fit for his constituents, mine and those of every other Member.

Mr Speaker: I call the Liberal Democrat spokesperson.

Helen Morgan (North Shropshire) (LD): Across the country, community pharmacies struggle not only with supply chain problems but with dispensing some of the critical medicines for our constituents at a loss. I was concerned to read that higher prices for United States pharmaceuticals are on the table for the next stage of trade negotiations with Donald Trump, because an additional £1.5 billion would cost both the NHS and our community pharmacies dear. What steps is the Department taking to ensure that the NHS, and the vital medicine supply on which we rely, will not be used as a bargaining chip in a trade deal with a highly unreliable US President?

Karin Smyth: The hon. Lady has asked an important question about the pharmaceutical industry, which is key to the country's growth mission and to supporting all our constituents and the entire country. As we know, my right hon. Friend the Prime Minister is currently attending the G7 summit. We have good relationships with America, and the Department is working closely across Government to ensure that the same stability of supply remains for our constituents.

Access to GPs

4. Naushabah Khan (Gillingham and Rainham) (Lab): Whether he has made an assessment of the potential merits of expanding the additional roles reimbursement scheme to include GPs. [904625]

9. Luke Murphy (Basingstoke) (Lab): What steps he is taking to improve access to GPs. [904630]

The Secretary of State for Health and Social Care (Wes Streeting): The Government inherited a ludicrous situation whereby patients could not get a GP appointment and GPs could not get a job, so one of my first acts was to cut red tape to give practices flexibility to hire GPs, along with an extra £82 million investment. Thanks to that combination of investment and reform, this Government have recruited an additional 1,700 GPs to the frontline since July, exceeding our target of 1,000. We have invested an extra £889 million in general practice

this year, taking action to bring back the family doctor. We do not pretend to have solved all the problems, but change has begun and the best is still to come.

Naushabah Khan: I welcome the Government's commitment to restoring the family doctor, and the recruitment of 1,700 additional GPs nationwide, but my constituency has yet to benefit from that. Concern has been expressed to me about the expansion of the additional roles reimbursement scheme to include only newly qualified GPs, which it is feared may be too restrictive. I have met local GP partners who share that concern, so will the Secretary of State meet us to discuss how the scheme can better support areas such as mine?

Wes Streeting: We are investing an extra £900 million in general practice, and have reformed the GP contract to help bring back the family doctor and end the 8 am scramble. That contract reform included further changes to make it easier to recruit GPs through the scheme. As my hon. Friend will see shortly when we publish the 10-year plan for health, general practice is at the heart of our proposals to build a neighbourhood health service. I am keen to work with her and with GPs to make it even easier to ensure that qualified GPs can get jobs and patients can get GP appointments, and I should be delighted to meet her.

Luke Murphy: After 14 years of the Conservatives running down the frontline of the NHS, many people in Basingstoke still struggle to gain access to their GPs. One issue that patients and GPs raise time and again is the lack of capital investment in new provision to meet growing housing need. Chineham medical practice, for example, was built to serve just 8,000 patients but now serves more than 18,000, and is set to serve many thousands more in the years to come. What more are the Government doing to enable every patient in Basingstoke to see their GP when they need to?

Wes Streeting: My hon. Friend is absolutely right. Just as this Government are delivering record home building with a huge target to build the homes that Britain needs, we also need to ensure that people get the local services that they deserve. That is exactly why this Government have invested an extra £102 million this year to create additional clinical space in over 1,000 GP practices, which will create new consultation rooms and make better use of existing space to deliver more appointments. I know the Chineham medical practice was one of the practices put forward by its integrated care board for funding, so I hope we will see that practice benefiting from this investment in the near future as we rebuild our NHS.

Clive Jones (Wokingham) (LD): The Government's additional roles reimbursement scheme led to just three new GPs for my constituents in Wokingham, which is a drop in the ocean. More needs to be done to deliver GP practices in new developments such as Arborfield in south Wokingham. Why did Ministers not support the Liberal Democrat amendment to the Planning and Infrastructure Bill that would have made commitments to build GP surgeries in all new housing developments legally binding?

Wes Streeting: Probably because being that prescriptive about every housing development is not sensible, even if the thrust of what the hon. Member describes—that as new housing development is built, we need to ensure that local infrastructure goes alongside it—is the right approach. I take what he says about the number of GPs, and as I have said, we do not pretend to have fixed all the problems in 11 months, but with respect, those are three more GPs than were there before. I know there is more to do, but give me time, and we will rebuild general practice for his constituents and anyone else's.

Jess Brown-Fuller (Chichester) (LD): Access to GPs in my constituency of Chichester is being undermined by the closure of the Westbourne branch of Emsworth medical practice at the end of this month. Patients will now have to travel to Emsworth, but we are talking about a small rural village, and there is no public transport to get my elderly and vulnerable patients to that medical practice over the border. Will the Secretary of State please meet me to urgently discuss how we can protect this vital service in a rural village in Chichester?

Wes Streeting: I can well understand the hon. Member's concern and her constituents' concern. Practice closures are hard on communities wherever they are, but they disproportionately hit rural communities and those that suffer with poor transport connectivity. I would urge her in the first instance to raise the specific local issues with the ICB. However, I reassure her and other right hon. and hon. Members that the needs of rural, coastal and remote communities are very much in our mind—and, crucially, in the 10-year plan—and our thinking about how we build genuine neighbourhood health services in all types of neighbourhood.

Mental Health Services: Staffing in Rural Areas

5. **Tim Farron (Westmorland and Lonsdale) (LD):** What steps his Department plans to take to ensure mental health services are fully staffed in rural areas. [904626]

The Minister for Care (Stephen Kinnock): I know this is an important issue for the hon. Member from the meeting we had about it last year. This Government are supporting local providers by recruiting an additional 8,500 mental health workers by the end of this Parliament. We are also expanding NHS talking therapies and piloting six new 24/7 neighbourhood mental health centres, including Hope Haven serving Whitehaven and rural Copeland.

Tim Farron: I thank the Minister for his reply, but this month the Care Quality Commission found high levels of staff vacancies in the already understaffed psychiatric intensive care units and acute mental health wards in South Cumbria, concluding that this is putting patient safety "at risk". Yet, worryingly, the ICB in South Cumbria is making additional cuts of £142 million this year, with North Cumbria also making cuts. In the light of that, what is his plan to intervene to ensure that mental health staffing in Cumbria is increased to safe levels?

Stephen Kinnock: I thank the hon. Member for that. There is no doubt that the NHS, universities and others need to do more to get students, trainees and qualified doctors and mental health specialists in places where

the NHS and patients need them. We will publish a refreshed workforce plan later this year to ensure that the NHS has the right people in the right places to care for patients when they need it.

Chris Kane (Stirling and Strathallan) (Lab): The SNP has cut mental health services across Scotland, while failing to recruit the necessary workforce in rural communities such as those in Stirling and Strathallan. What assessment has the Department made of how devolved mismanagement of mental health services is affecting outcomes for patients in rural Scotland?

Stephen Kinnock: If we were to make an assessment of the way in which the SNP has mismanaged its responsibilities in Scotland we would be here for a very long time. I am not sure I can answer my hon. Friend's question in the round, but I am sure that colleagues from the SNP will be welcoming the record investment that the UK Government have made in Scotland. I am certainly looking forward to the improved outcomes that they will be delivering as a result.

Health of the Elderly

6. **Andrew Rosindell (Romford) (Con):** What recent steps he has taken to support the health of the elderly. [904627]

The Minister for Care (Stephen Kinnock): The spending review announced increases in NHS spending alongside more money for adult social care. By investing in DEXA scanners, we can more rapidly treat conditions such as osteoporosis, which particularly affect elderly women. Our urgent and emergency care plan promotes falls prevention technology for longer independent living and fewer hospital admissions. GPs are now incentivised to improve continuity of care, benefiting patients with long-term conditions.

Andrew Rosindell: I thank the Minister for his reply, but as the Secretary of State knows only too well, my borough of Havering contains one of the highest numbers of elderly people in the entire London region, yet Queen's hospital in Romford remains chronically underfunded, overstretched and struggling to meet the growing healthcare needs of an ageing community. Will the Minister commit today to the serious investment that Queen's hospital so desperately requires to ensure better health outcomes for older people across Romford?

Stephen Kinnock: I carefully note the fact that the Secretary of State for Health and Social Care, who is sitting next to me, has an interest in this issue, so I will tread very carefully with my answer. I understand that the hon. Gentleman has discussed this matter with the Minister for Secondary Care. The North East London health and care partnership integrated care board is responsible for delivery, implementation and funding decisions for local services, but the hon. Gentleman's representations have been carefully noted today, not least by the Secretary of State for Health.

Mr Toby Perkins (Chesterfield) (Lab): One of the most important things we can do to support the health of the elderly is to ensure that they can get to see their local doctor. It is great to hear the Health Secretary talk

about the improved access to appointments—we are seeing that in Chesterfield—but he is also right to say that it is the first step back up the mountain. The Government inherited a real crisis in GP access and the situation is particularly difficult in more deprived areas. Will my hon. Friend tell me what more we will do to ensure that people are able to see a GP, and in particular that practices that serve the most deprived communities can get access to the extra GPs they need?

Stephen Kinnock: My hon. Friend will know that when we came into Government we inherited the absurd situation where the additional roles reimbursement scheme was weighed down by red tape and it was not actually possible to recruit GPs. We changed that. We invested an extra £82 million and as a result we have well over 1,000 more GPs on the frontline, but that is just the beginning. We have contract reform and £889 million of additional investment in general practice, and we are moving forward with an online booking system, which will be obligatory by 1 October. We have much more work to do—for example, around the interface with pharmacy; we are working hard on that. There is a lot more to do, but my hon. Friend is right that the first step up the mountain has been taken.

Mr Speaker: I call the shadow Minister.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): Last health questions, I asked about delays to crucial medications in A&E and the Secretary of State said he was interested to hear more, but his office said he would delegate it to a Minister and we still have not been offered a date, so could I encourage him to look into that, please? The U-turn on winter fuel will help the elderly to stay warm and healthy this winter, but another way to help elderly people would be to protect them from the respiratory syncytial virus. Will the Government extend the vaccination to the over-80s?

Stephen Kinnock: I thank the hon. Lady for that question, but I did not quite catch the word she used. The virus was called? *[Interruption.]* Oh—RSV, yes. We are certainly looking at increasing the coverage of the RSV vaccination. I do not have the statistics to hand at the moment, but I would be happy to write to her on that point.

Dr Johnson: Many of those on waiting lists are elderly and have chronic conditions; rather than seeing consultants at regular intervals, which may coincide with them being relatively well, they are often kept on open appointments so that they can call when they are ill. This is efficient and responsive care. Is the Minister aware that this provision is being stopped in some areas in order to improve figures? I will quote from a letter about an elderly patient:

“I regret cannot keep him on my waiting list under the open appointment”

for treatment, and,

“I have explained the politics of everything and where we are at.”

Being re-referred to a GP each time is expensive and a waste of time. Can the Minister explain why doctors are being asked to make decisions for political reasons, instead of clinical ones?

Stephen Kinnock: I do not think any decisions are being made for political reasons—our medical and health staff are very much focused on doing the right thing from a clinical point of view. The hon. Lady raises an important point about continuity of care, with people constantly having to be re-referred into the system. Part of the reason for that is the utter incompetence with which the previous Government managed our primary care system, which has resulted in people being passed from pillar to post, the additional roles reimbursement scheme not actually being about having GPs on the frontline, but about having other staff, which creates more friction in the system, and poorer continuity of care. This Government are going to bring back the family doctor—that is the way to get our general practice back on its feet.

NHS: Wasteful Spending

7. **Mark Ferguson** (Gateshead Central and Whickham) (Lab): What steps his Department is taking to tackle wasteful spending in the NHS. [904628]

16. **Lillian Jones** (Kilmarnock and Loudoun) (Lab): What steps his Department is taking to tackle wasteful spending in the NHS. [904637]

The Secretary of State for Health and Social Care (Wes Streeting): This Government are delivering record investment in our NHS, but that investment is drawn from taxpayers, and we have a responsibility to every taxpayer in the land—as well as to patients—to ensure that every single penny is well spent. That is why that investment is matched with bold reform, so that we get as much value as possible for every penny. The abolition of NHS England will slash duplication and unnecessary bureaucracy, and I am pleased to report to the House that we have slashed spending on agency staff by almost £1 billion compared with last year. All those savings are being reinvested into frontline care.

Mark Ferguson: From speaking to my local NHS trust in Gateshead, I know the value it places on driving costs down, but it still faces financial pressures. Key among those are issues related to the digital capital gap. We are really keen in Gateshead to improve that situation and to allow more people to access the NHS remotely. Will the Secretary of State meet me and Gateshead NHS trust to talk about how we can tackle that?

Wes Streeting: I would be delighted to do so. My hon. Friend is absolutely right: we have to ensure that the NHS is not only benefiting from, but at the forefront of the revolution taking place in digital services and medical technology. It is key to driving productivity and financial sustainability. That is why, at the spending review, the Chancellor announced that we would invest up to £10 billion in NHS technology and digital transformation; unlike our predecessors, we will not raid tech budgets to plug shortfalls in day-to-day spending. Just this month, we announced the modernisation of the NHS app, so that patients can receive test results and book appointments, saving £200 million in stamps, envelopes and letters.

Lillian Jones: I thank the Secretary of State for his earlier reply. In Scotland, there are more quangos than MSPs. After four years and £30 million of taxpayers' cash down the drain, the SNP has scrapped its plans for

a national care service—its flagship policy—which was seen as a significant setback for Scottish social care reform, and now we have people going to the pub in chauffeur-driven ministerial cars. Will the Secretary of State advise his Scottish counterpart on how to stop wasting Scottish taxpayers' money?

Wes Streeting: Given the state of the NHS in Scotland, I suspect my counterpart needed to go and drown his sorrows. The truth is that the longer the SNP is in government, the longer the NHS in Scotland is on the road to nowhere. The SNP is now on its fifth health plan in four years. Thanks to the decisions taken by the Chancellor, it is not just the NHS in England that is receiving record investment, but the Scottish Government. I have used that investment to cut waiting lists by almost a quarter of a million people; the same could be true in Scotland, if the Scottish people boot out the SNP and elect Anas Sarwar and Jackie Baillie to deliver the change that Scotland's NHS needs.

Danny Kruger (East Wiltshire) (Con): A good way to save money in the NHS is to invest in palliative and end-of-life care, because it averts costs that would otherwise go into the acute sector, including into ambulances. However, this Government are taking money from that sector through their national insurance rises. Given that integrated care boards are supposed to commission palliative care, will the Secretary of State commit in the 10-year health plan to a proper revenue funding model for hospices, and for a minimum service specification for palliative care?

Wes Streeting: I can reassure the hon. Member that end-of-life care is featured in the 10-year plan for health. I also recognise the pressure on our hospice sector, which is why this Government, as well as delivering £26 million through the children's hospice grant, committed £100 million of capital investment—the biggest in a generation for our hospices. None the less, hospices do rely on the generosity of donors and I am keen to work in partnership with the sector to look at what more we can do to encourage investment. The final thing I would say is that the Opposition parties welcomed the investment in the national health service while opposing the means of raising it. They cannot have it both ways; either they support the investment and the revenue raisers or they have to be honest with the public that they would be cutting the NHS.

Seamus Logan (Aberdeenshire North and Moray East) (SNP): One of the most egregious examples of waste in recent years was the almost £10 billion spent on useless personal protective equipment during the pandemic. When the Treasury eventually recovers some of that money, will the Secretary of State assure me that Scottish taxpayers will benefit in the usual way through the usual channels?

Wes Streeting: Fiscal decisions and spending are matters for my right hon. Friend the Chancellor, but let me reassure the hon. Gentleman of two things. First, the way in which the taxpayers of this country were ripped off during a national emergency was a total disgrace, and this Government are determined to get our money back and reinvest it in frontline services, where it should always have been. Secondly, I can reassure him that, so

long as there is a Labour Government here in Westminster, Scotland will continue to benefit from the investment it needs to sort out its public services. Now it just needs a Labour Government in Scotland to spend that money wisely.

A&E Waiting Times

8. James Asser (West Ham and Beckton) (Lab): What steps he is taking to help reduce waiting times in A&E departments. [904629]

The Secretary of State for Health and Social Care (**Wes Streeting**): This Government are committed to fixing the NHS and reducing A&E waiting times. Our new urgent and emergency care plan is backed by nearly £400 million of investment to deliver new urgent treatment centres, mental health assessment centres and almost 400 new ambulances. Alongside that investment, we are reforming urgent and emergency care so that more patients are treated at the scene or in their homes where appropriate, which is better for them and will help to unclog A&E departments. Lots has been done, but there is much more to do.

James Asser: The Minister for Secondary Care recently visited my constituency and saw the pressures that Newham hospital A&E was under. That is partly due to the pressures left by the previous Conservative Government, and partly due to capacity issues resulting from a massive growth in population in the borough. Further pressures will come as we regenerate the massive areas of brownfield site in the Royal Docks. Can the Secretary of State reassure my constituents that, as well as the excellent work being done on day-to-day capacity, we will be looking at infrastructure over the longer term to make sure that we are not only dealing with the growth that we have had, but future-proofing for the population growth to come?

Wes Streeting: I know that my hon. Friend the Minister for Secondary Care enjoyed her visit, and I thank the staff at Newham hospital for the work they do, which also benefits my constituents. We need to make sure that we are supporting hospitals across our country to meet need, because we are part of a wider ecosystem—I noticed that that point was also powerfully made by the hon. Member for Romford (Andrew Rosindell) in his question. My hon. Friend the Member for West Ham and Beckton (James Asser) is right to raise increasing demand and pressures, which is why we will shortly publish our 10-year plan for health. I am happy to report that Whipps Cross and Newham hospitals have also been provisionally allocated £28 million this year to improve buildings and estates.

Mr Louie French (Old Bexley and Sidcup) (Con): The Government continue to claim that they wish to expand community diagnostic centres to speed up scanning and treatment of patients and therefore reduce demand on the likes of A&E. If that is the case, why are they cutting the revenue tariffs that were available to the community diagnostic centres under the previous Conservative Government, which has already impacted the financial viability of the CDCs and access for patients?

Wes Streeting: I think the hon. Gentleman will find that, since this Government came to power, we have reduced the size of NHS waiting lists by a quarter of a million. NHS waiting lists are coming down—latest figures show that this is the first time in 17 years that waiting lists have fallen in the month of April—so we are making progress, not least thanks to the investment that we are putting into community diagnostic centres. The hon. Gentleman has some brass neck to complain about NHS services under this Government, when we are cleaning up the mess that the previous Government left behind.

Mr Speaker: It would also help to extend the hours at Chorley A&E.

Under-18s Sunbed Ban

11. Olivia Blake (Sheffield Hallam) (Lab): Whether his Department has made an assessment of the effectiveness of the ban on the use of sunbeds by under-18s. [904632]

The Minister for Secondary Care (Karin Smyth): The Sunbeds (Regulation) Act 2010 banned the use of commercial sunbeds for under-18s, requiring businesses to prevent under-age use. The Department has commissioned the Committee on Medical Aspects of Radiation in the Environment to review the Act, including the effectiveness of the under-18 ban.

Olivia Blake: According to Cancer Research UK, 86% of melanoma skin cancer cases are preventable. My constituent Charlotte, who has stage 4 melanoma, is leading a campaign alongside Melanoma Focus to get better enforcement for the ban on sunbeds for under-18s and to stop the use of harmful melanotan II products such as tanning nasal sprays and injections. For under-35s, just one session on the sunbed is enough UV exposure to increase the risk of melanoma to 59%. Prevention is better than cure. Will the Minister meet us to discuss the effectiveness of the ban and preventive measures such as access to free sunscreen at events?

Karin Smyth: As someone who was diagnosed myself with an earlier stage melanoma, I really commend the work of my hon. Friend's constituent. I never used sunbeds and I spent holidays in my youth in Ireland, so I never saw much sun either—sorry to the Irish tourism board. As my hon. Friend says, it is an overwhelmingly preventable cancer, including by using sunscreen, better clothing, shading and no sunbeds. It is up to event organisers to provide sunscreen at events, but my hon. Friend is right. I want to personally thank Melanoma Focus for the support it gave me during my diagnosis. There are great charities out there to support people. I am sure a Minister will be in contact with my hon. Friend and her constituent soon to highlight the prevention aspects of this disease.

Cameron Thomas (Tewkesbury) (LD): Until his recent death, my constituent Luke Webster had lived with alternating hemiplegia of childhood. His life was short and he spent much of it being moved between different care facilities, to the frustration of his family. At one such facility, Luke was abused. Will the Minister meet me and Luke's mother to discuss improved safeguards—

Mr Speaker: Order. I do not think this is relevant to sun tanning. Let us move on.

Biopsy Waiting Times

12. Mike Martin (Tunbridge Wells) (LD): What steps he is taking to reduce waiting times for biopsy results. [904633]

The Minister for Secondary Care (Karin Smyth): More patients are now getting world-leading testing technology in the NHS as part of our mission to revolutionise cancer care in this country. The Government are spending £600 million a year in capital on diagnostics, including for the first time funding for the automation of histopathology laboratories to improve productivity. We are also funding pathology networks to reach digital maturity by 2026, which will reduce unnecessary waits and repeated tests.

Mike Martin: My constituent Julian noticed that he had a mole on his chest that was growing and bleeding. Members of his family had died from skin cancer, so he was very concerned and went to his GP. He was referred to the Kent integrated dermatology service and was told that the results would come back in four weeks. They came back in 17 weeks. I know that this issue is of personal concern to the Minister, so would she please investigate what happened and write to me?

Karin Smyth: The hon. Member raises an awful case on behalf of his constituent. Of course, our targeting of waiting lists includes diagnostics. What happened in that case should not happen anywhere, and I will ensure that he gets a response as soon as possible.

Cancer Diagnoses

13. Mr Bayo Alaba (Southend East and Rochford) (Lab): What steps his Department is taking to reduce the time taken for cancer diagnoses. [904634]

20. Paulette Hamilton (Birmingham Erdington) (Lab): What steps his Department is taking to reduce the time taken for cancer diagnoses. [904641]

The Minister for Secondary Care (Karin Smyth): Reducing waiting times for cancer diagnosis remains a key priority. Under this Government, an extra 99,000 patients have had cancer diagnosed or ruled out. This has been supported by investment, including in Cancer 360—a digital innovation that brings patient data into one central platform—and in NHS England's cancer innovation open call to fast-track cutting-edge interventions into practice. Our forthcoming national cancer plan will set out how we will speed up cancer diagnosis even further.

Mr Alaba: Our Labour Government have recently invested in a new state-of-the-art linear accelerator machine in Southend hospital. The machine is the first of its type in the country and will drastically improve cancer treatments. Please can the Minister outline how record levels of investment, such as in the LINAC machine and as announced at the spending review, will finally mean that the NHS will be there when we need it?

Karin Smyth: I am delighted that my hon. Friend's constituents will benefit from the £70 million investment. These machines are game changing and will reduce the number of visits for his constituents. They are also

more reliable, which gives more capacity to the system. That is better for staff, as there will be less appointment cancellations. That is exactly the sort of thing we want to see more of, and we are delivering that under this Government. It is the result of our drive to reduce long waits and treat more people quicker. That was reinforced in last week's spending review, and it is exactly what his constituents deserve.

Paulette Hamilton: Early diagnosis of less survivable cancers is vital if survival rates are to improve. What assessment has the Department made of the report by the all-party parliamentary group on less survivable cancers that looks at earlier detection and faster diagnosis, and what steps are the Department taking to deliver on this?

Karin Smyth: My hon. Friend is right to highlight that issue. I commend her great work not just on the APPG but on leading the Health and Social Care Committee on behalf of its Chair, the hon. Member for Oxford West and Abingdon (Layla Moran). She is right to highlight that it is a priority for the Government to diagnose cancers earlier and improve survival rates. That is particularly important for the group of people with rare cancers. The APPG's report will inform the development of our national cancer plan, which will seek to include all aspects of care throughout the entirety of the cancer pathway.

Alison Bennett (Mid Sussex) (LD): Part of a successful cancer journey is swift cancer treatment as well as swift diagnosis. My constituent Catherine was diagnosed last year with stage 3 breast cancer. She had a mastectomy and went through chemotherapy. She was then meant to begin a course of radiotherapy in December, but as of May that still had not begun. What can the Department do to ensure that those unacceptable delays do not happen and lives can be saved?

Karin Smyth: Many hon. Members across the House rightly highlight the actual experience of people throughout the entire pathway. We have heard about the investment we are making in machines and in staff to ensure, on exactly this point, that people get not just that faster diagnosis—that is so important, particularly if cancer is ruled out—but faster care across the entire pathway. The majority of people on waiting lists are on them for diagnostics, which is exactly why we are investing more in capital and investing in staff to ensure that the process is quicker and better for patients. If the hon. Member wants to write to me about any particular issues, I will obviously respond to her.

Tom Gordon (Harrogate and Knaresborough) (LD): Every 17 minutes, someone in Yorkshire is told that they have cancer. Tomorrow, I will be launching a report for Yorkshire Cancer Research, which is based in my constituency, that will set out key recommendations. Will the Minister meet us to talk about how we can feed them into the national cancer plan?

Karin Smyth: The work that the hon. Member is doing locally with that group is essential. I will ensure that we have a good response for him, whether it is meeting me or a colleague.

Care in the Community

14. Laura Kyrke-Smith (Aylesbury) (Lab): What steps he is taking to shift care from hospitals into the community. [904635]

The Minister for Care (Stephen Kinnock): We are getting the NHS back on its feet and making it fit for the future by shifting care to the community with £889 million more for GPs, 1,700 additional frontline GPs, 700,000 extra urgent dental appointments annually and a 19% uplift to the community pharmacy contract. Looking to the future, our commitment to building a neighbourhood health service is right at the heart of our 10-year plan.

Laura Kyrke-Smith: I am delighted by the Government's commitment to moving healthcare closer to the community, including through the establishment of neighbourhood health centres. That is exactly what we need in Aylesbury, and I am pleased that all our key healthcare providers, including the NHS trust and several GP practices, are already working together to better integrate their care, which is an important step in the right direction. Will the Minister update me on his progress towards the model of neighbourhood-based healthcare? Can he advise what more Aylesbury's healthcare providers can do to ensure that my residents benefit from the Government's work in this area?

Stephen Kinnock: It is really good to hear about the fantastic work going on in my hon. Friend's constituency. We are working with systems to move to a neighbourhood health model by building on existing good practice, particularly around the development of multidisciplinary teams. Aylesbury is an outstanding example of that. Ahead of the 10-year health plan's publication, local communities can continue to make progress by utilising the neighbourhood health guidelines that were published back in January.

Graham Stuart (Beverley and Holderness) (Con): Dental patients with untreated need end up in hospitals. In places like Hedon in my constituency, we have seen more and more dental practices moving away from the NHS. I have a constituent who found it took her three years to get her child their first check-up, and that dental practice has now ceased to look after NHS patients. She also cannot get the NHS treatment she deserves herself, even though she had a child in February. What in the 10-year plan will change that and ensure that everyone can get access to NHS dentistry?

Stephen Kinnock: The right hon. Member is right to point to children's dental health. After we won the election in July, I looked across my portfolio and it was pretty much a car crash in every aspect, thanks to the incompetence of previous Governments. Perhaps the most shocking statistic of all is that the biggest reason five to nine-year-old children are admitted to hospital is to have their rotten teeth removed. That is a Dickensian state of affairs. We are working with the British Dental Association on contract reform. We have got to incentivise NHS dentistry, do away with the false economy set up under the last Government and get dentistry back to where it needs to be.

Michelle Welsh (Sherwood Forest) (Lab): The saying goes that it takes a village to raise a baby, meaning that those in our community provide families with vital support. Does the Minister agree that we need to invest in more community midwives to ensure that families are properly supported through the whole of pregnancy and after birth?

Stephen Kinnock: I thank my hon. Friend for that important question. The role that midwives play, alongside other community health services such as district nurses, has been chronically underfunded and neglected over the past 14 years. She will be pleased to know that the role of community healthcare is front and centre in our 10-year plan, and I think she will be interested in and pleased with what she sees when that plan is published.

Ellie Chowns (North Herefordshire) (Green): The Darzi report pointed out that 13% of hospital beds are occupied by people who are fit for discharge but who cannot get out because social care is broken. Lord Darzi said that we cannot fix the NHS until we fix social care. It is nearly six months since the Secretary of State promised cross-party talks and a commission, but the talks were cancelled and never rescheduled and the commission is delayed. Please, when will the Government stop going slow on social care? Please, when can we all get around the table to talk about fixing social care so that everyone gets the care they deserve?

Stephen Kinnock: I have to correct the hon. Lady: the commission is up and running, Baroness Casey has started meetings and she had a roundtable just a few weeks ago with people who have lived experience. The hon. Lady is therefore not correct on that point and I am sure that she will want to correct the record.

On the point about delayed discharge, the hon. Lady is absolutely right. We are reforming the better care fund to get much better interface between hospitals, care and local authorities. That system and those relationships can and should work much better, but there are pressing, long-term challenges. We are conscious of that and are working at pace with Baroness Casey to ensure that those reforms are delivered.

Mr Speaker: I call the Liberal Democrat spokesperson.

Helen Morgan (North Shropshire) (LD): As we have just heard, it is widely acknowledged that the crisis in social care is a cause of dangerously high occupancy rates in hospitals that lead to the horrors of corridor care, the dreadful ambulance waiting times that we have seen and a knock-on effect on the community. When I was contacted by the family of a terminally ill man in Wem in my constituency last month, I was reminded that not only is care often provided in the wrong place, but it is often not available at all. Will the Government bring forward the timeline for the horribly delayed Casey review to report back, get it done this year and heed Liberal Democrat calls for cross-party talks so that we can agree on a long-term solution for the crisis?

Stephen Kinnock: May I just tackle the idea that we are not working at pace on these issues? We have had the unpaid carer's uplift from £151 to £196, which is the biggest uplift in carer's allowance since the 1970s when the policy was brought in; hundreds of millions of

pounds' uplift in the disabled facilities grant; and groundbreaking legislation for a fair pay agreement for care workers. Those are just some of the immediate steps that we have taken. The first phase of the Casey review will report next year and we continue to work closely with Baroness Casey to deliver the reforms that are so desperately needed after 14 years of neglect, including a number of years when the Liberal Democrats were in government.

Topical Questions

T1. [904647] **Charlie Dewhirst** (Bridlington and The Wolds) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Health and Social Care (Wes Streeting): Waiting lists are at their lowest level for two years, we have taken almost a quarter of a million patients off waiting lists and for the first time in 17 years waiting lists were cut in April. There is a long way to go, but this Government are finally putting the NHS on the road to recovery. Through our plan for change, I have announced that the NHS will also be at the forefront of the revolution in life sciences. Through the NHS app, patients will be linked up with relevant trials to boost our life sciences sector, generate investment for the NHS and develop the medicines of the future.

Charlie Dewhirst: It is nearly four years since Professor Sir Chris Whitty published his striking report on health in coastal communities. Covid inevitably delayed implementation, so will the Secretary of State look again at that report, deliver on the chief medical officer's recommendations and ensure that my constituents in Bridlington and The Wolds can access the health services that they need?

Wes Streeting: The hon. Gentleman is right to commend Sir Chris Whitty's report. We have taken that into consideration, as well as the wider consultation we did in preparation for our 10-year plan for health, which will commit to tackling the gross health inequalities that affect our country, particularly in rural and coastal communities.

T2. [904648] **Chris Bloore** (Redditch) (Lab): Will the Secretary of State join me in welcoming the recent NHS waiting list figures that show that the Worcestershire acute hospitals NHS trust has seen a fall of over 6,000 since this Government came into office? Does he agree that progress like this shows that, in partnership with our hard-working NHS staff, we can be the generation that takes the NHS from the worst crisis in its history to the NHS that people deserve?

Wes Streeting: I absolutely agree with my hon. Friend. It is thanks to the fact that his constituents sent him to this House of Commons that we have a Labour Government able to deliver, with him, for his community.

Mr Speaker: I call the shadow Secretary of State.

Edward Argar (Melton and Syston) (Con): May I, through the Secretary of State, pass on my best wishes to the Under-Secretary of State for Health and Social Care, the hon. Member for West Lancashire

(Ashley Dalton)? In front of the Health and Social Care Committee in January, NHS England's then chief financial officer set out that pretty much all the additional funding to the NHS last year would be absorbed by pay rises, national insurance contributions and inflation. What proportion of the latest additional funding will be absorbed in the same way?

Wes Streeting: First, I just do not buy the argument that investing in our staff is somehow not investing in the NHS. Who on earth do the Opposition think provides the treatment, delivers the care, organises the clinics and delivers the services? Even in this great new world of technology, the NHS will always be a people-based service and I am proud that this is a Government who deliver for staff. We are also waging war on waste, and that is how we can deliver fair pay for staff and improve care for patients. If only the Conservatives had done that when they had the chance.

Edward Argar: The right hon. Gentleman could not answer that question, but hopefully we will get a more positive response to this one. I recently had the privilege of meeting Dr Susan Michaelis and her husband Tristan, who have set up the Lobular Moon Shot Project, which large numbers of Members of all parties across the House have backed. They are seeking £20 million over five years—a tiny sum in the context of the overall NHS budget—to research lobular breast cancer, which Susan is currently battling, to help improve outcomes. Her immediate ask is even simpler: it is for the Secretary of State to meet her in person to discuss the campaign and its aims. He is a decent man. Will he agree to do that?

Wes Streeting: I thank the shadow Secretary of State for his question and, even more importantly, I thank the amazing campaigners for what they are doing. This is probably the easiest question he is ever going to ask me. The answer is, of course, an emphatic yes.

T4. [904650] **Katrina Murray** (Cumbernauld and Kirkintilloch) (Lab): One of the main concerns I have about assisted dying is that it should never be easier to help someone die than it is to help them live. If passed, the Terminally Ill Adults (End of Life) Bill would make thousands of terminally ill people every year eligible to end their lives on the NHS. Does our health service have the money to fund this service as well as its priority of bringing down waiting lists?

Wes Streeting: Can I first thank my hon. Friend the Minister for Care for the considerable amount of work he has done to support the House as it makes its deliberations on this important issue? Of course, the Government are neutral; it is for the House to decide. There is not money allocated to set up the service in the Bill at present, but it is for Members of this House and the other place, should the Bill proceed, to decide whether to proceed. That is a decision that this Government will respect either way.

T3. [904649] **Katie Lam** (Weald of Kent) (Con): The UK is desperately short of doctors, but thousands of applicants will be turned away due to a lack of training places. This is not a situation of the Minister's making, but he has now been in post for a year. Can he assure us

that nobody—no union, no Treasury Minister—will prevent him from doing what needs to be done and lifting the training cap?

Wes Streeting: I should just say for the record that it is thanks to my friends at the Treasury that we are able to do so much to invest in our health service. It is important to put that on record ahead of the Budget. The hon. Lady raises a really serious issue, and we are looking carefully at what we can do to ensure that we get great people into our health service and that they can look forward to a great career. We are not in the right place as a country now; we need to be in a better place. The 10-year plan will set out our ambitions on workforce and we will publish a new workforce plan later this year.

T5. [904651] **Daniel Francis** (Bexleyheath and Crayford) (Lab): It is 16 months since the publication of the Hughes report, but those patients harmed by sodium valproate continue to await the outcome on the redress that the Government will provide. Will the Secretary of State please provide an update on when they can expect an announcement on the redress that will be made available to them?

The Minister for Secondary Care (Karin Smyth): I thank my hon. Friend for that important question. The Government are carefully considering the work of the patient safety commissioner and her report, which sets out the options for redress. This is a complex issue involving input from different Government Departments. We will provide a further update on the commissioner's report soon.

Graham Leadbitter (Moray West, Nairn and Strathspey) (SNP): My constituency, in Scotland, has a significant shortage of health and social care workers, despite extensive efforts to advertise recruitment to get people in, as replicated in parts of England, Wales and Northern Ireland. The rug has been pulled out from under that by the changes to immigration policy and visas for that sector. Will the Secretary of State commit to pushing this harder in Cabinet to ensure that we can have more geographic and sectoral visas?

Wes Streeting: I am really proud of the contribution that overseas workers make to health and social care services across our country. If they all left tomorrow, the services would simply collapse. But I think there is an overreliance on overseas staff in health and care services, and that is contributing to levels of net migration that are simply unsustainable. I have a responsibility to help the Home Secretary bring those numbers down and to give opportunities, through better pay and career progression, to home-grown talent, and that is what we will do.

T6. [904652] **Markus Campbell-Savours** (Penrith and Solway) (Lab): I have received many emails regarding poor service from pharmacies in my constituency. In Maryport, residents report opening times not as advertised, long queues, low stocks and delays receiving vital medication. Will the Minister tell the House how this Government will ensure that the public get the best quality service from our local pharmacies?

The Minister for Care (Stephen Kinnock): I am sorry to hear about the issues that my hon. Friend's constituents are experiencing. I understand that he has raised the issue with the North East and North Cumbria ICB, which is investigating his concerns. I would be happy to be kept informed, and if he is not happy with the outcome of that investigation, he should certainly come back to me. This Government are committed to supporting community pharmacies after a decade of underfunding and neglect. We recently agreed a record uplift to £3.1 billion for 2025-26.

Bob Blackman (Harrow East) (Con): The Secretary of State may well be aware of the greater awareness among young people of nicotine pouches. That seems to be a gap in the Tobacco and Vapes Bill currently going through Parliament. Will he commit to look at this issue to ensure that it is covered and that we bar this alongside other forms of tobacco and nicotine?

Wes Streeting: As the hon. Gentleman knows through bitter experience, that rotten industry always finds a way, and we have to keep on top of it and tackle the scourge of nicotine addiction. He knows about this issue better than most, he having campaigned so assiduously on it, and he is right to raise it, so let us look at what we can do to strengthen the Bill, if we can, as it goes through Parliament.

T7. [904653] **Peter Lamb (Crawley) (Lab):** What steps is the Secretary of State taking to enable access to non-hormonal, non-steroidal oral contraceptives?

Karin Smyth: Such contraceptives are an emerging technology that will be subject to clinical and other relevant assessment before being considered for use in England. The Government remain committed to ensuring that women can access their preferred method in a timely manner. A range of contraception is available free of charge from a range of settings. That includes a copper coil, which is a non-hormonal, non-steroidal contraceptive device.

Sarah Bool (South Northamptonshire) (Con): In Prime Minister's questions last week, I raised the need for a universal national screening programme for type 1 diabetes. Will the Secretary of State agree to meet me to discuss this, so that it could form part of the 10-year plan, given that it fits so neatly into prevention of issues such as diabetic ketoacidosis over treatment?

Wes Streeting: I was in the Chamber to hear the hon. Member's question. Obviously we are led by clinical advice when it comes to decisions on screening programmes, but I understand the case she makes. I would be delighted to ensure that she gets a meeting with the relevant Minister.

T8. [904656] **Mr Richard Quigley (Isle of Wight West) (Lab):** Earl Mountbatten hospice in my constituency delivers outstanding care across the community. Despite that, Hampshire and Isle of Wight integrated care board plans to cut its funding by £1.4 million, while other hospices in the region have their funding increased. I am deeply concerned that the cut will affect our local health services. Will the Minister meet me to discuss how we can restore that essential funding and protect hospice care for my constituents?

Stephen Kinnock: We have provided hospices in England with a record £100 million in capital funding, as my hon. Friend will know. ICBs are responsible for commissioning palliative and end-of-life care services, including hospices, to meet the needs of their local populations. NHS England has published statutory guidance to support that. I would of course be more than happy to meet my hon. Friend to discuss that further.

Adrian Ramsay (Waveney Valley) (Green): The British Dental Association recently published analysis showing that the proportion of NHS funding spent on dentistry more than halved under the Conservatives, who failed to account for inflation and demand to the cost of £1 billion. It is no wonder that we have dental deserts across much of the country. Will the Secretary of State ensure that dentistry receives its fair share of funding from the new NHS funding allocated in the spending review?

Stephen Kinnock: The hon. Gentleman is absolutely right to point to the neglect and incompetence of the past 14 years. We are fighting to get NHS dentistry back to where it needs to be. An important first step, of course, is the 700,000 additional urgent appointments and supervised tooth-brushing programme, but long-term contract reform is what is needed, alongside the investment that will come through the spending review.

Ben Coleman (Chelsea and Fulham) (Lab): According to the Trussell Trust, the impact of hunger and hardship on people's health is driving an extra £6.3 billion in Government healthcare spending. What part is the Department playing in reducing hunger and hardship—and thus the related healthcare cost—in my constituency and across the country?

Stephen Kinnock: My hon. Friend is right to raise that important point. It is truly shameful that 4.5 million children in the UK now live in poverty. We are developing an ambitious strategy that tackles root causes, and we are already taking action. Alongside cross-Government work on free school meals, breakfast clubs and funded childcare, the Department is investing £56 million in Start for Life services and supporting healthy diets for 358,000 people through Healthy Start.

Mr Gagan Mohindra (South West Hertfordshire) (Con): Opticians are important medical professionals for our community. Unfortunately, when I spoke to the Hertfordshire and West Essex integrated care board, I was told that it will not allow opticians to perform vital services such as treating minor eye injuries, as doing so is deemed too expensive, despite that being the norm in the areas surrounding my constituency. Will the Minister meet me to discuss how we can ensure a fair system across the country, rather than a postcode lottery?

Stephen Kinnock: The hon. Gentleman is right to point to the anomalies in the eyecare system. There are concerns about the role that some aspects of the independent sector are playing, particularly in the light of the lucrative nature of cataract operations. If he writes to me, I will be happy to set out the issues, and I guarantee that he will get the response in due course.

Alice Macdonald (Norwich North) (Lab/Co-op): Infertility is a medical condition that affects one in six couples in the UK, but access to NHS treatment is a postcode lottery, with less than 10% of ICBs in England offering the recommended three cycles of IVF. Does the Minister agree that we need to end that postcode lottery, and will she meet me and campaigners such as Fertility Action to discuss how we can end it for good?

Karin Smyth: In the light of the broader pressures and changes in the NHS, we have been considering the ambitions on fertility services and fairness for all couples. The National Institute for Health and Care Excellence is reviewing its fertility guidelines, which will be the clinical standard for the future. I know that my hon. Friend will ensure that she and the group she talks about keep an eye on that, and that she will work with them. I am happy to keep working with her on how we best support ICBs to improve their local offer.

Mr Joshua Reynolds (Maidenhead) (LD): I have raised with Ministers before my concerns about the closure of St Mark's walk-in urgent care centre in Maidenhead. Frimley ICB has confirmed yet again that it will not reopen the centre, against the will of the majority of Maidenhead residents. Will the Secretary of State meet me and local campaigners to see how we can finally get St Mark's walk-in centre back open after five years of closure?

Wes Streeting: I know that the hon. Gentleman's constituents will have noted, through his representations as a constituency MP, that he could not have fought harder to save that service. We devolve these sorts of decisions to ICBs, in order that they make decisions closer to the communities that they serve, with the conviction that those sorts of decisions are better taken locally than centralised in Whitehall. I understand the case that he makes, but having given ICBs a challenge, resources and freedom, we Ministers must resist the temptation to meddle every time they make decisions that they believe are right for the community, even if those decisions are controversial.

Will Stone (Swindon North) (Lab): Will the Minister look into minimising the pain of patients going through hysteroscopy and biopsy procedures by requesting that medical professionals fully brief them on anaesthetics and pain relief in advance of procedures to ensure that they can plan accordingly?

Karin Smyth: My hon. Friend raises an important question. We are committed to improving women's experience of gynaecological procedures, including hysteroscopies. Women should be provided with information prior to their procedure so that they can make an informed decision about the procedure and pain relief options, including local or general anaesthetic. He will probably make further representations, which we will certainly look at.

Lincoln Jopp (Spelthorne) (Con): One of the ways in which the Secretary of State has reduced the waiting list is by turbocharging the use of the private sector since January, meaning that half a million people have been treated in irreducible spare capacity. Has that experience elicited any learnings that the Secretary of State is able to take into the wider reform agenda for the NHS?

Wes Streeting: Absolutely: the NHS always does better under a Labour Government.

Nesil Caliskan (Barking) (Lab): Barking community hospital in my constituency has been providing antenatal services to mothers in Barking for many years, and women also use its services to give birth. I was therefore really disappointed when I heard last week that the maternity birthing unit is likely to close. Many in my community are deeply concerned. They are being redirected to Newham hospital, which the Care Quality Commission has rated as "requires improvement". Women deserve to give birth in a safe clinical environment. Will Ministers ensure that additional attention and resources are provided to Newham hospital, so that it improves its standards and my constituents who are being redirected to give birth there can do so in a safe clinical space?

Wes Streeting: Making sure that women are giving birth safely is the ultimate priority and the least that women deserve. I understand my hon. Friend's anxiety about this reconfiguration, and she is right to raise that with the ICB in the first instance. We are happy to meet her as Ministers, too. The crucial thing is that the services are configured and delivered in a way that prioritises the safety of women and their babies.

James Wild (North West Norfolk) (Con): In March, the Minister for Care told me that no decision could be taken on a new dental school at the University of East Anglia until the spending review settlement was known. Now that we know it, will he instruct the Office for Students to allocate new training places at the UEA from 2026?

Stephen Kinnock: The spending review has just been published. The key now is to secure the allocations within the overall financial envelope. That will take a matter of weeks, and I will be happy to report back to the hon. Member once we have that clarity.

Debbie Abrahams (Oldham East and Saddleworth) (Lab): Between 2001 and 2011, the 15% health inequalities weighting in NHS allocations made a positive, measurable difference to the health of deprived people. Unfortunately, it was cut to 10% in 2015. With the spending review's increase in funding to the NHS, when will the health inequalities weighting reach 15%?

Wes Streeting: I am really grateful to my hon. Friend for her question. She is right to highlight the importance of funding following inequalities to redress that imbalance. I think she will be pleased with where we are with the 10-year plan for health, and I would be delighted to meet her to discuss it.

Richard Foord (Honiton and Sidmouth) (LD): People in East Devon have been told that they must now travel to Exeter for audiology services that they previously received at their local community hospital. What steps are the Government taking to encourage new providers to restore accessible audiology services?

Wes Streeting: That has been a running theme this morning, which will not be lost on Ministers. We will ensure, as we deliver neighbourhood health services, that people can receive care closer to home, wherever

they live. We have heard that message loud and clear today, and I think the hon. Member will see that priority reflected in our 10-year plan for health.

Peter Swallow (Bracknell) (Lab): I declare an interest, as my brother is a GP. When my residents are able to get a GP appointment, they are frustrated when they are sent halfway across the borough to a different surgery from the one they are registered with by their primary care network. Can we address that, and is it part of our proposals in the new GP contract?

Wes Streeting: We do want to put GPs at the heart of neighbourhood health services, and we want people to have care close to home. There are benefits to primary care working at scale, so I would not want to criticise them for doing that. The important thing is different courses for different horses. Some of us are much more mobile, more active and more online and would welcome that flexibility. For others, continuity of care that is close to home, or indeed in their home, is important. It is important that people get the right care, in the right place, at the right time, wherever they live, and that is what we will deliver.

Sir Jeremy Wright (Kenilworth and Southam) (Con): I am grateful for the consideration the Secretary of State has already given to finding a fairer and more effective way of compensating those injured by a covid vaccination, but he knows that those who are profoundly affected by such injuries are anxious for news. Can he give me, and indeed them, a progress report?

Wes Streeting: I reassure the right hon. and learned Gentleman, the constituents of his I have met and other campaigners that I am having discussions with the Cabinet Office about how we deal with that and other issues that have been raised this morning, including the sodium valproate scandal. He knows the complexities involved, and I have been grateful for his advice as a former Attorney General. I do not have specific progress to report now, but I reassure him and campaigners that this issue has not gone off the boil and we are working to find a resolution.

Claire Hazelgrove (Filton and Bradley Stoke) (Lab): The challenge of finding and keeping an NHS dentist is raised with me time and again across the Filton and Bradley Stoke constituency, and I welcome the early action that this Labour Government have taken to introduce more than 19,000 urgent care appointments across our integrated care board area. What will be the next steps to help ensure that NHS dentistry is opened up again to everybody?

Stephen Kinnock: I thank my hon. Friend for that question and her relentless campaigning on this issue. She is right that the 700,000 urgent dental appointments are a first step, and we are looking to embed that so that it goes forward every year of this Parliament. The broader issue is around contract reform. There is no perfect contract system—the current one clearly is not working—and we are looking at options around sessional payments, capitation, and getting a contract that works and brings dentists back into the NHS.

Blake Stephenson (Mid Bedfordshire) (Con): The Secretary of State will know that my local ICB in Bedfordshire, Luton and Milton Keynes is set to merge

with Hertfordshire, Cambridgeshire and Peterborough. The new ICB will cover a population of about 3 million people. Given the difficulties we have had securing a GP surgery in Wixams, will the Secretary of State set out how supersizing that quango will help rural mid-Beds to get the local healthcare it needs?

Wes Streeting: May I respectfully say that that was part of the problem with Conservative thinking? They thought that the answer to the NHS crisis was more quangos, and they measured success in the number of ICBs, not the number of appointments and the size of the waiting list. We are taking a different approach, slashing bureaucracy and reinvesting in the front line. We are not centralising but decentralising, and cutting waiting lists—a record that the Conservative party cannot begin to touch.

Perran Moon (Camborne and Redruth) (Lab): A couple of weeks ago at my constituency surgery, though tears my constituent Amy explained how, following a hip operation in 2008, she suffered progressive nerve damage due to repeated failures in diagnosis, referral and treatment. Despite raising concerns for years, she was told that her pain was common. A nerve test in 2015 confirmed damage, and further tests last year showed a significant deterioration. After 17 years she has only now been offered surgery. All Amy wants to know is what steps are being taken to ensure that no other patient is left permanently disabled due to such prolonged and systemic failure—

Mr Speaker: Order. That is very important, but why does the hon. Member not want others to get in?

Wes Streeting: First, on behalf of the NHS I apologise to my hon. Friend's constituent. That is an intolerable situation, but sadly not rare or exceptional. There is too much of that happening, and a culture of cover-up and covering reputations, rather than being honest with patients about failures. We are changing the culture. Safety is at the heart of the 10-year plan, and I would be delighted to talk to my hon. Friend further about his constituent's case.

Jim Shannon (Strangford) (DUP): This morning I attended an event about bladder cancer. Bladder cancer is the fifth highest killer in the United Kingdom, and people were anxious to meet the Minister and discuss those matters. Will he agree to meet bladder cancer organisations to take forward their four objectives to make things better for people in the United Kingdom?

Wes Streeting: I am sure my hon. Friend the Under-Secretary of State for Health and Social Care (Ashley Dalton), who is the Minister responsible for cancer, would be delighted to meet campaigners, particularly as we put together the national cancer plan. We want to ensure that we capture every type of cancer, and genuinely improve cancer care for everyone in our country.

Oliver Ryan (Burnley) (Ind): The Minister may have seen my constituent Mollie Mulheron recently featured on "Newsnight". Our local ICB recently refused her access to fertility treatment after recovery from an aggressive cancer with a high likelihood that her illness

will return. Will the Minister meet me and Mollie to discuss that issue, and access to fertility treatment for cancer survivors and patients?

Wes Streeting: Yes, I will make sure that my hon. Friend gets that meeting.

Points of Order

12.48 pm

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): On a point of order, Mr Speaker. During proceedings of the House on 2 June 2025, it became clear that some media organisations had been given access to the strategic defence review document before Parliament. We also became aware that the timing of such early access may have been different for different organisations. I asked a parliamentary question on the matter of who and when, and although the Government did not answer the question, they made clear that trade associations and think-tanks had also been given early access. I asked again, and they refused to answer but made clear that trade unions and “our people” had been given early access.

Mr Speaker, Ministers are required to answer questions using the Nolan principles, which include accountability and openness. The principles state:

“Information should not be withheld from the public unless there are clear and lawful reasons for so doing.”

The Government have not followed these processes in answering the question, and that is particularly relevant to the Minister for the Armed Forces, because in his declaration in the Register of Members’ Financial Interests, he declares membership of the GMB and Unite, and that a family member is working as a constituent for Babcock International, and that—

Mr Speaker: Order. The hon. Lady has raised a point of order with me, but she cannot go into a full speech. I have got the message and I am very clear on the message. I have no responsibility for the quality of answers to written parliamentary questions, but I know—this is key—that the Procedure Committee takes a close interest in the matter. She might therefore like to raise it with the hon. Member for Lancaster and Wyre (Cat Smith), who Chairs the Committee.

Mr Mark Francois (Rayleigh and Wickford) (Con): Further to that point of order, Mr Speaker.

Mr Speaker: Let me finish with this one, please. Raising the matter with the Procedure Committee would be a good way to take this forward.

Mr Francois: Further to that point of order, Mr Speaker. We now know undoubtedly that *The Sunday Times* was given access to the White Paper, because people could read most of it in *The Sunday Times* the day before Parliament saw it, although crucially the article did not mention up to 12 new SSNs—nuclear-powered attack submarines. I will explain in a quick second why that is important, Mr Speaker.

At 10.30 on the Monday morning, journalists were invited to a reading room in Horse Guards Parade, where they were given access to the White Paper. Section 8.11 of the “Ministerial Code” clearly states:

“where commercially sensitive material is involved, no copies should be made available to the media before publication.”

Thus, that was clearly a breach of the code.

However, there was an earlier sitting in the reading room, at 8 am, when we know the White Paper was also seen by members of defence companies, trade associations, academics, think-tanks and trade unionists, at the same

time that the markets were opening. Mr Speaker, there is a possibility of insider trading. The share price of Babcock, which would benefit from maintaining SSNs, leapt very early on after 8 am—

Mr Speaker: Order.

Mr Francois: But, Mr Speaker—

Mr Speaker: No, no, no. Please do not take advantage of the Chair. Points of order are meant to be a little bit more punchy—they are not full-blown statements. I take very seriously the points that have been made, and that is why I raised them myself at the time. I am very grateful to the right hon. Member for reiterating my words.

I have no responsibility for the ministerial code. If the House so wishes, that needs to change, because unfortunately it makes a nonsense. There is a ministerial code, but it is not being kept to as we would expect. It is for this House to change the ministerial code if it wishes to do so, or I would be more than happy for the Government to change it if they cannot accept it, because we cannot have this continual breaking of the ministerial code. It is appalling and it is unacceptable.

This is not a political point. In the end, I am here to uphold the rights of Back Benchers. Back Benchers should hear things first—if documents are to be given out, they should be given to MPs. I am here to support MPs, but unfortunately in this particular area I do not have the power to do so. I wish I had, because things would be different.

Emily Darlington (Milton Keynes Central) (Lab): On a point of order, Mr Speaker. I seek your advice. Over the past few days, we have recognised Jo Cox’s murder. Given the additional focus and the encouragement of the targeting of MPs using false information, can you advise us, as the person responsible for the safety of Members of Parliament, how we, as Members, should be behaving, both in the Chamber and online?

Mr Speaker: We will never discuss Members’ security on the Floor of the House. If there are issues, Members should please come to see me privately. Let me see what I can do to reassure Members, but I certainly do not want to open a debate, because I do not think that that would add to Members’ safety. Please come and see me privately.

BILL PRESENTED

MULTI-STOREY CAR PARKS (SAFETY) BILL

Presentation and First Reading (Standing Order No. 57)

Peter Dowd, supported by Patrick Hurley, Kim Johnson, David Baines, Ian Byrne, Derek Twigg and Paula Barker presented a Bill to increase the minimum required height of guarding in multi-storey car parks; to make provision about the height of guarding in existing multi-storey car parks; to require 24 hour staffing of multi-storey car parks; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 4 July, and to be printed (Bill 264).

Registration of Births (Inclusion of Deceased Parents)

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

12.54 pm

Jen Craft (Thurrock) (Lab): I beg to move,

That leave be given to bring in a Bill to make provision for the inclusion of a parent's details on a child's birth certificate where that parent has died before the birth of the child; and for connected purposes.

For the vast majority of parents, registering the birth of their child is a straightforward process. It is a simple piece of paperwork that marks a special moment and brings important recognition of their new family, along with notable legal rights. Yet, for a number of women every year, what should be an uncontroversial step in their journey as a parent becomes a protracted and traumatic legal battle.

The law dictates that it is the duty of the parents to register the birth of a child within 42 days. For married couples, there is a presumption of paternity for the husband under the law. That means either parent may register the birth unaccompanied by the other, with both still recorded on the birth certificate. Therefore, in the terrible event that their husband dies before the child is born, a widowed mother can still ensure their name is on the birth certificate, which is common sense.

However, if the couple are unmarried, the law does not recognise their relationship in the same way. The fact that the mother does not have a ring on her finger means there is no automatic recognition of paternity. If an unmarried woman experiences the unimaginable tragedy of losing her partner during pregnancy, there is no provision for her to register them on the child's birth certificate. Unless both parents can be present, the registrar is deemed unable to verify the paternity of the father. While suffering the grief of losing a loved one and facing the new reality of parenthood alone, bereaved mothers leave the register office with a blank space on their child's birth certificate, instead of their partner's name.

In order to amend the birth certificate, bereaved mothers have to seek a declaration of parentage through a lengthy, costly and traumatising legal process in the family courts. In some respects, this is a legal loophole—the effect of improper and outdated legislation that has failed to provide for a certain set of particularly tragic circumstances—but it speaks to a deeper inequality in the legal system: unmarried couples are held in lower regard. The law in this area has not kept pace with societal change.

The charity Widowed and Young first brought this injustice to my attention. It is an organisation that provides fantastic support to those who have experienced widowhood earlier in life. I pay tribute to the hon. Member for South Devon (Caroline Voaden) who secured an Adjournment debate on this issue, and spoke powerfully and movingly of her own experience of bereavement, and to my hon. Friend the Member for Walthamstow (Ms Creasy), who first exposed the shortcomings of the legal process in Parliament in 2016.

The Bill seeks to legislate for Widowed and Young's "Blank Space" campaign to come into existence, to provide a clear and simple process for unmarried and

bereaved mothers to register their partner on their child's birth certificate. Through the charity, I have heard the stories of brave and inspiring women, some of whom are in the Gallery today to watch the proceedings. I would like to share their experiences, which illustrate the emotional impact of this issue.

When Kelly's partner, Jordan, died suddenly in 2020, she went from planning their future to planning her fiancé's funeral. Shortly after she gave birth to their daughter, Kelly's battle began to prove that Jordan was the father. As Kelly said, he had wanted

"nothing more out of his life than to have kids",

so she was determined that his name would be on Maisie's birth certificate.

Kelly used a C63 form to apply for a declaration of parentage through the family courts, which comes with an immediate cost of £365. While having to provide DNA from Jordan's mother and paying out hundreds of pounds in legal fees, Kelly was also asked demeaning questions, such as whether she had had any other partners. After fighting for two years, Kelly received a birth certificate for her daughter Maisie with Jordan's name on it. She now keeps 12 copies of it around the house and one in her purse at all times.

Orlanda and her partner Julian were on holiday when he unexpectedly collapsed. Just a day after discovering they were expecting a baby girl, Julian died from a heart attack. When the registrar told Orlanda that Julian would not be named on her daughter's birth certificate, she said it felt as if he had been "ripped from our history". Her process through the courts took two years and four hearings. Many of the judges she encountered had never even come across a situation like hers, and she was often asked at hearings if Julian would be attending. As an ambassador for Widowed and Young, Orlanda says she is determined to make things easier for women who follow in her path.

Let me turn to Sophie, who is still in the midst of this torturous process. The sudden death of her partner Lawrence while she was pregnant with their daughter Kinley turned her world upside down. Despite their having two children together, and Lawrence being legally registered as the father of both, Sophie was told that Lawrence would not be registered as Kinley's father. She was devastated. Registering their son together in 2016 was one of Lawrence's proudest moments. As Sophie said,

"he will always be her dad",

and he should be recognised as such.

Sophie entered the uphill battle of amending the birth certificate, and was bounced between Departments and advisers until someone at the Children and Family Court Advisory and Support Service intervened on her behalf. Her hearing is at the magistrates court on 3 July and will hopefully bring her some closure on this issue. Sophie said the experience has been

"exhausting, confusing and emotionally draining."

I add my personal thanks to the women who join us today for sharing their brave stories, and for allowing me to share them with the House.

Kelly, Orlanda and Sophie's stories show how traumatic and unnecessarily complex the process is. Widowed and Young estimates that this issue affects as many as 200 women each year. While the women who join us

today have persevered through the family courts, many mothers will give up out of frustration, leaving that blank space on their child's birth certificate.

The system for registering births is governed by section 10 of the Births and Deaths Registration Act 1953 and section 55A of the Family Law Act 1986, which make provision for those requiring a declaration of parentage. Neither of those Acts provide for the specific circumstances in which one parent is deceased and a child is born outside of marriage. A declaration of parentage is not intended to prove the paternity of a deceased partner, but rather to resolve disputed parenthood. This legal framework is unfit for purpose. When the Births and Deaths Registration Act became law in 1953, 95% of births registered in the UK were within a marriage. That figure has reduced steadily ever since, and only half of children are now born within marriage. Times have changed and society has moved on, yet the law has not kept pace.

This Bill would drag the legislation into the 21st century, and provide a clear and simple process for registering a deceased partner's name on a birth certificate. We can achieve that by placing greater reliance on a registrar's professional judgement. With the right evidence, registrars are allowed to amend a birth certificate, so we can similarly empower them to correct the absence of a deceased parent, provided that they receive sufficient evidence of intended parenthood.

Across Europe—in Switzerland, France and Germany—unmarried parents are encouraged to register their parentage at antenatal appointments. A similar system could be created here, and a declaration of intended parentage could be made during pregnancy. I do not contest the importance of having a rigorous process for proving intended parenthood, but that importance is an argument in support of a change in the law, not against it, because that process is currently non-existent. Officials are often unable to advise women on how to register their deceased partner as a parent, because there is no guidance. While there remains no clear route to proving intended parenthood, bereaved unmarried mothers are being denied a basic right.

The anachronistic legal framework is causing immense trauma for mothers and children. This Bill would take direct action to address that injustice, providing a clear process for bereaved mothers to follow, and allowing the registrar to include a deceased partner on their child's birth certificate. That small change in the law would make a huge difference. It would spare grieving

women a needlessly painful legal process, and ensure that no mother or child has a blank space on their birth certificate where their parent's name should rightly be.

Question put and agreed to.

Ordered,

That Ms Stella Creasy, Caroline Voaden, Alice Macdonald, John Grady, Chris Vince, Abtisam Mohamed, Kirith Entwistle, Dr Marie Tidball, David Burton-Sampson, Daniel Francis, Charlotte Nichols and Jen Craft present the Bill.

Jen Craft accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 11 July, and to be printed (Bill 263).

**CRIME AND POLICING BILL
(PROGRAMME) (NO. 2)**

Motion made, and Question put forthwith (Standing Order No. 83A(9)),

That the Order of 10 March 2025 (Crime and Policing Bill: Programme) be varied as follows:

- (1) Paragraphs (4) and (5) of the Order shall be omitted.
- (2) Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.
- (3) Proceedings on Consideration—
 - (a) shall be taken on each of those days in the order shown in the first column of the following Table, and
 - (b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings	Time for conclusion of proceedings
First day	
New clauses and new Schedules standing in the name of a Minister of the Crown; amendments to clauses 1 to 165 and Schedules 1 to 18, other than amendments relating to abortion.	Three hours before the moment of interruption on the first day.
New clauses and new Schedules relating to abortion; amendments relating to abortion.	The moment of interruption on the first day.
Second day	
Remaining new clauses and new Schedules; amendments to clauses 166 to 172, other than amendments relating to abortion; remaining proceedings on Consideration.	One hour before the moment of interruption on the second day.

(4) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.—(*Dame Diana Johnson.*)

Question agreed to.

Crime and Policing Bill

1ST ALLOCATED DAY

Consideration of Bill, as amended in the Public Bill Committee

[Relevant documents: Fourth Report of the Women and Equalities Committee, Tackling non-consensual intimate image abuse, HC 336, and the Government response, HC 911; correspondence from the Women and Equalities Committee to the Parliamentary Under-Secretary of State, Ministry of Justice, on tackling non-consensual intimate image abuse, reported to the House on 4 June]

New Clause 52

OFFENCE OF TRESPASSING WITH INTENT TO COMMIT CRIMINAL OFFENCE

“(1) A person commits an offence if the person trespasses on any premises with intent to commit an offence (whether or not on the premises).

(2) In subsection (1) “premises” means any building, part of a building or enclosed area.

(3) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 3 on the standard scale (or both).”—(*Dame Diana Johnson.*)

This amendment replaces an offence in section 4 of the Vagrancy Act 1824 which is repealed by section 81 of the Police, Crime, Sentencing and Courts Act 2022 (not yet in force).

Brought up, and read the First time.

1.6 pm

The Minister for Policing and Crime Prevention (Dame Diana Johnson): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss the following:

Government new clause 53—*Arranging or facilitating begging for gain.*

Government new clause 54—*Proving an offence under section 38.*

Government new clause 55—*Special measures for witnesses.*

Government new clause 56—*Causing internal concealment of item for criminal purpose.*

Government new clause 57—*Secretary of State guidance.*

Government new clause 58—*Department of Justice guidance.*

Government new clause 59—*Removal of limitation period in child sexual abuse cases.*

Government new clause 60—*Threatening, abusive or insulting behaviour towards emergency workers.*

Government new clause 61—*Threatening or abusive behaviour likely to harass, alarm or distress emergency workers.*

Government new clause 62—*Interpretation of sections (Threatening, abusive or insulting behaviour towards emergency workers) and (Threatening or abusive behaviour likely to harass, alarm or distress emergency workers).*

Government new clause 63—*Extraction of online information following seizure of electronic devices.*

Government new clause 64—*Section (Extraction of online information following seizure of electronic devices): supplementary.*

Government new clause 65—*Section (Extraction of online information following seizure of electronic devices): interpretation.*

Government new clause 66—*Section (Extraction of online information following seizure of electronic devices): confidential information.*

Government new clause 67—*Section (Extraction of online information following seizure of electronic devices): code of practice.*

Government new clause 68—*Extraction of online information: ports and border security.*

Government new clause 69—*Extraction of online information following agreement etc.*

Government new clause 70—*Lawful interception of communications.*

Government new clause 71—*Law enforcement employers may not employ etc barred persons.*

Government new clause 72—*Meaning of “law enforcement employer”.*

Government new clause 73—*Application of section (Law enforcement employers may not employ etc barred person) to Secretary of State.*

Government new clause 74—*Application of section (Law enforcement employers may not employ etc barred person) to specified law enforcement employer.*

Government new clause 75—*Duty of law enforcement employers to check advisory lists.*

Government new clause 76—*Application of section (Duty of law enforcement employers to check advisory lists) to specified law enforcement employer.*

Government new clause 77—*Interpretation of sections (Law enforcement employers may not employ etc barred persons) to (Application of section (Duty of law enforcement employers to check advisory lists) to specified law enforcement employer).*

Government new clause 78—*Special police forces: barred persons lists and advisory lists.*

Government new clause 79—*Consequential amendments.*

Government new clause 80—*Power to give directions to critical police undertakings.*

Government new clause 81—*Ports and border security: retention and copying of articles.*

Government new clause 82—*Extradition: cases where a person has been convicted.*

Government new schedule 1—*Amendments to Chapter 3 of Part 2 of the Police, Crime, Sentencing and Courts Act 2022.*

Government new schedule 2—*Confiscation orders: Scotland.*

Government new schedule 3—*Special police forces: barred persons lists and advisory lists.*

Amendment 157, in clause 1, page 1, line 6, leave out “The Anti-social” and insert—

“Subject to a review of existing anti-social behaviour powers under the Anti-social Behaviour Act 2014 being conducted and completed by the Secretary of State within six months of this Act receiving Royal Assent, the Anti-social”.

Amendment 167, page 1, line 13, leave out “18” and insert “16”.

This amendment would lower the age to 16 at which a court can impose a respect order on a person to prevent them from engaging in anti-social behaviour.

Amendment 168, page 2, line 29, at end insert—

“(9A) If a court makes a respect order against a person (P) more than once, then P is liable to a fine not exceeding level 3 on the standard scale.”

This amendment means that if a person gets more than one Respect Order, they are liable for a fine.

Amendment 169, page 2, line 30, leave out from “behaviour” to end of line 31 and insert

“has the same meaning as under section 2 of this Act.”

This amendment would give “anti-social behaviour” in clause 1 the same definition as in section 2 of the Anti-social Behaviour, Crime and Policing Act 2014.

Amendment 170, page 4, line 18, at end insert—

“D1 Power to move person down list for social housing

(1) A respect order may have the effect of moving any application the respondent may have for social housing to the end of the waiting list.”

This amendment would mean that a person who receives a respect order would move to the bottom of the waiting list for social housing, if applicable.

Amendment 171, page 8, line 2, at end insert—

“(4A) A person who commits further offences under this section is liable—

(a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);

(b) on conviction on indictment, to imprisonment for a period not exceeding 5 years or a fine (or both).”

This amendment sets out the penalties for repeated breaches of a respect order with a prison sentence of up to 5 years.

Amendment 158, in clause 2, page 9, line 35, at end insert—

“(4) Prior to issuing any guidance under this section, the Secretary of State must conduct a full consultation exercise.”

Amendment 2, in clause 8, page 17, line 23, insert—

“(3) To facilitate the ability of the Police, under the provisions of section 59 of the Police Reform Act 2002, as amended by subsection (1), to seize e-scooters or e-bikes that have been used in a manner which has caused alarm, distress or annoyance, the Secretary of State must, within six months of the passing of this Act, issue a consultation on a registration scheme for the sale of electric bikes and electric scooters.

(4) The consultation must consider the merits of—

(a) requiring sellers to record the details of buyers, and

(b) verifying that buyers have purchased insurance.”

Amendment 172, in clause 9, page 17, line 34, at end insert—

“(c) section 33B (Section 33 offences: clean-up costs).”

Amendment 173, page 17, line 34, at end insert—

“(1A) Guidance issued about the enforcement of section 33 offences must ensure that, where a person is convicted of a relevant offence, they are liable for the costs incurred through loss or damage resulting from the offence.”

This amendment would ensure the Secretary of State’s guidance on fly-tipping makes the person responsible for fly-tipping, rather than the landowner, liable for the costs of cleaning up.

Amendment 174, page 18, line 3, at end insert—

“(4A) The consultation undertaken by the Secretary of State must include an examination of establishing a penalty point fine to those found convicted of an offence under sections 33 or 87 of the Environmental Protection Act 1990.”

This amendment would require the Secretary of State to consult on establishing a system for those who fly tip or leave litter to receive penalty points on their driving licence.

Amendment 175, in clause 25, page 30, line 24, leave out “4” and insert “14”.

This amendment would increase the maximum sentence for possession of a weapon with intent to commit unlawful violence from four to 14 years. The Independent Reviewer of Terrorism Legislation recommended an increase in his review following the Southport attack.

Government amendments 24 to 33.

Amendment 176, in clause 35, page 50, line 38, at end insert—

“(4) If the offender has previous convictions for an offence under section 14 of the Crime and Policing Act 2025 (assault of a retail worker) or for shoplifting under section 1 of the Theft Act 1968, the court must make a community order against the offender. The community order must include a tag, a ban, or a curfew.”

This amendment clause would require the courts to make a community order against repeat offenders of retail crime in order to restrict the offender’s liberty.

Government amendment 34.

Amendment 4, in clause 38, page 51, line 29, leave out “criminal conduct” and insert “conduct for criminal purposes”.

This amendment would expand the remit of the offence created under clause 38 to include exploiting a child into conduct for criminal purposes.

Amendment 7, page 51, line 31, leave out paragraph (b).

This amendment would remove the requirement that for an offence of child criminal exploitation to be committed, the perpetrator did not reasonably believe that the child was aged 18 or over.

Government amendment 35.

Amendment 5, in clause 38, page 51, line 37, leave out “criminal conduct” and insert “conduct for criminal purposes”.

This amendment would expand the remit of the offence created under clause 38 to include exploiting a child into conduct for criminal purposes. It is consequential on Amendment 4.

Amendment 6, page 52, line 2, leave out “or” and insert—

“(b) activity that is undertaken in order to facilitate or enable an offence under the law of England and Wales, or.”

This amendment would expand the remit of the offence created under clause 38 to include exploiting a child into conduct for criminal purposes.

Government amendments 36 to 49.

Amendment 8, in clause 53, page 61, line 5, after “(A)” insert ““aged 18 or over””.

This amendment would ensure children cannot commit an offence of cuckooing.

Government amendments 50 to 66.

Government motion to transfer subsection (4) of clause 59.

Government amendments 68 and 69.

Amendment 177, in clause 64, page 73, line 24, at end insert—

“(4A) For the purpose of this section—

“Child” means a person under the age of 18.

“Grooming” means meeting or communicating (in person or online) with a child and or their network (on one or more occasion) with a view to intentionally arrange or facilitate child sexual abuse (in person or online) for an act including themselves or others.”

This amendment would introduce a legal definition of grooming.

Amendment 178, page 74, line 31, at end insert—

“70B Group-based sexual grooming of a child

- (1) This section applies where—
 - (a) a court is considering the seriousness of a specified child sex offences,
 - (b) the offence is aggravated by group-based grooming, and
 - (c) the offender was aged 18 or over when the offence was committed.
- (2) The court—
 - (a) must treat the fact that the offence is aggravated by group-based grooming as an aggravated factor, and
 - (b) must state in court that the offence is so aggravated.
- (3) An offence is “aggravated by group-based grooming” if—
 - (a) the offence was facilitated by, or involved, the offender, who was involved in group-based grooming, or
 - (b) the offence was facilitated by, or involved, a person other than the offender grooming a person under the age of 18 and the offender knew, or could have reasonably been expected to know that said person was participating, or facilitating group-based grooming, or
 - (c) the offender intentionally arranges or facilitates something that the offender intends to do, intends another person to do, or believes that another person will do, in order to participate in group-based grooming.
- (4) In this section “specified child sex offence” means—
 - (a) an offence within any of subsections (5) to (7), or
 - (b) an inchoate offence in relation to any such offence.
- (5) An offence is within this subsection if it is—
 - (a) an offence under section 1 of the Protection of Children Act 1978 (taking etc indecent photograph of child),
 - (b) an offence under section 160 of the Criminal Justice Act 1988 (possession of indecent photograph of child),
 - (c) an offence under any of sections 5 to 8 of the Sexual Offences Act 2003 (rape and other offences against children under 13),
 - (d) an offence under any sections 9 to 12 of that Act (other child 25 sex offences),
 - (e) an offence under section 14 of that Act (arranging or facilitating commission of child sex offence),
 - (f) an offence under any of sections 16 to 19 of that Act (abuse of position of trust),
 - (g) an offence under section 25 or 26 of that Act (familial child sex offences), or
 - (h) an offence under any of sections 47 to 50 of that Act (sexual exploitation of children).
- (6) An offence is within this subsection if it is—
 - (a) an offence under any of sections 1 to 4 of the Sexual Offences Act 2003 (rape, assault and causing sexual activity without consent),
 - (b) an offence under any of sections 30 to 41 of that Act (sexual offences relating to persons with mental disorder),
 - (c) an offence under any of sections 61 to 63 of that Act (preparatory offences), or
 - (d) an offence under any of sections 66 to 67A of that Act (exposure and voyeurism), and the victim or intended victim was under the age of 18.
- (7) An offence is within this subsection if it is an offence under section 71 of the Sexual Offences Act 2003 (sexual activity in a public lavatory) and a person involved in the activity in question was under the age of 18.

(8) For the purposes of this section—

- (a) “group-based grooming” is defined as a group of at least three adults whose purpose or intention is to commit a sexual offence against the same victim or group of victims who are under 18, or could reasonably be expected to be under 18.”

This amendment would introduce a specific aggravating factor in sentencing for those who participate in, or facilitate, group-based sexual offending.

Amendment 159, in clause 65, page 74, line 39, leave out subsection (2) and insert—

- “(2) An officer may seek independent judicial authorisation to engage in conduct which is for the purpose of obtaining data from the person.
- (2A) Authorised conduct may consist of an officer—
 - (a) scanning the information stored on the device using technology approved by the Secretary of State for the purpose of ascertaining whether information stored on an electronic device includes child sexual abuse images,
 - (b) requiring the person to permit the scan, and
 - (c) requiring the person to take such steps as appear necessary to allow the scan to be performed.”

This amendment subjects any searches of electronic devices to prior authorisation by a judge.

Amendment 179, in clause 66, page 75, line 16, leave out subsection (7).

This amendment would keep an individual under the duty to report child abuse despite the belief that someone else may have reported the abuse to the relevant authority.

Amendment 3, page 75, line 31, at end insert—

- “(2) the duty under subsection (1) applies to—
 - (a) any person undertaking work for the Church of England, the Roman Catholic Church, or any other Christian denomination on either a paid or voluntary basis,
 - (b) any clergy of the Church of England, the Roman Catholic Church, or any other Christian denomination, notwithstanding any canonical law regarding the seal of confession, and
 - (c) any person undertaking work on either a paid or voluntary basis, or holding a leadership position, within the Buddhist, Hindu, Jewish, Muslim or Sikh faiths, or any other religion, faith or belief system.”

This amendment would ensure that the duty to report suspected child sex abuse covered everyone working for the Church of England and the Roman Catholic Church whether paid or on a voluntary basis, including clergy, as well as all other faith groups. Reports received by clergy through confession would not be exempt from the duty to report.

Amendment 10, page 76, line 28, at end insert—

- “(10) A person who fails to fulfil the duty under subsection (1) commits an offence.
- (11) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.”

This amendment would implement part of recommendation 13 of the Independent Inquiry into Child Sexual Abuse that a failure to report a suspected child sex offence should be a criminal offence.

Amendment 22, page 77, line 13, at end insert

“or

- (c) an activity involving a “position of trust” as defined in sections 21, 22 and 22A of the Sexual Offences Act 2003.”

This amendment would implement part of recommendation 13 of the Independent Inquiry into Child Sex Abuse that any person working in a position of trust as defined by the Sexual Offences Act 2003, should be designated a mandatory reporter.

Amendment 11, in clause 68, page 78, line 19, at end insert—

- “(7) The sixth case is where P witnesses a child displaying sexualised, sexually harmful or other behaviour, physical signs of abuse or consequences of sexual abuse, such as pregnancy or a sexually transmitted disease, to an extent that would cause a reasonable person who engages in the same relevant activity as P to suspect that a child sex offence may have been committed.
- (8) The seventh case is where P witnesses a person (A) behaving in the presence of a child in a way that would cause a reasonable person who engages in the same relevant activity as P to suspect that A may have committed a child sex offence.
- (9) A failure to comply with the duty under subsection (1) is not an offence where the reason to suspect that a child sex offence may have been committed arises from subsection (7) or subsection (8).”

This amendment would implement part of recommendation 13 of the Independent Inquiry into Child Sex Abuse that there should be a duty to report where a person recognises the indicators of child sexual abuse. Failure to report in these instances would not attract a criminal sanction.

Government amendment 70.

Amendment 9, in clause 80, page 84, line 22, at end insert—

- “(b) if the name change is by deed poll, 7 days prior to submitting an application for change of name (whichever is earlier), or”.

This amendment would require relevant sex offenders to notify the police of an intention to change a name 7 days before making an application to do so by deed poll.

Amendment 180, page 85, line 26, at end insert—

- “(11) If a relevant offender does not comply with the requirements of this section, they shall be liable to a fine not exceeding Level 4 on the standard scale.”

This amendment imposes a fine of up to £2,500 if a registered sex offender does not notify the police when they change their name.

Amendment 181, in clause 81, page 86, line 41, at end insert—

- “(10) If a relevant offender does not comply with the requirements of this section, they shall be liable to a fine not exceeding Level 4 on the standard scale.”

This amendment imposes a fine of up to £2,500 if a registered sex offender does not notify the police when they are absent from their sole or main residence.

Amendment 182, in clause 82, page 88, line 25, at end insert—

- “(9) If a relevant offender does not comply with the requirements of this section, they shall be liable to a fine at Level 5 of the standard scale.”

This amendment imposes an unlimited fine if a relevant registered sex offender does not notify police if they are entering a premises where children are presented.

Government amendments 71 to 73.

Amendment 19, in clause 94, page 115, line 25, at end insert

“, or

- (c) the person does so being reckless as to whether another person will be injured, aggrieved or annoyed.”

This amendment would expand the offence for administering harmful substances, including by spiking, to include those who do so being reckless.

Amendment 20, in clause 95, page 116, line 37, at end insert—

- “(6A) In determining a sentence for an offence committed under this section, the Court is to treat encouragement or assistance of self-harm, when preceded by a history of abuse perpetrated against the victim/other person by D, as an aggravating factor.
- (6B) The criminal liability for D, when the other person mentioned in subsection 1(a) or 1(b) commits suicide, and where D has subjected that person to physical, psychiatric or psychological harm, is the offence of murder.”

This amendment treats encouragement or assistance of serious self-harm when preceded by a history of abuse as an aggravating factor in sentencing with explicit recognition of murder as the criminal liability for perpetrators who cause serious physical, psychiatric, or psychological harm that directly results in, or significantly contributes to, suicide.

Government amendments 74 to 76.

Amendment 14, in clause 102, page 124, line 16, leave out from subsection (1) to “where” in line 29 and insert—

- “(1) A person who possesses a SIM farm without good reason or lawful authority commits an offence. For the meaning of ‘SIM farm’, see section 104.
- (2) In subsection (1) the reference to a good reason for possessing a SIM farm includes in particular possessing it for a purpose connected with—
- providing broadcasting services,
 - operating or maintaining a public transport service,
 - operating or maintaining an electronic communications network (as defined by section 32 of the Communications Act 2003),
 - tracking freight or monitoring it in any other way, or
 - providing or supporting an internet access service or the conveyance of signals (as defined by section 32 of the Communications Act 2003).

This subsection does not limit subsection (1).

- (3) For the purposes of subsection (1),”

This amendment would mean that a person would only commit an offence if they possessed a SIM farm without a good reason, such as for broadcasting purposes, or lawful authority.

Amendment 15, in clause 103, page 124, line 37, leave out from subsection (1) to “prove” on page 125, line 2, and insert—

- “(1) A person who supplies a SIM farm to another person commits an offence unless subsection (2) applies.
- (2) It is not an offence for a person to supply a SIM farm under this section provided the person (‘the supplier’) can”.

This amendment would mean that a person would only commit an offence if they supplied a SIM farm without taking reasonable steps to confirm that the person receiving the SIM farm would have a good reason, including for broadcasting purposes, or lawful authority to possess the SIM farm.

Amendment 16, in clause 104, page 125, line 34, after “interchangeably,” insert “and designed primarily” and line 39, at end insert—

- “(1A) For the purposes of subsection (1), a device is not a SIM farm if it uses five or more SIM cards simultaneously or interchangeably for the purposes of provided data only services or internet access services or conveyance services.”

This amendment would amend the meaning of “SIM farm” to cover only devices that are primarily used for calls and text messages and would exclude devices primarily used for data connectivity such as Bonded Cellular Devices used by broadcasters.

Amendment 164, page 128, line 5, leave out clause 108.

Amendment 184, in clause 108, page 128, line 10, leave out lines 10 and 11 and insert—

“(2) No offence is committed under this section where a person wears or otherwise uses the item for—”

This amendment would ensure that Clause 108 does not apply to people wearing the hijab, niqab or wearing a mask for health reasons.

Amendment 185, page 128, line 25, at end insert—

“(6) Within a year of this section coming into force, the Secretary of State must review the equality impact of the provisions of this section, and lay a report of the review before both Houses of Parliament within a month of its publication.”

This amendment would require the Secretary of State to review the equality impact of the provisions of Clause 108.

Amendment 165, page 128, line 26, leave out clause 109.

Amendment 166, page 129, line 28, leave out clause 110.

Government amendments 77 to 86.

Amendment 161, page 131, line 29, leave out clause 114.

This amendment would delete Clause 114 which would place restrictions on the right to protest near places of worship.

Amendment 160, in clause 115, page 133, line 12, at end insert—

“(4) Prior to imposing conditions under either Section 12 or 14, the senior officer of the Police Force in question must confirm that live facial recognition will not be in use, unless a new code of practice for the use of live facial recognition surveillance in public spaces in England and Wales had previously been presented to, and approved by, both Houses of Parliament.”

Amendment 21, in clause 120, page 140, line 37, at end insert—

“(8) The authorised persons listed in Clause 71A may not use the information referenced in subsection (1) for the purposes of biometric searches using facial recognition technology”

Government amendment 87.

Amendment 162, page 148, line 1, leave out clause 126.

Amendment 163, in clause 126, page 148, line 13, at end insert—

“(3) Within a year of this section coming into force, the Secretary of State must review the human rights and equality impact of the provisions of this section, and lay the report of the review before both Houses of Parliament within a month of its publication.”

Government amendments 88 to 91.

Amendment 183, in clause 141, page 168, line 5, leave out subsection (7) and insert—

“(7A) A youth diversion order must specify the period for which it has effect, up to a maximum of 12 months.

(7B) An assessment must be taken of the respondent before the conclusion of a youth diversion order to determine if they continue to hold extremist views or pose a terror threat.

(7C) An assessment must be made by a qualified expert in extremism and counterterrorism.

(7D) Assessments taken by the respondent’s youth offending team must be reviewed by an external expert with no pre-existing relationship to the respondent.

(7E) If the respondent is assessed as holding extremist views or as a terror threat the youth offending team or a chief officer of police must apply to an appropriate court for the youth offending order to be extended up to a maximum of 12 months.

(7F) All provisions, prohibitions and requirements of a youth diversion order remain in effect until the respondent has been assessed as holding no extremist views or posing a terror threat.”

This amendment would give the police the ability to apply for youth diversion orders in cases of youth extremism and terror risks. The diversion orders would conclude automatically after a maximum of twelve months without an assessment as to whether the individual remained a terror risk or extremist.

Government amendments 92 to 101, and 134 to 151.

Amendment 23, in schedule 9, page 229, line 15, at end insert—

“(11) Section 127 of the Magistrates’ Courts Act 1980 (time limit for summary offences) does not apply to an offence under subsection (1).”

This amendment allows the offence of taking or recording intimate photograph or film to be tried by a Magistrates’ Court at any time by disapplying the six-month time limit in s.127 of the Magistrates’ Court Act 1980.

Government amendments 152 to 156 and 102 to 133.

Dame Diana Johnson: Before I speak to the key Government amendments tabled on Report, I quickly remind the House why the Government have brought forward this Bill. It is a vital part of our safer streets mission, and contains a host of measures to tackle antisocial behaviour, retail and knife crime, and the epidemic of violence against women and girls, and to restore confidence and trust in policing.

It is worth reminding the House that on the previous Government’s watch, shoplifting soared to record-high levels; there was a 70% increase in their last two years in office alone. Street theft was rapidly rising; it was up by almost 60% in just the last two years. Antisocial behaviour was rampant in our towns and cities, with 1 million incidents last year. In the year to June 2024, the crime survey of England and Wales estimated that 25% of people perceived antisocial behaviour to be a fairly or very big problem in their area. That is the highest level since at least March 2013, over a decade ago. Violence and abuse against shop workers was at epidemic levels. The British Retail Consortium said that incidents of violence and abuse against shop workers stood at more than 2,000 a day in ’23-24—up by almost 50% on the previous year, and nearly treble the pre-pandemic figures from 2019 to 2020.

Mr Toby Perkins (Chesterfield) (Lab): I have been down to the local Co-op in Chesterfield and met one of the shop workers, who faced a terrible attack. Luckily, the people were jailed, but in so many cases there is a sense that shoplifters are able to walk out the door without anything being done. The traumatic effect that this has on shop workers has to be seen to be believed. Would the Minister say that the message the Bill sends to anyone who wants to walk out of a store after doing these things is that the police will come after them, and they will end up going to jail?

Dame Diana Johnson: My hon. Friend puts that very well. Attacks on retail workers are totally unacceptable. The Co-op and the Union of Shop, Distributive and Allied Workers have done important work to highlight this issue and ensure that measures on it will be enacted through the Bill.

The previous Conservative Government wrote off a number of the crime types I have just talked about as low-level crime, and allowed them to spiral out of

control. At the same time, they decimated local neighbourhood policing teams, causing untold damage to our communities, as we all know.

Wendy Morton (Aldridge-Brownhills) (Con): On neighbourhood policing, I welcome the fact that we have some extra capacity coming into the west midlands, but I have not yet had clarification on whether the money that is coming to the west midlands will cover all the extra national insurance costs. The Labour police and crime commissioner is already saying that his budgets are underfunded under the Labour Government.

Dame Diana Johnson: The right hon. Lady and I have had this discussion before, and I have made it very clear that the national insurance increases have been funded through the money that is available to police forces this year. That is in stark contrast to the situation under the previous Government, who did not make a proper allocation for the police pay award for last year. This Government had to supplement it when we came into power in July.

Chris Vince (Harlow) (Lab/Co-op): Will the Minister join me in celebrating the five new neighbourhood police officers we have in Harlow? I cannot take all the credit for them, because I only taught one of them maths.

Dame Diana Johnson: Absolutely. I think we will have 3,000 additional neighbourhood police officers by the end of March next year, as part of our commitment to putting in place 13,000 neighbourhood police officers by the end of this Parliament.

It has been clear throughout the Bill's passage that it commands broad support across the House. I hope that over the next two days, right hon. and hon. Members from all parts of the House can come together and recognise the shared goals that the Bill fulfils. The Government are tireless in our drive to make our streets safer.

Simon Hoare (North Dorset) (Con): The right hon. Lady is setting out very clearly what the Bill is intended to be, and has rightly pointed to the cross-party support for the main thrust of it. Does she agree that that unanimity of purpose is put in grave jeopardy by the Christmas tree-ing of significant amendments relating to abortion? I know that she had a personal interest in this issue in opposition. These very dramatic changes to abortion law require a much fuller debate in this place than can be had on an amendment to a Bill that has the purpose that the right hon. Lady has set out. The Government never intended the Bill to be a Christmas tree Bill, but it has become one. The House runs the risk of fracturing its unanimity of purpose if those amendments are pressed to a vote and become part of the legislation.

Dame Diana Johnson: I do not want to try Mr Speaker's patience, but time has been allocated for that debate this afternoon. The hon. Gentleman is a very experienced Member of this House, and he will know that crime Bills often become Christmas tree Bills due to their very nature, as Members wish to table amendments on all sorts of areas of the criminal law. We have the Bill that is before us, and the amendments that have been tabled.

The Government and, I hope, other parties in this House are committed to making our streets safer. Where there are gaps in the law, we will not hesitate to address them, and the Government amendments that have been tabled are very much directed to our achieving that end. I will start by going through them. New clause 54 will aid legal certainty and the consistent application of the new offence of child criminal exploitation. The new clause makes clearer to the courts that the offence is focused on the criminal intentions of the adult only, rather than those of the child. It puts beyond doubt that the offence captures circumstances in which the child is used as an entirely innocent agent and cannot satisfy all the elements of the intended criminal conduct themselves. The new clause also puts beyond doubt that the offence is capable of capturing earlier-stage grooming; as such, it addresses the concerns raised in amendments 4 to 6, tabled by the hon. Member for Brighton Pavilion (Siân Berry). It will also cover perpetrators who arrange for another person to exploit a child on their behalf. At the request of the Scottish Government and the Department of Justice in Northern Ireland, we are also extending the offence of child criminal exploitation to Scotland and Northern Ireland.

New clause 56 criminalises the highly exploitative and harmful practice of coerced internal concealment. It is commonly associated with county lines drug dealing, and involves a child or adult being intentionally caused to conceal drugs or other objects—such as weapons or SIM cards—inside their body to facilitate criminality. The new clause creates two new offences. The first targets perpetrators who intentionally cause a child to conceal a specified item inside their body. The second applies in cases where an adult victim is caused to internally conceal a specified item through compulsion, coercion or deception, or through controlling or manipulative behaviour, and where the perpetrator intends, knows or reasonably suspects that the item has been or may be used in connection with criminal conduct. These new offences will carry a maximum penalty of up to 10 years' imprisonment.

1.15 pm

New clause 57, which would replace clause 52, would enable the Secretary of State to issue statutory guidance to the police and others in respect of the exercise of their functions relating to the new coerced internal concealment and cuckooing offences, as well as the child criminal exploitation offence and prevention orders. New clause 58 confers a similar power on the Department of Justice to issue statutory guidance to the chief constable of the Police Service of Northern Ireland in relation to the exercise of its functions relating to the CCE and cuckooing offences.

Clause 53 creates an offence of controlling another person's home for criminal purposes, known as cuckooing. The offence applies UK-wide. Clause 56 then adds the cuckooing offence to the list of lifestyle offences in schedule 4 to the Proceeds of Crime Act 2002, which applies to Scotland. Parallel changes are made to schedules 2 and 5 of POCA, which apply to England and Wales and to Northern Ireland respectively. At the request of the Scottish Government, amendment 57 to clause 56 removes the amendment to schedule 4 to POCA.

Clause 57 creates a new offence that criminalises the making, possession, adaptation or supply of digital files or models designed to create child sexual abuse material.

The offence applies to England and Wales. Amendments 59 to 68 to clause 57 better provide for protection from liability for the offence for the provider of an internet service who acts as a mere conduit for, or who caches or unknowingly hosts, a CSA image generator provided by a user. They extend liability to a natural person who is responsible for a body corporate, partnership or unincorporated association committing the offence. They remove the definition of a CSA image generator that is a service; on reflection, we have concluded that a CSA image generator cannot be used as a service, as an offender would require possession of the generator to use it. Finally, they amend the scope of the power to make regulations governing the testing of technology that might amount to a CSA image generator, to ensure the power is correctly targeted.

Clause 59 provides for an offence of administering or moderating of electronic services with the intention of facilitating child sexual exploitation and abuse. The term “child sexual exploitation and abuse” is in part defined by reference to a list of offences in schedule 7 to the Bill. New subsections (6) to (8) of clause 59 add a regulation-making power, subject to the draft affirmative procedure. This is to ensure that the list of offences can be kept up to date, particularly when new offences are created by Acts of the Scottish Parliament or of the Northern Ireland Assembly. In addition, amendments to schedule 7 add further Scottish offences to the list of child sexual exploitation and abuse offences specified for the purposes of clause 59. These amendments apply UK-wide.

Clause 76 confers powers on the Secretary of State to issue statutory guidance about the disclosure of information by the police for the purpose of preventing sex offences. Chief officers of police are required to have regard to that guidance. This provision applies to police forces in England and Wales, to the British Transport police—which operates GB-wide—and to the Ministry of Defence police, which operates UK-wide. At the request of the Scottish Government, amendment 70 limits the clause’s application to the BTP to England and Wales only.

Alongside the new offences in this Bill to tackle intimate image abuse, the Data (Use and Access) Bill includes an offence of requesting the creation of a purported intimate image without consent or reasonable belief in consent, including provisions relating to the powers of the civilian courts to deprive offenders of images and other property. To ensure consistency in the service justice system, an amendment is required to the Armed Forces Act 2006 to give the same deprivation order powers to service courts. Amendments to the Act require consent from British overseas territories and Crown dependencies—to which the Act applies—which it was not possible to gain in time during the passage of the Data (Use and Access) Bill. We therefore propose to make the amendment in this Bill instead.

The Bill was amended in Committee to provide for offences relating to dangerous and careless cycling. Amendments 74 to 76 make various consequential amendments to the Road Traffic Offenders Act 1988 and other enactments. Clause 120 clarifies the existing power of the Secretary of State to give access to driver licensing information held by the Driver and Vehicle Licensing Agency to various policing and law enforcement bodies, for policing and law enforcement purposes.

Amendment 87 makes employees of the economic crime and confiscation unit in Jersey authorised persons for the purpose of these provisions.

Jim Shannon (Strangford) (DUP): The Bill applies to England and Wales, but it is important for knowledge and information to be shared with the Northern Ireland Assembly and the Scottish Parliament, for example, so that they are aware of what is happening here—and people may move from England or Wales to Northern Ireland or Scotland. We should ensure that information can be exchanged between police forces and other authorities here and those in the devolved Administrations: if we want security and safety for all our people, that really needs to happen.

Dame Diana Johnson: I entirely agree with the hon. Gentleman about the importance of sharing information, good practice and policy development, and I hope that that will go from strength to strength under this Government.

Let me now say something about abusive behaviour towards emergency workers. As we all know, they put themselves in harm’s way to protect us every day, and they deserve robust protection in return. That includes protection from racial and religious abuse, which is not only deeply harmful but undermines the values of decency, respect and public service. Unlike most people, emergency workers cannot walk away from abuse. When they enter private homes they do so not by choice, but because it is their duty to do so. Whether they are responding to a 999 call, providing urgent medical care or attending an incident involving risk to life or property, they are legally and professionally required to remain and act. They cannot remove themselves from the situation simply because they are being abused. The law must recognise that and ensure that they are properly protected in every setting, including private dwellings.

At present, there is a clear and pressing gap in the law. Although existing legislation provides important protections against racially and religiously aggravated offences in public places, they do not extend to abuse that occurs inside private homes. Policing stakeholders have highlighted that gap, and have emphasised the need for stronger safeguards for emergency workers. New clauses 60 to 62 therefore introduce specific offences relating to the use of racially or religiously threatening, abusive or insulting words or behaviour towards emergency workers acting in the course of their duties. Crucially, that includes incidents that take place within a private dwelling.

This is a focused and proportionate measure. It does not interfere with freedom of expression; rather, it reinforces the principle that emergency workers should be able to carry out their critical roles without being subjected to hate or hostility because of their race or religion. I hope that the hon. Member for Esher and Walton (Monica Harding) will agree that these Government new clauses achieve the underlying purpose of her new clause 120.

Clause 112 strengthens the protection afforded to nationally significant war memorials by providing for a new offence of climbing on specified war memorials without lawful excuse. We believe that the same protection should now be extended to other nationally significant memorials, starting with the statue of Sir Winston Churchill in Parliament Square. The Churchill statue,

which is a prominent national symbol of Britain's wartime leadership, has repeatedly been targeted and climbed on during protests in recent years. Including it within the new offence ensures the consistent protection of one of the foremost culturally significant monuments linked to national remembrance. Amendments 77 to 84 therefore expand the scope of the new offence to include other memorials of national significance, as well as adding the statue of Sir Winston Churchill to the list of specified memorials set out in schedule 12.

New clauses 63 to 70 and 81 and new schedule 1 deal with remotely stored electronic data, clarifying powers for law enforcement agencies to access information stored online and extract evidence or intelligence for criminal investigations, to protect the public from the risk of terrorism and safeguard our national security. The powers will apply when law enforcement agencies have lawfully seized an electronic device, as part of national security examination at UK borders or when a person provides his or her agreement. New clause 70 also amends the Investigatory Powers Act 2016 to permit the interception of access-related communications, such as two-factor authentication codes. Those reforms are necessary to ensure that our law enforcement agencies have clear powers to access vital evidence and intelligence when investigating serious offences, including child sexual abuse, fraud, terrorism and threats to national security, at a time when more and more information is stored remotely in the cloud rather than on people's electronic devices.

Let me now turn to new clauses 72 to 79 and new schedule 3. A crucial aspect of our safer streets mission is to rebuild public confidence in policing. Among other things, that means ensuring that only those who are fit to serve can hold the office of constable or otherwise work in our law enforcement agencies. As well as strengthening the vetting regime for police officers, the new clauses and the new schedule require the National Crime Agency, the British Transport police, the Civil Nuclear Constabulary and the Ministry of Defence police to establish barred persons lists and advisory lists, similar to those created in 2017 for territorial police forces in England and Wales. The chief officers of these forces, and others, will be under a legal duty to consult the lists before employing or appointing an individual to prevent those dismissed from policing from rejoining another force in the future.

My right hon. Friend the Home Secretary has announced a new police efficiency and collaboration programme to cut waste and bureaucracy. It is important that undertakings providing services to the police are delivering the most benefit, and unlocking the efficiency savings needed by forces to achieve better outcomes for the public. Announcing the Government's intention to consult on establishing a new national centre of policing, the Home Secretary said that she envisaged the body's being responsible for existing shared services, national IT capabilities, and force-hosted national capabilities. It is right that the Home Secretary has the powers to ensure that those capabilities are fully aligned with the priorities of the police efficiency and collaboration programme, and that they are adequately prepared for transition into the new body with no disruption to service delivery. New clause 80 ensures that the Home Secretary has the power to direct undertakings providing critical services and capabilities to policing to take appropriate action to strengthen their service delivery to better deliver our

efficiencies programme, and, ahead of any future legislation to establish the national centre for policing, to remove any barriers to the transition of services into the new centre.

We tabled new clauses 52 and 53 against the backdrop of the Government's commitment to bring into force the repeal of the outdated Vagrancy Act 1824, which criminalises begging and many forms of rough sleeping. It is generally the case that when begging reaches the threshold of antisocial behaviour there are already sufficient powers available to the police and others to address that, but we have identified two gaps in the law that will arise from the repeal of the 1824 Act, which the new clauses would address. New clause 52 makes it a criminal offence for any person to arrange or facilitate another person's begging for gain. Organised begging, which is often facilitated by criminal gangs, exploits vulnerable individuals and can undermine the public's sense of safety. This provision makes it unlawful for anyone to organise others to beg—for example, by driving people to places for them to beg. That will allow the police to crack down on the organised crime gangs that use this exploitative technique to obtain cash for illicit activity.

Chris Vince: The Minister is being very generous in taking interventions. Having worked for a homelessness charity, I have seen this issue at first hand. Does she agree that when there is an organisation behind the begging, the person forced to beg is actually being exploited, so these laws will help to tackle a form of exploitation?

Dame Diana Johnson: My hon. Friend makes that point very well. These individuals are exploited by serious and organised criminal gangs, and we are going to clamp down on those gangs' activity.

New clause 53 re-enacts the offence of being on enclosed premises for an unlawful purpose. It will make it an offence for a person to trespass on any premises—that covers any building, part of a building or enclosed area—with the intention of committing an offence. Without this replacement offence, the police would be able to rely only on the trespassing provisions in the Theft Act 1968, which covers trespassing only in relation to burglary. It is important that the police have the powers to tackle all cases of trespassing with intent to commit an offence, and new clause 53 will ensure that.

1.30 pm

New clause 82 amends the Extradition Act 2003. Under that Act, the UK can accept extradition requests where the requested person has already been convicted in the requesting state. When considering these cases, if the requested person was convicted in their absence and a UK judge determines that they did not deliberately absent themselves from their trial, a UK judge is bound by the 2003 Act to determine whether the individual is entitled to a retrial in the requesting state. First, the new clause aligns the provisions of the 2003 Act with the trade and co-operation agreement, which governs the right to a retrial in the context of UK-EU extradition co-operation. This will improve legal certainty and remove opportunities for confusion in the extradition system.

Secondly, the new clause responds to a recent Supreme Court ruling to the effect that the current drafting of the 2003 Act should be read as requiring a guaranteed

retrial in the requesting state. The 2003 Act had previously been interpreted as a right to apply for a retrial, subject to the domestic laws of the requesting state. Several states cannot offer assurances to meet the conditions imposed by the judgment, and there is therefore a public safety risk of individuals being discharged if the new interpretation of the 2003 Act is left to stand. New clause 82 therefore reinstates the previous interpretation, which is that only the right to apply for a retrial is required to permit extradition in a case where the person was absent from the trial.

I want to comment on a few other Government amendments. First, in Committee, the Government added to the Bill provisions that are now clauses 29 to 33, which introduce a two-step verification process for the sale and delivery of knives and crossbows purchased online. Those provisions apply where a knife, crossbow or part of a crossbow is delivered to a residential address.

Jim Dickson (Dartford) (Lab): I congratulate the Minister both on the Bill as it stands and on today's amendments. Near my constituency, there has been a troubling spate of recent incidents in which younger people, in some cases encouraged by older men, are filming themselves catapulting and injuring wildlife, and placing that footage on TikTok. The footage is deeply unpleasant, and I do not recommend anybody looks at it. Would the Minister agree that that behaviour goes well beyond antisocial behaviour, and may at some point require a ban perhaps on the sale of catapults, but certainly on their use for that purpose?

Dame Diana Johnson: Sadly, that is not the first time I have heard about such appalling behaviour of attacking and injuring animals using catapults. I will certainly be raising that with my counterparts in the Department for Environment, Food and Rural Affairs to see what more we can do. I am aware that this issue needs to be looked at, and I thank my hon. Friend for raising it.

Amendments 24 to 33 will require operators of collection points for items such as knives and crossbows to carry out the same enhanced age verification checks before handing over knives to the buyer, or in the case of crossbows and crossbow parts, to the buyer or even the hirer of the item. Clause 30 imposes similar requirements on couriers.

Clause 128 introduces costs and expenses protections for law enforcement agencies in civil recovery proceedings, under the Proceeds of Crime Act 2002, in the High Court or the Court of Session in Scotland. As currently drafted, it is not clear how the cost protection measure applies to pre-existing cases, particularly where cases have started before the provision comes into force but costs are incurred after the provision comes into force. As a result, it may be difficult and costly to determine which costs are covered. Amendment 89 provides that cost protections apply to any case where proceedings start after the measure comes into force.

Schedule 15 to the Bill introduces reforms to the confiscation regime in England and Wales in respect of the proceeds of crime. Among other things, the reforms make provision for the provisional discharge of confiscation orders made under the Proceeds of Crime Act 2002, allowing outstanding confiscation orders to be placed in abeyance when there is no realistic prospect of recovery in the immediate term and all enforcement steps have

been exhausted. Amendments to schedule 15 extend the provisional discharge measures to confiscation orders made under legislation predating the 2002 Act.

Chapter 1 of part 14 provides for youth diversion orders, which are a new counter-terrorism risk management tool for young people who, on the balance of probabilities, the court assesses to have committed a terrorism offence or an offence with a terrorism connection, or to have engaged in conduct likely to facilitate a terrorism offence, and where the court considers it necessary to make the order for the purposes of protecting the public from terrorism or serious harm.

The amendments to clause 139 make a change to the scope of YDOs to ensure that applications can be made for individuals up to and including 21-year-olds. Currently, a court may make a YDO in respect of a person aged 10 to 21, but exclusive of 21-year-olds. Following further engagement with operational partners on the types of cases that could benefit from a YDO, we have concluded that this change would increase the operational utility of the YDO and ensure that it can be considered as an intervention in a wider variety of cases involving young people.

Clause 141(2) enables a YDO to include prohibitions or requirements relating to the respondent's possession or use of electronic devices. The amendments to this clause set out a non-exhaustive list of some of the most common or intrusive requirements that may be imposed to support the police's ability to monitor compliance with restrictions on electronic devices, providing a clearer statutory footing for imposing such requirements. For example, it would allow the court to impose a requirement on someone subject to a YDO to enable the police to access their device for the purposes of checking compliance with restrictions such as accessing specific websites or applications. It would allow the police to identify harmful online activity at an earlier stage and intervene before it escalates. As with other YDO measures, the court would need to assess that any monitoring requirements are necessary and proportionate for the purposes of protecting the public from a risk of terrorism or serious harm.

Technical amendments are also required to clauses 142 and 150 relating respectively to the definition of "police detention" for Scotland and Northern Ireland and to the appeals process in Northern Ireland. The amendments will adapt the relevant provisions for the purposes of the law in Scotland and Northern Ireland. The amendments to clause 151 provide that, where a person ceases to have a reasonable excuse for failing to comply with notification requirements but continues to fail to comply, they commit an offence.

The other Government amendments in this group, which make necessary refinements to existing provisions in the Bill, were detailed in the letter that I sent last week to the hon. Member for Stockton West (Matt Vickers), a copy of which has been placed in the Library. With your permission, Madam Deputy Speaker, I will therefore seek to respond to the non-Government amendments in this group when winding up. For now, I commend the Government amendments to the House.

Madam Deputy Speaker (Caroline Nokes): I call the shadow Minister

Matt Vickers (Stockton West) (Con): I would like to express my appreciation to all those who have worked on the legislation to develop and shape the policies,

whether they be the majority developed under the previous Conservative Government or members of the Bill team, who I am sure have provided helpful assistance to Ministers. As I am sure we will hear today, some of the measures in the Bill are the result of amazing people who have suffered the worst experiences, but who have worked to ensure that others do not have to suffer them in future.

In addition, considering the context of the legislation, it is right to pay tribute to the excellent work of police officers across the country. Week in, week out, those serving in our police forces put themselves in harm's way to keep our streets safe. Those who serve and place themselves in danger cannot be thanked enough. Many people ask themselves whether they would have the bravery to stand up and intervene. Officers across the country do so on a daily basis. Thanks to the efforts of the previous Conservative Government, the police force numbered over 149,000 officers in 2024, with 149,769 recorded in March 2024. This was the highest number of officers, on both full-time equivalent and headcount basis, since comparable records began in March 2003.

Wendy Morton: I am grateful to my hon. Friend for setting out those policing numbers. Does he share my concern about the additional police officers we are getting? When I look at our figures for the west midlands, the boost is coming from deployments. I worry about where they are actually coming from and just how much of an increase we are really going to see.

Matt Vickers: I wholeheartedly agree. There are a lot of concerns about the neighbourhood policing guarantee and where the resource comes from: whether it is through specials or volunteers—of course, we want to see more of them—or redeployments. When people ring 999, they want to know that they are going to get the response they expected. They do not want to see that depleted to move officers from one bucket to the next. That has real consequences. The biggest hit to our police force numbers at the moment will be the national insurance rise—the tax that is taxing police off our streets.

Chris Vince: The shadow Minister and I probably disagree on many things, but he is giving a very well-presented speech. Does he not recognise, however, that there may well be an increase in police numbers, but we have seen a decrease in police staff? In Essex, we lost over 400 police staff during the Conservatives' period in office and a number of police officers have been redeployed to roles that could have been done by police staff.

Matt Vickers: I am glad to see all those police officers getting proper training through the hon. Gentleman's maths teaching. I am glad he has new recruits in his part of the world, but people are concerned about the frontline numbers. The number of police on our streets is a huge concern to the public. The chair of the National Police Chiefs' Council has said that the funding will not match the Government's ambitions and falls short of maintaining the existing workforce. And just listen to the Police Federation, which states quite simply:

"This Chancellor hasn't listened to police officers."

Can the Minister confirm that by the end of this Parliament there will be more police officers than were serving in March 2024?

Matt Bishop (Forest of Dean) (Lab): The shadow Minister will know from our time in Committee that I am an ex-police officer, and I thank him for his words about police officers serving the country. Does he agree that the Bill will give the police more confidence that they will have the right powers, so that they are able to make a difference?

Matt Vickers: I welcome lots of the measures in the Bill and I hope they will really help our police officers to keep our streets safe, but the police need the resource, funding and support to be out there enforcing the legislation we are putting forward today. I thank the hon. Member for his service—on the Committee as well as in the police force.

The House will debate a number of amendments and new clauses today and tomorrow. The Opposition amendments are sensible and aim to improve the Bill, which our constituents would want us to get behind. Amendment 175 relates to the Government's objective, which we all want to achieve, of reducing knife crime by 50%. We know the untold damage knife crime causes to victims, families and communities across the country. This legislation introduces a new offence: possession of an article with a blade or point, or an offensive weapon, with the intent to use unlawful violence.

Let me put that in context. Imagine you are at home in your garden enjoying a nice peaceful afternoon with the kids. Suddenly, our hard-working police officers swoop in on a man walking down the street—a man carrying a knife or offensive weapon who is then proven beyond all reasonable doubt to have planned to use it for violence. He could have been coming for your neighbours, your friends or your family. This is a man who clearly needs to be locked up. Would you want to see him put away for four years or 14 years? In fact, with the sentencing review, whatever he is sentenced to, he is likely to serve significantly less. Who knows how much of that four years he would serve before he could walk back down your street?

1.45 pm

Do not just take it from me that this is a more appropriate and fitting sentence. Take it from the professional the Government put in charge of assessing legislation relating to terrorism. Jonathan Hall KC, the independent reviewer of terrorism legislation, has looked at the horrific incident in Southport. He supports the creation of this offence, but has said that the penalty appears to be too low. Knife crime has devastating consequences for our communities. Increasing the penalty to 14 years would send a clear and unequivocal message that such dangerous behaviour will not be tolerated, and that those who pose a risk to the public will face the most severe consequences. I urge Members to support this amendment.

On fly-tipping, people across the country are rightly furious to see tossers and fly-tippers dumping waste on our streets and green spaces. They are all too aware of the impact on our environment, wildlife and the ability of others to enjoy communal areas. Amendment 174 recognises the scourge that littering and fly-tipping

represent across the country. According to figures compiled by DEFRA for 2023-24, local authorities in England dealt with 1.15 million incidents of fly-tipping, and are estimated to spend more than £11 million of taxpayers' money cleaning it up each year. That money would be better spent on frontline services.

Wendy Morton: According to Keep Britain Tidy, littering and fly-tipping cost the country £1 million a year.¹ Does my hon. Friend agree that that is money that could go to frontline services, so it is about time we took more stringent measures to change behaviour, along with some good enforcement?

Matt Vickers: I could not agree more. A small minority wreak havoc on our countryside and our streets, and create absolute chaos. That is what this amendment is about: tougher sanctions to divert people from doing such mindless things.

The money wasted every year on cleaning up would be better spent on frontline services, such as filling potholes or providing community services. Instead, it is used to clean up after those who have no respect for others or for our natural environment. The most common location for fly-tipping is on pavements and roads, which accounted for 37% of all incidents in 2023-24. The majority—59%—involved small van-sized dumps, or an amount of waste that could easily fit in a car boot. It is therefore logical to conclude that a significant majority of fly-tipping incidents stem from vehicles. Using a vehicle to dump a van full or a boot full of waste should come with real consequences, and the people who do it should feel that in their ability to use their vehicle, as well as through financial penalties. The previous Government increased fines for fly-tipping from £400 to £1,000, but we can go further to deter people from dumping on the doorsteps of others. The amendment would require the Home Secretary to consult on the establishment of a scheme of driving licence penalty points for fly-tippers and those who toss rubbish from vehicles.

In Committee, the Minister pledged to engage with DEFRA on this issue. By passing this amendment, we could go further by committing to undertake a consultation to develop a workable and effective scheme. For the benefit of all those who want to be able to enjoy their green spaces, and for our environment and the wildlife that suffers at the hands of fly-tippers and those who toss waste, I urge Members to support the amendment. Let us send a message to the mindless minority who wreak havoc on our green spaces.

Before concluding my remarks, I would like to draw the attention of the House to amendments 167, 168, 170 and 171, which, among other Conservative proposals, aim to strengthen respect orders. We have heard the Minister speak both in Committee and in the Chamber of the role these orders can play in tackling antisocial behaviour. The success of the policy will be contingent on its effective enforcement by the police, and on perpetrators being aware that they will face tough sanctions if they breach the orders. I hope the Government will continue to consider these amendments.

I draw Members' attention to these amendments as they are indicative of the constructive approach Conservative Members have taken towards improving the Bill in ways that we believe would benefit the legislation

as a whole. I hope that Members across the House will give serious consideration to our amendments and new clauses over the coming two days.

The Minister and I have spent more time together than she probably ever envisaged, and I believe we can agree that the Bill contains some sensible and proportionate measures: greater protections for our retail workers, efforts to tackle antisocial behaviour, and more measures to tackle vile and horrendous child exploitation. However, we can work together to go further, and that is what our Opposition amendments seek to do.

Sam Carling (North West Cambridgeshire) (Lab): I begin by once again welcoming the Bill. It will deliver so much for my constituents by protecting people from crime and enabling tough action on antisocial behaviour, including in areas that have too long been labelled "low level" and ignored, such as the illegal off-road bikes that constituents so often raise with me.

The Bill will introduce mandatory reporting for child sexual abuse—one of the key recommendations of the independent inquiry into child sexual abuse, or IICSA. This is a long-overdue measure, which has long been called for by our Labour Home Secretary and Prime Minister personally. However, I remain concerned that the Government are not going far enough on the issue of mandatory reporting. I have therefore tabled three amendments to the Bill on that subject—amendments 10, 11 and 22—on which I will focus my speech today.

Amendments 10, 11 and 22 are not intended to change Government policy—quite the opposite. They are intended to deliver the Government's stated policy to implement the IICSA recommendations relevant to the Home Office in full. The Home Secretary stated in January that that was the Government's intention, and reaffirmed that just yesterday, responding with a firm "yes" to my question after her statement on whether it remained Government policy to implement the recommendations in full.

However, there are three significant gaps in our plans to implement recommendation 13 on mandatory reporting, where the Bill does not deliver what IICSA recommended. With these gaps, I am concerned that the duty to report will be ineffective in some of the settings where it is most needed. My concern applies to religious groups in particular. I will use the example of the Jehovah's Witnesses—the religious group I grew up in—to illustrate how and why.

Jehovah's Witnesses have a deep cultural distrust of secular authorities, which, as happens in a lot of religious groups, leads to a culture of dealing with everything internally, including child sexual abuse, and reporting nothing to the police. Their internal processes for doing so are atrocious. Jehovah's Witnesses have something called the "two witness rule", which means that no action is taken on any report of wrongdoing unless there are two witnesses to it. There are never two witnesses to child sexual abuse. I give that context to highlight why the mandatory duty to report must be absolutely watertight, as IICSA recommended, to prevent people in the leadership of organisations like the Jehovah's Witnesses from avoiding it.

I will cover the three gaps in turn. First, there are no criminal sanctions if someone does not comply with the duty. I understand that the Government are proposing

1.[*Official Report*, 17 June 2025; Vol. 769, c. 206-207.]

professional sanctions, such as a referral to the Disclosure and Barring Service and to relevant professional regulators, but that is not set out in the Bill and would apply to only a fraction of people under the duty. It would not, for example, do much in religious settings, where so many of the failings are happening, and where the duty would, if constructed properly, help immensely to protect children.

IICSA was clear that failure to comply should be a criminal offence, and amendment 10 would make that the case. It proposes a fine as the appropriate sanction, which is in line with best practice overseas. Many other countries—France, Australia, parts of Canada and so on—have introduced mandatory reporting, and many have done so with criminal sanctions of this kind. While the Government will likely say that criminal sanctions could have a chilling effect that would stop people going into professions that work with children, the international evidence clearly shows that this does not happen—in the Australian state of Victoria, for instance. Professor Ben Mathews has done extensive research on mandatory reporting laws and their efficacy, which I thoroughly encourage the Minister to ask officials to examine.

The second gap relates to those who come under the duty to report. IICSA recommended that the duty should apply first to anyone working in regulated activities with children under the Safeguarding Vulnerable Groups Act 2006, and the Bill uses that criterion—tick. However, IICSA also recommended that it should apply to anyone in a position of trust over a child, as defined by the Sexual Offences Act 2003, which the Bill does not include. Amendment 22 would make it so.

The Bill sets out a list of relevant activities in part 2 of schedule 8, which replicates about 90% of what is in the Sexual Offences Act. However, that missing 10% is critical; for a start, it includes sports coaches and teachers, which schedule 8 does not. Going back to my earlier example, section 22A of the Sexual Offences Act includes a very effective definition of religious leaders. Schedule 8 does include a definition of religious leaders, but requires such people to have “regular unsupervised contact” with children to be subject to the duty. That qualification will allow virtually any religious leader—be they paid clergy or a volunteer elder, like in the Jehovah’s Witnesses—to escape the duty, as very few have regular unsupervised contact with children, despite being in a significant position of power and influence.

I personally know at least one person who was sexually abused as a child in that organisation. When they went to speak to religious leaders about it, in the presence of their parents—not unsupervised—they were advised that going to the police would mean bringing reproach on God’s name. So no report was made, by either the victim or their family, or by those religious elders. That is commonplace.

Under the Bill as drafted, there is no sanction for that. Those elders are not mandated reporters; even if they were, the proposed offence in clause 73 of stopping someone else from making a report—an offence I very much welcome, for the record—applies only to other mandated reporters. If, therefore, someone pressures a victim or their parents not to make a report, that will not be illegal. That offence needs to be broadened, too.

The National Society for the Prevention of Cruelty to Children is calling for the Government to consider a broader offence of concealing child sexual abuse,

to which I urge the Government to give serious consideration. I will give more detail on that later, if there is time.

Cameron Thomas (Tewkesbury) (LD): The hon. Gentleman is making very important points, in particular on the Jehovah’s Witnesses cult. One of the methods Jehovah’s Witnesses use to ensure that issues like this do not escape from the organisation is threatening individuals with the act of disfellowshipping—being cut off from all communication with their own family. I wonder whether he will go a little further in recognising that, too.

Sam Carling: I thank the hon. Member for that intervention. I am very pleased that other hon. Members in the House are aware of that issue, which is something I am trying to do some work on separately. It is certainly relevant to what I am discussing. To give the House a little more context on that, through the act of disfellowshipping, when the organisation decides that someone has committed a serious sin, it can essentially tell all their family and friends to cut them off permanently; the same applies if an individual chooses simply to leave the religion. Disfellowshipping is very rarely applied to perpetrators of crimes, and is more often applied to the victims who report them. It is an enormous problem that has to be dealt with, and I look forward to engaging with the hon. Member further on that.

As I highlighted on Second Reading, the Australian royal commission that investigated the organisation’s handling of abuse cases found that while allegations had been documented by religious elders against 1,006 individuals in Australia alone, not a single one was reported to the police. We must tighten up this definition and ensure that it includes religious leaders. The Government could do so by amending the definition in paragraph 17 of part 2 of schedule 8, and by adding a further item to the list in relation to sports professionals to deal with that point as well. However, the much neater and stronger legislative solution would be to just do what IICSA said, and refer to the Sexual Offences Act 2003 and the definition therein, which amendment 22 seeks to do.

The third problem relates to what triggers the duty to report. IICSA recommended that the duty should apply in three cases: first, when a mandated reporter is told by a child or perpetrator that abuse has taken place; secondly, when they see it happening; and thirdly, when they observe recognised indicators of child sexual abuse, which can range from things like a child being pregnant or having a sexually transmitted infection to other, more subjective indicators. Our Bill scores two out of three, as it does not include the third point on recognised indicators, which are also referred to as reasonable suspicion.

Overwhelmingly, children do not report abuse that is being done to them at the time that the abuse is happening. Those who do report tend to do so years after it happens, when it is far too late to protect them and far too late, in many cases, to catch the perpetrator and stop them harming other children.

The Australian royal commission in 2015 found that the average time for someone to disclose child sexual abuse was 22 years after it happened, so including reasonable suspicion is critical, and that is what my amendment 11 would do. Given the potentially subjective

[*Sam Carling*]

judgments needed in that case, amendment 11 would exempt the case of recognised indicators from criminal sanctions for non-compliance, which is also what IICSA recommended.

2 pm

The Government may be of the view that including recognised indicators, and making my proposed changes to include positions of trust, would lead to a flood of additional reports that will overwhelm the system with false leads that prevent real cases of abuse being tackled. Those are very reasonable concerns, and I hear them, but, again, we must look to the international examples where this just has not taken place. In Australia there was an increase in cases after it brought in robust mandatory reporting laws, but the system adapted and coped, with existing screening processes to remove false reports working more effectively. Notably, the number of substantiated reports doubled, meaning that twice as many sexually abused children were being identified. This is making a huge difference.

We do not even have to go international to see that fears about floods of reports just do not materialise; we just have to go to Northern Ireland, which already has mandatory reporting for all adults—with criminal sanctions for non-compliance—as part of its broader legislation requiring the reporting of arrestable offences to police, and there is no overwhelming flood of reports over there.

I urge the Government to take these problems seriously. As I said at the outset, the Home Secretary has reaffirmed several times that Government policy is to implement IICSA's recommendations, which fall under the remit of the Home Office, in full. I know that the Government will need to reflect on these issues in detail, so I will not press these amendments to a vote today, should the Minister not accept them, but I am aware that colleagues in the other place will press similar amendments. A number of hon. Members have signed them—amendment 22 has 12 signatures, for example—so there is a significant fear that, without these changes, the proposed mandatory reporting duty is too weak. We all want to get this right, but the impact assessment on a very similar version in the previous Government's Criminal Justice Bill was damning, predicting only a very small increase in the number of reports.

I will, if I may, conclude very briefly by returning to what I mentioned earlier about the potential offence of concealing child sexual abuse. I looked at how to include this as an amendment to broaden discussion, but it was very difficult to phrase in the correct way. Essentially, the NSPCC has highlighted a number of cases where, it argues, the Bill does not go far enough to cover the multitude of ways in which reported abuse could be concealed and people who intentionally conceal this crime could be allowed to slip through the net. IICSA found a number of cases where it believed that a lack of reporting had bordered on concealment.

As a couple of examples, we can imagine that clause 73, as currently drafted, means that a senior leader of an organisation who chooses simply to move on an employee they suspect of committing child sexual abuse, rather than to ensure that they are reported to the authorities, may not be caught under the offence around preventing someone else from reporting, if their actions do not

actively prevent or deter that reporting explicitly. Other actions could include communities, institutions or authorities destroying evidence of historical child sexual abuse in order to prevent it being reinvestigated, or in some other way hampering or interfering with investigations that are taking place. It could also include someone burying evidence of child sexual abuse after it has been reported to the authorities, so that it cannot be properly investigated. The Bill provides us with a strong opportunity to deal with some those issues, and I hope the Government will look at that as the Bill moves through the other place.

I thank you, Madam Deputy Speaker, for calling me to speak, and I thank the House for listening to my contribution. I very much hope that the Government will continue to look at these issues in more detail so that we can find an acceptable solution.

Madam Deputy Speaker (Caroline Nokes): I call the Liberal Democrat spokesperson.

Lisa Smart (Hazel Grove) (LD): I rise to speak to amendment 160, which stands in my name, and briefly in favour of amendments 157 and 158, also in my name.

I wish to start by thanking all those who have campaigned over many years for some of the sensible changes to the Bill that we are discussing today. I also want to put on record my thanks to our fantastic police forces, including Greater Manchester Police, and also to my hon. Friends the Members for Frome and East Somerset (Anna Sabine) and for Sutton and Cheam (Luke Taylor) for their assiduous work on the Bill Committee.

Liberal Democrat amendment 160 would ensure that the police cannot use live facial recognition technology when imposing conditions on public assemblies or processions under sections 12 or 14 of the Public Order Act 1986, unless a new and specific code of practice governing its use in public spaces has first been approved by both Houses.

Regulations around the use of live facial recognition have been discussed many times in this House, and support for strengthening the current situation, bringing clarity and certainty to police forces, has gained support from all parts of the House, both in this Chamber and in Westminster Hall. I hope this amendment does the same today.

The Liberal Democrats oppose the police's use of facial recognition surveillance. It breaches the right to privacy and is far too often biased, particularly given its propensity to wrongly identify people of colour and women. In our manifesto last year, we committed immediately to halting the use of live facial recognition surveillance by the police and private companies.

When data or technology, such as artificial intelligence, are used by the police, they must be regulated to ensure that they are unbiased. They must be used in a way that is transparent and accurate and that respects the privacy of innocent people. Policing should not intrude on this right for people who are not suspected of any crime.

On the question of bias, much of the recent debate has centred around the National Physical Laboratory's 2023 study into the equitability of facial recognition technology in law enforcement. This report is frequently cited by proponents of facial recognition, including the shadow Home Secretary, both at the Dispatch Box,

when the Bill came before the House on Second Reading, and during a well-attended Westminster Hall debate last November as evidence that bias in the technology is on the decline.

However, we should not overlook one of that study's most critical findings. In live facial recognition—where a real-time camera feed is compared against a predetermined watchlist—the likelihood of false positives is not fixed. Instead, it depends heavily on the specific parameters of how that technology is deployed, particularly on the face-match threshold. That threshold, in turn, is influenced by both the size and composition of the watchlist, as well as the volume and nature of the people moving through the surveillance zone.

The study recommends that, where operationally feasible, the police use a face-match threshold of 0.6 in order to reduce the risk of bias. However—and this is crucial—without clear regulation, police forces are under no obligation to adopt this or any specific standard. In other words, the presence of the technology alone does not ensure fairness. Without oversight, significant room remains for bias to persist in how facial recognition is applied. This leads to increased instances of the wrong people being stopped and searched—an area of policing that already disproportionately impacts black communities.

New technologies in policing may well present good opportunities to improve public safety, and police should take advantage of them to prevent and solve crime. However, given that new technologies can raise significant concerns related to civil liberties and discrimination, we must ensure that any new powers involving them are scrutinised by both Houses.

Liberal Democrat amendment 160 would ensure that the police cannot use live facial recognition technology when imposing conditions on public assemblies or processions under sections 12 or 14 of the Public Order Act 1986, unless a new and specific code of practice governing its use in public spaces has first been approved by both Houses. This will ensure democratic oversight of any changes to further legislation that may impact public privacy and civil liberties. I hope that the amendment will have support from across the House.

I have just a few words to say on amendments 157 and 158, which would enable a review of antisocial behaviour powers. Antisocial behaviour, as Members have already mentioned this afternoon, blights communities, erodes trust, frays the social fabric and disproportionately affects the most vulnerable. Many colleagues have raised issues within their own communities, some of which I see in my constituency. We have off-road bikes in Heaviley, Marple, Offerton and High Lane. They are a persistent blight on my community. They intimidate people, endanger public safety and are just really annoying. But we must respond with laws that are not just tough, but fair and proportionate. That is why I urge all colleagues to support amendments 157 and 158, which would ensure that antisocial behaviour laws are reviewed before being changed, and that any new guidance is created with public input.

I also welcome amendment 3, tabled by my hon. Friend the Member for Wells and Mendip Hills (Tessa Munt), which aims to ensure that the duty to report suspected child abuse covers faith groups. I encourage the hon. Member for North West Cambridgeshire (Sam

Carling) to seek her out as he will find a doughty ally in his attempts to improve the Bill as it impacts on faith groups.

As I said on Second Reading, there are measures in the Bill that the Liberal Democrats support. Were our amendments to be accepted, the Bill would go even further towards keeping our communities safe in a way that is proportionate and that balances the civil liberties implications of giving the police more powers. I hope that the House will support our amendments.

Kirith Entwistle (Bolton North East) (Lab): I rise to support the Bill and to speak to amendment 20, which stands in my name and is supported by more than 50 Members from across the House. The measures in the Bill represent the most significant package of crime prevention and policing reforms in a generation. From strengthening action against shoplifting, knife crime and antisocial behaviour to introducing new powers to confront child sexual abuse, this legislation gives our police the tools they need to take back our high streets and town centres. I am proud to support the Bill, and I am proud that this Labour Government are showing leadership by putting victims first, supporting our police and turning the tide on crime after 14 years of Conservative neglect.

It is in that same spirit of placing victims at the heart of our justice system that I have tabled amendment 20. It addresses an urgent and under-recognised issue: the devastating link between domestic abuse and suicide and the failure of our legal system to properly reflect it. My amendment is supported by Southall Black Sisters—a pioneering black feminist organisation founded in 1979, dedicated to empowering black, minoritised and migrant women and girls, particularly those fleeing violence. For over four decades, Southall Black Sisters has been a trailblazer in advocating for the rights and safety of some of society's most marginalised women and girls and in addressing barriers rooted in racism, sexism and socioeconomic inequalities. Their mission is to dismantle the structural injustices harming black, minoritised and migrant women and girls, while fostering global solidarity for a future rooted in equity, justice and empowerment. I sincerely thank the dedicated staff at Southall Black Sisters for their help with my amendment.

Too often those who drive their victims to suicide through sustained coercion, violence or psychological abuse walk away without consequence. While the Bill introduces welcome offences on serious self-harm, it still falls short of recognising the full impact faced by victims of domestic abuse, particularly when the abuse ends in suicide.

The statistics should stop us in our tracks. According to the Vulnerability Knowledge and Practice Programme, suspected suicides linked to domestic abuse now outnumber domestic homicides. It is estimated that three women die by suicide every week as a result of abuse, yet since 2017 there has been just one conviction where a victim's suicide was legally recognised as the outcome of domestic abuse—just one. That is not justice; it is a failure to see these women, recognise what they have endured and hold their abusers to account.

Coercive control and psychological torment may leave no bruises, but the impact is every bit as lethal. When domestic abuse ends in suicide, it must be recognised for what it is: a crime. The injustice of this issue falls

[Kirith Entwistle]

heaviest on those already most marginalised. Black, minoritised and migrant women face the highest barriers to safety—barriers rooted in racism, immigration insecurity, stigma and a lack of culturally competent services. Too often they are misjudged, criminalised or simply ignored. The justice system, and indeed society, must stop asking, “Why didn’t she leave?”, and start asking, “Why wasn’t he stopped?” That is the change that amendment 20 calls for. It shines a light on these deaths and makes it clear that when abuse leads to suicide, the law must see it, hear it and respond.

I am pleased that, through this Bill, the Government are taking forward meaningful changes to deliver on Labour’s mission to halve violence against women and girls. I do not intend to press my amendment to a vote, but I hope that the Government will bring forward changes that recognise the link between abuse and suicide and ensure that our laws reflect that reality. In France, for example, the law was changed in 2020 to recognise suicide or attempted suicide as an outcome of domestic abuse. A perpetrator may now face up to 10 years in prison and a substantial fine if abuse is found to have significantly contributed to the victim’s death. That is the level of seriousness that the issue should demand.

I am grateful to the Victims Minister, my hon. Friend the Member for Pontypridd (Alex Davies-Jones), for meeting me to discuss the issues that my amendment raises, and I welcome her invitation to submit evidence to the forthcoming Law Commission review. I also welcome the Minister’s recognition that current homicide laws do not adequately reflect these cases. I fully support the Bill’s mission to protect victims and restore trust in our justice system, but that justice must be complete. The women driven to take their own lives because of abuse must no longer be invisible to the law.

In short, amendment 20 would criminalise abusers who drive victims to self-harm or suicide by introducing a new offence of encouraging serious self-harm or suicide following a sustained pattern of abuse. The Bill introduces new offences for encouraging or assisting self-harm but falls short of covering cases where victims die by suicide following sustained patterns of coercive control and abuse. Recognising this form of abuse in law is critical. The amended Bill would reflect the severe psychological impact of coercive control, enhance deterrence and increase survivor and public confidence in the criminal justice system. It would also compel judges, juries, coroners and the police to properly investigate and respond to such cases, treating them with the seriousness that they deserve. Ultimately, it would ensure that victims are not failed by a legal framework that continues to overlook the long-term and often fatal results of domestic abuse.

2.15 pm

Joe Robertson (Isle of Wight East) (Con): I rise to support my amendment 19, which seeks to amend clause 94, which brings in a new law to make spiking or administering a harmful substance an offence. I am grateful for the cross-party support I have received for this amendment from Labour, Conservative, Liberal Democrat, Green and Independent MPs. The intended law around spiking is a sound one, and it generally has cross-party support—indeed, it was a measure in the

previous version of this Bill, brought in under the previous Government. My concern is that it has a defect and that there is a loophole. My amendment seeks to close that by ensuring that spiking by a reckless act is also an offence.

Spiking is a hideous, heinous activity that destroys lives. It destroys people’s physical and mental health, and at worst, it kills people. The majority of victims of spiking—74%—are women, and the average age of those being spiked is just 26, but there is no typical spiking incident. The majority involve putting something in a drink, but needle spiking is also on the rise. The most likely place for spiking to happen is in a bar, pub or a club, but it can happen anywhere, including in a supermarket or on the street.

Spiking is most commonly thought among members of the public to be motivated by sexual intent or to facilitate a theft, but in Committee we heard from Colin Mackie from Spike Aware UK about a very different type of spiking, which is what I think the new law fails to address. It is the rise in spiking that seems to have no particular intent behind it. It is sometimes referred to as prank spiking—spiking for, to quote the Government’s own guidance, seemingly “a bit of fun”. We heard from Colin Mackie about how his son Greg died through suspected spiking of that kind.

The Bill criminalises spiking or administering a harmful substance with intent to injure, aggrieve or annoy. I do not accept that every case of spiking fits into that definition. I will give an example of a scenario where recklessness would cover a case of spiking—by the way, I should say that recklessness is a well-trodden principle in criminal law, dating back over 200 years. It is an alternative to intent, so that if the prosecution fails to establish that someone meant to do something, it can alternatively establish that their actions were so reckless that they should be convicted.

An example is assault causing actual bodily harm. The prosecution must establish the harm, but it can establish either that someone intended that harm or that they did an act so reckless that harm was bound to follow. It does not matter which it establishes to a jury; it will secure a conviction. It is the same with manslaughter: the prosecution can run a case that although somebody did not intend for someone else to die, their actions were so reckless that they should have known that someone might die, and it can secure a conviction.

By the way, in the absence of law on spiking, those two offences are often used, but they are often defective, which is why the Government are bringing in their own spiking law. However, they have failed to replicate the principle of recklessness within it.

I will give a hypothetical example. A group of friends go into a bar. Two of them have been taking illegal drugs—they have done it before—and they are enjoying themselves. They say to each other, “That friend in our circle—he needs to loosen up some more. He needs to stop his ridiculous opposition to having a bit of fun by taking these pills. I tell you what: we’ll do him a favour. Let’s not tell him, but let’s slip one of these pills we’ve been taking in his drink so he can loosen up and enjoy the evening like we are.” They go ahead and do that, and of course their friend, very likely, is harmed. He may not have done that drug before, or he may have been taking prescription drugs and the mixture is a cocktail.

I am sure the House would intend that those two people had committed a crime, but when they are taken to trial I can see a scenario where their defence will say, “Members of the jury, my clients were foolish. They were silly. They shouldn’t have done it. But they didn’t intend to annoy their friend. They didn’t intend to injure their friend. What they intended to do was have a bit of fun and help him have a bit of fun. It was stupid, but they did not intend it.” How is a jury supposed to convict beyond reasonable doubt on that?

Instead, if the prosecution could point to recklessness, it would be able to say, “Members of the jury, we do not care whether what these two people intended would be fun for that friend. It was so obviously reckless to any reasonable person that it must be a crime, and you must convict.” Clause 94 needs that much more wide-ranging, all-encompassing, tried and tested legal principle in it. My amendment would do just that.

I thank Colin Mackie from Spike Aware UK for bringing that evidence to the Bill Committee, and Stamp Out Spiking, which has also done a huge amount, as well as Members no longer in this place who have been doing a lot of work behind the scenes.

Simon Hoare: I am not a lawyer, but my hon. Friend has deployed a clear and compelling argument. At the beginning of his remarks, he referenced how amendment 19, to which I am a signatory, commands cross-party support. In advance of anything the Minister may say, is my hon. Friend able to indicate, from conversations he has had with the Home Office and individual Ministers, the Government’s response? He seems to be making such a compelling case; it would be helpful if the Government accepted it.

Joe Robertson: I thank my hon. Friend. I was on the Bill Committee, where a similar amendment was tabled, so I can reference the Minister’s response at that time. I have also had a brief word with the Minister outside this place. The Government’s position seems to be that the type of activity I am describing is covered in the intent to annoy, but I hope that I have made it perfectly clear that all reckless acts are plainly not covered by an intention to annoy.

I do not for one minute suggest that the Government wilfully do not want the law to work and to cover all scenarios, but I am left with the impression that they have not sufficiently addressed their mind to the gaping loophole that is staring them in the face. If they do not like my amendment, I urge them to draft an amendment of their own to deal with the issue. If just one person walks free following this law because they were able to convince a jury that their actions were not annoying—but they would have been deemed reckless—that will be a terrible failure of what the Government are trying to do in the Bill. I urge the Minister to think again, and I urge all across the House to vote for the amendment to force the Government’s hand.

John McDonnell (Hayes and Harlington) (Ind): I tabled amendment 161 on public order issues and the policing of demonstrations. Before I get to that, I welcome the proposals in the Bill on fly-tipping, and I look forward to the guidance that will be issued to the various authorities to deal with it. I am attracted by the Opposition’s amendments on what is included in that guidance,

largely because, like other Members, my constituency is plagued with fly-tipping. I seem to be followed by a mattress throughout my constituency in virtually every area I visit.

I come to public order and my amendment, which I tabled to try to get on the record the reality of what is happening with the public order issue and demonstrations. In the explanatory notes, the Government have set out this argument:

“The regular protests following the events in Israel and Gaza on 7 October 2023 highlighted gaps in public order legislation, principally the Public Order Acts 1986 and 2023.”

They have therefore brought forward proposals in response to the policing challenges of such protests.

Since 7 October, I have been on virtually every national demonstration in central London organised by the Palestine Solidarity Campaign and other groups. I understand the pressure on the police service; in fact, I have police constituents who have had their leave cancelled and all the rest because of the frequency of the protests, but that has largely been a response to the depth of concern about what is happening in Gaza. People have wanted to express their view, and one of the ways of doing that through our democratic system is to demonstrate and march and protest. All the demonstrations I have been on have been peaceful, good natured and—up until a few recent incidents—extremely well policed.

In the explanatory notes, the Government set out that legislation is being brought forward in relation to three things, which I think we can all agree on. There is:

“A new criminal offence of climbing on war memorials.”

Secondly, there is

“possession of a pyrotechnic article at a protest”,

which is dangerous, anyway. The other is about concealing identity, although issues with that are referred to in other amendments, because that might well have an impact on the exercise of religious freedoms, particularly with regard to the veil and being able to dress.

The Government do not cite in the explanatory notes the issue in clause 114 of restriction on protests at places of worship. In all the national demonstrations in London that have taken place, there has never been an incident outside a place of worship. Concerns have been expressed by some groups, but largely, I think, they have been by groups who have motivations other than concerns about public order.

In the negotiations with the Metropolitan police on each demonstration that has taken place, there has been a long discussion in which the route is identified, and usually there is overall agreement to avoid any areas that could be seen as contentious and could provoke a reaction. Even when a place of worship, such as a synagogue, has been some distance from the demonstration, the organisers have tried to ensure not just proper stewarding, so that the demonstration does not go anywhere near it—usually, it has to be 10 or 15 minutes’ walking distance away—but that the times of services are avoided as well.

Interestingly, until recently there had never been a problem, but the police seem to have hardened their attitude, I think as a result of coming under pressure from organisations that might simply not want the protest to go ahead in any form because they take a different attitude to what is happening in Gaza and

[John McDonnell]

Pakistan. [Interruption.] If the water the hon. Member for Selby (Keir Mather) is carrying is for me, I thank him.

2.30 pm

I am concerned that not only are we trying to solve a problem that does not exist, but it could be solved in better ways. I am also worried about the drafting of the legislation. Clause 114 has the phrase:

“the procession is in the vicinity of a place of worship”.

We need clarity on what “in the vicinity” means. In the negotiations on the last demonstration, the protestors wanted to march to the BBC, and the police were concerned about a synagogue that was 10 or 15 minutes’ walk away. The protest organisers said, “Fair enough—we’ll make sure that the protest doesn’t go anywhere it if there is a service going on, so no one feels in any way anxious about that.” However, the wording of the clause is open to interpretation, and that interpretation is often done by police officers, who come under intense pressure from people who might have different motivations from those who are worrying about public order.

The other issue is that the clause refers to a procession that

“may intimidate persons of reasonable firmness”.

I have no idea what “reasonable firmness” means; in fact, I have not seen that term in legislation before. It may well have come up in court, and that may have set the precedent, but I have no idea what it is. In fact, I would not be able to determine whether Members stood with reasonable firmness on any issue, because that changes with time and with the circumstances.

I worry that if interpretation of these terms is left so loosely in the hands of police officers, they are put in an impossible position when it comes to these definitions and how they implement the measures. For a long time, while demonstrations have been going on, the police have tried to consult as best they can, yet even that demonstrates how contentious these issues can become. For instance, they have consulted the Jewish communities, but there are real arguments within that community about who represents them. The Board of Deputies of British Jews, which is normally consulted, represents an element of the Jewish community but certainly not the majority—and that board is now split, with 36 members contradicting the position of the majority. Other Jewish groups have not been consulted—or have only recently have been consulted—and they have expressed their concerns about how the police are making the decisions.

I tabled an amendment to delete clause 114 because I want to get on the record some of the facts around the issues. There have not been problems relating to places of worship on any of the national demonstrations. There is a procedure for negotiating routes and avoiding disturbance, which has worked pretty well until very recently. Also, before such legislation is produced, we need a great deal more consultation with a much wider community. The clauses leaves open the definition of “vicinity” and “reasonable firmness”, and opens up a system that is more difficult to implement than the current system, in which negotiations take place in an atmosphere of good will.

I worry about this legislation, and I hope that in the other place we might get clearer definitions, if nothing else. Before then, we might even get much more detailed guidance from the Government on how the Bill will be implemented; otherwise, it will cause more divisions, rather than settling some of the problems that some people perceive. I think some simply want to stop the protests. In my view, stopping them would undermine people’s democratic rights, and it would lead to people taking action in different ways. I would rather we channelled their concerns—and sometimes, yes, their anger—into forms of protest that are manageable, and a more constructive expression of people’s views.

Before the Bill reaches the other place, I urge the Government to think again about clause 114, and to see whether they could clarify some of the definitions, bring forward guidance and maybe halt the Bill’s implementation until there has been a much more thorough consultation with a wider section of the community. We all want the democratic right of protest upheld; I have never heard anyone in this House argue against that. However, we want that done in a way that does not cause harm to anyone, or deny people their democratic right to express their opinion. In this coming period, given international affairs, we will see more demonstrations, so it is important to get their management right through more effective legislation.

Siân Berry (Brighton Pavilion) (Green): I rise to speak to amendments 4 to 8 on child criminal exploitation. I thank the right hon. Member for Hayes and Harlington (John McDonnell) and the hon. Member for Isle of Wight East (Joe Robertson) for their speeches and proposals.

I voice my support for amendment 21, tabled by the hon. Member for Brent East (Dawn Butler), which would prevent driver’s licence information obtained by the police being used for the purposes of intrusive facial recognition and gathering biometrics, and amendment 164 tabled by the hon. Member for Liverpool Riverside (Kim Johnson), which would remove clause 108 and the ban on face coverings in protest situations. The hon. Member for Clapham and Brixton Hill (Bell Ribeiro-Addy) has also tabled mitigating amendments on that subject; amendment 184 would create exceptions, and not just defences, relating to health, work, and religious faith coverings. I also support amendment 185, which proposes an equality review. I hope the Government will look at them all.

I welcome the efforts in the Crime and Policing Bill to protect vulnerable children, and I particularly welcome the introduction of a new offence of child criminal exploitation, which will signal to perpetrators that coercing, manipulating and exploiting children into criminal activity is child abuse and will be treated as such. Criminals are exploiting thousands of vulnerable children; Children In Need data shows that more than 15,000 children were at risk of exploitation in 2023-24, and that is likely to be just the tip of the iceberg.

The perpetrators of exploitation include serious organised crime gangs, which are well versed in taking advantage of legislative gaps. Even though the Bill takes a huge step forward, areas of it must be strengthened if we are to protect children and bring the perpetrators of that abuse to justice. That is why I have tabled amendments 4 to 8.

First, amendments 4 and 5 would amend the wording in clause 38 to ensure that the offence includes activities that put children at significant risk and are linked to criminal conduct but are not in themselves criminal offences. Examples of this include carrying large amounts of cash on public transport, being used as a look-out or decoy, and guarding unsafe accommodation alone. Amendment 6 expands the definition of “exploitative activity” to ensure that preparatory acts, such as grooming and coercion, are captured by the offence.

I welcome the Minister’s comments earlier, and am grateful for the engagement with these amendments, but it is not yet obvious to me how referencing only the facilitation of future offences covers the gaps that would be closed by amendments 4 and 5, and amendment 6 seems to have been only partly addressed. I would therefore welcome further clarification, or a discussion of the issue with the Minister, ahead of consideration in the other place.

Secondly, amendment 7 would remove clause 38(1)(b), which currently amounts to a defence if the perpetrator reasonably believes that the child is over 18, unless the child is under the age of 13. While such provisions are common in other areas of law, in the case of criminal exploitation, this clause risks undermining the prosecution of perpetrators due to the well-publicised issues of adultification and racism within the criminal justice system. The recent Independent Office for Police Conduct report into race discrimination and the Alexis Jay report on criminally exploited children on behalf of Action for Children both highlight the roles of adultification and racism in the criminalisation of children, and how it leads to failures in safeguarding responses specifically, but not only, for young black boys. The Modern Slavery Act 2015 is clear: children cannot consent to their own exploitation, and this principle must be upheld by our removing this part of the offence.

Finally, amendment 8 to clause 53 would insert the words “aged 18 or over”. This would ensure that children could not be criminalised under the new offence of cuckooing. It would recognise that they are more often than not the victims, not the perpetrators, in these situations. The children targeted are often very young and extremely vulnerable, and they need protection, not prosecution. These amendments are not merely technical; they are essential. They reflect the lived experiences of children, and the findings of numerous reports and reviews that provide compelling evidence of the need for a more robust and child-centred legal framework. I urge all Members of the House to support these proposals. Together, we can take a decisive step towards better protecting vulnerable children from exploitation.

Alistair Strathern (Hitchin) (Lab): Before I move on to the amendment I want to speak about, I thank the Minister for the speed with which the Government have brought forward this Bill. It addresses important issues around protecting retail workers and tackling shoplifting and antisocial behaviour—issues that communities such as the towns and villages that I represent feel have been overlooked all too often. I really welcome the Government’s urgency of action in recognition of the great campaigns fought by many unions, including USDAW, and also of the real sentiment of my constituents that these crimes need to be taken far more seriously.

Today, though, I want to focus my time on amendment 19 to clause 94, in the name of the hon. Member for Isle of Wight East (Joe Robertson), which brings forward important legislative action on spiking. I do so on behalf of a constituent. I will call her Sarah today because, understandably, she has asked to be kept anonymous for the purpose of the story she wishes me to share with all Members, but that in no way diminishes the great bravery that she has shown in her work on this. It is a real privilege for Members of the House to meet constituents who, having experienced deeply traumatic, incredibly difficult moments in their personal life, show a resilience and depth of character that lots of us could not even dream of, and who turn their pain and personal trauma into a powerful force for change. That is deeply true of Sarah, and of so many women right across the country who have been victims of spiking.

Sarah’s story is her own, but it has themes that will resonate with far too many people here and across the UK. It starts on her birthday. Like most of us, she was looking forward to celebrating her birthday with her friends. They had organised drinks in a nearby town, and the night started off filled with fun and joy. It ended, though, with Sarah alone, traumatised, confused and unable to speak, in a car park outside the venue after she was spiked. Sadly, this horrific act is one that far too many women across the country are falling victim to. After she was spiked, Sarah tried to do what she could. She had lost control of her words. She tried to call out for help, but she felt unable to. An ambulance was called, but did not know what to do. It waited there with her, but did not take her to hospital or make sure that she got the aftercare and testing that she needed. She was left to fend for herself.

What is really tragic is the fact that on top of all that trauma, and despite how difficult that moment in the car park must have been for her, it was not the only time in this experience that she felt alone. At every step—when she engaged with the police and the authorities, and when she pushed for action—she was ignored. There was insufficient action and insufficient focus. There was minimal follow-up and no prosecution, and the police took no further action on her case.

2.45 pm

Many of us—possibly including myself, if I am being completely candid—would be completely flattened by that, but not Sarah. She turned that pain into a mobilising force and a determination to push for action. Working with Spike Aware UK, she has been campaigning for a specific offence of spiking for some time, and she is as excited as I am to see that finally being brought forward by the Government in the Bill today. This real, meaningful change will ensure much more focus, much more action and hopefully much greater awareness of the damage that spiking can do, of the seriousness of the offence, and of the seriousness of the consequences that will hopefully now follow it.

Lola McEvoy (Darlington) (Lab): I thank my hon. Friend for his brilliant articulation of Sarah’s story, which for too many of us, including myself as the MP for Darlington, is not uncommon. Before I was elected as the MP, I raised this issue in Darlington because a number of people there had been affected by spiking. Does he agree that bringing this provision into law today is important because for so many people—often

[Lola McEvoy]

women and vulnerable people—not being believed when they report being spiked is one of the big barriers to seeking justice?

Alistair Strathern: A lot of us have been inspired by my hon. Friend's campaigning before she arrived in this place, and her intervention is a powerful example of why. It is exactly that moment—that lack of belief—that far too many victims of spiking are encountering when they go to the authorities at the moment, and it is that lack of belief that we are looking to completely undercut in legislating to make this a specific offence today.

Sarah reached out to me because, excited as she is about the Bill, she rightly wants to ensure that we are delivering it as fully as possible. I know that it is the same motivation that made the hon. Member for Isle of Wight East table his amendment. I thank the Minister for taking the time to speak to me about this amendment on Friday. I know from the conversations she has had with officials that they are confident that, as drafted, the Bill would capture the fullness of possible offences related to spiking.

Joe Robertson: I am grateful to the hon. Member, particularly for setting out the case of his constituent, who was here in Westminster yesterday; indeed, I also met her. Does he accept that it is those of us elected in this Chamber who make decisions, and that assurances from officials that cannot be articulated in this House—I am looking for that articulation—are not a good reason not to back my amendment?

Alistair Strathern: I thank the hon. Member for all the work he has done on this important issue through tabling the amendment, not just now but in Committee. I do not want to put words into the Minister's mouth, but I am pretty sure she will be able to articulate some of those officials' views back to him when summing up. However, I want to ask the Minister, as I am sure the hon. Member and other colleagues would want to, that, as we go through this process—and given that she cares so passionately about this issue—she continues to test that understanding with officials. We owe it to Sarah and the many other victims of spiking to ensure that we get this right. I know the Minister is as determined as I am to ensure that happens, and I really hope that as a result we can fully test officials' understanding and that view before we finally get the Bill into law, to ensure that we are taking the fullness of action needed to tackle spiking.

That fullness of action is important, because the issues that Sarah encountered and the challenges that far too many people face from spiking right across the country are not ones that we can solve with legislation alone. That is an important part of why we are acting by bringing forward a new clause today, and why we are discussing amendment 19.

If the Bill is finally passed and finally brings forward that specific offence that so many of us have been looking for, I hope that it will not be the end of the story. I hope the Minister will be able to bring forward further action, working closely with police chiefs and commissioners, to ensure that this is drilled into their strategic visions as part of our national strategy to reduce violence against women and girls.

We need to make sure that forces appropriately prioritise spiking cases, that officers are appropriately trained to encounter them and take them seriously, ensuring that deadlines around collecting CCTV are not missed before crucial evidence is deleted. We need to ensure that right across the country, there is not a single force that is not taking this issue with the seriousness that it deserves. I will certainly be reaching out to both my police and crime commissioners to urge them to do exactly that, and I would welcome the Minister's thoughts about how this Government can make sure that we use all the powers and tools at our disposal to ensure that police forces are doing so too.

If we are to deter possible perpetrators of this crime, it is important that the severity of this new legislation and the new penalties are well understood, too. I would therefore welcome the Minister's thoughts on how we can ensure that we are disseminating the action we are underlining today, and hopefully bringing into law in due course, to ensure that right across the country no one is under any illusions that spiking is not a deeply serious offence. It will be treated as such by this Government and by the police, who will go after them with the full force of the law.

For far too long, victims like Sarah and far too many people—typically women—right across the country have been left exposed to spiking. They have been left feeling like they are victims and left to go through their experiences alone. Fantastic organisations like Spike Aware UK have done all they can to champion their cause, to bring them together, to mobilise and to reinforce the need for change, but it is only through action nationally and delivering through our police forces right across the country that we can finally do justice to the severity of this issue and to the passionate campaigning of constituents like Sarah, who for far too long have felt that they have been suffering alone. I am glad to see this legislation coming forward and to see this specific spiking offence included. I look forward to working with the Minister to ensure that we can deliver it in as ambitious a way as possible.

Wendy Morton: As we have heard, the Bill is broad in scope. Before I turn to the couple of amendments that I support, I want to recognise that the Bill's scope is evidenced by the breadth and number of amendments and new clauses. It is worth gently reminding ourselves that a number of the measures were carried over from the Criminal Justice Bill, which sadly fell due to the general election almost a year ago, though there are obviously new clauses and amendments. I hope the Minister is in listening mode, in change mode and is willing to work across the House, and I hope that she accepts some of these amendments, because they would go a long way to further improving this legislation.

I have read through the Bill, and much of it goes right to the heart of the communities we seek to serve and represent. There are topics in the Bill that regularly pop up in my inbox and I am sure into colleagues' inboxes as well. I want to cover two specific areas. The first is fly-tipping and littering—an issue that I have spoken about on many occasions in this Chamber since I was first elected. I support the amendments and new clauses tabled by the shadow Minister, my hon. Friend the Member for Stockton West (Matt Vickers).

In an intervention earlier, I touched on the cost of littering to the country. I think I said that it was £1 million, but I meant £1 billion; I hope that can be firmly corrected,

because it is a big difference.¹ The principle is the same—it is money that could go back into our communities—but £1 billion spent on managing littering and fly-tipping is a huge amount of money that could otherwise buy a huge amount of services for constituencies up and down the country.

Lola McEvoy: Does the right hon. Lady's calculation of £1 billion account for how people feel, for the degradation of pride in areas where people fly-tip, and for the failure of local services to be able to afford to collect and clean up rubbish tips on the side of our roads? I wonder if there is a multiplier effect in how people feel about their areas because of all this fly-tipping.

Wendy Morton: The hon. Lady makes an important point. There is a social and community cost that is difficult to evaluate. I am fortunate to have some fantastic volunteers and groups, including the Wombles group, that go out and litter pick. I do not mind going out and helping when I can. There is a great sense of a community coming together, but nothing is more frustrating than litter picking a street, walking back and finding that one of the tossers has just tossed some more litter out of their car.

Tom Hayes (Bournemouth East) (Lab): I do not think the right hon. Member was pointing at her shadow Minister when she was accusing somebody of being a litter tosser—I think it was just a dramatic gesture, because nothing could be further from the truth.

Building on the point made by my hon. Friend the Member for Darlington (Lola McEvoy), does the right hon. Member agree that when people see potholes unfilled, litter uncollected, overgrown verges and general disrepair—when they are walking through decline—they feel hopeless, not just about their communities, in which they take such pride, but about the ability of their council and elected officials to act on their most immediate priorities? Does she agree that when we restore pride in place by fixing these problems, we help to create a confidence that politics can deliver a better community?

Wendy Morton: That is an important point about pride in where we live and about hope. As I travel around the country, I often take a mental note of the number of potholes I drive across; there is a noticeable difference from one authority to another. I have to say that Walsall is quite good at the moment when it comes to filling potholes.

The hon. Gentleman makes an important point about litter and communities. My local authority of late has been successfully prosecuting some litterbugs. I have seen a couple of examples on social media just this week of individuals who have been treating the high street in Pelsall as their own personal litter bin, and the local authority has gone after them and fined them. That sends a strong message, but there is more we can do. Although much of this is about clearing up after these people, we also need deterrence to stop this happening. A lot of it is down to a lack of respect for the community and antisocial behaviour, for want of a better word, and it is a burden that we should not expect the taxpayer to keep shouldering. We have reached something of a tipping point, and we need to do something more than letting people walk away with a slap on the wrist.

Whether it is bin strikes, as we have seen in Birmingham, rural fly-tipping or littering, a lot of our communities

feel absolutely fed up and overwhelmed, and they want action. I support the amendments tabled by the shadow Minister because, taken together, they form a serious and joined-up response that would help to protect and support not only our communities and those who want to keep them clean, but the local environment and wildlife too.

Similarly, it is often local farmers who face the burden of fly-tipping. When fly-tipping happens on their land, the cost of removing it falls to them. It hardly seems fair that they are left to foot the bill for waste that they did not create. Amendment 172, on clean-up costs, seeks to address that. I have heard time and again from frustrated landowners and farmers that the system often punishes the victims of fly-tipping, not the perpetrators.

Lola McEvoy: Does the right hon. Lady have any thoughts on the idea that people who hire somebody privately to take away their rubbish are often being held accountable for that third-party company dumping the rubbish illegally? People are at a loss to know what they are supposed to do.

Wendy Morton: The hon. Lady makes another important point about tackling waste crime—I think that is the technical phrase for it. Again, that is something that I see locally. Enforcement matters, but there also has to be strong reminder—I hate to use the word “education”, so perhaps “reminder” is best—to our constituents: if somebody comes to you and says they will clear your rubbish away, your need to think carefully about where they are putting that rubbish. In my constituency, fridges and mattresses have been dumped. I was driving down Bridle Lane last year and saw a whole lorry or van-load of rubbish that had been fly-tipped in the middle of the road. That meant that the road had to be blocked. That is outrageous and it needs to stop.

3 pm

I support amendments 173 and 174 on cost liability guidance. They build on the principle that those who cause the mess should pay to clear it up. It should not fall, as it has time and again, on stretched local authorities and private landowners to clean up the aftermath of that criminal behaviour. I touched on enforcement earlier. Unless offenders are financially liable, any deterrent will be limited.

On litter, we must consider driving licence penalty points for those who are caught throwing litter out of cars. Again, that would be a deterrent—something to remind people that it is simply not acceptable to throw litter indiscriminately out of a car. I accept that that would affect drivers, but I think that they must take responsibility for the passengers in their cars.

I will leave my remarks there, Madam Deputy Speaker, because I hope to catch your eye tomorrow to speak to further amendments and new clauses. Today has indicated that there is a lot of cross-party support for doing more to tackle fly-tipping and litter, which are a scourge on our communities.

Jo White (Bassetlaw) (Lab): Lawlessness, antisocial behaviour, street crime and shoplifting have dragged our communities down. When people believe that they can act with impunity, without fear of apprehension or respect for others, we need Parliament to come down hard to restore law and order and give the police the resources that they need to make our streets safe again.

1.[*Official Report*, 17 June 2025; Vol. 769, c. 189.](Correction)

[*Jo White*]

I therefore take this opportunity to welcome the Crime and Policing Bill, which put right the years of damage and disregard caused by the previous Government.

My focus today is on street racing, a problem that stretches across the country but has become a curse in Bassetlaw, where cars speed along a stretch of the A57, the by-pass that runs through Worksop and then into the constituency of my hon. Friend the Member for Rother Valley (Jake Richards). Those unofficial road-racing events are organised via social media. People meet up in an edge-of-town car park and then stage races up and down the A57, attracting huge crowds who come to witness the speeds and the flashy souped-up cars with booming exhausts.

Residents living close to the A57 hear the noise, including the screeching of tyres, but they are terrified that they or a family member will get caught up with the racers as they drive home or go about their daily business. The fear of a nasty accident is all pervasive. Across the country, people who have turned up to watch the racing have died, such as 19-year-old Ben Corfield and 16-year-old Liberty Charris from Dudley, and 19-year-old Sophie Smith from Radcliffe—young lives needlessly lost.

Cameron Thomas: Let me say, in the spirit of openness, that as a young man I perhaps did not always drive as responsibly as I do now. Although the hon. Lady is making an important point, there is an educational component to this. Will she join me in commending the work of the Under 17 Car Club and its Pathfinder initiative, which teaches young drivers about the dangers of driving in that fashion?

Jo White: My concern is that such unorganised racing events are held to show off how fast and noisy cars can be—there needs to be much stronger action to control that. I worry that there will be further deaths and accidents if the police are not given the powers to deal with it.

In Bassetlaw, I visited residents who told me that their lives are a living hell, with their nerves on edge every weekend. Not only do they hear the noise, but the fronts of their houses have become viewing platforms for the crowds.

Freddie van Mierlo (Henley and Thame) (LD): I thank the hon. Lady for making that point, because I have experienced exactly what she describes on my own street in Henley. We had a problem with street racing—boy racing, if we can call it that—and I phoned the police on several occasions. They said, “We know it’s happening, but we don’t have the resources to come and deal with it.” Eventually they got so many calls that they acted. They put in place some sort of prevention order for antisocial behaviour, but that could be done only once—they could not do it over an extended timeframe. Does she feel that the powers should be strengthened for the police to stop that intimidating and antisocial behaviour?

Jo White: I very much agree; that is why I am raising it today. The hon. Gentleman talks about public space protection orders, which I will come to shortly, but I think the law needs to be strengthened to give the police much stronger powers to deal with the problem. It is not a local phenomenon, because it is happening

right across the country and people are using encrypted social media to organise the groups.

Since those visits, I have been working with Bassetlaw district council and the police on this issue. That council has joined forces with Rotherham council, and they are bringing forward a public space protection order, which I just mentioned, to cover the whole of the A57—from outside Worksop all the way to Rotherham—with the ambition of prohibiting car cruising and giving the police the ability to serve fixed penalty notices, prosecute or issue fines for breaches.

In the meantime, I have worked with the police to install a CCTV camera at a key point on the A57, and there are plans to put up a second. The camera is being used to collect data on the vehicles that turn up for cruising events. The police then send pre-enforcement letters to the car owners. The owners were not necessarily driving at the time, however, because quite often young people have borrowed their parents’ car, meaning that the notices are being sent to parents—but I think that is just as good, to be honest. The police say that that is helping to reduce involvement.

The police tell me that they have put dedicated staffing into patrolling the A57 for the next four weekends. Their zero-tolerance approach will include fines, seizure and reporting to the courts. They are also sharing live intelligence on vehicles moving around the county, in order to be proactive and prevent cruising and meets before they happen. They have been successful, they believe, in preventing racing before it starts. Like me, the police are fearful that someone could die or be seriously injured, so they regard this matter as a high priority. I am disappointed that the local police of the hon. Member for Henley and Thame (Freddie van Mierlo) do not consider it in the same way.

This is a serious issue. Most weekends on Friday, Saturday or Sunday night, such cars are present. People perhaps just meet in an empty supermarket car park to compare their vehicles, but on other occasions they take the opportunity to race. I have been out to look at the cars myself to see who those individuals are. At first, I thought that they were using their vehicles to engage in crime, but the whole focus is on showing off their souped-up vehicles. We have already had deaths—quite often of the people who go out to witness the speeding—so I am calling for much stronger action to prevent further death.

Mrs Sureena Brackenridge (Wolverhampton North East) (Lab): The increased orders in the Crime and Policing Bill, such as respect orders, will help to tackle antisocial behaviour. Does my hon. Friend think that they could be a vehicle—sorry, poor choice of word—to address the gatherings that she has described?

Jo White: I agree with my hon. Friend—those orders could be used.

The Bill strengthens the ability to seize motor vehicles when they are used in a manner causing alarm, distress or annoyance, but this is a nationwide problem, and I ask the Minister for a private discussion to consider whether the Bill can be strengthened to make it criminal to organise, promote or attend an unofficial road-racing event.

I welcome the Bill because it respects and recognises the daily risks our shop workers face. My constituent went to buy a pint of milk in his local Sainsbury's at Easter time. He was queuing up for the milk when somebody rushed in and swept the whole shelf of Easter eggs into a bag. They call it "supermarket sweep", and it is the new form of shoplifting. It is not someone sneakily putting something in their pocket or bag—it is people stealing food to order very publicly, and it is food that is worth a lot of money.

Lola McEvoy: In my constituency of Darlington, I have witnessed people doing what my hon. Friend described so often that it is now a common source of conversation between me and the assistants working in those shops. Does she agree that USDAW's campaign to protect shop workers, which has been going on for years, is brilliant and that it is excellent that this Labour Government are going to finally introduce the right punishments for people who commit aggravated assaults against shop workers?

Jo White: USDAW was the first union I ever joined, and I very much support its campaign. I share the fear that shop workers have, because there is nothing they can do. They have to sit or stand and watch the crime happen, for fear of being assaulted or abused—that is the advice that USDAW and their management have given them. The law has to be strengthened to protect them. They have to go to work every day and face that fear, which creates inordinate stress. That is unacceptable.

Tom Hayes: My hon. Friend is giving a powerful speech. In my constituency of Bournemouth East, I regularly talk to shop workers who are experiencing the scourge of shoplifting—no, wholesale looting—and they are being made to feel incredibly unsafe. I am thinking of the staff of Tesco in Tuckton, the Co-op on Seabourne Road and Tesco on the Grove in Southbourne. I am also thinking of the owner of a wine shop who has a hockey stick beside them, so that they can chase away shoplifters who try to take carts of wine bottles. Does my hon. Friend agree that it is very good news that our Labour Government are introducing a new offence of assaulting retail workers and ending the effective decriminalisation of shoplifting? Will she also commend the Co-op party, which, like USDAW, has campaigned so hard for this new law?

Jo White: I wholeheartedly agree. It is not just USDAW; the Co-op party has campaigned vociferously on this matter, too. It is so important, and I very much welcome the action this Government are taking. This has gone on for too long. People need to feel safe in the workplace, and this is the best step we can take towards that.

Shop workers in Worksoop town centre also have to deal with an inordinate amount of antisocial behaviour. For example, I have been told about how young people come into Greggs, take food from the cabinets and throw it about. The shop workers there feel so fearful that they have not taken the covid screens down, because they do not want to be attacked. The intimidation they feel is not acceptable. I have visited an opticians where the management escort their staff out of the workplace to their cars on a regular basis. It was particularly bad last winter, when I spoke to staff and management there because I was so concerned. I have had meetings with the council and the police to tackle this issue.

I welcome the Government's commitment to increasing neighbourhood policing, with more police in our town centres. Everybody tells me they want to see more police walking the streets so that they feel safe as they go into town and can make the choice about where they shop. I do not want people to think about their safety when they go into town centres in my constituency. It is a priority that they know where the police are, know them by their names and feel safe as they go into town. This Bill goes to the heart of many of the issues that have broken our country, and we are doing what we can to repair it.

Graham Leadbitter (Moray West, Nairn and Strathspey) (SNP): There is not a huge number of areas of the Bill that impact Scotland directly, given the role of the justice system in Scotland, but road traffic law is one of those areas. Antisocial behaviour involving vehicles has been raised by several Members today, and some powers, including those over vehicle licensing, remain reserved.

3.15 pm

It is important to remember that, although a lot of this antisocial behaviour is committed by young people—it is not exclusively young people; many older drivers and users of motorised vehicles commit antisocial behaviour—and it has a big impact, the vast majority of children do not engage in violent behaviour. The long-term trend for referrals to the Children's Reporter in Scotland for both offence and non-offence grounds shows a significant reduction. However, road traffic offences and antisocial behaviour using vehicles have a significant impact, which amplifies the effect for the community.

In 2025-26, the SNP increased police funding to £1.64 billion—an increase of £90 million on 2024-25—to support police capacity and capability, and the Scottish Government are providing almost £57 million in additional resource funding, which is an increase of 4% compared with the 2024-25 published budget.

One of the issues that police officers and communities raise with me regularly is the use of e-bikes. The legal use of e-bikes and decisions around their use is, broadly, a reserved matter for the UK Government. To be legally used in the UK, e-bikes must meet the criteria of an electrically assisted pedal cycle: the electric motor should not be able to propel the bike when it is travelling at more than 15.5 mph, and the maximum power output should be 250 W. Police Scotland has published advice on e-bikes, including through awareness campaigns, to provide clarity on the standards required for them to be permitted to ride on public roads, including safe and responsible use.

Matt Rodda (Reading Central) (Lab): The hon. Gentleman is making an excellent speech. This is, indeed, a serious problem across the country. In my constituency, many residents are concerned about speeding e-bikes of various types. I am pleased that our local force, Thames Valley Police, is taking more action, and I would urge it to go further. I am glad to hear that Police Scotland is also taking action on this terrible menace.

Graham Leadbitter: I am pleased to hear that work is ongoing throughout the country.

I should have said at the start that I am speaking to amendment 2, which stands in my name. The SNP recognises that there have been calls for further legislation

[*Graham Leadbitter*]

on licensing, which is what my amendment relates to. The SNP tabled a similar amendment in Committee relating to off-road bikes.

Everyone who uses our roads and paths is responsible for respecting other road and path users and for following the rules and guidance in the highway code. Unfortunately, a significant minority of road users are not respecting the rights of other road users and are riding motorised vehicles illegally on our roads and paths. In the worst cases, they have caused serious injury and death to either themselves or other people, causing huge heartache for the families affected.

Lola McEvoy: I commend the hon. Member for making that important point—these young people who are using off-road bikes are not only tearing up communities and green spaces, but putting themselves at severe risk. I commend him for bringing that point to the House, because it is such an important one.

Graham Leadbitter: It goes to the point made by the hon. Member for Tewkesbury (Cameron Thomas), who talked about his experience as a young driver and being a more responsible driver now. I would echo that myself, and I am sure most people recognise that in themselves. Some of it is inexperience, sometimes it is just plain stupidity, but that education is important to help tackle the issue, and ensure that people understand the potential consequences of such actions both for themselves and for other people.

A particularly good education piece was done in north-east Scotland, when children from all over the area went to a large venue and were given a hard-hitting and pretty blunt message, including videos of serious road accidents where people had been either seriously injured or killed. When they went into the venue they saw a fine-looking car; when they came out, that car had been crushed as if it had been in an accident. That was a hard-hitting experience, and lots of young people came out of it with a new respect for driving and using motor vehicles.

I turn now to off-road and quad bikes, and particularly e-bikes, which the amendment is focused on. The SNP supports Police Scotland and its partners in dealing with illegally modified vehicles and the misuse of off-road vehicles. The Scottish Government are considering ways forward, in partnership with Police Scotland and local authorities, to tackle vehicle nuisance and related safety issues. That includes continuing to liaise with the UK Government—a lot of work has gone on behind the scenes between the devolved Administrations and the UK Government, and I welcome that work by the Minister and her civil servants, which has been helpful. The ongoing collaboration ensures that Scottish interests are considered in any UK-wide decisions affecting road safety.

We are also considering further options, including liaising with the UK Government on a cross-party basis, and community engagement regarding the potential use of mobile safety camera vans to deter registered vehicles from speeding on public roads. The amendment calls on the Government to conduct a consultation on licensing and tracking the ownership of e-bikes and

e-scooters, which in many cases are required to be insured, although the public are generally not aware of that.

I will make a final plea to the insurance sector, which I think could be doing a lot more to make it clear to people what insurance does and does not cover. The modification of vehicles—that was raised earlier by the hon. Member for Bassetlaw (Jo White)—is one such issue, and I do not recall seeing a great deal about that in insurance documents I have received over the years. The insurance industry could do a lot more to increase public awareness and try to tackle such issues and support the Scottish and UK Governments in their objectives.

Jack Abbott (Ipswich) (Lab/Co-op): I will be speaking to a number of new clauses, but I will start by setting out a tiny bit of context and saying why the Bill is so important for my town. At the heart of Ipswich is a community—neighbours who support each other, and small businesses that serve us in the town centre and that are seeing real shoots of recovery. However, there is no doubt that when I was proudly elected as its MP, we were arguably at our lowest ebb for generations. Regenerating our town is not just about economics; it is about rebuilding our community, and that is exactly what the Bill helps to deliver. I welcome the Government's new clauses and amendments, which strengthen the Bill further.

This has been a good conversation and cross-party debate, but I say gently to the shadow Minister, who tried to claim credit for a number of the changes, that I do not think the argument “If only we'd had 15 years, rather than 14” will wash with many of the people watching. The challenges that we have spoken about did not happen overnight; they were years in the making. Although I appreciate the conversations that we have had today, we must acknowledge the years of suffering that many of our residents, businesses and emergency services—I will come to them in a moment—have faced. With those years behind us, I welcome the amendments that introduce important provisions to help turn that tide.

The Bill gives the police the power they need to tackle mobile phone thefts and recover stolen goods. As has been said, we are scrapping the £200 shoplifting threshold, which has disproportionately hit small and independent businesses in my town and across the country. It also introduces tough new respect orders to tackle the worst antisocial behaviour offenders, so that our town centre is no longer blighted by the same offenders again and again. Any retail worker in any corner of our town will be able to list a shocking litany of abuse, harassment and sometimes even violence. As has been said, USDAW and the Co-operative party have done incredible work in that area, but such abuse is not part of the job, which is why the Bill creates the specific offence of assaulting a shop worker.

New clause 52 will introduce a new offence of trespassing with intent to commit a criminal offence. It will give the police the necessary powers to act when individuals enter a premises with the intention of committing serious criminal acts, be that burglary, theft, assault or criminal damage. For businesses in towns such as Ipswich, that matters hugely. I speak regularly with local shop owners, small business owners, and retail workers who are proud

to serve their communities but who have seen at first hand the impact of rising theft, vandalism, break-ins and antisocial behaviour on our high streets. The new clause gives our police a tool to intervene early before harm is done and when there is clear intent to commit a crime.

The amendments also extend protection to those who protect us. That is why I strongly support new clauses 60 to 62, which strengthen the law to ensure that emergency workers are properly protected from the threats, intimidation and abuse that they all too often face while simply doing their jobs to serve the public. Too many of our frontline police officers, paramedics, NHS staff and firefighters have faced unacceptable abuse. Let me be frank: it is utterly disgusting that those serving our communities and country, who keep us safe, sometimes with great sacrifice and selflessness, all too often suffer such unacceptable behaviour. I am sure that everyone in the Chamber has heard awful stories of emergency workers who have endured abuse on account of their race or religion, and the new clauses make clear the consequences for an individual if they engage in such bigotry.

As I said earlier, we should never accept such things as simply being part of the job. The new measures ensure that when people threaten or insult those emergency workers, there are clear criminal consequences. To our frontline workers, I say this directly: "This House stands with you. You deserve not just our gratitude, but our full support. You protect us, so we will protect you."

Another sad indictment of the last few years is the absolute impunity for violence against women and girls. I speak to so many women in Ipswich who feel uncomfortable, particularly at night. Women have been told to keep an eye on their drinks for fear of spiking, and victims of other heinous crimes have felt that they are fighting not just the perpetrator, but a system stacked against them. I therefore strongly support stronger stalking protection orders and the new spiking offence.

However, the Bill is about more than new laws; it is also about faster justice, stronger protections, and proper accountability for police and councils when victims are let down. That is why I support new clause 59, which rightly removes time limits for civil claims in child sexual abuse cases. The law should never compound the trauma of victims by closing the doors to justice simply because too much time has passed.

New clauses 54 and 56 also apply much stronger protections for children and young people. The abuse and coercion of children is a grotesque crime, and the cowards using children to carry out their criminal operations should face the full force of the law. We know this abuse can be pernicious, and the tactics that are used are constantly evolving, but these new clauses and other parts of the Bill seek to tackle the issue head-on.

Like the Bill, the new clauses also put victims where they should always have been—at the heart of the legal system. The Bill sends a clear message: we will no longer tolerate survivors being shut out by the technicalities of the system. Their voices matter, their experiences matter and their right to seek justice matters. Public confidence does not just rest on tough talk or new offences; it rests also on a system that people trust—trust that the police will respond, victims will be supported,

those who commit crimes will be held to account, and powers granted will be used fairly, proportionately and with accountability.

The safety of our communities cannot rest on central Government alone. I welcome this Bill's focus on partnership—not passing problems between agencies, but solving them together. The national initiative matches our local initiative in Ipswich. I have been working with Labour-led Ipswich borough council to put in place a groundbreaking partnership with Ipswich Central to tackle street drinking in our town centre. The Bill is proof that if we work together, we can deliver at every level.

While we bring forward fully formed and fully costed plans to make a difference to the lives of people in my town, and in others, I am only too aware that some people still want to divide communities such as ours in Ipswich. They rarely offer real solutions, policies or change. Instead, they simply want to feed resentment, and pit neighbour against neighbour. I know that we are stronger when we stand together—not divided by fear or set against each other, but united in our determination to make our town and our country safer, fairer and more secure for everyone. That is exactly what the Bill will give us.

Several hon. Members *rose*—

3.30 pm

Madam Deputy Speaker (Caroline Nokes): Order. Before I call the next speaker, I inform the House that I plan to call the Minister at 3.50 pm, which would give the remaining Members bobbing about five minutes each.

David Mundell (Dumfriesshire, Clydesdale and Tweeddale) (Con): I rise to support amendment 19, in the name of my hon. Friend the Member for Isle of Wight East (Joe Robertson). I hope that the Minister listened to the compelling case that my hon. Friend made, and to the compelling case made by the hon. Member for Hitchin (Alistair Strathern) on the issue of spiking more generally.

I want to put on record my support for my constituents, Colin and Mandy Mackie, and their organisation, Spike Aware UK. I do not think any of us can fully comprehend their experience: the police knocked on their door to tell them that their 18-year-old son had died at college from a drug overdose, but they subsequently found out that his non-alcoholic drink had been spiked by five ecstasy tablets. As other Members have said, there was no support or help for the family in that situation. The police assumed that he had died of a drug overdose although they did not know that, and they subsequently apologised to the Mackies for their treatment of them.

What I particularly admire about Colin and Mandy is how they have focused their efforts on ensuring that their experience is not shared by anyone else. That is why I very much welcome the inclusion of spiking in the Bill, which is a continuation from the Criminal Justice Bill introduced in the previous Parliament. The point to be made is about certainty, and the amendment tabled by my hon. Friend the Member for Isle of Wight East brings certainty to the situation. I have been in this House with previous Ministers who have been told by

[David Mundell]

officials that spiking was already covered by legislation, and therefore there was no need for specific mention of spiking.

Wendy Morton: On that point, will my right hon. Friend give way?

David Mundell: Given the strictures on time, I had better not.

Previous Ministers said that there was no need for specific legislation on spiking, because it was already covered. Campaigning, including by your colleague, Madam Deputy Speaker, the First Deputy Chairman of Ways and Means, the hon. Member for Bradford South (Judith Cummins), and by my former colleague, Richard Graham, demonstrated that there was a need for a specific measure, and that if we are going to have a specific measure, it needs to bring certainty.

Part of that certainty is for the benefit of the police and others. The police should know that that reckless behaviour is also a crime, and there should not be any dubiety when they arrive at a venue to find someone in a partially conscious state or unable to articulate what has happened to them. It will also allow campaigning to be clear that whatever the circumstances, a drink is spiked or a person is injected, and that is a crime. Amendment 19—or perhaps another amendment that the Government might bring forward in the other place—would bring clarity, which is important. That is what we need to bring about. As the hon. Member for Hitchin said, that can lead to the greater training of the police and NHS workers to be able to support people in a spiking situation. I hope the Minister will reflect on everything that has been said today.

The final point I will make relates particularly to Scotland. We need to have a common approach across the UK; it should not matter whether somebody is spiked in Glasgow, Manchester or Cardiff. That is not to disrespect the devolution settlement and the different approaches of the criminal justice system. The effect and the impact should be the same wherever people are, and the criminality should most certainly be the same, whether the behaviour is intentional or reckless.

Emily Darlington (Milton Keynes Central) (Lab): In the interests of time, I will skip through the many amendments I want to support, but there are a few that will really make a difference to people in Milton Keynes Central.

First, I reiterate what my hon. Friend the Member for Bassetlaw (Jo White) said on street racing. Unfortunately, we had a Formula 1 driver who said that his success was based on practising on the grid roads of Milton Keynes, which really encouraged loads of people to decide to race there.

In terms of stalking and spiking, the most egregious bit of spiking for me is the premeditation—sourcing the materials, bringing them to the venue then using them on a person. That is not a crime done on the spur of the moment: significant premeditation comes into it.

One of the major issues we have had in Milton Keynes is organised begging outside our shopping centre. It is organised by gangs. People often look like they are

homeless, or they are assumed to be homeless by caring residents in Milton Keynes, but in reality they are housed by the council, and they are exploited. They have a rota for which corner or which shop they can each sit in front of during which period of time, and the majority of the proceeds that people donate go to an organised crime network. Those individuals are being exploited in other ways as well. New clause 53 is so important in addressing this issue as the real, true crime that it is—not the crime of the people begging but of those organising the begging.

I also rise in support of new clause 55, which is on special measures for witnesses, particularly around youth justice. That is very important. As we heard from my hon. Friend the Member for North West Cambridgeshire (Sam Carling), many people who experience sexual abuse do not come forward for years and years, so new clause 59, which would remove limitations, is really important.

Let me address a couple of other things in the Bill. My hon. Friend the Member for Bolton North East (Kirith Entwistle) made such an important speech considering domestic abuse, and she explained it very well. New clause 71 is about barred persons not having employment in law enforcement. We must recognise that, following the case of Sarah Everard, confidence in law enforcement is at an all-time low. When people call law enforcement because they have experienced domestic abuse, sexual harassment, rape or stalking, they are at their most vulnerable and they need to know that the people responding to those incidents—no matter which law enforcement service—will treat them according to the law, and not with some of their own natural biases, as we have seen.

That brings me to my final point. In terms of confidence in policing, we need to ensure that all law enforcement is done with clarity of law, not because of particular campaigning, as we have seen with the enforcement of the Offences Against the Person Act 1861, which we will debate later.

Luke Taylor (Sutton and Cheam) (LD): I was incredibly fortunate to sit on the Bill Committee considering this legislation. It is clear that, although opinions differ on details, we all share a common goal of tackling crime in a meaningful way, so that we can make people feel safe in our communities again.

As a community-focused liberal, I have stated many times that keeping people safe and instilling safety in our neighbourhoods are some of the most powerful ways that we can foster strong communities and improve the quality of life and freedom of opportunity that everyone in our country should enjoy. I am grateful to the Government for their willingness to engage with the points that we all made in Committee, particularly to the Under-Secretary of State for the Home Department, the hon. Member for Birmingham Yardley (Jess Phillips), and the Minister for Policing and Crime Prevention, the right hon. Member for Kingston upon Hull North and Cottingham (Dame Diana Johnson). Despite several productive conversations, it is frustrating that several important additions to the Bill were rejected by the Government in Committee.

For that reason, I rise to speak in favour of several new clauses before us. Although several of the measures closest to my heart—those regarding community policing,

knife crime and stalking—are not before the House today, there are several pressing new clauses that I feel I must speak to. They pertain to what should be fundamental rights in our country: the right to freedom from oppression, and the right of access to proper healthcare for women. I congratulate the hon. Member for North West Cambridgeshire (Sam Carling) on the courage he demonstrated in his speech earlier, and encourage the Government to consider the measures he spoke to if they come back from the Lords, if not to consider them beforehand.

I start by expressing my support for amendment 19, which deals with spiking and was tabled by the hon. Member for Isle of Wight East (Joe Robertson). Spiking is a horrendous offence—a deeply violating act of harm and potential exploitation that must be treated with the utmost seriousness. In Committee, we heard evidence from Colin Mackie, who is the chair and co-founder of Spike Aware UK. Colin gave important evidence for the Committee to consider, indicating that spiking offences can often be intended as pranks, rather than intended to cause harm. His son Greg died in a suspected drink-spiking incident in a club, and Colin has since campaigned alongside Greg's mother Mandy for a change in the law to stop similar incidents from occurring.

I also thank the hon. Member for Hitchin (Alistair Strathern) for raising broader concerns about spiking. I agree that further measures need to be introduced, including A&E awareness, so that testing takes place, further evidence can be gathered and a conviction can be secured. Amendment 19 is a sensible and necessary clarification of the law. It makes clear what seems painfully obvious: that what matters in spiking cases is not the nature of the intent, but the recklessness and callousness of the act itself. I encourage Members across the House to support the amendment when we vote.

I am also pleased to support amendment 160, as well as related new clauses 92 and 93, which we will discuss tomorrow. Taken together, these amendments create vital safeguards around the right to protest; they would subject facial recognition technologies to the proper scrutiny of a regulatory framework for the first time, and would enshrine the right to protest. From many people in my constituency of Sutton and Cheam and from campaigning groups such as Liberty, I know that these measures are long overdue, and will provide much-needed clarity to police forces as they use new technologies to fight crime. Police forces themselves are asking for these measures, and I am looking forward to a briefing later this month from the Minister on that subject. In particular, I remind the House that Hongkongers in my community are deeply worried about the impact of unregulated use of facial recognition technology on our streets. They fear that, if compromised, such technology could provide a powerful tool to the Chinese Communist party in its transnational oppression of Hongkongers here on our streets in Britain.

We know that facial recognition technology can be a powerful tool for police forces as they try to keep us safe, but as with any new technology with great capacity to infringe on our liberties in daily life, it must be properly regulated. Liberal Democrats have a proud tradition of standing up for those civil liberties, arguing that we must never throw them away or sleepwalk into surrendering them. Amendment 160, which the Liberal Democrats have tabled, is rightly in that tradition. It

would make sure that facial recognition technology cannot be used in real time for biometric identification unless certain conditions are satisfied, such as preventing or investigating serious crimes under the Serious Crime Act 2007 or public safety threats such as terrorist attacks, or searching for missing, vulnerable people. It would also make the use of such technology subject to judicial authorisation, with a judge needing to approve its use and appropriately define its scope, duration and purpose. These regulations would allow for safe use of this important tool, protecting our civil liberties while keeping us safe from crime.

Freddie van Mierlo: In the time remaining, I will speak to amendment 9, which has been tabled by the hon. Member for Rotherham (Sarah Champion) and is supported by many Members across the House, including myself. I welcome the Government's provisions to limit sex offenders' ability to change their name, and I know that many other Members also welcome them. I pay tribute to tireless campaigners such as Della Wright, who have campaigned for such provisions for many years and who I had the privilege of meeting at an event organised by Emma Jane Taylor, another tireless campaigner and a constituent of mine.

Emma Jane is a survivor, and has spoken very bravely about the lifelong impact of child sexual abuse. Like many survivors, she has channelled her pain into campaigns such as this one and has set up a charity, Project 90-10. That charity is based on research showing that 90% of child sexual abuse is carried out by persons known to the victim.

We are right in the House to focus—as we have in the past—on online abuse and abuse by strangers, but we should not forget that 90% of child sexual abuse is carried out by someone the victim knows. Work by Project 90-10 raises awareness of good safeguarding practices. Emma Jane brought to my attention the loophole that allows sex offenders to change their name and, potentially, continue to offend untraced. Amendment 9 would strengthen the name change provision in the Bill by requiring sex offenders to notify the police of their intention to change their name seven days before submitting an application to do so. Even if the Government do not adopt amendment 9, either here—I know that it will not be voted on—or in the other place, it is important for them to monitor the success of the changes that are in the Bill, and, in particular, the number of sex offenders who do, and do not, come forward to comply with the rules. I hope that the Government will monitor developments closely, and will introduce new legislation if the loophole is not closed, as they intend it to be.

Child sexual abuse is a wicked and despicable crime, and the Government are right to introduce these measures, as well as the others about which Members have spoken so eloquently. I ask the Government to follow up on the Bill's implementation, and to monitor that extremely closely, as this matter is important to many Members of this House.

3.45 pm

Dame Diana Johnson: I am grateful to Members for setting out the case for their amendments, and I will seek to respond to as many Members as possible in the remaining time available.

[*Dame Diana Johnson*]

The shadow Minister, the hon. Member for Stockton West (Matt Vickers), tabled amendments 167 to 183, which echo many of the amendments considered in Committee. I do not propose to repeat the considered responses that my ministerial colleagues and I provided at that stage, but I will deal with a couple of the amendments to which the shadow Minister referred today.

Amendment 175 deals with the possession of weapons with intent to use unlawful violence. It seeks to increase the maximum sentence for possession of a bladed article or offensive weapon with the intention to use unlawful violence from four years to 14. Increasing the maximum penalty for that offence in isolation, without looking at other possession offences, would result in inconsistency in the law in this area. We have set the maximum penalty for the “possession with intent” offence at four years’ imprisonment to be consistent with the maximum penalties for all other knife-related possession offences. We will conduct a review of the maximum penalties for knife-related offences, and establish whether they are still appropriate.

The shadow Minister said that the independent reviewer of terrorism legislation had recommended that the sentence for the new offence of possession of a weapon with intent to cause violence should be increased substantially. In his recent report, the independent reviewer recommended the creation of a new offence for cases where an individual prepares to kill more than two people. He said:

“If this offence is created, then there is no need to reconsider the maximum sentence for the proposed offence of possessing an article with violent intent under the Crime and Policing Bill.”

As I have said, the Government are considering creating such an offence, so increasing the maximum sentence for the new offence of possessing an article with violent intent is unnecessary. We will debate the matter further tomorrow, when we consider the shadow Minister’s new clause 143.

The shadow Minister also tabled, and referred to, amendments 172 and 173, which would make those responsible for fly-tipping

“liable for the costs of cleaning up.”

When local authorities prosecute fly-tippers, on conviction, a cost order can already be made by the court, so that a landowner’s costs can be recovered from the perpetrator. While sentencing is a matter for the courts, guidance on presenting court cases produced by the National Fly-Tipping Prevention Group, which the Department for the Environment, Food and Rural Affairs chairs, explains that prosecutors should consider applying for compensation for the removal of waste, and we will consider building on that advice in the statutory guidance issued under clause 9. Amendment 174 concerns points on driving licences as a penalty for fly-tipping. Again, sentencing is a matter for the courts, but I will ask my counterparts at DEFRA, who are responsible for policy on fly-tipping, to consider the benefits of enabling the endorsement of penalty points for fly-tippers.

The hon. Member for Hazel Grove (Lisa Smart) spoke to amendment 160 on the use of live facial recognition in the policing of protests. Live facial recognition is a valuable policing tool that helps to keep people safe. Its use is already governed by the Human Rights Act 1998

and data protection laws. I do, however, recognise the need to assess whether a bespoke legislation framework is needed, and we will set out our plans on this later in the year.

Dawn Butler (Brent East) (Lab): On facial recognition, does the Minister agree that my amendment 21 would stop the police accessing everybody’s driving licences to use them for complete surveillance, which is not the intention of the Bill?

Dame Diana Johnson: I am grateful to my hon. Friend for raising that point. I probably will not have time to go into detail, but the amendment is not required because what my hon. Friend describes is not what the Bill is intended to do. I am very happy to speak to her outside the Chamber about that, but I reassure her that that is not its intention.

On amendment 157, the Home Office regularly engages with frontline delivery partners and practitioners to understand how the antisocial behaviour powers are being used, and their effectiveness in preventing and tackling ASB. That is why the Bill includes measures to strengthen the powers available to police and local authorities. New requirements in the Bill for local agencies to provide information about ASB to the Government will further enhance our understanding of how the ASB powers are used to tackle antisocial behaviour.

On amendment 158, I want to make it clear that housing injunctions and youth injunctions are not novel. They are already provided for in legislation in the form of the civil injunction, which is being split into three separate orders: the respect order, the youth injunction and the housing injunction. The youth and housing injunctions retain elements of the existing civil injunction that are not covered by the new respect orders—namely, elements relating to offenders under 18 and housing-related nuisance ASB. I also assure the House that any revisions to the ASB statutory guidance are extensively consulted on with relevant stakeholders, including frontline practitioners.

The Liberal Democrat spokesperson, the hon. Member for Hazel Grove, also spoke to amendment 3, tabled by the hon. Member for Wells and Mendip Hills (Tessa Munt), which would apply the duty to report child sexual abuse to anyone working or volunteering in any capacity for religious, belief or faith groups. I know that she has had an opportunity to discuss that amendment in recent days with the Minister who has responsibility for safeguarding.

Turning to the amendments tabled by my hon. Friend the Member for North West Cambridgeshire (Sam Carling), I thought it was very helpful and useful for the House to hear his experience and knowledge of the issues involving Jehovah’s Witness groups, and he brought to life what it means when such reports are made.

On amendment 10, the Government do not consider that it would be proportionate to provide for a criminal sanction that may inadvertently create a chilling effect on those who wish to volunteer with children or enter certain professions. We are creating a specific offence of preventing or deterring a person from complying with the duty to report, and anyone who seeks deliberately to prevent someone from fulfilling their mandatory duty to report child sexual abuse will face the full force of the law.

Sam Carling: Will the Minister give way?

Dame Diana Johnson: I will continue, because I need to cover other amendments that have been tabled.

On amendment 11, assessing the signs and indications of abuse can be complex and subjective, particularly for the very large number of non-experts that this duty will apply to, many of whom are engaging with children infrequently or irregularly. We have therefore chosen to focus the duty on scenarios in which a reporter has been given an unambiguous reason to believe that they are in receipt of an allegation of child sexual abuse.

Amendment 22 seeks to add a reference to the legislative definition of “positions of trust” in schedule 7. However, a person occupies a position of trust only in relation to specific sexual offences committed against a specific child, and the term’s value as a definition for a reporter of abuse is therefore limited. The amendment also has the potential to create confusing duplication, given the significant overlap between regulated activity with children and positions of trust. The list of activities in schedule 7 has been drawn up to set out activities involving positions of trust that may not be adequately covered by the definition of regulated activity. The Government will of course keep this list under review, and amend it if necessary.

My hon. Friend the Member for Bolton North East (Kirith Entwistle) spoke to amendment 20, which relates to the new broader offence of encouraging or assisting self-harm in clause 95. She made a very passionate speech on this issue, and I know that she, too, has met the Minister to discuss it in recent days. On sentencing, the courts must already consider the circumstances of each case, including aggravating and mitigating factors, and follow relevant guidelines set by the independent Sentencing Council. Where a defendant has previous convictions, this is already recognised as a statutory aggravating factor in sentencing.

On whether a charge of murder should be brought in the circumstances set out in the amendment, I have to say to my hon. Friend that the amendment is wholly inconsistent with the criminal offence of murder, which has different elements that must be met before a person can be convicted. That said, it is important to recognise that where the encouragement or assistance results in suicide, the separate offence of encouraging or assisting suicide applies; manslaughter may be charged if there is a direct link between the abuse and the suicide.

The right hon. Member for Hayes and Harlington (John McDonnell) spoke to amendment 161, which aims to delete clause 114. The clause will allow the police to impose conditions on a protest near a place of worship if the police have a reasonable belief that the protest may deter individuals from accessing the place of worship for religious activities, even if that effect is not intended. That gives the police total clarity on how and when they can protect places of worship, while respecting the right to peaceful protest.

A number of hon. and right hon. Members spoke about spiking, including my hon. Friends the Members for Hitchin (Alistair Strathern) and for Darlington (Lola McEvoy), the right hon. Member for Dumfriesshire, Clydesdale and Tweeddale (David Mundell), and my hon. Friend the Member for Milton Keynes Central (Emily Darlington), as well as the hon. Member for Isle

of Wight East (Joe Robertson), who tabled amendment 19. Before I say anything else, I pay tribute to all those who have campaigned on this issue for many years, including families and campaign groups. Richard Graham, a former Member of this House, was a pioneer of the case for bringing forward a spiking amendment.

As discussed in Committee, the offence as drafted already captures a wide range of criminal behaviours, which cover both spiking and non-spiking incidents; for example, it covers the victim being pepper sprayed. As for the reference to a specific intent to “injure, aggrieve or annoy”, that wording is of long standing and has been widely interpreted by the courts. Every case will be judged on the facts. For instance, if someone administers a harmful substance as a prank, they would likely be found to have intended to “annoy” or “aggrieve”. The broadness of the new offence, and the increase in the maximum penalty as compared to the penalty for the existing offence under section 24 of the Offences Against the Person Act 1861, is, in the Government’s view, sufficient. Introducing recklessness as an alternative to intent risks over-complicating the law and is unnecessary for securing appropriate convictions.

The hon. Member for Isle of Wight East spent a lot of time looking at this issue, so I want to address it. The spiking clause in the Bill is modelled on the offence under the 1861 Act, which does not have a recklessness test. In the 2004 case of *Gantz*, an intention to “loosen up” the victim—he referred to that intention in the example he gave today—was covered; it may be helpful for him to reflect on that. We also understand that as recently as last month, a person was convicted of spiking another person “as a joke”. We therefore deem that the inclusion of “recklessness” is unnecessary to ensure the appropriate convictions that we are looking for with this new offence. However, we are very happy to continue to have conversations about this to ensure that we get the law absolutely right.

Many other speeches were made today that I would like to comment on, but I am running swiftly out of time. In my earlier comments, I referred to amendments 4 to 8 from the hon. Member for Brighton Pavilion (Siân Berry). I fully understand why amendment 2 was tabled by the hon. Member for Moray West, Nairn and Strathspey (Graham Leadbitter), but those who cycle have a duty to do so safely and in accordance with the highway code, and they are wholly responsible and liable for their actions.

In conclusion, I hope that in the light of the responses I have given to the amendments today, Members will not press them. I commend new clause 52 to the House.

4 pm

Debate interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

Question agreed to.

New clause 52 accordingly read a Second time, and added to the Bill.

The Deputy Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 53**ARRANGING OR FACILITATING BEGGING FOR GAIN**

“(1) A person commits an offence if, for gain, the person arranges or facilitates another person’s begging.

(2) A person who commits an offence under this section is liable on summary conviction to imprisonment for a term not exceeding the maximum term for summary offences or a fine (or both).

(3) In subsection (2) ‘the maximum term for summary offences’ means—

- (a) if the offence is committed before the time when section 281(5) of the Criminal Justice Act 2003 comes into force, 6 months;
- (b) if the offence is committed after that time, 51 weeks.”—
(*Dame Diana Johnson.*)

This amendment makes it an offence to arrange or facilitate another’s begging. When the repeal of the Vagrancy Act 1824 by the Police, Crime, Sentencing and Courts Act 2022 comes into force, begging will no longer be a criminal offence, so encouraging or assisting begging will cease to be an offence under the Serious Crime Act 2007.

Brought up, and added to the Bill.

New Clause 54**PROVING AN OFFENCE UNDER SECTION 38**

“(1) This section applies for the purposes of section 38.

(2) Where it is alleged that a person (D) intended to cause a child to commit an offence, it is sufficient to prove that D intended to cause the child to do an act which would amount to the commission of that offence.

(3) Where it is alleged that a person (D) intended to cause a child to do anything outside the United Kingdom which would constitute an offence if done in any part of the United Kingdom, it is sufficient to prove that D intended to cause the child to do an act which, if done in any part of the United Kingdom, would amount to the commission of that offence.

(4) Where it is alleged that a person (D) intended to facilitate the causing of a child, in future, to—

- (a) commit an offence, or
- (b) do anything outside the United Kingdom which would constitute an offence if done in any part of the United Kingdom,

it is sufficient to prove that D intended to facilitate the causing of the child in future to do an act which would amount to the commission of that offence, or would if done in any part of the United Kingdom amount to the commission of that offence.

(5) In proving for the purposes of this section whether an act is one which, if done or if done in any part of the United Kingdom, would amount to the commission of an offence—

- (a) if the offence is one requiring proof of fault, it must be proved that—
 - (i) D believed that, were the act to be done, it would be done with that fault, or
 - (ii) D’s state of mind was such that, were D to do it, it would be done with that fault;
- (b) if the offence is one requiring proof of particular circumstances or consequences (or both), it must be proved that D intended or believed that, were the act to be done, it would be done in those circumstances or with those consequences.

(6) For the purposes of subsection (5)(a)(ii), D is to be assumed to be able to do the act in question.”—(*Dame Diana Johnson.*)

This new clause and amendments 34 and 35 amend this Chapter so as to adopt a similar approach, as regards what is intended to be caused or facilitated, to that found in Part 2 of the Serious Crime Act 2007 (encouraging or assisting crime). They also cater for the offence being a UK-wide offence.

Brought up, and added to the Bill.

New Clause 55**SPECIAL MEASURES FOR WITNESSES**

“(1) Chapter 1 of Part 2 of the Youth Justice and Criminal Evidence Act 1999 (special measures directions in the case of vulnerable and intimidated witnesses) applies to relevant proceedings under this Chapter as it applies to criminal proceedings, but with—

- (a) the omission of sections 17(4) to (7), 21(4C)(e), 22A, 27(10) and 32 of that Act (which make provision appropriate only in the context of criminal proceedings), and
- (b) any other necessary modifications.

(2) Rules of court made under or for the purposes of Chapter 1 of Part 2 of that Act apply to relevant proceedings under this Chapter—

- (a) to the extent provided by rules of court, and
- (b) subject to any modifications provided by rules of court.

(3) Section 47 of that Act (restrictions on reporting special measures directions etc) applies with any necessary modifications—

- (a) to a direction under section 19 of that Act as applied by this section;
- (b) to a direction discharging or varying such a direction.

Sections 49 and 51 of that Act (offences) apply accordingly.

(4) In this section ‘relevant proceedings under this Chapter’ means any proceedings under this Chapter except proceedings relating to an offence under section 38, 48 or 49.”—(*Dame Diana Johnson.*)

This new clause (intended to appear after Clause 49) applies the special measures directions provisions in the Youth Justice and Criminal Evidence Act 1999 to civil proceedings under Chapter 1 of Part 4.

Brought up, and added to the Bill.

New Clause 56**CAUSING INTERNAL CONCEALMENT OF ITEM FOR CRIMINAL PURPOSE**

“(1) A person (‘A’) commits an offence if—

- (a) A intentionally causes a person other than A who is a child (‘C’) to conceal a specified item inside C’s body, and
- (b) the condition in subsection (3) is met.

(2) It does not matter whether the specified item gets inside C’s body by an act of A or C or another person.

(3) The condition is that A—

- (a) knows or reasonably suspects that the specified item has been used in connection with criminal conduct, or
- (b) intends the specified item to be, or knows or reasonably suspects that the specified item may be, used in connection with criminal conduct.

(4) A person (‘A’) commits an offence if—

- (a) any of the following occurs, where B is a person other than A who is not a child—
 - (i) A compels B to conceal a specified item inside B’s body,
 - (ii) A coerces or deceives B into concealing a specified item inside B’s body, or
 - (iii) A engages in controlling or manipulative behaviour towards B, as a result of which B conceals a specified item inside B’s body, and
- (b) the condition in subsection (3) is met.

(5) It does not matter whether the specified item gets inside B’s body by an act of A or B or another person.

(6) A is to be treated as acting in a way mentioned in subsection (4)(a) where A intentionally causes another person to act in that way (as well as where A acts in that way themselves).

(7) In considering whether a person's behaviour towards B is controlling or manipulative, regard may be had to the nature of the relationship between the person and B and to any of B's personal circumstances which may make B more vulnerable than other persons.

(8) For the purposes of this section the following are specified items—

- (a) controlled drugs within the meaning of the Misuse of Drugs Act 1971;
- (b) psychoactive substances within the meaning of the Psychoactive Substances Act 2016;
- (c) a mobile telephone;
- (d) a SIM card;
- (e) an electronic device;
- (f) cash;
- (g) a payment card;
- (h) jewellery;
- (i) any article made or adapted for use for causing injury to persons, or capable of causing serious injury to persons;
- (j) any weapon to which section 141 of the Criminal Justice Act 1988 (offensive weapons) applies, as that section applies in England and Wales.

(9) The Secretary of State may by regulations amend this section for the purpose of changing the items which are specified items.

(10) A person who commits an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding the general limit in a magistrates' court or a fine (or both);
- (b) on conviction on indictment, to imprisonment for a term not exceeding 10 years or a fine (or both).

(11) In this section—

'child' means a person under the age of 18;

'criminal conduct' means—

- (a) a criminal offence, or
- (b) anything done outside England and Wales which would constitute a criminal offence if done in England or Wales;

'electronic device' means any device on which information is capable of being stored electronically and includes any component of such a device;

'payment card' means a credit card, a charge card, a prepaid card or a debit card;

'SIM card' means a removable physical subscriber identity module.

(12) In Schedule 4 to the Modern Slavery Act 2015 (offences to which defence in section 45 does not apply), in paragraph 36D (inserted by section 38), after the entry for section 38 insert—

'section (Causing internal concealment of item for criminal purpose) (causing internal concealment of item for criminal purpose)'—(*Dame Diana Johnson.*)

Brought up, and added to the Bill.

New Clause 57

SECRETARY OF STATE GUIDANCE

"(1) The Secretary of State may issue guidance to relevant officers about the exercise of their functions in connection with—

- (a) the prevention, detection and investigation of offences under section 38;
- (b) CCE prevention orders under section 40;

(c) CCE prevention orders within the meaning of Chapter 2A of Part 11 of the Sentencing Code (orders made on conviction);

(d) the prevention, detection and investigation of offences under section 53;

(e) the prevention, detection and investigation of offences under section (Causing internal concealment of item for criminal purpose).

(2) A relevant officer must have regard to any guidance issued under this section.

(3) 'Relevant officer' means—

- (a) a chief officer of police, within the meaning of section 101(1) of the Police Act 1996,
- (b) the chief constable of the Ministry of Defence Police,
- (c) the Chief Constable of the British Transport Police Force, and
- (d) the Director General of the National Crime Agency.

(4) But subsections (1) and (2) do not apply to the exercise of functions in connection with the matters in subsection (1)(a) or (d) by—

- (a) the Chief Constable of the British Transport Police Force, or
- (b) the Director General of the National Crime Agency, in relation to Scotland.

(5) The Secretary of State may revise any guidance issued under this section.

(6) Before issuing any guidance or revisions under this section, the Secretary of State must consult such persons as the Secretary of State considers appropriate.

(7) Subsection (6) does not apply to revisions if the Secretary of State considers that they are not substantial.

(8) The Secretary of State must publish any guidance or revisions issued under this section."—(*Dame Diana Johnson.*)

This amendment makes provision for guidance by the Secretary of State to the police about the matters dealt with by Part 4.

Brought up, and added to the Bill.

New Clause 58

DEPARTMENT OF JUSTICE GUIDANCE

"(1) The Department of Justice in Northern Ireland ('the Department') may issue guidance to the Chief Constable of the Police Service of Northern Ireland about the exercise of the Chief Constable's functions in connection with—

- (a) the prevention, detection and investigation of offences under section 38;
- (b) the prevention, detection and investigation of offences under section 53.

(2) The Chief Constable of the Police Service of Northern Ireland must have regard to any guidance issued under this section.

(3) The Department may revise any guidance issued under this section.

(4) Before issuing any guidance or revisions under this section, the Department must consult such persons as it considers appropriate.

(5) Subsection (4) does not apply to revisions if the Department considers that they are not substantial.

(6) The Department must publish any guidance or revisions issued under this section."—(*Dame Diana Johnson.*)

This amendment makes provision for guidance by the Department of Justice in Northern Ireland to the Police Service of Northern Ireland about the offences under Part 4 which extend to Northern Ireland.

Brought up, and added to the Bill.

New Clause 59

REMOVAL OF LIMITATION PERIOD IN CHILD SEXUAL ABUSE CASES

“(1) The Limitation Act 1980 is amended as follows.

(2) After section 11 insert—

‘11ZA Actions in respect of personal injuries attributable to child sexual abuse

- (1) None of the time limits given in the preceding provisions of this Act apply to an action to which this section applies.
- (2) This section applies to any action for damages for negligence, nuisance or breach of duty (whether the duty exists by virtue of a contract or of provision made by or under a statute or independently of any contract or any such provision) which meets conditions 1 to 3.
- (3) Condition 1 is that the damages claimed by the claimant consist of or include damages in respect of personal injuries to the claimant.
- (4) Condition 2 is that the claimant was under 18 on the date on which the cause of action accrued.
- (5) Condition 3 is that the act or omission to which the claimant’s personal injuries were attributable constituted sexual abuse.
- (6) This section applies in relation to actions brought, and causes of action accrued, before (as well as after) this section comes into force.
- (7) But it does not apply in relation to a claim which, before this section comes into force, was settled by agreement between the parties or determined by a court (whether or not the determination is subject to appeal).
- (8) This section does not apply to any action brought for damages under section 3 of the Protection from Harassment Act 1997.
- (9) This section does not apply to a cause of action surviving for the benefit of a person’s estate by virtue of section 1 of the Law Reform (Miscellaneous Provisions) Act 1934, except where an action was brought by the person before the person’s death.

11ZB Dismissal of actions in respect of personal injuries attributable to child sexual abuse

- (1) This section applies where an action to which section 11ZA applies is brought after the expiration of the time limit that would apply but for that section (disregarding the possibility of the time limit being disapplied under section 33).
- (2) The court must dismiss the action if the defendant satisfies the court that it is not possible for a fair hearing to take place.
- (3) The court must also dismiss the action if—
 - (a) the action was begun, or the cause of action accrued, before section 11ZA came into force,
 - (b) the defendant satisfies the court that, because of the application of section 11ZA, there would be substantial prejudice to the defendant if the action were to proceed, and
 - (c) having regard to that prejudice, and the prejudice to the claimant if the action is dismissed, the court is satisfied that it would not be equitable to allow the action to proceed.
- (4) In this section “the court” means the court in which the action has been brought.’

(3) In section 12 (special time limit for actions under Fatal Accidents legislation) after subsection (1) insert—

‘(1A) An action under the Fatal Accidents Act 1976 may not be brought if—

- (a) section 11ZA would have applied to an action by the person injured to recover damages in respect of the injury, and

- (b) the death occurred after the expiration of the time limit that would have applied but for that section (disregarding the possibility of that time limit being overridden under section 33).’

(4) In section 14B(1) (overriding time limit for negligence actions) after ‘section 11’ insert ‘or 11ZA.’—(*Dame Diana Johnson.*)

This new Clause removes the time limit for bringing a civil claim for personal injury in cases where the personal injury is attributable to child sexual abuse.

Brought up, and added to the Bill.

New Clause 60

THREATENING, ABUSIVE OR INSULTING BEHAVIOUR TOWARDS EMERGENCY WORKERS

“(1) A person (‘D’) commits an offence if conditions 1 to 4 are met.

(2) Condition 1 is that D—

- (a) uses towards an emergency worker (‘E’) threatening, abusive or insulting words or behaviour, or
- (b) displays or gives to E any writing, sign or other visible representation which is threatening, abusive or insulting.

(3) In this section ‘D’s relevant conduct’ means the conduct of D that meets condition 1.

(4) Condition 2 is that D—

- (a) intends the words or behaviour, or the writing, sign or other visible representation, to be threatening, abusive or insulting, or
- (b) is aware that they may be threatening, abusive or insulting.

(5) Condition 3 is that D’s relevant conduct is racially or religiously hostile towards E.

(6) Condition 4 is that D’s relevant conduct—

- (a) is engaged in by D with intent to make E believe, or is likely to make E believe, that immediate unlawful violence will be used against E by D,
- (b) is engaged in by D with intent to provoke, or is likely to provoke, the immediate use of unlawful violence against E by another person, or
- (c) is engaged in by D with intent to cause E harassment, alarm or distress, and causes E harassment, alarm or distress.

(7) A person who commits an offence under this section is liable—

- (a) on summary conviction, to imprisonment for a term not exceeding the general limit in the magistrates’ court or a fine (or both);
- (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine (or both).”—(*Dame Diana Johnson.*)

This new clause creates a new offence in relation to emergency workers. It is similar to offences in section 31 of the Crime and Disorder Act 1998 (racially or religiously aggravated offences under sections 4 and 4A of the Public Order Act 1986), but unlike those offences can be committed in dwellings.

Brought up, and added to the Bill.

New Clause 61

THREATENING OR ABUSIVE BEHAVIOUR LIKELY TO HARASS, ALARM OR DISTRESS EMERGENCY WORKERS

“(1) A person (‘D’) commits an offence if conditions 1 to 3 are met.

(2) Condition 1 is that D—

- (a) uses threatening or abusive words or behaviour, or
- (b) displays any writing, sign or other visible representation which is threatening or abusive,

within the hearing or sight of an emergency worker ('E') likely to be caused harassment, alarm or distress by D's conduct.

(3) In this section 'D's relevant conduct' means the conduct of D that meets condition 1.

(4) Condition 2 is that D—

(a) intends the words or behaviour, or the writing, sign or other visible representation, to be threatening or abusive, or

(b) is aware that they may be threatening or abusive.

(5) Condition 3 is that D's relevant conduct is racially or religiously hostile towards E.

(6) It is a defence for D to show that—

(a) D had no reason to believe that there was an emergency worker within hearing or sight who was likely to be caused harassment, alarm or distress, or

(b) D's conduct was reasonable.

(7) D is to be taken to have shown a matter if—

(a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and

(b) the contrary is not proved beyond reasonable doubt.

(8) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding level 4 on the standard scale."—(*Dame Diana Johnson.*)

This new Clause creates a new offence in relation to emergency workers. It is similar to an offence in section 31 of the Crime and Disorder Act 1998 (racially or religiously aggravated offences under section 5 of the Public Order Act 1986), but unlike that offence can be committed in dwellings.

Brought up, and added to the Bill.

New Clause 62

INTERPRETATION OF SECTIONS (*THREATENING, ABUSIVE OR INSULTING BEHAVIOUR TOWARDS EMERGENCY WORKERS*) AND (*THREATENING OR ABUSIVE BEHAVIOUR LIKELY TO HARASS, ALARM OR DISTRESS EMERGENCY WORKERS*)

"(1) This section applies for the interpretation of sections (Threatening, abusive or insulting behaviour towards emergency workers) and (Threatening or abusive behaviour likely to harass, alarm or distress emergency workers).

(2) 'Emergency worker' means an emergency worker, within the meaning of section 3 of the Assaults on Emergency Workers (Offences) Act 2018, acting in their capacity as such.

(3) The conduct of a person ('D') is racially or religiously hostile to another person ('E') if—

(a) at the time of that conduct, or immediately before or after that time, D demonstrates towards E hostility based on E's membership (or presumed membership) of a racial or religious group, or

(b) D's conduct is motivated (wholly or partly) by hostility towards members of a racial or religious group based on their membership of that group.

(4) It is immaterial whether D's hostility is also based, to any extent, on any other factor not mentioned in subsection (3).

(5) In subsection (3)—

'membership', in relation to a racial or religious group, includes association with members of that group;

'presumed' means presumed by D;

'racial group' means a group of persons defined by reference to race, colour, nationality (including citizenship) or ethnic or national origins;

'religious group' means a group of persons defined by reference to religious belief or lack of religious belief.

(6) A person whose awareness is impaired by intoxication is to be treated as aware of anything they would be aware of if not intoxicated, unless they show that their intoxication—

(a) was not self-induced or

(b) was caused solely by the taking or administration of a substance in the course of medical treatment.

(7) In subsection (6) 'intoxication' means any intoxication, whether caused by drink, drugs or other means, or by a combination of means."—(*Dame Diana Johnson.*)

This section defines terms used in NC60 and NC61.

Brought up, and added to the Bill.

New Clause 63

EXTRACTION OF ONLINE INFORMATION FOLLOWING SEIZURE OF ELECTRONIC DEVICES

"(1) Where an electronic device has been lawfully seized, a senior officer may authorise an enforcement officer to extract information accessible by means of one or more online accounts which were accessed by means of the device before it was seized.

(2) A senior officer may give an authorisation under subsection (1) only if satisfied that there are reasonable grounds to believe that—

(a) the information mentioned in subsection (1) includes information that is relevant to a reasonable line of enquiry which is being, or is to be pursued, by an enforcement officer for one or more relevant purposes, and

(b) it is not reasonably practicable to obtain that information by other means.

(3) The power conferred by virtue of subsection (1) may be exercised only to extract information—

(a) which was accessible by means of the online accounts at the time the device was seized, and

(b) which the person exercising the power considers necessary and proportionate to extract for the purpose of 63 obtaining information which is relevant as mentioned in subsection (2)(a).

(4) An authorisation under subsection (1) also confers powers to—

(a) access an online account of the kind mentioned in that subsection, and

(b) examine any information accessible by means of such an account.

(5) The power conferred by virtue of subsection (4)(b) may be exercised only to the extent that the person exercising the power considers necessary and proportionate for the purpose of determining whether information may be extracted under the authorisation.

(6) A person who is given an authorisation under subsection (1) may arrange for a person to exercise the powers conferred by the authorisation on their behalf.

(7) For the purposes of this section, each of the following are 'relevant purposes'—

(a) in every case, the purpose of preventing, detecting, investigating or prosecuting crime;

(b) in a case where the device mentioned in subsection (1) was seized under section 43E of the Terrorism Act 2000, the purpose of protecting the public from the risk of terrorism;

(c) in a case where the device was seized under Schedule 5 to the Terrorism Prevention and Investigation Measures Act 2011, a purpose connected with—

(i) protecting members of the public from a risk of terrorism, or

(ii) preventing or restricting an individual's involvement in terrorism-related activity;

(d) in a case where the device was seized under Schedule 11 to the National Security Act 2023, a purpose connected with—

(i) protecting the United Kingdom from the risk of acts or threats within section 33(3) of that Act, or

(ii) preventing or restricting an individual's involvement in foreign power threat activity.

(8) In this Act,

‘online account’ means an account by means of which information held on a service provided by means of the internet is made accessible.

(9) References in this Act to the extraction of information include its reproduction in any form.”—(*Dame Diana Johnson.*) *This new clause, together with NC64 to NC67, will confer power on the police constables and other enforcement officers to extract information accessible by means of an online account in circumstances where the account has been accessed by means of an electronic device which has been lawfully seized.*

Brought up, and added to the Bill.

New Clause 64

SECTION (*EXTRACTION OF ONLINE INFORMATION FOLLOWING SEIZURE OF ELECTRONIC DEVICES*): SUPPLEMENTARY

“(1) An authorisation under section (Extraction of online information following seizure of electronic devices) may be given—

- (a) orally or in writing;
- (b) subject to specified conditions.

(2) An authorisation under section (Extraction of online information following seizure of electronic devices) must specify each of the online accounts in respect of which it is given.

(3) As soon as reasonably practicable after giving an authorisation under section (Extraction of online information following seizure of electronic devices), a senior officer must record in writing—

- (a) if the authorisation was given orally, the authorisation

(including any conditions to which it is subject), and

- (b) in any case, the senior officer’s reasons for being satisfied as mentioned in section (Extraction of online information following seizure of electronic devices)(2).

(4) Any information which has been extracted under an authorisation under section (Extraction of online information following seizure of electronic devices) may be retained for so long as is necessary in all the circumstances; but this is subject to section (Section (Extraction of online information following seizure of electronic devices): confidential information).

(5) Section (Extraction of online information following seizure of electronic devices) does not limit any other power relating to the extraction of information or otherwise.”—(*Dame Diana Johnson.*)

See NC63.

Brought up, and added to the Bill.

New Clause 65

SECTION (*EXTRACTION OF ONLINE INFORMATION FOLLOWING SEIZURE OF ELECTRONIC DEVICES*): INTERPRETATION

“(1) In section (Extraction of online information following seizure of electronic devices)—

- (a) “enforcement officer” means a person listed in the first column of the following table, and
- (b) “senior officer”, in respect of an enforcement officer, means a person listed in the corresponding entry in the second column of the table.

Enforcement officer

a constable of a police force in England and Wales
a constable within the meaning of Part 1 of the Police and Fire Reform (Scotland) Act 2012 (asp 8) (see section 99 of that Act)
a police officer within the meaning of the Police (Northern Ireland) Act 2000 (see section 77(1) of that Act)
an officer appointed by the Police Ombudsman for Northern Ireland under section 56(1) or (1A) of the Police (Northern Ireland) Act 1998
a member of a civilian police staff
a constable of the British Transport Police Force
a constable of the Ministry of Defence police
a member of the Royal Navy Police or any other person who is under the direction and control of the Provost Marshal of the Royal Naval Police
a member of the Royal Military Police or any other person who is under the direction and control of the Provost Marshal of the Royal Military Police
a member of the Royal Air Force Police or any other person who is under the direction and control of the Provost Marshal of the Royal Air Force Police
a member of the tri-service serious crime unit described in section 375(1A) of the Armed Forces Act 2006 or any other person who is under the direction and control of the Provost Marshal for serious crime
a National Crime Agency officer
an officer of Revenue and Customs

a member of the Serious Fraud Office
a person appointed as an immigration officer under paragraph 1 of Schedule 2 to the Immigration Act 1971
an officer of the department of the Secretary of State for Business and Trade, so far as relating to the Insolvency Service

an officer of the department of the Secretary of State for Health and Social Care authorised to conduct investigations on behalf of the Secretary of State
an officer of the NHS Counter Fraud Authority

Senior officer

a constable of at least the rank of inspector
a constable of at least the rank of inspector

a police officer of at least the rank of inspector

an officer of at least the rank of inspector

a constable of at least the rank of inspector
a constable of at least the rank of inspector
a constable of at least the rank of inspector
a member of the Royal Navy of at least the rank of lieutenant

a member of the Royal Military of at least the rank of captain

a member of the Royal Air Force of at least the rank of flight lieutenant

a member of the Royal Navy, Royal Military or Royal Air Force of at least the rank of lieutenant, captain or flight lieutenant

a National Crime Agency officer of grade 3 or above
an officer of Revenue and Customs of at least the grade of higher officer
a member of the Serious Fraud Office of grade 7 or above
an immigration officer of at least the rank of chief immigration officer
an officer of the department of the Secretary of State for Business and Trade, so far as relating to the Insolvency Service, of grade 7 or above

an officer of the department of the Secretary of State for Health and Social Care authorised to conduct investigations on behalf of the Secretary of State of grade 7 or above
an officer of the NHS Counter Fraud Authority of at least pay band 8b

(2) The Secretary of State may by regulations amend the table in subsection (1)—

- (a) so as to add a reference to a person,
- (b) so as to remove a reference to a person, or
- (c) so as to modify a description of a person mentioned in that table.

(3) In section (Extraction of online information following seizure of electronic devices)—

“crime” means—

- (a) conduct which constitutes one or more criminal offences in any part of the United Kingdom, or
- (b) conduct which, if it took place in any part of the United Kingdom, would constitute one or more criminal offences;

“criminal offence” includes—

- (a) a service offence within the meaning of the Armed Forces Act 2006, and
- (b) an SDA offence within the meaning of the Armed Forces Act 2006 (Transitional Provisions etc) Order 2009 (S.I. 2009/1059);

“involvement in foreign power threat activity” has the same meaning as in Part 2 of the National Security Act 2023 (see section 62(1) of that Act);

“involvement in terrorism-related activity” has the same meaning as in Terrorism Prevention and Investigation Measures Act 2011 (see section 4 of that Act);

“terrorism” has the same meaning as in the Terrorism Act 2000 (see section 1(1) to (4) of that Act).

(4) References in section (Extraction of online information following seizure of electronic devices) to an electronic device which has been lawfully seized include—

- (a) a device possession of which has been taken under—
 - (i) section 448(3) of the Companies Act 1985;
 - (ii) section 2(5) of the Criminal Justice Act 1987;
- (b) a device which has been produced in compliance with—
 - (i) a notice under section 2(3) of the Criminal Justice Act 1987;
 - (ii) a notice under section 197 of the National Health Service Act 2006.”—(*Dame Diana Johnson.*)

See NC63.

Brought up, and added to the Bill.

New Clause 66

SECTION (*EXTRACTION OF ONLINE INFORMATION FOLLOWING SEIZURE OF ELECTRONIC DEVICES*): CONFIDENTIAL INFORMATION

“(1) This section applies where—

- (a) information has been extracted under the power conferred by virtue of section (Extraction of online information following seizure of electronic devices)(1), and
- (b) it appears to any person accessing the information as a result of the exercise of that power that the information is, or contains, confidential information.

(2) Subject to subsections (3) and (7), as soon as reasonably practicable after accessing the confidential information, the person must ensure that—

- (a) the information is made inaccessible, or
- (b) where the extraction involved a copy being made of the confidential information, the copy is destroyed.

(3) The duty in subsection (2) does not apply if—

- (a) the confidential information is comprised in other information which is not confidential information, and

- (b) it is not reasonably practicable for the confidential information to be separated from that other information without prejudicing its use in relation to a reasonable line of enquiry of the kind mentioned in section (Extraction of online information following seizure of electronic devices)(2)(a).

(4) Where the duty in subsection (2) is so disappplied, the person accessing the confidential information must ensure that it is not—

- (a) examined or copied, or
- (b) put to any use other than as mentioned in subsection (3)(b).

(5) In this section ‘confidential information’ means information which constitutes or may constitute—

- (a) confidential journalistic material within the meaning of the Investigatory Powers Act 2016 (see section 264(6) and (7) of that Act), or
- (b) protected material.

(6) In this section ‘protected material’ means—

- (a) so far as this section applies to England and Wales—
 - (i) items subject to legal privilege, within the meaning of the Police and Criminal Evidence Act 1984 (see section 10 of that Act);
 - (ii) excluded material within the meaning of that Act (see section 11 of that Act);
 - (iii) special procedure material within the meaning of that Act (see section 14 of that Act);
- (b) so far as this section applies to Scotland—
 - (i) items in respect of which a claim to confidentiality of communications could be maintained in legal proceedings;
 - (ii) other material of a kind mentioned in paragraph (a)(ii) or (iii) of this subsection;
- (c) so far as this section applies to Northern Ireland—
 - (i) items subject to legal privilege within the meaning of the Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12)) (see Article 12 of that Order);
 - (ii) excluded material within the meaning of that Order (see Article 13 of that Order);
 - (iii) special procedure material within the meaning of that Order (see Article 16 of that Order).

(7) The Secretary of State may by regulations provide for circumstances in which the duty in subsection (2) does not apply in relation to protected material of the kind mentioned in subsection (6)(a)(ii) and (iii), (b)(ii), and (c)(ii) and (iii).”—(*Dame Diana Johnson.*)

See NC63.

Brought up, and added to the Bill.

New Clause 67

SECTION (*EXTRACTION OF ONLINE INFORMATION FOLLOWING SEIZURE OF ELECTRONIC DEVICES*): CODE OF PRACTICE

“(1) The Secretary of State must prepare a code of practice about—

- (a) the exercise of the power to give an authorisation under section (Extraction of online information following seizure of electronic devices)(1), and
- (b) the exercise of the powers conferred by such an authorisation.

(2) The code may make different provision for different purposes or areas.

(3) In preparing the code, the Secretary of State must consult—

- (a) the Information Commissioner,
- (b) the Investigatory Powers Commissioner,
- (c) the Scottish Ministers,

- (d) the Department of Justice in Northern Ireland, and
- (e) such other persons as the Secretary of State considers appropriate.

(4) After preparing the code, the Secretary of State must lay it before Parliament and publish it.

(5) After the Secretary of State has complied with subsection (4), the Secretary of State may bring the code into force by regulations.

(6) After the code has come into force the Secretary of State may from time to time revise it.

(7) A person must have regard to the code of practice for the time being in force under this section in exercising, or deciding whether to exercise, the powers mentioned in subsection (1).

(8) A failure on the part of a person to act in accordance with the code does not of itself render the person liable to any criminal or civil proceedings.

(9) But the code is admissible in evidence in criminal or civil proceedings and a court may take into account a failure to act in accordance with it in determining a question in the proceedings.

(10) References in subsections (2) to (9) to the code include a revised code, subject to subsection (11).

(11) The duty to consult in subsection (3) does not apply in relation to the preparation of a revised code if the Secretary of State considers that the proposed revisions are insubstantial.”—
(*Dame Diana Johnson.*)

See NC63.

Brought up, and added to the Bill.

New Clause 68

EXTRACTION OF ONLINE INFORMATION: PORTS AND BORDER SECURITY

“(1) In Schedule 7 to the Terrorism Act 2000 (port and border controls), after paragraph 11A insert—

‘Extraction of online information

11B (1) This paragraph applies where an electronic device is detained under paragraph 11 after having been—

- (a) searched or found on a search under paragraph 8, or
- (b) examined under paragraph 9.

(2) A relevant senior officer may authorise a constable to extract information accessible by means of one or more online accounts which were accessed by means of the device before the search or examination began.

(3) The power conferred by virtue of sub-paragraph (2) may be exercised only to extract information which was accessible by means of the online accounts at the time the search or examination began.

(4) An authorisation under sub-paragraph (2) also confers powers to—

- (a) access an online account of the kind mentioned in that sub-paragraph, and
- (b) examine any information accessible by means of such an account.

(5) The power conferred by virtue of sub-paragraph (4)(b) may be exercised only for the purpose of determining whether information may be extracted under the authorisation.

(6) The powers conferred by virtue of this paragraph are exercisable only for so long as the electronic device continues to be detained under paragraph 11.

(7) A constable who is given an authorisation under sub-paragraph (2) may arrange for another person to exercise the powers conferred by the authorisation on their behalf.

(8) In this paragraph—

“online account” means an account by means of which information held on a service provided by means of the internet is made accessible;

“relevant senior officer”, in relation to a constable who is given an authorisation under sub-paragraph (2), means another constable who—

- (a) is of a higher rank than the constable who is given the authorisation, and
- (b) has not been directly involved in the exercise of any power under this Part of this Schedule to take the electronic device or to question a person from whom the device was taken.

(9) References in this paragraph and paragraph 11C to the extraction of information include its reproduction in any form.

11C Any information which has been extracted by virtue of paragraph 11B may be retained by a constable—

- (a) for so long as is necessary for the purpose of determining whether a person falls within section 40(1)(b),
- (b) while the constable believes that it may be needed for use as evidence in criminal proceedings, or
- (c) while the constable believes that it may be needed in connection with a decision by the Secretary of State whether to make a deportation order under the Immigration Act 1971.’

(2) In Schedule 3 to the Counter-Terrorism and Border Security Act 2019 (border security), after paragraph 22 insert—

‘Extraction of online information

22A (1) This paragraph applies where an electronic device is retained under paragraph 11 after having been—

- (a) searched or found on a search under paragraph 8, or
- (b) examined under paragraph 9.

(2) A relevant senior officer may authorise a constable to extract information accessible by means of one or more online accounts which were accessed by means of the device before the search or examination began.

(3) The power conferred by virtue of sub-paragraph (2) may be exercised only to extract information which was accessible by means of the online accounts at the time the search or examination began.

(4) An authorisation under sub-paragraph (2) also confers powers to—

- (a) access an online account of the kind mentioned in that sub-paragraph, and
- (b) examine any information accessible by means of such an account.

(5) The power conferred by virtue of sub-paragraph (4)(b) may be exercised only for the purpose of determining whether information may be extracted under the authorisation.

(6) The powers conferred by virtue of this paragraph are exercisable only for so long as the electronic device continues to be retained under paragraph 11.

(7) A constable who is given an authorisation under sub-paragraph (2) may arrange for another person to exercise the powers conferred by the authorisation on their behalf.

(8) Where a constable makes such an arrangement, the person exercising those powers on their behalf is to be treated as an examining officer for the purposes of Part 4 of this Schedule.

(9) In this paragraph—

“online account” means an account by means of which information held on a service provided by means of the internet is made accessible;

- “relevant senior officer”, in relation to a constable who is given an authorisation under sub-paragraph (2), means another constable who—
- (a) is of a higher rank than the constable who is given the authorisation, and
 - (b) has not been directly involved in the exercise of any power under this Part of this Schedule to take the electronic device or to question a person from whom the device was taken.
- (10) References in this paragraph and paragraph 22B to the extraction of information include its reproduction in any form.
- 22B Any information which has been extracted by virtue of paragraph 22A may be retained by a constable—
- (a) for so long as it is necessary for the purpose of determining whether a person is or has been engaged in hostile activity,
 - (b) while the constable believes that it may be needed for use as evidence in criminal proceedings,
 - (c) while the constable believes that it may be needed in connection with a decision by the Secretary of State whether to make a deportation order under the Immigration Act 1971,
 - (d) while the constable believes it necessary to retain the information—
 - (i) in the interests of national security,
 - (ii) in the interests of the economic well-being of the United Kingdom so far as those interests are also relevant to the interests of national security, or
 - (iii) for the purpose of preventing or detecting an act of serious crime, or
 - (e) while the constable believes it necessary to retain the information to prevent death or significant injury.
- 22C (1) Paragraphs 18 to 22 apply to information consisting of or including confidential material that is retained by virtue of paragraph 22B(d) or (e) as they apply to a copy consisting of or including confidential material that is retained by virtue of paragraph 17(3)(d) or (e), but with the following modifications.
- (2) Paragraph 18(7) is to be read as if the reference to paragraph 17(3)(b) or (c) were a reference to paragraph 22B(b) or (c).
 - (3) Paragraph 19 is to be read as if—
 - (a) the references in sub-paragraph (3)(c) and (6) to the person from whom the article was taken from which the copy was made, and
 - (b) the reference in sub-paragraph (7) to the person from whom an article was taken from which a copy was made,
 were references to the person from whom the device mentioned in paragraph 22A(1) was taken.
 - (4) Paragraph 20(4) is to be read as if the reference to a person from whom the article was taken from which the copy was made were a reference to the person from whom the device mentioned in paragraph 22A(1) was taken.
 - (5) Paragraph 21(7) is to be read as if the reference to the person from whom an article was taken from which the copy was made were a reference to the person from whom the device mentioned in paragraph 22A(1) was taken.
 - (6) Paragraph 22 is to be read as if—
 - (a) the reference in sub-paragraph (7) to paragraph 17(3)(b) or (c) were a reference to paragraph 22B(b) or (c);

- (b) the reference in sub-paragraph (9) to the person from whom the article was taken from which the copy was made were a reference to the person from whom the device mentioned in paragraph 22A(1) was taken.”—(*Dame Diana Johnson.*)

This new clause confers powers on examining officers to extract information accessible by means of an online account in circumstances where the account has been accessed by means of an electronic device retained by an examining officer under Schedule 7 to the Terrorism Act 2000 or Schedule 3 to the Counter-terrorism and Border Security Act 2019.

Brought up, and added to the Bill.

New Clause 69

EXTRACTION OF ONLINE INFORMATION FOLLOWING AGREEMENT ETC

“Schedule (Amendments to Chapter 3 of Part 2 of the Police, Crime, Sentencing and Courts Act 2022) amends Chapter 3 of Part 2 of the Police, Crime, Sentencing and Courts Act 2022 (extraction of information from electronic devices) in relation to the extraction of information accessible by means of online accounts.”—(*Dame Diana Johnson.*)

This new clause introduces NS1.

Brought up, and added to the Bill.

New Clause 70

LAWFUL INTERCEPTION OF COMMUNICATIONS

“(1) The Investigatory Powers Act 2016 is amended as follows.

(2) After section 48 insert—

‘48A Interception for accessing online accounts

- (1) The interception of a relevant communication transmitted by means of a telecommunications system is authorised by this subsection if—
 - (a) the interception is carried out by or on behalf of a person who has been authorised under a relevant power to access one or more online accounts, and
 - (b) the interception is carried out for the purpose of enabling the person to access those online accounts.
- (2) A “relevant communication” means a communication transmitted as part of a process used to—
 - (a) establish or verify the identity of a person, or
 - (b) establish or verify that a person is a natural person.
- (3) A “relevant power” means a power conferred by—
 - (a) paragraph 11B of Schedule 7 to the Terrorism Act 2000;
 - (b) paragraph 22A of Schedule 3 to the Counter-Terrorism and Border Security Act 2019;
 - (c) section 37(1A) of the Police, Crime, Sentencing and Courts Act 2022 by virtue of section 40 of that Act;
 - (d) section 41(1A) of that Act;
 - (e) section (Extraction of online information following seizure of electronic devices) of the Crime and Policing Act 2025.
- (4) The interception of a communication transmitted by means of a telecommunications system is authorised by this section if it is incidental to, or is reasonably carried out in connection with, conduct that is authorised by virtue of subsection (1).
- (5) In this section “online account” means an account by means of which information held on a service provided by means of the internet is made accessible.’

(3) In section 229 (main oversight functions), in subsection (4)(e)(i), after ‘47’ insert ‘, 48A’.”—(*Dame Diana Johnson.*)

This new clause authorises the interception of communications carried out by, or on a behalf of, persons who are authorised to access online accounts under certain powers where the interception is carried out for the purpose of enabling them to access those accounts.

Brought up, and added to the Bill.

New Clause 71

LAW ENFORCEMENT EMPLOYERS MAY NOT EMPLOY ETC BARRED PERSONS

“(1) Before employing or appointing any person, a law enforcement employer must check each barred list to ascertain whether the proposed employee or proposed appointee is a barred person.

(2) A law enforcement employer may not employ a barred person or otherwise appoint a barred person to any position.

(3) For the purposes of this section a person who is to be seconded to work for a law enforcement employer, and who will not be employed by that person, is to be regarded as being appointed by that person.

(4) Before designating a person as a community support volunteer or a policing support volunteer under section 38 of the Police Reform Act 2002, a chief officer of police, and the Chief Constable of the British Transport Police Force, must check each barred list to ascertain whether the person is a barred person.

(5) A chief officer of police, and the Chief Constable of the British Transport Police Force, may not designate a barred person as a community support volunteer or a policing support volunteer under section 38 of the Police Reform Act 2002.

(6) A law enforcement employer may not enter into a contract for the provision of services if the terms of the contract would permit a barred person to be involved in the exercise of law enforcement functions.

(7) A local policing body may not enter into a contract for the provision of services to a chief officer of police if the terms of the contract would permit a barred person to be involved in the exercise of law enforcement functions.

(8) In this section ‘barred list’ means—

- (a) the police barred list maintained under Part 4A of the Police Act 1996;
- (b) the British Transport Police barred list;
- (c) the Civil Nuclear Constabulary barred list;
- (d) the Ministry of Defence Police barred list;
- (e) the National Crime Agency barred list;
- (f) the Scottish police barred list maintained under section 59A of the Police and Fire Reform (Scotland) Act 2012 (asp 8).

(9) In this section ‘barred person’ means a person who is included in a barred list.”—(*Dame Diana Johnson.*)

This new Clause, together with NC72 to NC74, will restrict employment, appointments and contracts in relation to people on a number of barred lists. It replaces and extends existing provision in sections 88C to 88E of the Police Act 1996, which applies to a more limited list of law enforcement employers and the police barred list only.

Brought up, and added to the Bill.

New Clause 72

MEANING OF “LAW ENFORCEMENT EMPLOYER”

“(1) In section (Law enforcement employers may not employ etc barred persons) ‘law enforcement employer’ means—

- (a) a chief officer of police;
- (b) the Director General of the National Crime Agency;
- (c) the Chief Constable of the British Transport Police Force;
- (d) the British Transport Police Authority;
- (e) the Civil Nuclear Police Authority;

- (f) a local policing body;
- (g) the chief inspector of constabulary appointed under section 54 of the Police Act 1996;
- (h) the Independent Office for Police Conduct;
- (i) the Secretary of State, when exercising functions relating to the Ministry of Defence Police;
- (j) the College of Policing;
- (k) a person specified in regulations made by the Secretary of State.

(2) A person may be specified in regulations under subsection (1)(k) only if the person has law enforcement functions.

(3) If a person has both law enforcement functions and other functions, the person may be specified only—

- (a) in relation to the exercise of the person’s law enforcement functions, or
- (b) in relation to the exercise of such of those law enforcement functions as are of a description specified in the regulations.

(4) Subsection (1)(i) does not preclude the Secretary of State being specified in relation to the exercise of law enforcement functions of a description not within that subsection.

(5) In this section ‘law enforcement functions’ means functions of a public nature that relate to policing or law enforcement.

(6) Regulations under this section may not contain provision which would be within the legislative competence of the Scottish Parliament, if contained in an Act of that Parliament.

(7) Regulations under this section may not contain provision which—

- (a) would be within the legislative competence of the Northern Ireland Assembly, if it were contained in an Act of that Assembly, and
- (b) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998.”—(*Dame Diana Johnson.*)

See NC71.

Brought up, and added to the Bill.

New Clause 73

APPLICATION OF SECTION (LAW ENFORCEMENT EMPLOYERS MAY NOT EMPLOY ETC BARRED PERSON) TO SECRETARY OF STATE

“(1) The duties in section (Law enforcement employers may not employ etc barred person) (1) and (2) apply in relation to the Secretary of State only to the extent that the proposed employee or proposed appointee will be involved in the exercise of the functions of the Ministry of Defence Police.

(2) The additional duties in subsections (3) and (4) apply where the Secretary of State is proposing to arrange for an existing employee or existing appointee to become involved in the exercise of the functions of the Ministry of Defence Police (not having previously been so involved).

(3) Before making the arrangement, the Secretary of State must check each barred list to ascertain whether the existing employee or existing appointee is a barred person.

(4) The Secretary of State may not arrange for an existing employee or existing appointee who is a barred person to become involved in the exercise of the functions of the Ministry of Defence Police.

(5) For the purposes of this section, a person who is seconded to work for the Secretary of State is to be regarded as an existing appointee of the Secretary of State (if not an existing employee).

(6) In this section references to the Secretary of State are to be read in accordance with section (Meaning of ‘law enforcement employer’)(1)(i).”—(*Dame Diana Johnson.*)

See NC71.

Brought up, and added to the Bill.

New Clause 74

APPLICATION OF SECTION (*LAW ENFORCEMENT EMPLOYERS MAY NOT EMPLOY ETC BARRED PERSON*) TO SPECIFIED LAW ENFORCEMENT EMPLOYER

“(1) The duties in section (Law enforcement employers may not employ etc barred person) (1) and (2) apply in relation to a specified law enforcement employer only to the extent that the proposed employee or proposed appointee will be involved in the exercise of specified law enforcement functions.

(2) The additional duties in subsections (3) and (4) apply where a specified law enforcement employer is proposing to arrange for an existing employee or existing appointee to become involved in the exercise of specified law enforcement functions (not having previously been so involved).

(3) Before making the arrangement, the specified law enforcement employer must check each barred list to ascertain whether the existing employee or existing appointee is a barred person.

(4) The specified law enforcement employer may not arrange for an existing employee or existing appointee who is a barred person to become involved in the exercise of specified law enforcement functions.

(5) For the purposes of this section, a person who is seconded to work for a specified law enforcement employer is to be regarded as an existing appointee of that person (if not an existing employee).

(6) In relation to a specified law enforcement employer, section (Law enforcement employers may not employ etc barred person)(6) applies as if the references to law enforcement functions were to specified law enforcement functions.

(7) In this section—

‘specified law enforcement employer’ means a person who is specified as a law enforcement employer in regulations under section (Meaning of ‘law enforcement employer’)(1)(k);

‘specified law enforcement functions’ means the law enforcement functions in relation to the exercise of which the person is specified.”—(*Dame Diana Johnson.*)

See NC71.

Brought up, and added to the Bill.

New Clause 75

DUTY OF LAW ENFORCEMENT EMPLOYERS TO CHECK ADVISORY LISTS

“(1) Before employing or appointing any person, a law enforcement employer must check each advisory list to ascertain whether the proposed employee or proposed appointee is included in an advisory list.

(2) For the purposes of this paragraph a person who is to be seconded to work for a law enforcement employer, and who will not be employed by that person, is to be regarded as being appointed by that person.

(3) Before designating a person as a community support volunteer or a policing support volunteer under section 38 of the Police Reform Act 2002, a chief officer of police, and the Chief Constable of the British Transport Police Force, must check each advisory list to ascertain whether the person is included in a advisory list.

(4) The duty in subsection (1) applies to the Secretary of State only to the extent that the proposed employee or proposed appointee will be involved in the exercise of the functions of the Ministry of Defence Police.

(5) In subsection (4) references to the Secretary of State are to be read in accordance with section (Meaning of ‘law enforcement employer’)(1)(i).

(6) In this section ‘advisory list’ means—

(a) the police advisory list maintained under Part 4A of the Police Act 1996;

(b) the British Transport Police advisory list;

(c) the Civil Nuclear Constabulary advisory list;

(d) the Ministry of Defence Police advisory list;

(e) the National Crime Agency advisory list;

(f) the Scottish police advisory list maintained under section 59A of the Police and Fire Reform (Scotland) Act 2012 (asp 8).”—(*Dame Diana Johnson.*)

This new Clause, together with NC76, requires law enforcement employers to check a number of advisory lists before employing or appointing a person. It replaces and extends existing provision in section 88K of the Police Act 1996, which applies to a more limited list of law enforcement employers and the police advisory list only.

Brought up, and added to the Bill.

New Clause 76

APPLICATION OF SECTION (*DUTY OF LAW ENFORCEMENT EMPLOYERS TO CHECK ADVISORY LISTS*) TO SPECIFIED LAW ENFORCEMENT EMPLOYER

“(1) The duty in section (Duty of law enforcement employers to check advisory lists)(1) applies to a specified law enforcement employer only to the extent that the proposed employee or proposed appointee will be involved in the exercise of specified law enforcement functions.

(2) The additional duty in subsection (3) applies where a specified law enforcement employer is proposing to arrange for an existing employee or existing appointee to become involved in the exercise of specified law enforcement functions (not having previously been so involved).

(3) Before making the arrangement, the specified law enforcement employer must check each advisory list to ascertain whether the existing employee or existing appointee is included in an advisory list.

(4) For the purposes of this section a person who is seconded to work for a specified person is to be regarded as an existing appointee of that person (if not an existing employee of that person).

(5) In this section—

‘specified law enforcement employer’ means a person who is specified as a law enforcement employer in regulations under section (Meaning of ‘law enforcement employer’)(1)(k);

‘specified law enforcement functions’ means the law enforcement functions in relation to the exercise of which the person is specified.”—(*Dame Diana Johnson.*)

See NC75.

Brought up, and added to the Bill.

New Clause 77

INTERPRETATION OF SECTIONS (*LAW ENFORCEMENT EMPLOYERS MAY NOT EMPLOY ETC BARRED PERSONS*) TO (*APPLICATION OF SECTION (DUTY OF LAW ENFORCEMENT EMPLOYERS TO CHECK ADVISORY LISTS) TO SPECIFIED LAW ENFORCEMENT EMPLOYER*)

“In sections (Law enforcement employers may not employ etc barred persons) to (Application of section (Duty of law enforcement employers to check advisory lists) to specified law enforcement employer)—

‘advisory list’ has the meaning given by section (Duty of law enforcement employers to check advisory lists)(6);

‘barred list’ has the meaning given by section (Law enforcement employers may not employ etc barred persons)(8);

‘barred person’ has the meaning given by section (Law enforcement employers may not employ etc barred persons)(9);

‘British Transport Police advisory list’ means the advisory list maintained by the British Transport Police Authority under Part 2 of Schedule (Special police forces: barred persons lists and advisory lists);

‘British Transport Police barred list’ means the barred persons list maintained by the British Transport Police Authority under Part 1 of Schedule (Special police forces: barred persons lists and advisory lists);

‘chief officer of police’ has the same meaning as in the Police Act 1996 (see section 101(1) of that Act);

‘Civil Nuclear Constabulary advisory list’ means the advisory list maintained by the Civil Nuclear Police Authority under Part 2 of Schedule (Special police forces: barred persons lists and advisory lists);

‘Civil Nuclear Constabulary barred list’ means the barred persons list maintained by the Civil Nuclear Police Authority under Part 1 of Schedule (Special police forces: barred persons lists and advisory lists);

‘law enforcement functions’ has the meaning given by section (Meaning of law enforcement employer)(5);

‘Ministry of Defence Police advisory list’ means the advisory list maintained by the Secretary of State under Part 2 of Schedule (Special police forces: barred persons lists and advisory lists);

‘Ministry of Defence Police barred list’ means the barred persons list maintained by the Secretary of State under Part 1 of Schedule (Special police forces: barred persons lists and advisory lists);

‘National Crime Agency advisory list’ means the advisory list maintained by the Director General of the National Crime Agency under Part 2 of Schedule (Special police forces: barred persons lists and advisory lists);

‘National Crime Agency barred list’ means the barred persons list maintained by the Director General of the National Crime Agency under Part 1 of Schedule (Special police forces: barred persons lists and advisory lists.”—(*Dame Diana Johnson.*)

This new Clause defines terms used in NC71 to NC76.

Brought up, and added to the Bill.

New Clause 78

SPECIAL POLICE FORCES: BARRED PERSONS LISTS AND ADVISORY LISTS

“Schedule (Special police forces: barred persons lists and advisory lists) makes provision for barred persons lists and advisory lists to be maintained by—

- (a) the British Transport Police Authority,
- (b) the Civil Nuclear Police Authority,
- (c) the Director General of the National Crime Agency, and
- (d) the Secretary of State.”—(*Dame Diana Johnson.*)

This New Clause introduces NS3.

Brought up, and added to the Bill.

New Clause 79

CONSEQUENTIAL AMENDMENTS

“(1) In the Police Act 1996 omit—

- (a) sections 88C to 88E (effect of inclusion in police barred list);
- (b) section 88K (effect of inclusion in police advisory list).

(2) The Police Reform and Social Responsibility Act 2011 is amended as follows.

(3) In section 42(3AA) (person on police barred list not eligible for appointment as Commissioner of Police of the Metropolis)—

(a) the words from ‘the police’ to the end become paragraph (a);

(b) after that paragraph insert—

- ‘(b) the British Transport Police barred list (within the meaning of section (Interpretation of sections (Law enforcement employers may not employ etc barred persons) to (Application of section (Duty of law enforcement employers to check advisory lists) to specified law enforcement employer)) of the Crime and Policing Act 2025;
- (c) the Civil Nuclear Constabulary barred list (within the meaning of that section);
- (d) the Ministry of Defence Police barred list (within the meaning of that section);
- (e) the National Crime Agency barred list (within the meaning of that section);
- (f) the Scottish police barred list maintained under section 59A of the Police and Fire Reform (Scotland) Act 2012 (asp 8).’

(4) In section 42(3B) (person on police barred list not eligible for appointment as Deputy Commissioner of Police of the Metropolis)—

(a) the words from ‘the police’ to the end become paragraph (a);

(b) after that paragraph insert—

- ‘(b) the British Transport Police barred list (within the meaning of section (Interpretation of sections (Law enforcement employers may not employ etc barred persons) to (Application of section (Duty of law enforcement employers to check advisory lists) to specified law enforcement employer)) of the Crime and Policing Act 2025;
- (c) the Civil Nuclear Constabulary barred list (within the meaning of that section);
- (d) the Ministry of Defence Police barred list (within the meaning of that section);
- (e) the National Crime Agency barred list (within the meaning of that section);
- (f) the Scottish police barred list maintained under section 59A of the Police and Fire Reform (Scotland) Act 2012 (asp 8).’—(*Dame Diana Johnson.*)

This new Clause repeals provisions in the Police Act 1996 that are superseded by NC71 to NC76, and provides that a person on one of the new lists, or the Scottish police barred list, cannot be appointed as Metropolitan Police Commissioner or Deputy Commissioner.

Brought up, and added to the Bill.

New Clause 80

POWER TO GIVE DIRECTIONS TO CRITICAL POLICE UNDERTAKINGS

“In the Police Act 1996, after section 40C insert—

‘40D Power to give directions to critical police undertakings

- (1) The Secretary of State may give a notice under this section to a critical police undertaking.
- (2) An undertaking is a “critical police undertaking” if—
 - (a) it provides facilities or services to two or more police forces,
 - (b) the provision of facilities or services to police forces is its principal business activity,
 - (c) it is wholly or partly funded by grants from the Secretary of State, and
 - (d) the Secretary of State considers that the facilities or services it provides to police forces are calculated to promote the efficiency and effectiveness of the police.
- (3) A critical police undertaking to which a notice is given under this section must comply with any directions given to it under this section by the Secretary of State.

- (4) A direction under this section is a direction requiring the critical police undertaking to which it is given to take, or not to take, action specified in the direction.
- (5) The action that a direction may require a critical police undertaking to take includes (for example)—
 - (a) entering into agreements, including contracts of employment;
 - (b) appointing officers;
 - (c) exercising a function of management in a particular way;
 - (d) providing information to the Secretary of State.
- (6) The Secretary of State may give a notice or direction under this section only if the Secretary of State considers that giving the notice or direction is calculated to promote the efficiency and effectiveness of the police.
- (7) Before giving a notice or direction under this section the Secretary of State must consult the critical police undertaking to which the notice or direction is to be given.
- (8) A notice or direction under this section must be given in writing.
- (9) The Secretary of State must lay before Parliament, and publish, a notice or direction given under this section.
- (10) The Secretary of State may vary or revoke a notice or direction given under this section by giving a further notice or direction under this section.
- (11) A requirement to provide information as mentioned in subsection (5)(d) does not authorise or require a disclosure of information in contravention of the data protection legislation within the meaning of the Data Protection Act 2018 (but, in determining whether a disclosure would do so, the power to impose requirements by virtue of this section is to be taken into account).
- (12) In this section “undertaking” has the meaning given by section 1161(1) of the Companies Act 2006.”—
(*Dame Diana Johnson.*)

Brought up, and added to the Bill.

New Clause 81

PORTS AND BORDER SECURITY: RETENTION AND COPYING OF ARTICLES

“(1) Schedule 7 to the Terrorism Act 2000 (port and border controls) is amended as follows.

- (2) In paragraph 11—
 - (a) in sub-paragraph (2)(a), for ‘a period not exceeding’ substitute ‘the period of’;
 - (b) after sub-paragraph (2) insert—
 - ‘(3) Where an article is detained by virtue of paragraph (a) of sub-paragraph (2), a senior officer may extend the period mentioned in that paragraph by up to 7 days.
 - (4) A senior officer may only exercise the power conferred by sub-paragraph (3) if the senior officer has not been directly involved in the exercise of any power under this Part of this Schedule to take the article or to question a person from whom the article was taken.
 - (5) In sub-paragraphs (3) and (4) “senior officer” means—
 - (a) where the examining officer who detained the article is a constable, a constable of a higher rank than the examining officer,
 - (b) where the examining officer who detained the article is an immigration officer, an immigration officer of a higher grade than the examining officer, and

- (c) where the examining officer who detained the article is a customs officer, a customs officer of a higher grade than the examining officer.’

- (3) In paragraph 11A, after sub-paragraph (3) insert—

‘(4) An examining officer may authorise another person to exercise the power conferred by sub-paragraph (2) on their behalf.’

- (4) Schedule 3 to the Counter-Terrorism and Border Security Act 2019 (border security) is amended as follows.

- (5) In paragraph 11—

- (a) in sub-paragraph (2)(a), for ‘a period not exceeding’ substitute ‘the period of’;

- (b) after sub-paragraph (2) insert—

‘(3) Where an article is retained by virtue of paragraph (a) of sub-paragraph (2), a senior officer may extend the period mentioned in that paragraph by up to 7 days.

- (4) A senior officer may exercise the power conferred by sub-paragraph (3) only if the senior officer has not been directly involved in the exercise of any power under this Part of this Schedule to take the article or to question a person from whom the article was taken.

- (5) In sub-paragraphs (3) and (4) “senior officer” means—

- (a) where the examining officer who retained the article is a constable, a constable of a higher rank than the examining officer,

- (b) where the examining officer who retained the article is an immigration officer, an immigration officer of a higher grade than the examining officer, and

- (c) where the examining officer who retained the article is a customs officer, a customs officer of a higher grade than the examining officer.’

- (6) In paragraph 12(6), for ‘the person from whom it was taken’ substitute ‘—

- (a) the person from whom it was taken, or

- (b) where the Commissioner considers that there is another person to whom it would be more appropriate to return the article, that person.’

- (7) In paragraph 16(6)(b), for ‘the person from whom it was taken,’ substitute ‘—

- (i) the person from whom it was taken, or

- (ii) where the Commissioner considers that there is another person to whom it would be more appropriate to return the article, that person;’

- (8) In paragraph 17, after sub-paragraph (3) insert—

‘(4) An examining officer may authorise another person to exercise the power conferred by sub-paragraph (2) on their behalf.

- (5) A person authorised under sub-paragraph (4) is to be treated as an examining officer for the purposes of Part 4 of this Schedule.’

- (9) In paragraph 19(3)(a), omit ‘where the examining officer is a constable.’

- (10) In paragraph 20(8), in the definition of ‘senior officer’—

- (a) in paragraph (a), omit ‘where the examining officer is a constable;’

- (b) omit paragraphs (b) and (c).”—(*Dame Diana Johnson.*)

This new clause amends Schedule 7 to the Terrorism Act 2000 and Schedule 3 to the Counter-terrorism and Border Security Act 2019 to make changes to the provisions dealing with the retention and copying of articles under those Schedules. Those changes include provision for the extension of the period during which articles may be retained by an examining officer for the purpose of examination.

Brought up, and added to the Bill.

New Clause 82

EXTRADITION: CASES WHERE A PERSON HAS BEEN CONVICTED

“(1) The Extradition Act 2003 is amended as follows.

(2) In section 20 (case where person has been convicted: category 1 territories)—

(a) in subsection (5), for the words from ‘the person’ to the end substitute ‘any of the following applies—

(a) the person would be entitled to a retrial or (on appeal) to a review amounting to a retrial;

(b) the person would be so entitled unless a court in the territory concerned were to decide that they deliberately absented themselves from their trial;

(c) the person was entitled as mentioned in paragraph (a) or (b) but expressly waived that entitlement;

(d) having been informed that they were entitled as mentioned in paragraph (a) or (b), the person failed to exercise that entitlement before the end of the period permitted for exercising it.’;

(b) after subsection (7) insert—

‘(7A) For the purposes of subsection (1), a person convicted at a trial at which they were legally represented (but not present in person) is to be treated as having been convicted in their presence.’;

(c) in subsection (8), in the words before paragraph (a)—

(i) after ‘constitute’ insert ‘(or would have constituted)’;

(ii) after ‘have’ insert ‘(or would have had)’.

(3) In section 85 (case where person has been convicted: category 2 territories)—

(a) in subsection (5), for the words from ‘the person’ to the end substitute ‘any of the following applies—

(a) the person would be entitled to a retrial or (on appeal) to a review amounting to a retrial;

(b) the person would be so entitled unless a court in the territory concerned were to decide that they deliberately absented themselves from their trial;

(c) the person was entitled as mentioned in paragraph (a) or (b) but expressly waived that entitlement;

(d) having been informed that they were entitled as mentioned in paragraph (a) or (b), the person failed to exercise that entitlement before the end of the period permitted for exercising it.’;

(b) after subsection (7) insert—

‘(7A) For the purposes of subsection (1), a person convicted at a trial at which they were legally represented (but not present in person) is to be treated as having been convicted in their presence.’;

(c) in subsection (8), in the words before paragraph (a)—

(i) after ‘constitute’ insert ‘(or would have constituted)’;

(ii) after ‘have’ insert ‘(or would have had)’.”—(*Dame Diana Johnson.*)

This new clause amends the questions a judge must decide in order to determine whether a person alleged to be unlawfully at large following the person's conviction in a category 1 territory or a category 2 territory may be extradited.

Brought up, and added to the Bill.

New Schedule 1

AMENDMENTS TO CHAPTER 3 OF PART 2 OF THE POLICE, CRIME, SENTENCING AND COURTS ACT 2022

“1 Chapter 3 of Part 2 of the Police, Crime, Sentencing and Courts Act 2022 (extraction of information from electronic devices) is amended as follows.

2 In the Chapter heading—

(a) for “information from” substitute “information.”;

(b) after “devices” insert “and online accounts”.

3 (1) Section 37 (extraction of information from electronic devices: investigations of crime etc) is amended as follows.

(2) In the heading, omit “from electronic devices”.

(3) After subsection (1) insert—

“(1A) An authorised person may extract information accessible by means of an online account if—

(a) a user of the account has voluntarily provided access to the account to an authorised person, and

(b) that user has agreed to the extraction by an authorised person of information accessible by means of the account.

(1B) The power in subsection (1A)(b) may be exercised only in relation to information which is or was accessible by means of the online account at such time or times as have been agreed by the user of the account.”

(4) In subsection (2)—

(a) for “power” substitute “powers”;

(b) after “(1)” insert “and (1A)”.

(5) In subsection (5)—

(a) after “(1)” insert “or (1A)”;

(b) after “electronic device” (in both places) insert “, or accessible by means of the online account,”.

(6) In subsection (6)—

(a) in the words before paragraph (a), after “the power” insert “in subsection (1) or (1A)”;

(b) in paragraph (b), after “(1)” insert “or (1A)”.

(7) In subsection (7), after “(1)” insert “or (1A)”.

(8) In subsection (8), after “(1)” insert “or (1A)”.

(9) In subsection (9), after “the power” insert “in subsection (1) or (1A)”.

(10) In subsection (10)—

(a) in paragraph (a), for the words from “information” to the end substitute “information—

(i) likely to be stored on the device, or

(ii) likely to be accessible by means of the online account, and”;

(b) in paragraph (b)(ii), after “(1)” insert “or (1A)”.

(11) In subsection (11), after “(1)” insert “or (1A)”.

(12) In subsection (13)—

(a) after the definition of “information” insert—

““online account” means an account by means of which information held on a service provided by means of the internet is made accessible;”;

(b) for the definition of “user” substitute—

““user” —

(a) in relation to an electronic device, means a person who ordinarily uses the device;

(b) in relation to an online account, means a person who ordinarily uses the account.”

4 (1) Section 38 (application of section 37 to children and adults without capacity) is amended as follows.

(2) After subsection (2) insert—

“(2A) A child is not to be treated for the purposes of section 37(1A) as being capable of—

(a) voluntarily providing access to an online account for those purposes, or

(b) agreeing for those purposes to the extraction by an authorised person of information accessible by means of the online account.

(2B) If a child is a user of an online account, a person who is not a user of the account but is listed in subsection (3) may—

- (a) voluntarily provide access to the online account to an authorised person for the purposes of section 37(1A), and
 - (b) agree for those purposes to the extraction by an authorised person of information accessible by means of the online account.”
 - (3) In subsection (3), for “subsection (2)” substitute “subsections (2) and (2B)”.
 - (4) In subsection (4), after “(2),” insert “or the power under section 37(1A) by virtue of subsection (2B),”.
 - (5) In subsection (5)—
 - (a) after “37(1)” insert “or (1A)”;
 - (b) after “(2)” insert “or (2B)”.
 - (6) After subsection (7) insert—

“(7A) An adult without capacity is not to be treated for the purposes of section 37(1A) as being capable of—

 - (a) voluntarily providing access to an online account for those purposes, or
 - (b) agreeing for those purposes to the extraction by an authorised person of information accessible by means of the online account.

(7B) If a user of an online account is an adult without capacity, a person who is not a user of the online account but is listed in subsection (8) may—

 - (a) voluntarily provide access to the online account to an authorised person for the purposes of section 37(1A), and
 - (b) agree for those purposes to the extraction by an authorised person of information accessible by means of the online account.”
 - (7) In subsection (8)—
 - (a) in the words before paragraph (a), for “subsection (7)” substitute “subsections (7) and (7B)”;
 - (b) after “and (b)” (in each place) insert “, or for the purposes of subsection (7B)(a) and (b),”.
 - (8) In subsection (9), for the words from “prevents” to the end substitute “prevents—
 - (a) any other user of an electronic device who is not a child or an adult without capacity from—
 - (i) voluntarily providing the device to an authorised person for the purposes of section 37(1), or
 - (ii) agreeing for those purposes to the extraction of information from the device by an authorised person;
 - (b) any other user of an online account who is not a child or an adult without capacity from—
 - (i) voluntarily providing access to the online account to an authorised person for the purposes of section 37(1A), or
 - (ii) agreeing for those purposes to the extraction by an authorised person of information accessible by means of the online account.” - (9) In subsection (10), after “and (b)” (in each place) insert “or (1A)(a) and (b)”;
 - (10) In subsection (11), in the definition of “relevant authorised person”, for the words from “person” to the end substitute “person”—
 - (a) in relation to the extraction of information from an electronic device for a particular purpose, means an authorised person who may extract the information from the device for that purpose;
 - (b) in relation to the extraction of information accessible by means of an online account for a particular purpose, means an authorised person who may extract the information accessible by means of the online account for that purpose;”
- 5 (1) Section 39 (requirements for voluntary provision and agreement) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) A person (“P”) is to be treated for the purposes of section 37 or 38 as having—

- (a) voluntarily provided access to an online account to an authorised person, and
 - (b) agreed to the extraction by an authorised person of information accessible by means of the online account,
- only if the requirements of this section have been met.”
- (3) In subsection (2), for the words from “to provide” to the end substitute “to—
- (a) provide the device or agree to the extraction of information from it, or
 - (b) provide access to the online account or agree to the extraction of information accessible by means of it.”
- (4) In subsection (3)—
- (a) in paragraph (d), for the words from “may” to the end substitute “may—
 - (i) refuse to provide the device or agree to the extraction of information from it, or
 - (ii) refuse to provide access to the online account or agree to the extraction of information accessible by means of it, and”; - (b) in paragraph (e), for the words from “P refuses” to the end substitute “P—
 - (i) refuses to provide the device or agree to the extraction of information from it, or
 - (ii) refuses to provide access to the online account or agree to the extraction of information accessible by means of it.”
- (5) In subsection (4), for the words from “that” to the end substitute “that—
- (a) P has—
 - (i) voluntarily provided the device to an authorised person, and
 - (ii) agreed to the extraction of information from the device by an authorised person, or
 - (b) P has—
 - (i) voluntarily provided access to the online account to an authorised person, and
 - (ii) agreed to the extraction by the authorised person of information accessible by means of the online account.”
- 6 (1) Section 40 (application of section 37 where user has died etc) is amended as follows.
- (2) After subsection (1) insert—
- “(1A) If any of conditions A to C is met, an authorised person may exercise the power in section 37(1A) to extract information accessible by means of an online account even though—
- (a) access has not been voluntarily provided to an authorised person by a user of the account, or
 - (b) no user of the account has agreed to the extraction by an authorised person of information accessible by means of the account.”
- (3) In subsection (2)—
- (a) in paragraph (a), for “, and” substitute “and the person was a user of the device immediately before their death, or”;
 - (b) for paragraph (b) substitute—

“(b) a person who was a user of the online account has died and the person was a user of the online account before their death.”
- (4) In subsection (3)(a), after “device” insert “or online account”.
- (5) In subsection (4)—
- (a) in paragraph (a), after “device” insert “or online account”;
 - (b) in paragraph (b), for the words from “was” to the end substitute “was—
 - (i) a user of the device immediately before they went missing, or

- (ii) a user of the online account before they went missing, and”.
- (6) In subsection (5), after “(1)” insert “or (1A)”.
- 7 (1) Section 41 (extraction of information from electronic devices: investigations of death) is amended as follows.
 - (2) In the heading, omit “from electronic devices”.
 - (3) After subsection (1) insert—
 - “(1A) An authorised person may extract information accessible by means of an online account if—
 - (a) a person who was a user of the online account has died, and
 - (b) the person was a user of the account before their death.”
 - (4) In subsection (2)—
 - (a) for “power” substitute “powers”;
 - (b) after “(1)” insert “and (1A)”.
 - (5) In subsection (3)—
 - (a) for “the power” substitute “the powers”;
 - (b) after “(1)” insert “and (1A)”;
 - (c) for “that power” substitute “those powers”.
 - (6) In subsection (4)—
 - (a) after “(1)” insert “or (1A)”;
 - (b) in paragraph (a), after “device” insert “, or accessible by means of the online account,”.
 - (7) In subsection (5), after “the power” insert “in subsection (1) or (1A)”.
 - (8) In subsection (7), after “(1)” insert “or (1A)”.
 - (9) In subsection (8), after “the power” insert “in subsection (1) or (1A)”.
 - (10) In subsection (9)(a), for the words from “information” to the end substitute “information—
 - (i) likely to be stored on the device, or
 - (ii) likely to be accessible by means of the online account, and”.
 - (11) In subsection (10), after “(1)” insert “or (1A)”.
- 8 In section 42 (code of practice about the extraction of information), in subsection (1)—
 - (a) after “37(1) and” insert “(1A) and”;
 - (b) after “41(1)” insert “and (1A)”.
- 9 (1) Section 44 (authorised persons) is amended as follows.
 - (2) In subsection (2), for “power in subsection (1)” substitute “powers in subsections (1) and (1A)”.
 - (3) In subsection (3)—
 - (a) for “power” substitute “powers”;
 - (b) after “41(1)” insert “and (1A)”.
- 10 In Schedule 3 (extraction of information from electronic devices: authorised persons)—
 - (a) in the Schedule heading, omit “from electronic devices”;
 - (b) after “electronic devices” (in each place) insert “, or the extraction of information accessible by means of online accounts,”. —(*Dame Diana Johnson.*)

This new schedule confers powers on police constables and other authorised persons to extract information accessible by means of an online account in circumstances where a user of the account has agreed to the extraction and in certain other circumstances.

Brought up, and added to the Bill.

New Schedule 2

CONFISCATION ORDERS: SCOTLAND

“Cases in which accused has a criminal lifestyle

- “1 (1) In section 142 of the Proceeds of Crime Act 2002 (criminal lifestyle), in subsection (2)—
 - (a) after “benefited”, in the first place it occurs, insert “, or intended to benefit,”;

- (b) in paragraph (a)—
 - (i) for “three”, in both places it occurs, substitute “two”;
 - (ii) after “benefited” insert “or intended to benefit”;
 - (c) in paragraph (b), after “benefited” insert “or intended to benefit”.
- (2) The amendments made by sub-paragraph (1)(a), (b)(ii) and (c) do not apply in relation to conduct that took place wholly or partly before the date on which those provisions come into force.

Compensation directions

- 2 (1) The Proceeds of Crime Act 2002 is amended as follows.

- (2) After section 107 insert—

“107A Increased available amount: compensation directions

- (1) This section applies where under section 107(3) a court varies a confiscation order so as to increase the amount required to be paid under the order.
- (2) The court may make a supplementary compensation direction if—
 - (a) a compensation order has been made against the accused in respect of the offence (or any of the offences) concerned, and
 - (b) at the time the compensation order was made, the amount of the compensatable loss that had been sustained by the person in whose favour it was made was greater than the amount required to be paid by the compensation order.
- (3) A supplementary compensation direction is a direction that so much of the amount recovered under the confiscation order as the court considers appropriate is to be paid to the person in whose favour the compensation order was made.
- (4) That amount must not exceed the difference between—
 - (a) the amount of the compensatable loss that had been sustained by the person at the time the compensation order was made, and
 - (b) the amount required to be paid to the person by the compensation order,
 or so much of that difference as remains unpaid.
- (5) If the amount mentioned in subsection (4)(a) exceeds any applicable maximum amount, subsection (4) applies as if the amount in subsection (4)(a) were the applicable maximum amount.
- (6) The court may make a compensation direction if—
 - (a) at the time the confiscation order was made, a person was known to the court to have sustained compensatable loss as a result of the offence (or any of the offences) concerned, but
 - (b) a compensation order has not been made against the accused in respect of that compensatable loss.
- (7) A compensation direction is a direction that so much of the amount recovered under the confiscation order as the court considers appropriate is to be paid to the person mentioned in subsection (6)(a).
- (8) That amount must not exceed—
 - (a) the amount of the compensatable loss that had been sustained by the person as a result of the offence (or any of the offences) concerned at the time the confiscation order was made, or
 - (b) so much of that amount as remains unpaid.
- (9) If the amount mentioned in subsection (8)(a) exceeds any applicable maximum amount, subsection (8) applies as if the amount in subsection (8)(a) were the applicable maximum amount.
- (10) In this section—
 - “applicable maximum amount” means the maximum amount of compensation (if any) that a compensation order made against the accused in respect of the offence (or offences) concerned could have required the accused to pay;

“compensatable loss” means personal injury, loss or damage of a kind in respect of which a compensation order could have been made;

“compensation order” means a compensation order under section 249 of the Procedure Act.”

(3) In section 131 (sums received by clerk of court) after subsection (6A) insert—

“(6B) If under section 107A (compensation directions) a direction was made for an amount to be paid to a person, the clerk of court must next apply the sums in payment of that amount.”—(*Dame Diana Johnson.*)

This new schedule changes the meaning of “criminal lifestyle” for the purposes of confiscation orders in Scotland and it enables a court to direct that, where it increases the amount payable under a Scottish confiscation order, in certain cases sums recovered under the order are to be paid by way of compensation to those who suffered loss as a result of the offence.

Brought up, and added to the Bill.

New Schedule 3

SPECIAL POLICE FORCES; BARRED PERSONS LISTS AND ADVISORY LISTS

“PART 1

BARRED PERSONS LISTS

Duty to maintain barred persons lists

1 (1) Each relevant policing authority must maintain a barred persons list.

(2) In this Schedule “relevant policing authority” means—

- (a) the British Transport Police Authority;
- (b) the Civil Nuclear Police Authority;
- (c) the Director General of the National Crime Agency;
- (d) the Secretary of State.

(3) Each barred persons list must include such information in relation to a person included in the list as is specified in regulations made by the Secretary of State.

Inclusion of NCA officers and constables in barred persons lists

2 (1) The Director General of the National Crime Agency must include a person in the barred persons list maintained by them if—

- (a) the person ceases to be an NCA officer by virtue of being dismissed at disciplinary proceedings, or
- (b) the person is a former NCA officer and there is a finding in relation to the person in disciplinary proceedings that the person would have been dismissed if the person had still been an NCA officer.

(2) Each other relevant policing authority must include a person in the barred persons list maintained by them if—

- (a) the person ceases to be a constable of the relevant police force by virtue of being dismissed at disciplinary proceedings, or
- (b) the person is a former constable of the relevant police force and there is a finding in relation to the person in disciplinary proceedings that the person would have been dismissed if the person had still been a constable of the relevant police force.

(3) “Relevant police force” means—

- (a) in relation to the British Transport Police Authority, the British Transport Police Force;
- (b) in relation to the Civil Nuclear Police Authority, the Civil Nuclear Constabulary;
- (c) in relation to the Secretary of State, the Ministry of Defence Police.

Inclusion of civilian employees in barred persons lists

3 (1) This paragraph applies to—

- (a) the Civil Nuclear Police Authority;
- (b) the British Transport Police Authority.

(2) Each relevant policing authority to which this paragraph applies must include a person in the barred persons list maintained by them if—

- (a) the person ceases to be a civilian employee of the authority by virtue of being dismissed and the reason, or one of the reasons, for the dismissal relates to conduct, efficiency or effectiveness, or
- (b) the person is a former civilian employee of the authority and there is a finding in relation to the person in disciplinary proceedings that, if the person had still been such an employee, the person would have been dismissed as mentioned in paragraph (a).

(3) In this Schedule “civilian employee”—

- (a) in relation to the Civil Nuclear Police Authority, means an employee of the Authority who is not a constable;
- (b) in relation to the British Transport Police Authority, means a person employed by the Authority under section 27 of the Railways and Transport Safety Act 2003 who is—
 - (i) under the direction and control of the Chief Constable of the British Transport Police Force, or
 - (ii) designated as a community support officer or policing support officer by virtue of section 28(1)(a) of that Act.

(4) For the purposes of this paragraph a person is dismissed if the circumstances in which the person ceases to be a civilian employee amount to dismissal within the meaning of Part 10 of the Employment Rights Act 1996 (see section 95 of that Act).

Removal of NCA officers and constables from barred persons lists

4 (1) This paragraph applies where—

- (a) a person included in a barred persons list by virtue of paragraph 2(1)(a) is reinstated as an NCA officer,
- (b) a person included in a barred persons list by virtue of paragraph 2(2)(a) is reinstated as a constable of the relevant police force, or
- (c) in relation to a person included in a barred persons list by virtue of paragraph 2(1)(b) or (2)(b), the finding that the person would have been dismissed is set aside.

(2) The relevant policing authority must remove the person from the barred persons list.

Removal of civilian employees from barred persons lists

5 (1) This paragraph applies where—

- (a) the dismissal of a person included in a barred persons list by virtue of paragraph 3(2)(a) is found to have been an unfair dismissal following a complaint under section 111 of the Employment Rights Act 1996 (whether by an employment tribunal or on appeal), or
- (b) the finding that a person included in a barred persons list by virtue of paragraph 3(2)(b) would have been dismissed is set aside at proceedings that are identified as appeal proceedings by regulations made by the Secretary of State.

(2) The relevant policing authority must remove the person from the barred persons list maintained by the authority.

Removal from barred lists: further provision

6 The Secretary of State may by regulations make provision in connection with the removal of persons from barred persons lists otherwise than under paragraph 4 or 5.

Publication of information in barred persons lists

7 (1) This paragraph applies to—

- (a) the British Transport Police Authority;
- (b) the Civil Nuclear Police Authority;
- (c) the Secretary of State.

(2) The Secretary of State may by regulations require a relevant policing authority to which this paragraph applies to publish information about persons included in the barred persons list maintained by the authority.

(3) The regulations may in particular make provision about—

- (a) the persons included in the barred persons list about whom information is to be published;
- (b) the information which is to be published;
- (c) when the information is to be published;
- (d) the period for which the information is to remain published;
- (e) how the information is to be published.

Power to disclose information in barred persons list

8 A relevant policing authority may, if it considers it to be in the public interest to do so, disclose to any person information included in its barred persons list which relates to a particular person who is included in that list.

PART 2

ADVISORY LISTS

Duty to maintain advisory lists

9 (1) Each relevant policing authority must maintain an advisory list.

(2) An advisory list must include such information in relation to a person as is specified in regulations made by the Secretary of State.

Inclusion of persons in advisory lists

10 (1) The Director General of the National Crime Agency must include a person in the advisory list maintained by them if—

- (a) the person ceases to be an NCA officer by resigning or retiring, and
- (b) Condition 1 or Condition 2 is met in relation to the person.

(2) Each other relevant policing authority must include a person in the advisory list maintained by them if—

- (a) the person ceases to be a constable of the relevant police force by resigning or retiring, and
- (b) Condition 1 or Condition 2 is met in relation to the person.

(3) The Civil Nuclear Police Authority and the British Transport Police Authority must also include a person in the advisory list maintained by them if—

- (a) the person ceases to be a civilian employee of the authority by resigning or retiring, and
- (b) Condition 1 or Condition 2 is met in relation to the person.

(4) Condition 1 is that the resignation or retirement took place—

- (a) after a relevant allegation about the person came to the attention of the relevant policing authority, but
- (b) before disciplinary proceedings in respect of the allegation were brought or, if brought, before they concluded.

(5) But Condition 1 is not met if, before the person resigned or retired, it was determined that no disciplinary proceedings would be brought against the person in respect of the allegation.

(6) Condition 2 is that a relevant allegation about the person came to the attention of the relevant policing authority after the person resigned or retired.

(7) For the purposes of this paragraph an allegation about a person is a relevant allegation if—

- (a) it relates to the conduct, efficiency or effectiveness of the person, and
- (b) the allegation (if proved) is of a type that might have resulted in the person being dismissed if the person had not resigned or retired.

Removal from advisory list

11 (1) A relevant policing authority must remove a person from the advisory list maintained by the authority if—

- (a) it is determined that no disciplinary proceedings will be brought against the person,
- (b) disciplinary proceedings brought against the person are withdrawn, or
- (c) disciplinary proceedings brought against the person are concluded without there being a finding that the person would have been dismissed if the person had not resigned or retired.

(2) A relevant policing authority must remove a person from the advisory list maintained by the authority if the person is included in the barred persons list maintained by the authority.

(3) The Secretary of State may by regulations make provision in connection with removals from an advisory list otherwise than under sub-paragraph (1) or (2).

Power to disclose information in advisory list

12 A relevant policing authority may, if it considers it to be in the public interest to do so, disclose to any person information included in the advisory list maintained by the authority which relates to a particular person who is included in that advisory list.

PART 3

SUPPLEMENTARY PROVISION

Meaning of “disciplinary proceedings”

13 In this Schedule “disciplinary proceedings”—

- (a) in relation to an officer or former officer of the National Crime Agency, means any proceedings or process relating to the person's conduct and any action to be taken as a result of that conduct;
- (b) in relation to a constable or former constable of the British Transport Police Force, means proceedings under regulations made under section 36, 37, 40 or 42 of the Railways and Transport Safety Act 2003 which apply, or deal with matters that could be dealt with by, regulations under section 50(3) or (3A) or section 51(2A) or (2B) of the Police Act 1996;
- (c) in relation to a constable or former constable of the Civil Nuclear Constabulary, means proceedings under provision relating to matters which are the subject of regulations under section 50(3) or (3A) of the Police Act 1996;
- (d) in relation to a constable or former constable of the Ministry of Defence Police, means proceedings under regulations made under section 3A of the Ministry of Defence Police Act 1987;
- (e) in relation to a civilian employee of the British Transport Police Authority or the Civil Nuclear Police Authority, has the meaning given by regulations made by the Secretary of State.

Interpretation: general

14 In this Schedule—

- “advisory list” means a list maintained by a relevant policing authority under paragraph 9(1);
- “barred persons list” means a list maintained by a relevant policing authority under paragraph 1(1);
- “civilian employee” has the meaning given by paragraph 3(3);
- “NCA officer” has the meaning given in section 16(1) of the Crime and Courts Act 2013;
- “relevant police force” has the meaning given by paragraph 2(3);
- “relevant policing authority” has the meaning given by paragraph 1(2).

Regulations

15 (1) The Secretary of State must consult the Scottish Ministers before making regulations under this Schedule containing provision which would be within the legislative competence of the Scottish Parliament, if contained in an Act of that Parliament.

(2) The Secretary of State must consult the Department of Justice in Northern Ireland before making regulations under this Schedule containing provision which—

- (a) would be within the legislative competence of the Northern Ireland Assembly, if it were contained in an Act of that Assembly, and
- (b) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998.”—(*Dame Diana Johnson.*)

This new Schedule requires the British Transport Police Authority, Civil Nuclear Police Authority, National Crime Agency and Ministry of Defence Police to maintain lists of barred persons and advisory lists. Part 4A of the Police Act 1996 already makes such provision for regional police forces in England and Wales.

Brought up, and added to the Bill.

Clause 9

GUIDANCE ON FLY-TIPPING ENFORCEMENT IN ENGLAND

Amendment proposed: 174, page 18, line 3, at end insert—

- “(4A) The consultation undertaken by the Secretary of State must include an examination of establishing a penalty point fine to those found convicted of an offence under sections 33 or 87 of the Environmental Protection Act 1990.”—(*Matt Vickers.*)

This amendment would require the Secretary of State to consult on establishing a system for those who fly tip or leave litter to receive penalty points on their driving licence.

Question put, That the amendment be made.

The House divided: Ayes 194, Noes 335.

Division No. 228]

[4.1 pm

AYES

Allister, Jim	Chowns, Ellie
Amos, Gideon	Clifton-Brown, Sir Geoffrey
Anderson, Lee	Cocking, Lewis
Anderson, Stuart	Coghlan, Chris
Andrew, rh Stuart	Collins, Victoria
Aquarone, Steff	Cooper, Daisy
Argar, rh Edward	Cooper, John
Atkins, rh Victoria	Corbyn, rh Jeremy
Babarinde, Josh	Costa, Alberto
Bacon, Gareth	Coutinho, rh Claire (<i>Proxy vote cast by Danny Kruger</i>)
Barclay, rh Steve	Cox, rh Sir Geoffrey
Bedford, Mr Peter	Cross, Harriet
Bennett, Alison	Dance, Adam
Berry, Siân	Darling, Steve
Bhatti, Saqib	Davey, rh Ed
Blackman, Bob	Davies, Ann
Bool, Sarah	Davies, Gareth
Bowie, Andrew	Davies, Mims
Bradley, rh Dame Karen	Dean, Bobby
Brandreth, Aphra	Denyer, Carla
Braverman, rh Suella	Dewhurst, Charlie
Brewer, Alex	Dillon, Mr Lee
Brown-Fuller, Jess	Dinenage, Dame Caroline
Burghart, Alex	Duncan Smith, rh Sir Iain
Cane, Charlotte	Dyke, Sarah
Carmichael, rh Mr Alistair	Easton, Alex
Cartlidge, James	Evans, Dr Luke
Chadwick, David	Farage, Nigel
Chamberlain, Wendy	Farron, Tim
Chambers, Dr Danny	Foord, Richard
	Forster, Mr Will

Fortune, Peter	Morrison, Mr Tom
Fox, Sir Ashley	Morrissey, Joy
Francois, rh Mr Mark	Morton, rh Wendy
French, Mr Louie	Mullan, Dr Kieran
Fuller, Richard	Mundell, rh David
Garnier, Mark	Murray, Susan
George, Andrew	Murrison, rh Dr Andrew
Gibson, Sarah (<i>Proxy vote cast by Anna Sabine</i>)	Norman, rh Jesse
Gilmour, Rachel	Obese-Jecty, Ben
Glen, rh John	O'Brien, Neil
Glover, Olly	Olney, Sarah
Goldman, Marie	Patel, rh Priti
Gordon, Tom	Paul, Rebecca
Grant, Helen	Perteghella, Manuela
Green, Sarah	Philp, rh Chris
Griffith, Andrew	Pinkerton, Dr Al
Harding, Monica	Pochin, Sarah
Harris, Rebecca	Raja, Shivani (<i>Proxy vote cast by Mr Mohindra</i>)
Hayes, rh Sir John	Ramsay, Adrian
Heylings, Pippa	Rankin, Jack
Hinds, rh Damian	Reed, David
Hoare, Simon	Reynolds, Mr Joshua
Hobhouse, Wera	Robertson, Joe
Holden, rh Mr Richard	Robinson, rh Gavin
Hollinrake, Kevin	Rosindell, Andrew
Holmes, Paul	Sabine, Anna
Huddleston, Nigel	Savage, Dr Roz
Hudson, Dr Neil	Saville Roberts, rh Liz
Hunt, rh Sir Jeremy	Shannon, Jim
Hussain, Mr Adnan	Shastri-Hurst, Dr Neil
Jardine, Christine	Shelbrooke, rh Sir Alec
Jarvis, Liz	Slade, Vikki
Jenkin, Sir Bernard	Smart, Lisa
Jenrick, rh Robert	Smith, Greg
Johnson, Dr Caroline	Smith, rh Sir Julian
Jones, Clive	Smith, Rebecca
Jopp, Lincoln	Sollom, Ian
Kearns, Alicia (<i>Proxy vote cast by Joy Morrissey</i>)	Spencer, Dr Ben
Khan, Ayoub	Spencer, Patrick (<i>Proxy vote cast by Danny Kruger</i>)
Kohler, Mr Paul	Stafford, Gregory
Kruger, Danny	Stephenson, Blake
Lake, Ben	Stone, Jamie
Lam, Katie	Stride, rh Sir Mel
Lamont, John	Stuart, rh Graham
Leigh, rh Sir Edward	Swann, Robin
Lewis, rh Sir Julian	Swayne, rh Sir Desmond
Lockhart, Carla	Taylor, Luke
Lopez, Julia	Thomas, Bradley
MacCleary, James	Thomas, Cameron
MacDonald, Mr Angus	Tice, Richard
Maguire, Ben	Timothy, Nick
Maguire, Helen	Trott, rh Laura
Mak, Alan	Tugendhat, rh Tom
Malthouse, rh Kit	Vickers, Martin
Martin, Mike	Vickers, Matt
Mathew, Brian	Voaden, Caroline
Mayhew, Jerome	Whittingdale, rh Sir John
McMurdock, James	Wild, James
Medi, Llinos	Wilkinson, Max
van Mierlo, Freddie	Williamson, rh Sir Gavin
Miller, Calum	Wilson, Munira
Milne, John	Wilson, rh Sammy
Mitchell, rh Sir Andrew	Wood, Mike
Mohamed, Iqbal	Wright, rh Sir Jeremy
Mohindra, Mr Gagan	Wrigley, Martin
Moore, Robbie	Young, Claire
Moran, Layla (<i>Proxy vote cast by Wendy Chamberlain</i>)	
Morello, Edward	
Morgan, Helen	

Tellers for the Ayes:
Mr Andrew Snowden and
David Simmonds

NOES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)

Abbott, Jack
 Abrahams, Debbie
 Ahmed, Dr Zubir
 Akehurst, Luke
 Alaba, Mr Bayo
 Aldridge, Dan
 Al-Hassan, Sadik
 Ali, Rushanara
 Ali, Tahir
 Anderson, Callum
 Anderson, Fleur
 Antoniazzi, Tonia
 Arthur, Dr Scott
 Asato, Jess
 Asser, James
 Athwal, Jas
 Atkinson, Catherine
 Atkinson, Lewis
 Bailey, Olivia
 Baker, Richard
 Ballinger, Alex
 Bance, Antonia
 Barker, Paula
 Barron, Lee
 Barros-Curtis, Mr Alex
 Baxter, Johanna
 Beales, Danny
 Beavers, Lorraine
 Begum, Apsana (*Proxy vote cast by Zarah Sultana*)
 Bell, Torsten
 Benn, rh Hilary
 Betts, Mr Clive
 Billington, Ms Polly
 Bishop, Matt
 Blake, Olivia
 Blake, Rachel
 Bloore, Chris
 Blundell, Mrs Elsie
 Bonavia, Kevin
 Botterill, Jade
 Brackenridge, Mrs Sureena
 Brash, Mr Jonathan
 Brickell, Phil
 Buckley, Julia
 Burgon, Richard
 Burke, Maureen
 Burton-Sampson, David
 Butler, Dawn
 Byrne, Ian
 Cadbury, Ruth
 Caliskan, Nesil
 Campbell, rh Sir Alan
 Campbell, Irene
 Campbell-Savours, Markus
 Carden, Dan
 Carling, Sam
 Carns, Al
 Champion, Sarah
 Charalambous, Bambos
 Charters, Mr Luke
 Clark, Feryal
 Coleman, Ben
 Collier, Jacob
 Collinge, Lizzi
 Collins, Tom
 Conlon, Liam
 Coombes, Sarah

Cooper, Andrew
 Cooper, Dr Beccy
 Cooper, rh Yvette
 Costigan, Deirdre
 Cox, Pam
 Coyle, Neil
 Craft, Jen
 Creagh, Mary
 Creasy, Ms Stella
 Crichton, Torcuil
 Curtis, Chris
 Daby, Janet
 Dakin, Sir Nicholas
 Darlington, Emily
 Davies, Jonathan
 Davies, Paul
 Davies-Jones, Alex
 De Cordova, Marsha
 Dean, Josh
 Dickson, Jim
 Dixon, Anna
 Dixon, Samantha
 Dodds, rh Anneliese
 Dollimore, Helena
 Doughty, Stephen
 Dowd, Peter
 Downie, Graeme
 Duncan-Jordan, Neil
 Eagle, Dame Angela
 Eastwood, Colum
 Eccles, Cat
 Edwards, Lauren
 Efford, Clive
 Egan, Damien
 Ellis, Maya
 Elmore, Chris
 Entwistle, Kirith
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Falconer, Mr Hamish
 Farnsworth, Linsey
 Fenton-Glynn, Josh
 Ferguson, Patricia
 Foody, Emma
 Fookes, Catherine
 Foster, Mr Paul (*Proxy vote cast by Lorraine Beavers*)
 Foxcroft, Vicky
 Foy, Mary Kelly
 Francis, Daniel
 Frith, Mr James
 Gardiner, Barry
 Gardner, Dr Allison
 Gelderd, Anna
 Gemmell, Alan
 German, Gill
 Gilbert, Tracy
 Gill, Preet Kaur
 Gittins, Becky
 Goldsborough, Ben
 Gosling, Jodie
 Gould, Georgia
 Grady, John
 Greenwood, Lilian
 Griffith, Dame Nia
 Gwynne, Andrew (*Proxy vote cast by Chris Elmore*)
 Hack, Amanda
 Haigh, rh Louise
 Hall, Sarah

Hamilton, Paulette
 Hanna, Claire
 Hardy, Emma
 Harris, Carolyn
 Hatton, Lloyd
 Hayes, Helen
 Hayes, Tom
 Hazelgrove, Claire
 Hendrick, Sir Mark (*Proxy vote cast by Chris Elmore*)
 Hinchliff, Chris
 Hinder, Jonathan
 Hodgson, Mrs Sharon
 Hopkins, Rachel
 Hughes, Claire
 Hume, Alison
 Huq, Dr Rupa
 Hussain, Imran
 Ingham, Leigh
 Irons, Natasha
 Jameson, Sally
 Jermy, Terry
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Gerald
 Jones, Lillian
 Jones, Louise
 Jones, Ruth
 Josan, Gurinder Singh
 Joseph, Sojan
 Juss, Warinder
 Kane, Chris
 Kane, Mike
 Kaur, Satvir (*Proxy vote cast by Chris Elmore*)
 Kendall, rh Liz
 Khan, Afzal
 Khan, Naushabah
 Kinnock, Stephen
 Kyle, rh Peter
 Kyrke-Smith, Laura
 Lamb, Peter
 Lavery, Ian
 Law, Noah
 Leadbeater, Kim
 Leishman, Brian
 Lewin, Andrew
 Lewis, Clive
 Long Bailey, Rebecca
 MacAlister, Josh
 Macdonald, Alice
 MacNae, Andy
 Madders, Justin
 Martin, Amanda
 Maskell, Rachael
 Mather, Keir
 Mayer, Alex
 McAllister, Douglas
 McCluskey, Martin
 McDonagh, Dame Siobhain
 McDonald, Andy
 McDonald, Chris
 McDonnell, rh John
 McDougall, Blair
 McEvoy, Lola
 McGovern, Alison
 McIntyre, Alex
 McKee, Gordon
 McKenna, Kevin
 McMorris, Anna
 McNally, Frank
 McNeill, Kirsty

Midgley, Anneliese
 Mishra, Navendu
 Mohamed, Abtisam
 Moon, Perran
 Morden, Jessica
 Morgan, Stephen
 Morris, Joe
 Mullane, Margaret
 Murphy, Luke
 Murray, Chris
 Murray, rh Ian (*Proxy vote cast by Chris Elmore*)
 Murray, Katrina
 Myer, Luke
 Naish, James
 Naismith, Connor
 Narayan, Kanishka
 Nash, Pamela
 Newbury, Josh
 Niblett, Samantha
 Nichols, Charlotte
 Norris, Alex
 Norris, Dan (*Proxy vote cast by Chris Elmore*)
 Onwurah, Dame Chi
 Opher, Dr Simon
 Osborne, Kate
 Osborne, Tristan
 Owatemi, Taiwo
 Owen, Sarah
 Paffey, Darren
 Pakes, Andrew
 Patrick, Matthew
 Peacock, Stephanie
 Pearce, Jon
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pinto-Duschinsky, David
 Pitcher, Lee
 Pollard, Luke
 Powell, Joe
 Powell, rh Lucy
 Poynton, Gregor
 Prinsley, Peter
 Quigley, Mr Richard
 Qureshi, Yasmin
 Race, Steve
 Ranger, Andrew
 Reader, Mike
 Reeves, rh Ellie
 Reeves, rh Rachel
 Reid, Joani
 Rhodes, Martin
 Ribeiro-Addy, Bell
 Richards, Jake
 Riddell-Carpenter, Jenny
 Rigby, Lucy
 Rimmer, Ms Marie
 Robertson, Dave
 Roca, Tim
 Rodda, Matt
 Rushworth, Sam
 Russell, Sarah
 Ryan, Oliver
 Sackman, Sarah
 Sandher, Dr Jeevun
 Sowards, Mark
 Shah, Naz
 Siddiq, Tulip
 Simons, Josh
 Slaughter, Andy

Slinger, John
 Smith, Cat
 Smith, David
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Snell, Gareth
 Stainbank, Euan
 Stevens, rh Jo
 Stewart, Elaine
 Stone, Will
 Strathern, Alistair
 Strickland, Alan
 Stringer, Graham
 Sullivan, Kirsteen
 Sullivan, Dr Lauren
 Sultana, Zarah
 Swallow, Peter
 Tami, rh Sir Mark
 Tapp, Mike
 Taylor, David
 Taylor, Rachel
 Thomas, Gareth
 Thompson, Adam
 Thornberry, rh Emily
 Tidball, Dr Marie
 Timms, rh Sir Stephen
 Toale, Jessica
 Tomlinson, Dan
 Tufnell, Henry

Turley, Anna
 Turmaine, Matt
 Turner, Laurence
 Twigg, Derek
 Twist, Liz
 Vaughan, Tony
 Vince, Chris
 Wakeford, Christian
 Walker, Imogen
 Ward, Chris
 Ward, Melanie
 Waugh, Paul
 Welsh, Michelle
 Western, Andrew
 Western, Matt
 Wheeler, Michael
 Whitby, John
 White, Jo
 White, Katie
 Whittome, Nadia
 Williams, David
 Witherden, Steve
 Woodcock, Sean
 Wrighting, Rosie
 Yang, Yuan
 Yasin, Mohammad
 Yemm, Steve

Tellers for the Noes:
Gen Kitchen and
Kate Dearden

Question accordingly negated.

Clause 25

POSSESSION OF WEAPON WITH INTENT TO USE UNLAWFUL VIOLENCE ETC

Amendment proposed: 175, page 30, line 24, leave out “4” and insert “14”—(*Matt Vickers.*)

This amendment would increase the maximum sentence for possession of a weapon with intent to commit unlawful violence from four to 14 years. The Independent Reviewer of Terrorism Legislation recommended an increase in his review following the Southport attack.

Question put, That the amendment be made.

The House divided: Ayes 184, Noes 336.

Division No. 229]

[4.15 pm

AYES

Allister, Jim
 Amos, Gideon
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Aquarone, Steff
 Argar, rh Edward
 Atkins, rh Victoria
 Babarinde, Josh
 Bacon, Gareth
 Bedford, Mr Peter
 Bennett, Alison
 Bhatti, Saqib
 Blackman, Bob
 Bool, Sarah
 Bowie, Andrew
 Bradley, rh Dame Karen
 Brandreth, Apha
 Braverman, rh Suella

Brewer, Alex
 Brown-Fuller, Jess
 Burghart, Alex
 Cane, Charlotte
 Carmichael, rh Mr Alistair
 Cartledge, James
 Chadwick, David
 Chamberlain, Wendy
 Chambers, Dr Danny
 Clifton-Brown, Sir Geoffrey
 Cocking, Lewis
 Coghlan, Chris
 Collins, Victoria
 Cooper, Daisy
 Cooper, John
 Corbyn, rh Jeremy
 Costa, Alberto
 Coutinho, rh Claire (*Proxy vote cast by Danny Kruger*)

Cox, rh Sir Geoffrey
 Cross, Harriet
 Dance, Adam
 Darling, Steve
 Davey, rh Ed
 Davies, Gareth
 Davies, Mims
 Dean, Bobby
 Dewhurst, Charlie
 Dillon, Mr Lee
 Dinenage, Dame Caroline
 Duncan Smith, rh Sir Iain
 Dyke, Sarah
 Easton, Alex
 Evans, Dr Luke
 Farage, Nigel
 Farron, Tim
 Foord, Richard
 Forster, Mr Will
 Fortune, Peter
 Fox, Sir Ashley
 Francois, rh Mr Mark
 French, Mr Louie
 Fuller, Richard
 Garnier, Mark
 George, Andrew
 Gibson, Sarah (*Proxy vote cast by Anna Sabine*)

Gilmour, Rachel
 Glen, rh John
 Glover, Olly
 Goldman, Marie
 Gordon, Tom
 Grant, Helen
 Green, Sarah
 Griffith, Andrew
 Harding, Monica
 Harris, Rebecca
 Hayes, rh Sir John
 Heylings, Pippa
 Hinds, rh Damian
 Hoare, Simon
 Hobhouse, Wera
 Holden, rh Mr Richard
 Hollinrake, Kevin
 Holmes, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hunt, rh Sir Jeremy
 Hussain, Mr Adnan
 Jardine, Christine
 Jarvis, Liz
 Jenkin, Sir Bernard
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Jones, Clive
 Jopp, Lincoln
 Kearns, Alicia (*Proxy vote cast by Joy Morrissey*)
 Kohler, Mr Paul
 Kruger, Danny
 Lam, Katie
 Lamont, John
 Leigh, rh Sir Edward
 Lewis, rh Sir Julian
 Lockhart, Carla
 Lopez, Julia
 MacCleary, James
 MacDonald, Mr Angus
 Maguire, Ben
 Maguire, Helen
 Mak, Alan

Malthouse, rh Kit
 Martin, Mike
 Mathew, Brian
 Mayhew, Jerome
 McMurdock, James
 van Mierlo, Freddie
 Miller, Calum
 Milne, John
 Mitchell, rh Sir Andrew
 Mohindra, Mr Gagan
 Moore, Robbie
 Moran, Layla (*Proxy vote cast by Wendy Chamberlain*)
 Morello, Edward
 Morgan, Helen
 Morrison, Mr Tom
 Morrissey, Joy
 Morton, rh Wendy
 Mullan, Dr Kieran
 Mundell, rh David
 Murray, Susan
 Murrison, rh Dr Andrew
 Norman, rh Jesse
 Obese-Jecty, Ben
 O'Brien, Neil
 Olney, Sarah
 Patel, rh Priti
 Paul, Rebecca
 Perteghella, Manuela
 Philp, rh Chris
 Pinkerton, Dr Al
 Pochin, Sarah
 Raja, Shivani (*Proxy vote cast by Mr Mohindra*)
 Rankin, Jack
 Reed, David
 Reynolds, Mr Joshua
 Robertson, Joe
 Robinson, rh Gavin
 Rosindell, Andrew
 Sabine, Anna
 Savage, Dr Roz
 Shannon, Jim
 Shastri-Hurst, Dr Neil
 Shelbrooke, rh Sir Alec
 Slade, Vikki
 Smart, Lisa
 Smith, Greg
 Smith, rh Sir Julian
 Smith, Rebecca
 Sollom, Ian
 Spencer, Dr Ben
 Spencer, Patrick (*Proxy vote cast by Danny Kruger*)
 Stafford, Gregory
 Stephenson, Blake
 Stone, Jamie
 Stride, rh Sir Mel
 Stuart, rh Graham
 Swann, Robin
 Swayne, rh Sir Desmond
 Taylor, Luke
 Thomas, Bradley
 Thomas, Cameron
 Tice, Richard
 Timothy, Nick
 Trott, rh Laura
 Tugendhat, rh Tom
 Vickers, Martin
 Vickers, Matt
 Voaden, Caroline
 Whittingdale, rh Sir John

Wild, James
 Wilkinson, Max
 Williamson, rh Sir Gavin
 Wilson, Munira
 Wilson, rh Sammy
 Wood, Mike

Wright, rh Sir Jeremy
 Wrigley, Martin
 Young, Claire
Tellers for the Ayes:
Mr Andrew Snowden and
David Simmonds

NOES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Abbott, Jack
 Abrahams, Debbie
 Ahmed, Dr Zubir
 Akehurst, Luke
 Alaba, Mr Bayo
 Aldridge, Dan
 Al-Hassan, Sadik
 Ali, Rushanara
 Ali, Tahir
 Anderson, Callum
 Anderson, Fleur
 Antoniazzi, Tonia
 Arthur, Dr Scott
 Asato, Jess
 Asser, James
 Athwal, Jas
 Atkinson, Catherine
 Atkinson, Lewis
 Bailey, Olivia
 Baker, Richard
 Ballinger, Alex
 Bance, Antonia
 Barker, Paula
 Barron, Lee
 Barros-Curtis, Mr Alex
 Baxter, Johanna
 Beales, Danny
 Beavers, Lorraine
 Begum, Apsana (*Proxy vote cast by Sarah Sultana*)
 Bell, Torsten
 Benn, rh Hilary
 Berry, Siân
 Betts, Mr Clive
 Billington, Ms Polly
 Bishop, Matt
 Blake, Olivia
 Blake, Rachel
 Bloore, Chris
 Blundell, Mrs Elsie
 Bonavia, Kevin
 Botterill, Jade
 Brackenridge, Mrs Sureena
 Brash, Mr Jonathan
 Brickell, Phil
 Buckley, Julia
 Burgon, Richard
 Burke, Maureen
 Burton-Sampson, David
 Butler, Dawn
 Byrne, Ian
 Cadbury, Ruth
 Caliskan, Nesil
 Campbell, rh Sir Alan
 Campbell, Irene
 Campbell-Savours, Markus
 Carden, Dan
 Carling, Sam
 Carns, Al
 Champion, Sarah

Charalambous, Bambos
 Charters, Mr Luke
 Clark, Feryal
 Coleman, Ben
 Collier, Jacob
 Collinge, Lizzi
 Collins, Tom
 Conlon, Liam
 Coombes, Sarah
 Cooper, Andrew
 Cooper, Dr Beccy
 Cooper, rh Yvette
 Costigan, Deirdre
 Cox, Pam
 Coyle, Neil
 Craft, Jen
 Creagh, Mary
 Creasy, Ms Stella
 Crichton, Torcuil
 Curtis, Chris
 Daby, Janet
 Dakin, Sir Nicholas
 Darlington, Emily
 Davies, Jonathan
 Davies, Paul
 Davies-Jones, Alex
 De Cordova, Marsha
 Dean, Josh
 Dickson, Jim
 Dixon, Anna
 Dixon, Samantha
 Dodds, rh Anneliese
 Dollimore, Helena
 Doughty, Stephen
 Dowd, Peter
 Downie, Graeme
 Duncan-Jordan, Neil
 Eagle, Dame Angela
 Eastwood, Colum
 Eccles, Cat
 Edwards, Lauren
 Efford, Clive
 Egan, Damien
 Ellis, Maya
 Elmore, Chris
 Entwistle, Kirith
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Falconer, Mr Hamish
 Farnsworth, Linsey
 Fenton-Glynn, Josh
 Ferguson, Patricia
 Foody, Emma
 Fookes, Catherine
 Foster, Mr Paul (*Proxy vote cast by Lorraine Beavers*)
 Foxcroft, Vicky
 Foy, Mary Kelly
 Francis, Daniel
 Frith, Mr James
 Gardiner, Barry
 Gardner, Dr Allison

Gelder, Anna
 Gemmell, Alan
 German, Gill
 Gilbert, Tracy
 Gill, Preet Kaur
 Gittins, Becky
 Goldsborough, Ben
 Gosling, Jodie
 Gould, Georgia
 Grady, John
 Greenwood, Lilian
 Griffith, Dame Nia
 Gwynne, Andrew (*Proxy vote cast by Chris Elmore*)
 Hack, Amanda
 Haigh, rh Louise
 Hall, Sarah
 Hamilton, Paulette
 Hanna, Claire
 Hardy, Emma
 Harris, Carolyn
 Hatton, Lloyd
 Hayes, Helen
 Hayes, Tom
 Hazelgrove, Claire
 Hendrick, Sir Mark (*Proxy vote cast by Chris Elmore*)
 Hinchliff, Chris
 Hinder, Jonathan
 Hodgson, Mrs Sharon
 Hopkins, Rachel
 Hughes, Claire
 Hume, Alison
 Huq, Dr Rupa
 Hussain, Imran
 Ingham, Leigh
 Irons, Natasha
 Jameson, Sally
 Jermy, Terry
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Gerald
 Jones, Lillian
 Jones, Louise
 Jones, Ruth
 Josan, Gurinder Singh
 Joseph, Sojan
 Juss, Warinder
 Kane, Chris
 Kane, Mike
 Kaur, Satvir (*Proxy vote cast by Chris Elmore*)
 Kendall, rh Liz
 Khan, Afzal
 Khan, Naushabah
 Kinnock, Stephen
 Kyle, rh Peter
 Kyrke-Smith, Laura
 Lamb, Peter
 Lavery, Ian
 Law, Noah
 Leadbeater, Kim
 Leishman, Brian
 Lewin, Andrew
 Lewis, Clive
 Long Bailey, Rebecca
 MacAlister, Josh
 Macdonald, Alice
 MacNae, Andy
 Madders, Justin
 Martin, Amanda
 Maskell, Rachael

Mayer, Alex
 McAllister, Douglas
 McCluskey, Martin
 McDonagh, Dame Siobhain
 McDonald, Andy
 McDonald, Chris
 McDonnell, rh John
 McDougall, Blair
 McEvoy, Lola
 McGovern, Alison
 McIntyre, Alex
 McKee, Gordon
 McKenna, Kevin
 McMorris, Anna
 McNally, Frank
 McNeill, Kirsty
 Midgley, Anneliese
 Mishra, Navendu
 Mohamed, Abtisam
 Moon, Perran
 Morden, Jessica
 Morgan, Stephen
 Morris, Joe
 Mullane, Margaret
 Murphy, Luke
 Murray, Chris
 Murray, rh Ian (*Proxy vote cast by Chris Elmore*)
 Murray, Katrina
 Myer, Luke
 Naish, James
 Naismith, Connor
 Narayan, Kanishka
 Nash, Pamela
 Newbury, Josh
 Niblett, Samantha
 Nichols, Charlotte
 Norris, Alex
 Norris, Dan (*Proxy vote cast by Chris Elmore*)
 Onwurah, Dame Chi
 Opher, Dr Simon
 Osborne, Kate
 Osborne, Tristan
 Owatemi, Taiwo
 Owen, Sarah
 Paffey, Darren
 Pakes, Andrew
 Patrick, Matthew
 Peacock, Stephanie
 Pearce, Jon
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pinto-Duschinsky, David
 Pitcher, Lee
 Pollard, Luke
 Powell, Joe
 Powell, rh Lucy
 Poynton, Gregor
 Prinsley, Peter
 Quigley, Mr Richard
 Qureshi, Yasmin
 Race, Steve
 Ranger, Andrew
 Reader, Mike
 Reeves, rh Ellie
 Reeves, rh Rachel
 Reid, Joani
 Rhodes, Martin
 Ribeiro-Addy, Bell
 Richards, Jake

Riddell-Carpenter, Jenny	Thompson, Adam
Rigby, Lucy	Thornberry, rh Emily
Rimmer, Ms Marie	Tidball, Dr Marie
Robertson, Dave	Timms, rh Sir Stephen
Roca, Tim	Toale, Jessica
Rodda, Matt	Tomlinson, Dan
Rushworth, Sam	Tufnell, Henry
Russell, Sarah	Turley, Anna
Ryan, Oliver	Turmaine, Matt
Sackman, Sarah	Turner, Laurence
Sandher, Dr Jeevun	Twigg, Derek
Sewards, Mark	Twist, Liz
Shah, Naz	Vaughan, Tony
Siddiq, Tulip	Vince, Chris
Simons, Josh	Wakeford, Christian
Slaughter, Andy	Walker, Imogen
Slinger, John	Ward, Chris
Smith, Cat	Ward, Melanie
Smith, David	Waugh, Paul
Smith, Jeff	Welsh, Michelle
Smith, Nick	Western, Andrew
Smyth, Karin	Western, Matt
Snell, Gareth	Wheeler, Michael
Stainbank, Euan	Whitby, John
Stevens, rh Jo	White, Jo
Stewart, Elaine	White, Katie
Stone, Will	Whittome, Nadia
Strathern, Alistair	Williams, David
Strickland, Alan	Witherden, Steve
Stringer, Graham	Woodcock, Sean
Sullivan, Kirsteen	Wrighting, Rosie
Sullivan, Dr Lauren	Yang, Yuan
Sultana, Zarah	Yasin, Mohammad
Swallow, Peter	Yemm, Steve
Tami, rh Sir Mark	
Tapp, Mike	
Taylor, David	
Taylor, Rachel	
Thomas, Gareth	

Tellers for the Noes:
Gen Kitchen and
Kate Dearden

Question accordingly negated.

Clause 30

DELIVERY OF KNIVES ETC

Amendments made: 24, page 38, line 24, at end insert—

“40B Offence of UK seller delivering etc bladed product to collection point: England and Wales

- (1) This section applies if—
 - (a) a person (‘the seller’) sells a bladed product to another person (‘the buyer’), and
 - (b) the seller and the buyer are not in each other’s presence at the time of the sale and the seller is within the United Kingdom at that time.
- (2) The seller commits an offence if, for the purposes of supplying the bladed product to the buyer, the seller—
 - (a) delivers the bladed product to a collection point in England or Wales, or
 - (b) arranges for the bladed product to be delivered to a collection point in England or Wales.
- (3) It is a defence for a person charged with an offence under subsection (2)(a) to show that—
 - (a) when the package containing the bladed product was delivered to the collection point, it was clearly marked to indicate that it contained a bladed product and should only be given into the hands of a person who—
 - (i) is aged 18 or over, and
 - (ii) if the buyer is an individual, is the buyer, and

- (b) they took all reasonable precautions and exercised all due diligence to ensure that the package containing the bladed product would be given into the hands of such a person.
 - (4) It is a defence for a person charged with an offence under subsection (2)(b) to show that—
 - (a) when the package containing the bladed product was given to the person with whom the arrangement was made, it was clearly marked to indicate that it contained a bladed product and should only be given into the hands of a person who—
 - (i) is aged 18 or over, and
 - (ii) if the buyer is an individual, is the buyer, and
 - (b) the seller took all reasonable precautions and exercised all due diligence to ensure that the package containing the bladed product would be given into the hands of such a person.
 - (5) A person is to be taken to have shown a matter for the purposes of this section if—
 - (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
 - (b) the contrary is not proved beyond reasonable doubt.
 - (6) A person guilty of an offence under this section is liable on summary conviction to a fine.
 - (7) ‘Collection point’ means a place—
 - (a) from which the bladed product may be collected by the buyer or a person acting on behalf of the buyer, and
 - (b) where on collection the bladed product is given by an individual to the buyer or a person acting on behalf of the buyer.
 - (8) Section 39(2) and (3) applies for the purposes of subsection (1)(b) as it applies for the purposes of section 39(1)(b).
 - (9) The Secretary of State may by regulations provide for other defences for a person charged with an offence under this section.
- 40C Offence of courier delivering bladed product sold by UK seller to collection point: England and Wales*
- (1) This section applies if—
 - (a) a person (‘the seller’) sells a bladed product to another person (‘the buyer’),
 - (b) the seller and the buyer are not in each other’s presence at the time of the sale and the seller is within the United Kingdom at that time,
 - (c) before the sale the seller entered into an arrangement with a person (‘the courier’) by which the person agreed to deliver bladed products for the seller, and
 - (d) the courier was aware when they entered into the arrangement that it covered the delivery of bladed products.
 - (2) The courier commits an offence if, pursuant to the arrangement, they deliver a bladed product to a collection point in England or Wales.
 - (3) It is a defence for a person charged with an offence under this section to show that—
 - (a) when the package containing the bladed product was delivered to the collection point, it was clearly marked to indicate that it contained a bladed product and should only be given into the hands of a person who—
 - (i) is aged 18 or over, and
 - (ii) if the buyer is an individual, is the buyer, and
 - (b) they took all reasonable precautions and exercised all due diligence to ensure that the package containing the bladed product would be given into the hands of such a person.
 - (4) It is a defence for a person charged with an offence under this section to show that the person did not know, and a reasonable person would not have known, that the product was a bladed product.

(5) A person is to be taken to have shown a matter for the purposes of this section if—

- (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
- (b) the contrary is not proved beyond reasonable doubt.

(6) A person guilty of an offence under this section is liable on summary conviction to a fine.

(7) ‘Collection point’ has the meaning given in section 40B.

(8) Section 39(2) and (3) applies for the purposes of subsection (1)(b) as it applies for the purposes of section 39(1)(b).

(9) The Secretary of State may by regulations provide for other defences for a person charged with an offence under this section.

40D Handing over bladed products sold by UK seller at collection point: England and Wales

(1) This section applies if—

- (a) a person (‘the seller’) sells a bladed product to another person (‘the buyer’),
- (b) the seller and the buyer are not in each other’s presence at the time of the sale and the seller is within the United Kingdom at that time,
- (c) the bladed product is delivered to a collection point in England or Wales, and
- (d) condition A or condition B is satisfied.

(2) Condition A is that—

- (a) the delivery is pursuant to an arrangement entered into before the delivery by—
 - (i) the person operating the collection point (the ‘operator’), and
 - (ii) the seller or the person delivering the bladed product to the collection point, and
- (b) the operator was aware when they entered into the arrangement that it covered the delivery to the collection point of bladed products.

(3) Condition B is that the seller is the operator of the collection point.

(4) The operator commits an offence if, when the bladed product is collected, it is not given into the hands of an eligible person.

(5) A person acting on behalf of the operator commits an offence if—

- (a) they give it to a person collecting it, but
- (b) do not give it into the hands of an eligible person.

(6) ‘Eligible person’ means a person who—

- (a) is aged 18 or over, and
- (b) if the buyer is an individual, is the buyer.

(7) It is a defence for a person charged with an offence under subsection (4) or (5) to show that the collection conditions were met.

(8) The collection conditions are that—

- (a) the person (‘P’) who collected the bladed product showed the individual giving it to them an identity document issued to P, and
- (b) on the basis of that document a reasonable person would have been satisfied—
 - (i) that P was over 18, and
 - (ii) if the buyer was an individual, that P was the buyer.

(9) It is a defence for a person charged with an offence under subsection (4) or (5) to show that the person did not know, and a reasonable person would not have known, that the product was a bladed product.

(10) A person is to be taken to have shown a matter for the purposes of this section if—

- (a) sufficient evidence of the matter is adduced to raise an issue with respect to it, and
- (b) the contrary is not proved beyond reasonable doubt.

(11) A person guilty of an offence under this section is liable on summary conviction to a fine.

(12) In this section—

‘collection point’ has the meaning given in section 40B;
‘identity document’ has the meaning given in section 39A.

(13) Section 39(2) and (3) applies for the purposes of subsection (1)(b) as it applies for the purposes of section 39(1)(b).

(14) The Secretary of State may by regulations provide for other defences for a person charged with an offence under this section.”

This amendment makes changes to the offences and defences relating to delivery of knives to collection points in England or Wales following a remote sale.

Amendment 25, page 40, line 17, leave out “40A” and insert “40D”.

This amendment is consequential on Amendment 24.

Amendment 26, page 40, line 18, leave out “40A” and insert “40D”.

This amendment is consequential on Amendment 24.

Amendment 27, page 40, line 19, leave out “40A” and insert “40D”—(*Dame Diana Johnson.*)

This amendment is consequential on Amendment 24.

Clause 32

DELIVERY OF CROSSBOWS

*Amendments made: 28, page 44, line 39, at end insert—
“If Offence of seller etc delivering crossbows or parts of crossbows to collection point in England or Wales*

(1) This section applies if—

- (a) a person (‘A’) sells or lets on hire a crossbow or part of a crossbow to another person (‘B’), and
- (b) A and B are not in each other’s presence at the time of the sale or letting on hire and A is within the United Kingdom at that time.

(2) A commits an offence if, for the purposes of supplying the crossbow or part of a crossbow to B, A—

- (a) delivers the crossbow or part of a crossbow to a collection point in England or Wales, or
- (b) arranges for the crossbow or part of a crossbow to be delivered to a collection point in England or Wales.

(3) It is a defence for a person charged with an offence under subsection (2)(a) to show that—

- (a) when the package containing the crossbow or part of a crossbow was delivered to the collection point, it was clearly marked to indicate that it contained a crossbow or a part of a crossbow and should only be given into the hands of a person who—
 - (i) is aged 18 or over, and
 - (ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire is an individual, is that individual, and
- (b) the person charged with the offence took all reasonable precautions and exercised all due diligence to ensure that the package containing the crossbow or part of a crossbow would be given into the hands of such a person.

(4) It is a defence for a person charged with an offence under subsection (2)(b) to show that—

- (a) when the package containing the crossbow or part of a crossbow was given to the person with whom the arrangement was made, it was clearly marked to indicate that it contained a crossbow or a part of a crossbow and should only be given into the hands of a person who—
 - (i) is aged 18 or over, and

- (ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire is an individual, is that individual, and

- (b) the person charged with the offence took all reasonable precautions and exercised all due diligence to ensure that the package containing the crossbow or part of a crossbow would be given into the hands of such a person.

(5) A person guilty of an offence under this section is liable on summary conviction to a fine.

(6) ‘Collection point’ means a place—

- (a) from which the crossbow or part of a crossbow may be collected by the person to whom the crossbow or part of a crossbow was sold or let on hire or a person acting on behalf of that person, and
- (b) where on collection the crossbow or part of a crossbow is given by an individual to the person to whom the crossbow or part of a crossbow was sold or let on hire, or a person acting on behalf of that person.

(7) The Secretary of State may by regulations provide for other defences for a person charged with an offence under this section.

1G Offence of delivery business delivering crossbows or parts of crossbows to collection point in England or Wales

(1) This section applies if—

- (a) a person (‘A’) sells or lets on hire a crossbow or part of a crossbow to another person (‘B’),
- (b) A and B are not in each other’s presence at the time of the sale or letting on hire and A is within the United Kingdom at that time,
- (c) before the sale or letting on hire A entered into an arrangement with a person (‘C’) by which C agreed to deliver crossbows or parts of crossbows for A, and
- (d) C was aware when they entered into the arrangement that it covered the delivery of crossbows or parts of crossbows.

(2) C commits an offence if, pursuant to the arrangement, they deliver a crossbow or a part of a crossbow to a collection point in England or Wales.

(3) It is a defence for a person charged with an offence under this section to show that—

- (a) when the package containing the crossbow or part of a crossbow was delivered to the collection point, it was clearly marked to indicate that it contained a crossbow or part of a crossbow and should only be given into the hands of a person who—
 - (i) is aged 18 or over, and
 - (ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire is an individual, is that individual, and
- (b) they took all reasonable precautions and exercised all due diligence to ensure that the package containing the crossbow or part of a crossbow would be given into the hands of such a person.

(4) It is a defence for a person charged with an offence under this section to show that the person did not know, and a reasonable person would not have known, that the product was a crossbow or a part of a crossbow.

(5) A person guilty of an offence under this section is liable on summary conviction to a fine.

(6) ‘Collection point’ has the meaning given in section 1F.

(7) The Secretary of State may by regulations provide for other defences for a person charged with an offence under this section.

1H Handing over crossbows or parts of crossbows at collection point in England or Wales

(1) This section applies if—

- (a) a person (‘A’) sells or lets on hire a crossbow or part of a crossbow to another person (‘B’),

- (b) A and B are not in each other’s presence at the time of the sale or letting on hire and A is within the United Kingdom at that time,

- (c) the crossbow or part of a crossbow is delivered to a collection point in England or Wales, and

- (d) condition A or condition B is satisfied.

(2) Condition A is that—

- (a) the delivery is pursuant to an arrangement entered into before the delivery by—

- (i) the person operating the collection point (the ‘operator’), and

- (ii) A or the person delivering the crossbow or part of a crossbow to the collection point, and

- (b) the operator was aware when they entered into the arrangement that it covered the delivery to the collection point of crossbows or parts of crossbows.

(3) Condition B is that A is the operator of the collection point.

(4) The operator commits an offence if, when the crossbow or part of a crossbow is collected, it is not given into the hands of an eligible person.

(5) A person acting on behalf of the operator commits an offence if—

- (a) they give it to a person collecting it, but
- (b) do not give it into the hands of an eligible person.

(6) ‘Eligible person’ means a person who—

- (a) is aged 18 or over, and
- (b) if the person to whom the crossbow or part of a crossbow was sold or let on hire is an individual, is that individual.

(7) It is a defence for a person charged with an offence under subsection (4) or (5) to show that the collection conditions were met.

(8) The collection conditions are that—

- (a) the person (‘P’) who collected the crossbow or part of a crossbow showed the individual giving it to them an identity document issued to P, and
- (b) on the basis of that document a reasonable person would have been satisfied—
 - (i) that P was over 18, and
 - (ii) if the person to whom the crossbow or part of a crossbow was sold or let on hire was an individual, that P was that individual.

(9) It is a defence for a person charged with an offence under subsection (4) or (5) to show that the person did not know, and a reasonable person would not have known, that the product was a crossbow or a part of a crossbow.

(10) A person guilty of an offence under this section is liable on summary conviction to a fine.

(11) In this section—

‘collection point’ has the meaning given in section 1F;

‘identity document’ has the meaning given in section 1B(5).

(12) The Secretary of State may by regulations provide for other defences for a person charged with an offence under this section.”

This amendment creates offences relating to delivery of crossbows to collection points in England or Wales following a remote sale or letting on hire.

Amendment 29, page 45, line 1, leave out “1F” and insert “1I”—(*Dame Diana Johnson.*)

This amendment is consequential on amendment 28.

Clause 33SALE AND DELIVERY OF CROSSBOWS:
SUPPLEMENTARY PROVISION

Amendments made: 30, page 46, line 5, leave out “1F” and insert “1I”.

This amendment is consequential on amendment 28.

Amendment 31, page 46, line 6, leave out “1F” and insert “1I”.

This amendment is consequential on amendment 28.

Amendment 32, page 46, line 6, leave out “1G” and insert “1J”.

This amendment is consequential on amendment 28.

Amendment 33, page 46, line 28, leave out “or 1E(7)” and insert

“, 1E(7), 1F(7), 1G(7) or 1H(12)” — (*Dame Diana Johnson.*)

This amendment is consequential on amendment 28.

Clause 38

CHILD CRIMINAL EXPLOITATION

Amendments made: 34, page 51, line 29, leave out from “of” to end of line 30 and insert “—

- (i) causing the child to commit an offence,
- (ii) causing the child to do anything outside the United Kingdom which would constitute an offence if done in any part of the United Kingdom, or
- (iii) facilitating the causing of the child, in future, to commit an offence or do anything outside the United Kingdom which would constitute an offence if done in any part of the United Kingdom, and”

See the statement for NC54.

Amendment 35, page 51, line 35, leave out subsection (2) and insert—

- “(2) In this section and section (Proving an offence under section 38)—
- (a) ‘act’ includes omission (and similar references, including references to doing anything, are to be construed accordingly);
 - (b) ‘child’ means a person under the age of 18;
 - (c) ‘offence’ means an offence under the law of England and Wales, Scotland or Northern Ireland.”

See the statement for NC54.

Amendment 36, page 52, line 7, at end insert—

- “(2A) Where—
- (a) a person (D1) arranges for another person (D2) to engage in conduct towards or in respect of a child, and
 - (b) D2 engages in that conduct,
- D1 is to be treated for the purposes of this section and section (Proving an offence under section 38) as also having engaged in that conduct.”

This amendment provides that where a person (D1) arranges for another to engage in conduct towards or in respect of a child, and the other person engages in that conduct, D1 is also treated as engaging in the conduct.

Amendment 37, page 52, line 9, after “conviction” insert “in England and Wales”.

This amendment provides that the penalty mentioned in paragraph (a) of subsection (3) is for summary convictions in England and Wales.

Amendment 38, page 52, line 10, at end insert—

- “(aa) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);

- (ab) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding 6 months or a fine not exceeding the statutory maximum (or both);” — (*Dame Diana Johnson.*)

This amendment provides for the penalty for summary convictions in Scotland and Northern Ireland.

Clause 39

POWER TO MAKE CCE PREVENTION ORDER

Amendment made: 39, page 52, line 35, leave out subsections (3) to (7) and insert—

- “(3) The first condition is that—
- (a) in any case, the court is satisfied that the defendant has engaged in child criminal exploitation or in conduct associated with child criminal exploitation, or
 - (b) in a case within subsection (1)(d), the offence in question is an offence under section 38.
- (4) The second condition is that the court considers that there is a risk that the defendant will engage in child criminal exploitation.
- (5) The third condition is that the court considers that it is necessary to make the order to prevent the defendant from engaging, or reduce the likelihood of the defendant engaging, in child criminal exploitation.
- (6) In subsection (3)—
- (a) in paragraph (a), the reference to engaging in anything includes engaging in it before (as well as after) the time when this section comes into force;
 - (b) paragraph (b) applies in relation to findings made in respect of conduct occurring before (as well as after) that time.
- (7) In this section and sections 40 to 49—
- (a) a reference to a person ‘engaging in child criminal exploitation’ is to the person doing anything that constitutes an offence, in England and Wales, under section 38;
 - (b) a reference to a person ‘engaging in conduct associated with child criminal exploitation’ is to the person doing anything associated with the doing of anything that constitutes such an offence.” — (*Dame Diana Johnson.*)

This amendment and amendments 40, 42, 31, 48, 135, 136, 137, 140 and 144 are consequential on NC54 and amendment 34.

Clause 40

CCE PREVENTION ORDERS

Amendment made: 40, page 53, line 22, leave out from “of” to end of line 23 and insert

“preventing the defendant from engaging, or reducing the likelihood of the defendant engaging, in child criminal exploitation.” — (*Dame Diana Johnson.*)

See the statement for amendment 39.

Clause 45

NOTIFICATION REQUIREMENTS

Amendment made: 41, page 56, line 30, leave out paragraphs (a) to (c) and insert—

- “(a) lawfully detained or otherwise lawfully deprived of their liberty, in the United Kingdom, or” — (*Dame Diana Johnson.*)

This amendment generalises the provision currently made by paragraphs (a) to (c) (periods to be disregarded).

Clause 46VARIATION AND DISCHARGE OF CCE
PREVENTION ORDERS

Amendment made: 42, page 57, line 16, leave out from “to” to end of line 17 and insert

“prevent the defendant from engaging, or reduce the likelihood of the defendant engaging, in child criminal exploitation.”—
(*Dame Diana Johnson.*)

See the statement for amendment 39.

Clause 47

APPEALS

Amendment made: 43, page 58, line 27, leave out from “if” to end of line 29 and insert

“the defendant had been convicted of the offence and the order were a sentence passed on the defendant for that offence.”—
(*Dame Diana Johnson.*)

This amendment clarifies how a defendant may appeal against the making of an order, in cases where the order is made otherwise than on application.

Clause 48

OFFENCE OF BREACHING CCE PREVENTION ORDER

Amendment made: 44, page 59, line 17, at end insert—

“(5) In section 80(3) of the Sentencing Code (list of circumstances where an order for conditional discharge is not available) after paragraph (f) insert—

‘(g) section 48(3) of the Crime and Policing Act 2025 (breach of CCE prevention order);’.”—
(*Dame Diana Johnson.*)

This amendment inserts an amendment consequential on the provision made by subsection (3).

Clause 49

OFFENCE OF PROVIDING FALSE INFORMATION

Amendments made: 45, page 59, line 21, leave out subsection (2) and insert—

“(2) The person commits an offence if—

(a) without reasonable excuse, they fail to comply with that section, or

(b) in purported compliance with that section, they notify to the police any information which they know to be false.”

This amendment expands the offence under this clause so as to cover a failure to comply with clause 45 (notification requirements).

Amendment 46, page 59, line 27, at end insert—

“(3A) A person commits an offence under subsection (2)(a) on the day on which they first fail, without reasonable excuse, to comply with section 45.

(3B) The person continues to commit the offence throughout any period during which the failure continues.

(3C) But the person may not be prosecuted more than once in respect of the same failure.”—(*Dame Diana Johnson.*)

This amendment provides that a failure to comply with clause 45 (notification requirements) is a continuing offence.

Clause 50

INTERPRETATION AND SUPPLEMENTARY PROVISION

Amendments made: 47, page 59, leave out lines 33 to 35.

See the statement for amendment 39.

Amendment 48, page 59, line 36, at end insert—

“‘engaging in child criminal exploitation’ has the meaning given by section 39 (and related expressions are to be construed accordingly).”—(*Dame Diana Johnson.*)

See the statement for amendment 39.

Clause 52

GUIDANCE

Amendment made: 49, page 60, line 16, leave out clause 52.—(*Dame Diana Johnson.*)

This amendment removes a power for the Secretary of State to issue guidance which is no longer needed because it is subsumed in the wider power in NC57.

Clause 56

PROTECTIONS FOR WITNESSES, AND LIFESTYLE OFFENCES

Amendments made: 50, page 63, line 5, at end insert—

“(bc) an offence under section (Causing internal concealment of item for criminal purpose) of that Act (causing internal concealment of item for criminal purpose);”.

This amendment adds the new offences created by NC56 to the provision in the Youth Justice and Criminal Evidence Act 1999 which makes victims of the offences mentioned eligible for special measures in criminal proceedings.

Amendment 51, page 63, line 10, at end insert—

“(g) an offence under section (Causing internal concealment of item for criminal purpose) of that Act (causing internal concealment of item for criminal purpose);”.

This amendment adds the new offences created by NC56 to the provision in the Youth Justice and Criminal Evidence Act 1999 which provides for a rebuttable presumption about the age of victims of the offences mentioned.

Amendment 52, page 63, line 15, at end insert—

“(ac) an offence under section (Causing internal concealment of item for criminal purpose) of that Act (causing internal concealment of item for criminal purpose);”.

This amendment adds the new offences created by NC56 to the provision in the Youth Justice and Criminal Evidence Act 1999 which prevents a defendant from cross-examining a victim of any of the offences mentioned.

Amendment 53, page 63, line 19, leave out from “section” to end of line 21 and insert

“38 of the Crime and Policing Act 2025 (child criminal exploitation);

(f) an offence under section 53 of that Act (controlling another’s home for criminal purposes);”.

This amendment provides for complainants who are witnesses in proceedings for an offence under clause 38 (as well as an offence under clause 53) to be eligible for assistance by virtue of Article 5 of the Criminal Evidence (Northern Ireland) Order 1999.

Amendment 54, page 63, line 24, leave out from “offence” to end of line 27 and insert—

“(b) an offence under section 38 of the Crime and Policing Act 2025 (child criminal exploitation), or

(c) an offence under section 53 of that Act (controlling another’s home for criminal purposes);”.

This amendment provides that in cases of uncertainty as the age of a witness who is a complainant in respect of an offence under clause 38 (as well as an offence under clause 53), they are presumed for the purposes of Part 2 of the Criminal Evidence (Northern Ireland) Order 1999 to be under 18.

Amendment 55, page 63, line 30, leave out from “section” to end of line 32 and insert

“38 of the Crime and Policing Act 2025 (child criminal exploitation);

(cg) an offence under section 53 of that Act (controlling another’s home for criminal purposes);”.

This amendment provides that Article 23 of the Criminal Evidence (Northern Ireland) Order 1999 (which prohibits the cross-examination in person of certain witnesses) applies in relation to an offence under clause 38 (as well as to an offence under clause 53).

Amendment 56, page 64, line 2, at end insert—

“(3) An offence under section (Causing internal concealment of item for criminal purpose) of that Act (causing internal concealment of item for criminal purpose).”

This amendment adds the new offences created by NC56 to Schedule 2 of the Proceeds of Crime Act 2002 with the effect that the offences are criminal lifestyle offences.

Amendment 57, page 64, line 3, leave out paragraph (b).

This amendment removes a provision that would have made the offence in clause 53 of the Bill, of controlling another's home for criminal purposes, a lifestyle offence for the purposes of the Proceeds of Crime Act 2002 as it applies in Scotland.

Amendment 58, page 64, leave out lines 10 and 11 and insert—

“3B (1) An offence under section 38 of the Crime and Policing Act 2025 (child criminal exploitation).

(2) An offence under section 53 of that Act (controlling another's home for criminal purposes).”—(*Dame Diana Johnson.*)

This amendment provides that an offence under clause 38 (as well as an offence under clause 53) is a lifestyle offence in Northern Ireland for the purposes of the Proceeds of Crime Act 2002.

Clause 57

CHILD SEXUAL ABUSE IMAGE-GENERATORS

Amendments made: 59, page 65, line 7, leave out “any service.”.

This amendment clarifies that a CSA image-generator is, for the purposes of section 46A of the Sexual Offences Act (inserted by this clause), a thing (and not a service).

Amendment 60, page 65, leave out lines 22 to 27.

This amendment is consequential on Amendment 59.

Amendment 61, page 66, leave out lines 4 to 6 and insert—

“(2) An internet service provider does not commit an offence under section 46A by—

- (a) providing access to a communication network, or
- (b) transmitting, in a communication network, information provided by a user, if the provider does not—
 - (i) initiate the transmission,
 - (ii) select the recipient of the transmission, or
 - (iii) select or modify the information contained in the transmission.

(2A) The references in subsection (2) to providing access to, or transmitting information in, a communication network include storing the information transmitted so far as the storage—

- (a) is automatic, intermediate and transient,
- (b) is solely for the purpose of carrying out the transmission in the network, and
- (c) is for no longer than is reasonably necessary for the transmission.

(2B) An internet service provider does not commit an offence under section 46A by storing information provided by a user for transmission in a communication network if—

- (a) the storage of the information—
 - (i) is automatic, intermediate and temporary, and
 - (ii) is solely for the purpose of making more efficient the onward transmission of the information to other users at their request, and
- (b) the internet service provider—

- (i) does not modify the information,
- (ii) complies with any conditions attached to having access to the information, and
- (iii) on obtaining actual knowledge of a matter within subsection (2C), promptly removes the information or disables access to it.

(2C) The matters within this subsection are that—

- (a) the information at the initial source of the transmission has been removed from the network,
- (b) access to it has been disabled, or
- (c) a court or administrative authority has ordered the removal from the network of, or the disablement of access to, the information.

(2D) An internet service provider does not commit an offence under section 46A by storing information provided by a user who is not acting under the authority or control of the provider if—

- (a) the provider had no actual knowledge when the information was provided that it was, or contained, a CSA image-generator, or
- (b) on obtaining actual knowledge that the information was, or contained, a CSA image-generator, the provider promptly removed the information or disabled access to it.”

This amendment provides protection against liability for the offence of making, adapting, possessing, supplying or offering to supply a CSA image-generator to a provider of an internet service who acts as a mere conduit for, or who caches or unknowingly hosts, a CSA image-generator provided by a user.

Amendment 62, page 66, line 6, at end insert—

“(2E) Section 72(1) applies in relation to an act which, if done in England and Wales, would constitute an offence under section 46A as if references to a United Kingdom national included—

- (a) a body incorporated under the law of any part of the United Kingdom, or
- (b) an unincorporated association formed under the law of any part of the United Kingdom.”

This amendment provides that a body incorporated (or an unincorporated association formed) in the United Kingdom may commit an offence relating to a child sexual abuse image-generator under section 46A of the Sexual Offences Act 2003 (inserted by this clause) by doing an act outside the United Kingdom.

Amendment 63, page 66, line 7, leave out “and (7) apply” and insert “applies”.

This amendment is consequential on Amendment 60.

Amendment 64, page 66, line 13, at end insert—

“(d) ‘internet service provider’ means a provider of—

- (i) a service that is made available by means of the internet, or
- (ii) a service that provides access to the internet.

(e) ‘user’, in relation to an internet service provider, means a user of a service provided by the internet service provider;”.

This amendment is consequential on Amendment 61.

Amendment 65, page 66, line 13, at end insert—

“46C Liability for offence under section 46A committed by a body

(1) This section applies where an offence under section 46A is committed by a body.

(2) If the offence is committed with the consent or connivance of—

- (a) a relevant person in relation to the body, or
- (b) a person purporting to act in the capacity of a relevant person in relation to the body,

the person (as well as the body) commits the offence and is liable to be proceeded against and punished accordingly.

(3) In this section—

‘body’ means a body corporate, a partnership or an unincorporated association other than a partnership;

‘relevant person’, in relation to a body, means—

- (a) in the case of a body corporate other than one whose affairs are managed by its members, a director, manager, secretary or other similar officer of the body;
- (b) in the case of a limited liability partnership or other body corporate whose affairs are managed by its members, a member who exercises functions of management with respect to it;
- (c) in the case of a limited partnership, a general partner (within the meaning given by section 3 of the Limited Partnerships Act 1907);
- (d) in the case of any other partnership, a partner;
- (e) in the case of an unincorporated association other than a partnership, a person who exercises functions of management with respect to it.”

This amendment provides that where a body commits an offence relating to a child sexual abuse image-generator under section 46A of the Sexual Offences Act 2003 (inserted by this clause), and the offence is committed with the consent or connivance of a person who manages the body (or a partner in a partnership), that person is liable for the offence (as well as the body).

Amendment 66, page 66, line 31, leave out from “may” to “the” in line 32 and insert

“have been made or adapted for use for creating, or facilitating”.—
(*Dame Diana Johnson.*)

This amendment clarifies that regulations under subsection (5) may authorise the carrying out of tests for the purpose of investigating only technology that may have been made or adapted for use for creating, or facilitating the creation of, CSA images.

Clause 59

ONLINE FACILITATION OF CHILD SEXUAL EXPLOITATION AND ABUSE

Amendment made: 68, page 69, line 8, at end insert—

“(6) The Secretary of State may by regulations amend Schedule 7.

(7) The Secretary of State must consult the Scottish Ministers before making regulations under subsection (6) which amend Part 2 of Schedule 7.

(8) The Secretary of State must consult the Department of Justice in Northern Ireland before making regulations under subsection (6) which amend Part 3 of Schedule 7.”—(*Dame Diana Johnson.*)

This amendment enables the Secretary of State to amend the list of child sexual exploitation and abuse offences specified for the purposes of clause 59, subject to consultation requirements if the amendments concern offences under the law of Scotland or Northern Ireland.

Ordered,

That subsection (4) of clause 59 be transferred to the end of line 8 on page 69.—(*Dame Diana Johnson.*)

This motion to move subsection (4) of clause 59 is consequential on Amendment 68.

Clause 62

SECTION 59: SUPPLEMENTARY PROVISION

Amendment made: 69, page 72, line 10, leave out “38” and insert

“(Causing internal concealment of item for criminal purpose) (inserted by section (Causing internal concealment of item for criminal purpose))”.—(*Dame Diana Johnson.*)

This amendment is consequential on the amendment to the Modern Slavery Act 2015 made by NC56.

Clause 76

GUIDANCE ABOUT DISCLOSURE OF INFORMATION BY POLICE FOR PURPOSE OF PREVENTING 15

SEX OFFENDING

Amendment made: 70, page 82, line 22, at end insert—

“(2A) Subsections (1) and (2) do not apply in relation to functions of the Chief Constable of the British Transport Police in relation to Scotland.”—(*Dame Diana Johnson.*)

This amendment means the Secretary of State’s power to issue guidance about disclosure of information by police for purpose of preventing sex offending does not apply in relation to the British Transport Police in Scotland.

Clause 91

STALKING PROTECTION ORDERS ON CONVICTION

Amendments made: 71, page 113, line 20, leave out “(c)” and insert

“(ca) (inserted by paragraph 28 of Schedule 1)”.

This amendment is consequential on Amendment 134.

Amendment 72, page 113, line 21, leave out “(ca)” and insert “(cb)”.

This amendment is consequential on Amendment 134.

Amendment 73, page 113, line 23, leave out paragraph (b) and insert—

“(b) after paragraph (ea) (inserted by paragraph 2 of Schedule 5) insert—

“(eb) section 364G(3) (breach of stalking protection order);”.—(*Dame Diana Johnson.*)

This is consequential on amendment 145.

Clause 94

ADMINISTERING ETC HARMFUL SUBSTANCES (INCLUDING BY SPIKING)

Amendment proposed: 19, page 115, line 25, at end insert “, or

(c) the person does so being reckless as to whether another person will be injured, aggrieved or annoyed.”—
(*Joe Robertson.*)

This amendment would expand the offence for administering harmful substances, including by spiking, to include those who do so being reckless.

Question put, That the amendment be made.

The House divided: Ayes 189, Noes 328.

Division No. 230]

[4.29 pm

AYES

Allister, Jim
Amos, Gideon
Anderson, Stuart
Andrew, rh Stuart
Aquarone, Steff
Argar, rh Edward
Atkins, rh Victoria
Babarinde, Josh
Bacon, Gareth
Barclay, rh Steve
Bedford, Mr Peter
Bennett, Alison
Berry, Siân
Bhatti, Saqib
Blackman, Bob

Bool, Sarah
Bowie, Andrew
Bradley, rh Dame Karen
Brandreth, Aphra
Braverman, rh Suella
Brewer, Alex
Brown-Fuller, Jess
Burghart, Alex
Cane, Charlotte
Carmichael, rh Mr Alistair
Cartlidge, James
Chadwick, David
Chamberlain, Wendy
Chambers, Dr Danny
Chowns, Ellie

Clifton-Brown, Sir Geoffrey
 Cocking, Lewis
 Coghlan, Chris
 Collins, Victoria
 Cooper, Daisy
 Cooper, John
 Corbyn, rh Jeremy
 Costa, Alberto
 Coutinho, rh Claire (*Proxy vote cast by Danny Kruger*)
 Cox, rh Sir Geoffrey
 Cross, Harriet
 Dance, Adam
 Darling, Steve
 Davey, rh Ed
 Davies, Ann
 Davies, Gareth
 Davies, Mims
 Davis, rh David
 Dean, Bobby
 Denyer, Carla
 Dewhurst, Charlie
 Dillon, Mr Lee
 Dinenage, Dame Caroline
 Duncan Smith, rh Sir Iain
 Dyke, Sarah
 Easton, Alex
 Evans, Dr Luke
 Farron, Tim
 Foord, Richard
 Forster, Mr Will
 Fortune, Peter
 Fox, Sir Ashley
 French, Mr Louie
 Fuller, Richard
 Garnier, Mark
 George, Andrew
 Gibson, Sarah (*Proxy vote cast by Anna Sabine*)
 Gilmour, Rachel
 Glen, rh John
 Glover, Olly
 Goldman, Marie
 Gordon, Tom
 Grant, Helen
 Green, Sarah
 Griffith, Andrew
 Harding, Monica
 Harris, Rebecca
 Hayes, rh Sir John
 Heylings, Pippa
 Hinds, rh Damian
 Hoare, Simon
 Hobhouse, Wera
 Holden, rh Mr Richard
 Hollinrake, Kevin
 Holmes, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hunt, rh Sir Jeremy
 Hussain, Mr Adnan
 Jardine, Christine
 Jarvis, Liz
 Jenkin, Sir Bernard
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Jones, Clive
 Jopp, Lincoln
 Kearns, Alicia (*Proxy vote cast by Joy Morrissey*)
 Khan, Ayoub
 Kohler, Mr Paul

Kruger, Danny
 Lake, Ben
 Lam, Katie
 Lamont, John
 Leigh, rh Sir Edward
 Lewis, rh Sir Julian
 Lockhart, Carla
 Lopez, Julia
 MacCleary, James
 MacDonald, Mr Angus
 Maguire, Ben
 Maguire, Helen
 Mak, Alan
 Malthouse, rh Kit
 Martin, Mike
 Mathew, Brian
 Mayhew, Jerome
 Medi, Llinos
 van Mierlo, Freddie
 Miller, Calum
 Milne, John
 Mitchell, rh Sir Andrew
 Mohamed, Iqbal
 Mohindra, Mr Gagan
 Moore, Robbie
 Moran, Layla (*Proxy vote cast by Wendy Chamberlain*)
 Morello, Edward
 Morgan, Helen
 Morrison, Mr Tom
 Morrissey, Joy
 Morton, rh Wendy
 Mullan, Dr Kieran
 Mundell, rh David
 Murray, Susan
 Murrison, rh Dr Andrew
 Norman, rh Jesse
 Obese-Jecty, Ben
 O'Brien, Neil
 Olney, Sarah
 Patel, rh Priti
 Paul, Rebecca
 Perteghella, Manuela
 Philp, rh Chris
 Pinkerton, Dr Al
 Raja, Shivani (*Proxy vote cast by Mr Mohindra*)
 Ramsay, Adrian
 Rankin, Jack
 Reed, David
 Reynolds, Mr Joshua
 Robertson, Joe
 Robinson, rh Gavin
 Rosindell, Andrew
 Sabine, Anna
 Savage, Dr Roz
 Saville Roberts, rh Liz
 Shannon, Jim
 Shastri-Hurst, Dr Neil
 Shelbrooke, rh Sir Alec
 Slade, Vikki
 Smart, Lisa
 Smith, Greg
 Smith, rh Sir Julian
 Smith, Rebecca
 Sollom, Ian
 Spencer, Dr Ben
 Spencer, Patrick (*Proxy vote cast by Danny Kruger*)
 Stafford, Gregory
 Stephenson, Blake
 Stone, Jamie

Stride, rh Sir Mel
 Stuart, rh Graham
 Swann, Robin
 Swayne, rh Sir Desmond
 Taylor, Luke
 Thomas, Bradley
 Thomas, Cameron
 Timothy, Nick
 Trott, rh Laura
 Tugendhat, rh Tom
 Vickers, Martin
 Vickers, Matt
 Voaden, Caroline

Whittingdale, rh Sir John
 Wild, James
 Wilkinson, Max
 Williamson, rh Sir Gavin
 Wilson, Munira
 Wilson, rh Sammy
 Wood, Mike
 Wright, rh Sir Jeremy
 Wrigley, Martin
 Young, Claire

Tellers for the Ayes:
Mr Andrew Snowden and
David Simmonds

NOES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Abbott, Jack
 Abrahams, Debbie
 Akehurst, Luke
 Alaba, Mr Bayo
 Aldridge, Dan
 Al-Hassan, Sadik
 Ali, Rushanara
 Ali, Tahir
 Anderson, Callum
 Anderson, Fleur
 Antoniazzi, Tonia
 Arthur, Dr Scott
 Asato, Jess
 Asser, James
 Athwal, Jas
 Atkinson, Catherine
 Atkinson, Lewis
 Bailey, Olivia
 Baker, Richard
 Ballinger, Alex
 Barker, Paula
 Barron, Lee
 Barros-Curtis, Mr Alex
 Baxter, Johanna
 Beales, Danny
 Beavers, Lorraine
 Bell, Torsten
 Benn, rh Hilary
 Betts, Mr Clive
 Billington, Ms Polly
 Bishop, Matt
 Blake, Olivia
 Blake, Rachel
 Bloore, Chris
 Blundell, Mrs Elsie
 Bonavia, Kevin
 Botterill, Jade
 Brackenridge, Mrs Sureena
 Brash, Mr Jonathan
 Brickell, Phil
 Buckley, Julia
 Burgon, Richard
 Burke, Maureen
 Burton-Sampson, David
 Butler, Dawn
 Byrne, Ian
 Cadbury, Ruth
 Caliskan, Nesil
 Campbell, rh Sir Alan
 Campbell, Irene
 Campbell-Savours, Markus
 Carden, Dan
 Carling, Sam

Carns, Al
 Champion, Sarah
 Charalambous, Bambos
 Charters, Mr Luke
 Clark, Feryal
 Coleman, Ben
 Collier, Jacob
 Collinge, Lizzi
 Collins, Tom
 Conlon, Liam
 Coombes, Sarah
 Cooper, Andrew
 Cooper, Dr Beccy
 Cooper, rh Yvette
 Costigan, Deirdre
 Cox, Pam
 Coyle, Neil
 Craft, Jen
 Creagh, Mary
 Creasy, Ms Stella
 Crichton, Torcuil
 Curtis, Chris
 Daby, Janet
 Dakin, Sir Nicholas
 Darlington, Emily
 Davies, Jonathan
 Davies, Paul
 Davies-Jones, Alex
 De Cordova, Marsha
 Dean, Josh
 Dickson, Jim
 Dixon, Anna
 Dixon, Samantha
 Dodds, rh Anneliese
 Dollimore, Helena
 Doughty, Stephen
 Dowd, Peter
 Downie, Graeme
 Duncan-Jordan, Neil
 Eagle, Dame Angela
 Eccles, Cat
 Edwards, Lauren
 Efford, Clive
 Egan, Damien
 Ellis, Maya
 Elmore, Chris
 Entwistle, Kirith
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Falconer, Mr Hamish
 Farnsworth, Linsey
 Fenton-Glynn, Josh
 Ferguson, Patricia
 Foody, Emma
 Fookes, Catherine

Foster, Mr Paul (*Proxy vote cast by Lorraine Beavers*)
 Foxcroft, Vicky
 Foy, Mary Kelly
 Francis, Daniel
 Frith, Mr James
 Gardiner, Barry
 Gardner, Dr Allison
 Gelderd, Anna
 Gemmell, Alan
 German, Gill
 Gilbert, Tracy
 Gill, Preet Kaur
 Gittins, Becky
 Goldsborough, Ben
 Gosling, Jodie
 Gould, Georgia
 Grady, John
 Greenwood, Lilian
 Griffith, Dame Nia
 Gwynne, Andrew (*Proxy vote cast by Chris Elmore*)
 Hack, Amanda
 Haigh, rh Louise
 Hall, Sarah
 Hamilton, Fabian
 Hamilton, Paulette
 Hardy, Emma
 Harris, Carolyn
 Hatton, Lloyd
 Hayes, Helen
 Hayes, Tom
 Hazelgrove, Claire
 Hendrick, Sir Mark (*Proxy vote cast by Chris Elmore*)
 Hinchliff, Chris
 Hinder, Jonathan
 Hodgson, Mrs Sharon
 Hopkins, Rachel
 Hughes, Claire
 Hume, Alison
 Huq, Dr Rupa
 Hussain, Imran
 Ingham, Leigh
 Irons, Natasha
 Jameson, Sally
 Jermy, Terry
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Gerald
 Jones, Lillian
 Jones, Louise
 Jones, Ruth
 Josan, Gurinder Singh
 Joseph, Sojan
 Juss, Warinder
 Kane, Chris
 Kane, Mike
 Kaur, Satvir (*Proxy vote cast by Chris Elmore*)
 Kendall, rh Liz
 Khan, Afzal
 Khan, Naushabah
 Kinnock, Stephen
 Kyrke-Smith, Laura
 Lamb, Peter
 Lavery, Ian
 Law, Noah
 Leadbeater, Kim
 Leishman, Brian
 Lewin, Andrew
 Lewis, Clive

Long Bailey, Rebecca
 MacAlister, Josh
 Macdonald, Alice
 MacNae, Andy
 Madders, Justin
 Martin, Amanda
 Maskell, Rachael
 Mather, Keir
 Mayer, Alex
 McAllister, Douglas
 McCluskey, Martin
 McDonagh, Dame Siobhain
 McDonald, Andy
 McDonald, Chris
 McDonnell, rh John
 McDougall, Blair
 McEvoy, Lola
 McGovern, Alison
 McIntyre, Alex
 McKee, Gordon
 McKenna, Kevin
 McMorris, Anna
 McNally, Frank
 McNeill, Kirsty
 Midgley, Anneliese
 Mishra, Navendu
 Mohamed, Abtisam
 Moon, Perran
 Morden, Jessica
 Morgan, Stephen
 Morris, Joe
 Mullane, Margaret
 Murphy, Luke
 Murray, Chris
 Murray, rh Ian (*Proxy vote cast by Chris Elmore*)
 Murray, Katrina
 Myer, Luke
 Naish, James
 Naismith, Connor
 Narayan, Kanishka
 Nash, Pamela
 Newbury, Josh
 Niblett, Samantha
 Nichols, Charlotte
 Norris, Alex
 Norris, Dan (*Proxy vote cast by Chris Elmore*)
 Onwurah, Dame Chi
 Opher, Dr Simon
 Osborne, Kate
 Osborne, Tristan
 Owatemi, Taiwo
 Owen, Sarah
 Paffey, Darren
 Pakes, Andrew
 Patrick, Matthew
 Peacock, Stephanie
 Pearce, Jon
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Pinto-Duschinsky, David
 Pitcher, Lee
 Pollard, Luke
 Powell, Joe
 Powell, rh Lucy
 Poynton, Gregor
 Prinsley, Peter
 Quigley, Mr Richard
 Qureshi, Yasmin
 Race, Steve

Ranger, Andrew
 Reader, Mike
 Reeves, rh Ellie
 Reeves, rh Rachel
 Reid, Joani
 Rhodes, Martin
 Ribeiro-Addy, Bell
 Richards, Jake
 Riddell-Carpenter, Jenny
 Rigby, Lucy
 Rimmer, Ms Marie
 Robertson, Dave
 Roca, Tim
 Rodda, Matt
 Rushworth, Sam
 Russell, Sarah
 Ryan, Oliver
 Sackman, Sarah
 Sandher, Dr Jeevun
 Sowards, Mark
 Shah, Naz
 Siddiq, Tulip
 Simons, Josh
 Slaughter, Andy
 Slinger, John
 Smith, Cat
 Smith, David
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Snell, Gareth
 Stainbank, Euan
 Stevens, rh Jo
 Stewart, Elaine
 Stone, Will
 Strathern, Alistair
 Strickland, Alan
 Stringer, Graham
 Sullivan, Kirsteen
 Sullivan, Dr Lauren
 Swallow, Peter
 Tami, rh Sir Mark
 Tapp, Mike

Taylor, David
 Taylor, Rachel
 Thomas, Gareth
 Thompson, Adam
 Thornberry, rh Emily
 Tidball, Dr Marie
 Timms, rh Sir Stephen
 Toale, Jessica
 Tomlinson, Dan
 Tufnell, Henry
 Turley, Anna
 Turmaine, Matt
 Turner, Karl
 Turner, Laurence
 Twigg, Derek
 Twist, Liz
 Vaughan, Tony
 Vince, Chris
 Wakeford, Christian
 Walker, Imogen
 Ward, Chris
 Ward, Melanie
 Waugh, Paul
 Welsh, Michelle
 Western, Andrew
 Western, Matt
 Wheeler, Michael
 Whitby, John
 White, Jo
 White, Katie
 Whittome, Nadia
 Williams, David
 Witherden, Steve
 Woodcock, Sean
 Wrighting, Rosie
 Yang, Yuan
 Yasin, Mohammad
 Yemm, Steve

Tellers for the Noes:
Gen Kitchen and
Kate Dearden

Question accordingly negated.

Clause 99

DAUGHTER, CARELESS OR INCONSIDERATE CYCLING

Amendments made: 74, page 121, line 8, at end insert—

“(6A) The Road Traffic Offenders Act 1988 is amended as set out in subsections (6B) to (9).

(6B) In section 23 (alternative verdicts in Scotland)—

(a) in subsection (1), after ‘vehicle’ insert ‘, or the riding of a cycle’;

(b) in subsection (1A) omit ‘and’ after paragraph (b) and after paragraph (c) insert—

‘(d) an offence under section 27A of that Act (causing death by dangerous cycling), and

(e) an offence under section 27B of that Act (causing serious injury by dangerous cycling).’

(6C) In section 24 (alternative verdicts: general)—

(a) in subsection (A1)(a) after ‘vehicle’ insert ‘, or the riding of a cycle’;

(b) in subsection (A2) omit ‘and’ after paragraph (c) and after that paragraph insert—

‘(ca) an offence under section 27A of that Act (causing death by dangerous cycling),

(cb) an offence under section 27B of that Act (causing serious injury by dangerous cycling), and’;

- (c) in subsection (1), in the Table, after the entry relating to section 5A(1)(a) and (2) of the Road Traffic Act 1988 insert—

‘Section 27A (causing death by dangerous cycling)	Section 28 (dangerous cycling) Section 28B (causing death by careless, or inconsiderate, cycling) Section 29 (careless, and inconsiderate, cycling)
Section 27B (causing serious injury by dangerous cycling)	Section 28 (dangerous cycling) Section 28C (causing serious injury by careless, or inconsiderate, cycling) Section 29 (careless, and inconsiderate, cycling)’

- (d) in subsection (1), in the Table, after the entry relating to section 28 of the Road Traffic Act 1988 insert—

‘Section 28B (causing death by careless, or inconsiderate, cycling)	Section 29 (careless, and inconsiderate, cycling)
Section 28C (causing serious injury by careless, or inconsiderate, cycling)	Section 29 (careless, and inconsiderate, cycling)’”

This amendment makes further provision in consequence of the new offences relating to causing death etc by dangerous cycling, enabling alternative verdicts to be imposed of a kind corresponding to the alternative verdicts available for causing death or serious injury by dangerous driving.

Amendment 75, page 121, line 9, leave out

“to the Road Traffic Offenders Act 1988”.

This amendment is consequential on Amendment 74.

Amendment 76, page 121, line 40, at end insert—

- “(10) The following provisions are amended as follows—
- in Schedule 15 to the Criminal Justice Act 2003 (specified offences for purposes of sections 244ZA and 325), in Part 1 (specified violent offences), after paragraph 49 insert—
‘49A An offence under section 27A of that Act (causing death by dangerous cycling).’;
 - in Schedule 18B to the Criminal Justice Act 2003 (offences relevant to public protection decisions), in Part 2 (statutory offences), in paragraph 34 after paragraph (c) insert—
‘(d) section 27A (causing death by dangerous cycling).’;
 - in Schedule 18 to the Sentencing Code (specified offences for purposes of section 306), in Part 1 (specified violent offences), in paragraph 18 after paragraph (c) insert—
‘(d) section 27A (causing death by dangerous cycling).’;” —(Dame Diana Johnson)

This amendment makes further provision in consequence of the new offences relating to causing death etc by dangerous cycling.

Clause 112

WAR MEMORIALS

Amendments made: 77, page 130, line 38, leave out “war”.

This amendment is consequential on amendment 82.

Amendment 78, page 131, line 3, leave out “war”.

This amendment is consequential on amendment 82.

Amendment 79, page 131, line 4, leave out “war”.

This amendment is consequential on amendment 82.

Amendment 80, page 131, line 5, leave out “war”.

This amendment is consequential on amendment 82.

Amendment 81, page 131, line 7, leave out “war”.

This amendment is consequential on amendment 82.

Amendment 82, page 131, line 9, at end insert—

- “(c) a memorial or a part of a memorial specified in Part 3 of Schedule 12.”

This amendment expands the offence in clause 112 beyond war memorials to include other specified memorials.

Amendment 83, page 131, line 10, at end insert—

- “(4A) The Secretary of State may make regulations adding a memorial, or a part of a memorial, to Schedule 12 only if the Secretary of State considers that there is a significant public interest in it being a specified memorial for the purposes of this section.”

This amendment provides that the Secretary of State can only add a memorial to Schedule 12 if she considers there is a significant public interest in the memorial being specified.

Amendment 84, page 131, line 13, at end insert—

- “(6) In this section ‘memorial’ means a building or other structure, or any other thing, erected or installed on land (or in or on any building or other structure on land) which has a commemorative purpose.
- (7) Something has a commemorative purpose if at least one of its purposes is to commemorate—
- one or more individuals or animals, or a description of individuals or animals (whether living or dead and whether or not capable of being identified), or
 - an event or series of events (such as an armed conflict).
- (8) In subsection (6) references to a building or structure include part of a building or structure.”—(Dame Diana Johnson.)

This amendment defines “memorial”.

Clause 113

INTERPRETATION OF CHAPTER

Amendments made: 85, page 131, line 18, leave out from “assembly” to the end of line 22 and insert

“has the meaning given by section 16 of that Act;”.

This amendment is consequential on clause 116, which was inserted into the Bill at Committee stage and amends the definition of “public assembly” in the Public Order Act 1986.

Amendment 86, page 131, line 23, leave out

“section 16 of the Public Order Act 1986”

and insert “that section”.—(Dame Diana Johnson.)

This amendment is consequential on amendment 85, which amends the definition of “public assembly” for the Chapter.

Clause 115

POWERS OF SENIOR OFFICERS TO IMPOSE CONDITIONS ON PROTESTS

Amendment proposed: 160, page 133, line 12, at end insert—

- “(4) Prior to imposing conditions under either Section 12 or 14, the senior officer of the Police Force in question must confirm that live facial recognition will not be in use, unless a new code of practice for the use of live facial recognition surveillance in public spaces in England and Wales had previously been presented to, and approved by, both Houses of Parliament.”—(Lisa Smart.)

Question put, That the amendment be made.

The House divided: Ayes 89, Noes 428.

Division No. 231]

[4.42 pm

AYES

Amos, Gideon
Anderson, Lee
Aquarone, Steff
Babarinde, Josh

Bennett, Alison
Berry, Siân
Brewer, Alex
Brown-Fuller, Jess

Campbell, Mr Gregory
 Cane, Charlotte
 Carmichael, rh Mr Alistair
 Chadwick, David
 Chamberlain, Wendy
 Chambers, Dr Danny
 Chowns, Ellie
 Coghlan, Chris
 Collins, Victoria
 Cooper, Daisy
 Corbyn, rh Jeremy
 Dance, Adam
 Darling, Steve
 Davey, rh Ed
 Davies, Ann
 Davis, rh David
 Denyer, Carla
 Dillon, Mr Lee
 Dyke, Sarah
 Farage, Nigel
 Farron, Tim
 Foord, Richard
 Forster, Mr Will
 George, Andrew
 Gibson, Sarah (*Proxy vote cast by Anna Sabine*)
 Gilmour, Rachel
 Glover, Olly
 Goldman, Marie
 Gordon, Tom
 Green, Sarah
 Harding, Monica
 Heylings, Pippa
 Hobhouse, Wera
 Huq, Dr Rupa
 Hussain, Mr Adnan
 Jardine, Christine
 Jarvis, Liz
 Jones, Clive
 Khan, Ayoub
 Kohler, Mr Paul
 Lake, Ben
 Lockhart, Carla
 MacCleary, James

MacDonald, Mr Angus
 Maguire, Ben
 Maguire, Helen
 Martin, Mike
 Mathew, Brian
 McMurdock, James
 Medi, Llinos
 van Mierlo, Freddie
 Miller, Calum
 Milne, John
 Mohamed, Iqbal
 Moran, Layla (*Proxy vote cast by Wendy Chamberlain*)
 Morello, Edward
 Morgan, Helen
 Murray, Susan
 Olney, Sarah
 Perteghella, Manuela
 Pinkerton, Dr Al
 Pochin, Sarah
 Ramsay, Adrian
 Reynolds, Mr Joshua
 Robinson, rh Gavin
 Sabine, Anna
 Savage, Dr Roz
 Saville Roberts, rh Liz
 Shannon, Jim
 Slade, Vikki
 Smart, Lisa
 Sollom, Ian
 Stone, Jamie
 Taylor, Luke
 Thomas, Cameron
 Tice, Richard
 Voaden, Caroline
 Wilkinson, Max
 Wilson, Munira
 Wilson, rh Sammy
 Wrigley, Martin
 Young, Claire

Tellers for the Ayes:
Bobby Dean and
Mr Tom Morrison

NOES

Abbott, Jack
 Abrahams, Debbie
 Ahmed, Dr Zubir
 Akehurst, Luke
 Alaba, Mr Bayo
 Aldridge, Dan
 Al-Hassan, Sadik
 Ali, Rushanara
 Ali, Tahir
 Allister, Jim
 Anderson, Callum
 Anderson, Fleur
 Anderson, Stuart
 Andrew, rh Stuart
 Antoniazzi, Tonia
 Argar, rh Edward
 Arthur, Dr Scott
 Asato, Jess
 Asser, James
 Athwal, Jas
 Atkins, rh Victoria
 Atkinson, Catherine
 Atkinson, Lewis
 Bacon, Gareth

Bailey, Olivia
 Baker, Richard
 Ballinger, Alex
 Bance, Antonia
 Barclay, rh Steve
 Barker, Paula
 Barron, Lee
 Barros-Curtis, Mr Alex
 Baxter, Johanna
 Beales, Danny
 Beavers, Lorraine
 Bedford, Mr Peter
 Bell, Torsten
 Benn, rh Hilary
 Betts, Mr Clive
 Bhatti, Saqib
 Billington, Ms Polly
 Bishop, Matt
 Blackman, Bob
 Blake, Olivia
 Blake, Rachel
 Bloore, Chris
 Blundell, Mrs Elsie
 Bonavia, Kevin
 Bool, Sarah

Botterill, Jade
 Bowie, Andrew
 Brackenridge, Mrs Sureena
 Bradley, rh Dame Karen
 Brandreth, Aphra
 Brash, Mr Jonathan
 Braverman, rh Suella
 Brickell, Phil
 Buckley, Julia
 Burghart, Alex
 Burke, Maureen
 Burton-Sampson, David
 Cadbury, Ruth
 Caliskan, Nesil
 Campbell, rh Sir Alan
 Campbell, Irene
 Campbell-Savours, Markus
 Carden, Dan
 Carling, Sam
 Carns, Al
 Cartledge, James
 Champion, Sarah
 Charalambous, Bambos
 Charters, Mr Luke
 Clark, Feryal
 Clifton-Brown, Sir Geoffrey
 Cocking, Lewis
 Coleman, Ben
 Collier, Jacob
 Collinge, Lizzi
 Collins, Tom
 Conlon, Liam
 Coombes, Sarah
 Cooper, Andrew
 Cooper, Dr Beccy
 Cooper, John
 Cooper, rh Yvette
 Costa, Alberto
 Costigan, Deirdre
 Coutinho, rh Claire (*Proxy vote cast by Danny Kruger*)
 Cox, rh Sir Geoffrey
 Cox, Pam
 Coyle, Neil
 Craft, Jen
 Creagh, Mary
 Creasy, Ms Stella
 Crichton, Torcuil
 Cross, Harriet
 Curtis, Chris
 Daby, Janet
 Dakin, Sir Nicholas
 Darlington, Emily
 Davies, Gareth
 Davies, Jonathan
 Davies, Mims
 Davies, Paul
 Davies-Jones, Alex
 De Cordova, Marsha
 Dean, Josh
 Dewhurst, Charlie
 Dickson, Jim
 Dinenage, Dame Caroline
 Dixon, Anna
 Dixon, Samantha
 Dodds, rh Anneliese
 Dollimore, Helena
 Doughty, Stephen
 Dowd, Peter
 Downie, Graeme

Duncan Smith, rh Sir Iain
 Duncan-Jordan, Neil
 Eagle, Dame Angela
 Easton, Alex
 Eccles, Cat
 Edwards, Lauren
 Efford, Clive
 Egan, Damien
 Ellis, Maya
 Elmore, Chris
 Entwistle, Kirith
 Eshalomi, Florence
 Esterson, Bill
 Evans, Chris
 Evans, Dr Luke
 Falconer, Mr Hamish
 Farnsworth, Linsey
 Fenton-Glynn, Josh
 Ferguson, Patricia
 Fleet, Natalie
 Foody, Emma
 Fookes, Catherine
 Fortune, Peter
 Foster, Mr Paul (*Proxy vote cast by Lorraine Beavers*)
 Fox, Sir Ashley
 Foxcroft, Vicky
 Foy, Mary Kelly
 Francis, Daniel
 French, Mr Louie
 Frith, Mr James
 Fuller, Richard
 Gardiner, Barry
 Gardner, Dr Allison
 Garnier, Mark
 Gelderd, Anna
 Gemmell, Alan
 German, Gill
 Gilbert, Tracy
 Gill, Preet Kaur
 Gittins, Becky
 Glen, rh John
 Goldsborough, Ben
 Gosling, Jodie
 Gould, Georgia
 Grady, John
 Grant, Helen
 Greenwood, Lilian
 Griffith, Dame Nia
 Griffiths, Alison
 Gwynne, Andrew (*Proxy vote cast by Chris Elmore*)
 Hack, Amanda
 Haigh, rh Louise
 Hall, Sarah
 Hamilton, Fabian
 Hamilton, Paulette
 Hardy, Emma
 Harris, Carolyn
 Harris, Rebecca
 Hatton, Lloyd
 Hayes, Helen
 Hayes, rh Sir John
 Hayes, Tom
 Hazelgrove, Claire
 Hendrick, Sir Mark (*Proxy vote cast by Chris Elmore*)
 Hinchliff, Chris
 Hinder, Jonathan
 Hinds, rh Damian
 Hoare, Simon
 Hodgson, Mrs Sharon

Holden, rh Mr Richard
 Hollinrake, Kevin
 Holmes, Paul
 Hopkins, Rachel
 Huddleston, Nigel
 Hudson, Dr Neil
 Hughes, Claire
 Hume, Alison
 Hunt, rh Sir Jeremy
 Huq, Dr Rupa
 Ingham, Leigh
 Irons, Natasha
 Jameson, Sally
 Jenkin, Sir Bernard
 Jermy, Terry
 Johnson, Dr Caroline
 Johnson, rh Dame Diana
 Johnson, Kim
 Jones, Gerald
 Jones, Lillian
 Jones, Louise
 Jones, Ruth
 Jopp, Lincoln
 Josan, Gurinder Singh
 Joseph, Sojan
 Juss, Warinder
 Kane, Chris
 Kane, Mike
 Kaur, Satvir (*Proxy vote cast by Chris Elmore*)
 Kearns, Alicia (*Proxy vote cast by Joy Morrissey*)
 Kendall, rh Liz
 Khan, Afzal
 Khan, Naushabah
 Kinnock, Stephen
 Kruger, Danny
 Kyrie-Smith, Laura
 Lam, Katie
 Lamont, John
 Lavery, Ian
 Law, Noah
 Leadbeater, Kim
 Leigh, rh Sir Edward
 Lewin, Andrew
 Lewis, Clive
 Lewis, rh Sir Julian
 Long Bailey, Rebecca
 Lopez, Julia
 MacAlister, Josh
 Macdonald, Alice
 MacNae, Andy
 Madders, Justin
 Mak, Alan
 Malthouse, rh Kit
 Martin, Amanda
 Maskell, Rachael
 Mather, Keir
 Mayer, Alex
 Mayhew, Jerome
 McAllister, Douglas
 McCluskey, Martin
 McDonagh, Dame Siobhain
 McDonald, Andy
 McDonald, Chris
 McDougall, Blair
 McEvoy, Lola
 McGovern, Alison
 McIntyre, Alex
 McKee, Gordon
 McKenna, Kevin
 McMorris, Anna

McNally, Frank
 McNeill, Kirsty
 Midgley, Anneliese
 Mishra, Navendu
 Mitchell, rh Sir Andrew
 Mohamed, Abtisam
 Mohindra, Mr Gagan
 Moon, Perran
 Moore, Robbie
 Morden, Jessica
 Morgan, Stephen
 Morris, Joe
 Morrissey, Joy
 Morton, rh Wendy
 Mullan, Dr Kieran
 Mullane, Margaret
 Mundell, rh David
 Murphy, Luke
 Murray, Chris
 Murray, rh Ian (*Proxy vote cast by Chris Elmore*)
 Murray, Katrina
 Murrison, rh Dr Andrew
 Myer, Luke
 Naish, James
 Naismith, Connor
 Narayan, Kanishka
 Nash, Pamela
 Newbury, Josh
 Niblett, Samantha
 Nichols, Charlotte
 Norman, rh Jesse
 Norris, Alex
 Norris, Dan (*Proxy vote cast by Chris Elmore*)
 Obese-Jecty, Ben
 O'Brien, Neil
 Onwurah, Dame Chi
 Opher, Dr Simon
 Osborne, Kate
 Osborne, Tristan
 Owatemi, Taiwo
 Owen, Sarah
 Paffey, Darren
 Pakes, Andrew
 Patel, rh Priti
 Patrick, Matthew
 Paul, Rebecca
 Peacock, Stephanie
 Pearce, Jon
 Pennycook, Matthew
 Perkins, Mr Toby
 Phillips, Jess
 Philp, rh Chris
 Pinto-Duschinsky, David
 Pitcher, Lee
 Pollard, Luke
 Powell, Joe
 Powell, rh Lucy
 Poynton, Gregor
 Prinsley, Peter
 Quigley, Mr Richard
 Qureshi, Yasmin
 Race, Steve
 Raja, Shivani (*Proxy vote cast by Mr Mohindra*)
 Ranger, Andrew
 Rankin, Jack
 Reader, Mike
 Reed, David
 Reeves, rh Ellie
 Reeves, rh Rachel

Rhodes, Martin
 Richards, Jake
 Riddell-Carpenter, Jenny
 Rigby, Lucy
 Rimmer, Ms Marie
 Robertson, Dave
 Robertson, Joe
 Roca, Tim
 Rodda, Matt
 Rosindell, Andrew
 Rushworth, Sam
 Russell, Sarah
 Ryan, Oliver
 Sackman, Sarah
 Sandher, Dr Jeevun
 Seward, Mark
 Shah, Naz
 Shastri-Hurst, Dr Neil
 Shelbrooke, rh Sir Alec
 Siddiq, Tulip
 Simmonds, David
 Simons, Josh
 Slaughter, Andy
 Slinger, John
 Smith, Cat
 Smith, David
 Smith, Greg
 Smith, Jeff
 Smith, rh Sir Julian
 Smith, Nick
 Smith, Rebecca
 Smyth, Karin
 Snell, Gareth
 Snowden, Mr Andrew
 Spencer, Dr Ben
 Spencer, Patrick (*Proxy vote cast by Danny Kruger*)
 Stafford, Gregory
 Stainbank, Euan
 Stephenson, Blake
 Stevens, rh Jo
 Stewart, Elaine
 Stone, Will
 Strathern, Alistair
 Strickland, Alan
 Stride, rh Sir Mel
 Stringer, Graham
 Stuart, rh Graham
 Sullivan, Kirsteen
 Sullivan, Dr Lauren
 Swallow, Peter
 Swann, Robin
 Swayne, rh Sir Desmond

Tami, rh Sir Mark
 Tapp, Mike
 Taylor, David
 Taylor, Rachel
 Thomas, Bradley
 Thomas, Gareth
 Thompson, Adam
 Thornberry, rh Emily
 Tidball, Dr Marie
 Timms, rh Sir Stephen
 Timothy, Nick
 Toale, Jessica
 Tomlinson, Dan
 Trott, rh Laura
 Tufnell, Henry
 Tugendhat, rh Tom
 Turley, Anna
 Turmaine, Matt
 Turner, Laurence
 Twigg, Derek
 Twist, Liz
 Vaughan, Tony
 Vickers, Martin
 Vickers, Matt
 Vince, Chris
 Wakeford, Christian
 Walker, Imogen
 Ward, Chris
 Ward, Melanie
 Waugh, Paul
 Welsh, Michelle
 Western, Andrew
 Western, Matt
 Wheeler, Michael
 Whitby, John
 White, Jo
 White, Katie
 Whittingdale, rh Sir John
 Wild, James
 Williams, David
 Williamson, rh Sir Gavin
 Witherden, Steve
 Wood, Mike
 Woodcock, Sean
 Wright, rh Sir Jeremy
 Wrighting, Rosie
 Yang, Yuan
 Yasin, Mohammad
 Yemm, Steve

Tellers for the Noes:
Gen Kitchen
Kate Dearden

Question accordingly negated.

Clause 120

ACCESS TO DRIVER LICENSING INFORMATION

Amendment made: 87, page 142, line 9, at end insert—

“an employee of the Law Officers’ Department	His Majesty’s Attorney General for Jersey”
--	--

—(*Dame Diana Johnson.*)

The purpose of this amendment is to make employees of the Economic Crime and Confiscation Unit in Jersey authorised persons.

Clause 127

CONFISCATION

Amendment made: 88, page 148, line 18, at end insert—

“(3) Schedule (Confiscation orders: Scotland) makes provision about confiscation orders in Scotland.”—
(*Dame Diana Johnson.*)

This amendment introduces the Schedule inserted by NS2.

Clause 128

PROCEEDINGS FOR CIVIL RECOVERY:

COSTS AND EXPENSES

Amendment made: 89, page 149, line 4, leave out from “expenses” to the end of line 5 and insert “—

- (a) of proceedings for a recovery order that are started before the day on which this section comes into force (the “commencement day”), or
 - (b) that are incurred in respect of a pre-commencement interim application.
- (3) A “pre-commencement interim application” means an application, made by the enforcement authority before the commencement day, for a property freezing order, an interim receiving order, a prohibitory property order or an interim administration order (including such an application made in relation to proceedings for a recovery order that are started on or after the commencement day).
- (4) Terms used in this section and in Chapter 2 of Part 5 of the Proceeds of Crime Act 2002 have the same meaning in this section as they have in that Chapter (see section 316 of that Act).”—(*Dame Diana Johnson.*)

This amendment provides that the new limits on when the court can make a costs or expenses order against an enforcement authority under Chapter 2 of Part 5 of the Proceeds of Crime Act 2002 will apply only in the case of civil recovery proceedings started after new section 288A comes into force.

Clause 139

POWER TO MAKE YOUTH DIVERSION ORDERS

Amendments made: 90, page 166, line 18, leave out “21” and insert “22”.

This amendment enables an application to be made for a youth diversion order in respect of a person in England and Wales or Northern Ireland who is aged 21.

Amendment 91, page 166, line 19, leave out “21” and insert “22”. —(Dame Diana Johnson.)

This amendment enables an application to be made for a youth diversion order in respect of a person in Scotland who is aged 21.

Clause 141

CONTENT OF YOUTH DIVERSION ORDERS

Amendments made: 92, page 168, line 17, leave out from “electronic” to end of line 19 and insert—

“communication devices, including in particular a requirement that a device may only be possessed or used subject to specified conditions;”.

This amendment provides that a youth diversion order may impose conditions relating to the respondent’s possession or use of electronic communication devices (the definition of which is inserted by Amendment 94).

Amendment 93, page 168, line 35, at end insert—

“(4A) The conditions specified under subsection (2)(c) may, in particular include conditions in relation to—

- (a) the manner in which a device is used;
- (b) the monitoring of such use;
- (c) the granting to a constable of access to premises for the purpose of the inspection or modification of a device;
- (d) the surrendering to a constable of a device on a temporary basis for the purpose of its inspection or modification at another place;
- (e) the disclosure to a constable of such details as may be specified of any device possessed or used by the respondent or any other person with whom the respondent lives.”

This amendment sets out a non-exhaustive list of the kinds of conditions relating to a person’s possession or use of electronic communications devices that may be specified in a youth diversion order by virtue of the provision inserted by Amendment 92.

Amendment 94, page 169, line 14, at end insert—

““electronic communication device” has the meaning given by paragraph 7(5) of Schedule 1 to the Terrorism Prevention and Investigation Measures Act 2011;”.

—(*Dame Diana Johnson.*)

See the explanatory statement for Amendment 92.

Clause 142

NOTIFICATION REQUIREMENTS

Amendment made: 95, page 170, line 12, leave out from “of” to end of line 19 and insert “—

- (a) any time when the respondent is, within the United Kingdom, lawfully detained or otherwise lawfully deprived of their liberty, or
- (b) any time when the respondent is outside the United Kingdom.”—(*Dame Diana Johnson.*)

This amendment generalises the provision currently made by paragraphs (a) to (d) (periods of time to be disregarded in determining the period for complying with a notification requirement).

Clause 150

APPEAL AGAINST YOUTH DIVERSION ORDERS ETC.

Amendments made: 96, page 174, line 31, leave out “or Northern Ireland”.

See the explanatory statement for Amendment 97.

Amendment 97, page 174, line 32, at end insert—

“(c) in Northern Ireland, to the county court.”

This amendment, together with Amendment 96, provides that an appeal against a decision made in relation to a youth diversion order in Northern Ireland is to be made to the county court (instead of the Crown Court).

Amendment 98, page 174, line 33, leave out subsection (3) and insert—

“(3) Where in England and Wales the Crown Court makes a decision on an appeal under subsection (1), any person who was a party to the appeal may appeal against that decision to the Court of Appeal.”—
(*Dame Diana Johnson.*)

This is a drafting change made in light of 96.

Clause 151

OFFENSE OF BREACHING YOUTH DIVERSION ORDER

Amendments made: 99, page 175, line 24, leave out from “person” to end of line 25 and insert “—

- “(a) to fail, without reasonable excuse, to comply with that section, or
- (b) in purported compliance with that section, to notify to the police any information which the person knows to be false.”

This amendment makes failing, without reasonable excuse, to comply with clause 142 (youth diversion orders: notification requirements) an offence distinct from the offence under clause 151(1) (failure to comply with a youth diversion order).

Amendment 100, page 175, line 40, at end insert—

“(5A) A person commits an offence under subsection (3)(a) on the day on which the person first fails, without reasonable excuse, to comply with section 142.

(5B) The person continues to commit the offence throughout any period during which the failure continues.

(5C) But the person may not be prosecuted more than once in respect of the same failure.”

This amendment provides that, where a person no longer has a reasonable excuse for failing to comply with a notification requirement under clause 142 but continues to fail to comply with the requirement, the person commits an offence under clause 151(3)(a) (inserted by Amendment 99).

Amendment 101, page 176, line 5, at end insert—

“(7) In section 80(3) of the Sentencing Code (list of circumstances where an order for conditional discharge is not available), after paragraph (g) (inserted by section 48(5) of this Act) insert—

‘(h) section 151(5) of that Act (breach of youth diversion order).’—(*Dame Diana Johnson.*)

This amendment inserts an amendment consequential on the provision made by subsection (5).

Schedule 1

YOUTH INJUNCTIONS, HOUSING INJUNCTIONS AND CONSEQUENTIAL AMENDMENTS

Amendment made: 134, page 199, line 5, at end insert—

“Sentencing Code

28 In section 80(3) of the Sentencing Code (list of circumstances where an order for conditional discharge is not available), after paragraph (c) insert—

‘(ca) section 11(4) of the Anti-social Behaviour, Crime and Policing Act 2014 (breach of respect order);’—(*Dame Diana Johnson.*)

This amendment inserts an amendment consequential on the provision inserted by clause 1(2).

Schedule 5

CCE PREVENTION ORDERS ON CONVICTION

Amendments made: 135, page 210, line 13, leave out from “in” to end of line 15 and insert—

“child criminal exploitation or in conduct associated with child criminal exploitation, or”.

See the statement for amendment 39.

Amendment 136, page 210, leave out lines 18 to 32 and insert—

“(4) The second condition is that the court considers that there is a risk that the offender will engage in child criminal exploitation.

(5) The third condition is that the court considers that it is necessary to make the order to prevent the offender from engaging, or reduce the likelihood of the offender engaging, in child criminal exploitation.

(6) In subsection (3)—

(a) the reference to engaging in anything includes engaging in it before (as well as after) the time when Schedule 5 to the Crime and Policing Act 2025 comes into force;

(b) the reference to an offence includes an offence committed before (as well as after) that time.

(7) In this Chapter—

(a) a reference to a person ‘engaging in child criminal exploitation’ is to the person doing anything that constitutes an offence, in England and Wales, under section 38 of the Crime and Policing Act 2025;

(b) a reference to a person ‘engaging in conduct associated with child criminal exploitation’ is to the person doing anything associated with the doing of anything that constitutes such an offence.”

See the statement for amendment 39.

Amendment 137, page 211, line 7, leave out from “of” to end of line 8 and insert—

“preventing the offender from engaging, or reducing the likelihood of the offender engaging, in child criminal exploitation.”

See the statement for amendment 39.

Amendment 138, page 211, line 22, at end insert—

“(5A) Where—

(a) the offender has been remanded in or committed to custody by an order of a court, or

(b) a custodial sentence has been imposed on the offender or the offender is serving or otherwise subject to a such a sentence,

a CCE prevention order may provide that it does not take effect until the offender is released from custody or ceases to be subject to a custodial sentence.”

This amendment enables the court to provide that a CCE prevention order takes effect on the offender being released from custody or ceasing to be subject to a custodial sentence.

Amendment 139, page 212, leave out lines 28 to 32 and insert—

“(a) lawfully detained or otherwise lawfully deprived of their liberty, in the United Kingdom, or”.

This amendment generalises the provision currently made by paragraphs (a) to (c) of inserted section 358C(8) (periods to be disregarded).

Amendment 140, page 214, line 6, leave out from “to” to end of line 8 and insert—

“prevent the offender from engaging, or reduce the likelihood of the offender engaging, in child criminal exploitation.”

See the statement for amendment 39.

Amendment 141, page 215, leave out lines 24 to 26 and insert—

“(2) The person commits an offence if—

(a) without reasonable excuse, they fail to comply with that section, or

(b) in purported compliance with that section, they notify to the police any information which they know to be false.”

This amendment expands the offence under inserted section 358H so as to cover a failure to comply with section 358C (notification requirements).

Amendment 142, page 215, line 32, at end insert—

“(4) A person commits an offence under subsection (2)(a) on the day on which they first fail, without reasonable excuse, to comply with section 358C.

(5) The person continues to commit the offence throughout any period during which the failure continues.

(6) But the person may not be prosecuted more than once in respect of the same failure.

(7) Section 358G(4) applies for the purposes of this section.”

This amendment provides that a failure to comply with inserted section 358C (notification requirements) is a continuing offence. It also makes provision about how the existence and terms of the order are proved in proceedings for an offence under inserted section 358H.

Amendment 143, page 215, line 32, at end insert—

“358HA Special measures for witnesses

(1) Chapter 1 of Part 2 of the Youth Justice and Criminal Evidence Act 1999 (special measures directions in the case of vulnerable and intimidated witnesses) applies to relevant proceedings under this Chapter as it applies to criminal proceedings, but with—

- (a) the omission of sections 17(4) to (7), 21(4C)(e), 22A, 27(10) and 32 of that Act (which make provision appropriate only in the context of criminal proceedings), and
- (b) any other necessary modifications.

(2) Rules of court made under or for the purposes of Chapter 1 of Part 2 of that Act apply to relevant proceedings under this Chapter—

- (a) to the extent provided by rules of court, and
- (b) subject to any modifications provided by rules of court.

(3) Section 47 of that Act (restrictions on reporting special measures directions etc) applies with any necessary modifications—

- (a) to a direction under section 19 of that Act as applied by this section;
- (b) to a direction discharging or varying such a direction.

Sections 49 and 51 of that Act (offences) apply accordingly.

(4) In this section “relevant proceedings under this Chapter” means any proceedings under this Chapter except proceedings relating to an offence under section 358G or 358H.”

This amendment applies the special measures directions provisions in the Youth Justice and Criminal Evidence Act 1999 to civil proceedings under the new Chapter 2A (which is to be inserted into Part 11 of the Sentencing Code).

Amendment 144, page 216, leave out lines 1 to 10 and insert—

“‘engaging in child criminal exploitation’ has the meaning given by section 358A (and related expressions are to be construed accordingly).”

See the statement for amendment 39.

Amendment 145, page 216, line 21, at end insert—

“2 In section 80(3) of the Sentencing Code (list of circumstances where an order for conditional discharge is not available) after paragraph (e) insert—

‘(ea) section 358G(3) (breach of CCE prevention order);’.”—(*Dame Diana Johnson.*)

This amendments inserts an amendment consequential on the provision made by paragraph 1.

Schedule 7

ONLINE FACILITATION OF CHILD SEXUAL EXPLOITATION AND ABUSE: SPECIFIED OFFENCES

Amendments made: 146, page 223, line 14, at end insert—

“(aa) sections 9 and 10 of the Criminal Law (Consolidation) (Scotland) Act 1995 (permitting girl to use premises for intercourse and seduction, prostitution, etc., of girl under 16);”.

This amendment adds further Scottish offences to the list of child sexual exploitation and abuse offences specified for the purposes of clause 59.

Amendment 147, page 223, line 22, at end insert—

“5A An offence under any of the following provisions of the Criminal Law (Consolidation) (Scotland) Act 1995 where the victim, or intended victim, was aged under 18—

- (a) section 1 (incest);
- (b) section 2 (intercourse with step-child);
- (c) section 7 (procuring).”

This amendment adds further Scottish offences to the list of child sexual exploitation and abuse offences specified for the purposes of clause 59.

Amendment 148, page 223, line 27, at end insert—

“6A An offence under section 1 of the Human Trafficking and Exploitation (Scotland) Act 2015 (asp 12) (human trafficking) against a person aged under 18, committed with a view to exploitation that consists of or includes behaviour within section 3(3) to (5) of that Act (prostitution and sexual exploitation).”

This amendment adds a further Scottish offence to the list of child sexual exploitation and abuse offences specified for the purposes of clause 59.

Amendment 149, page 223, line 28, leave out “5 or 6” and insert “5, 5A, 6 or 6A”.

This amendment is consequential on Amendments 147 and 148.

Amendment 150, page 223, line 30, leave out “5 or 6” and insert “5, 5A, 6 or 6A”.

This amendment is consequential on Amendments 147 and 148.

Amendment 151, page 223, line 32, leave out “5 or 6” and insert “5, 5A, 6 or 6A”.—(*Dame Diana Johnson.*)

This amendment is consequential on Amendments 147 and 148.

Schedule 9

OFFENCES RELATING TO INTIMATE PHOTOGRAPHS OR FILMS AND VOYEURISM

Amendments made: 152, page 231, line 36, at end insert—

“5A In section 66G (definitions for purposes of sections 66E and 66F), omit subsection (8).”

This amendment removes a definition of “the maximum term for summary offences” which is no longer needed because the term will be defined by section 79 of the Sexual Offences Act 2003 as amended by para. 10 of Schedule 9. Section 66G is inserted by the Data (Use and Access) Bill.

Amendment 153, page 234, line 23, leave out “In the Armed Forces Act 2006” and insert—

- “(1) The Armed Forces Act 2006 is amended as follows.
- (2)”

This amendment is consequential on amendment 154.

Amendment 154, page 234, line 35, at end insert—

“(3) In section 177DA (treatment of purported intimate images for purposes of deprivation orders)—

- (a) in subsection (1), for ‘This section’ substitute ‘Subsection (2)’;
- (b) after subsection (2) insert—

“(3) Subsection (4) applies where a person commits an offence under section 42 as respects which the corresponding offence under the law of England and Wales is an offence under section 66F of the Sexual Offences Act 2003 (requesting the creation of purported intimate image of adult).

(4) A purported intimate image which is connected with the offence, and anything containing it, is to be regarded for the purposes of 177C(3) (and section 94A(3)(b)(ii)) as used for the purposes of committing the offence (including where it is committed by aiding, abetting, counselling or procuring).

(5) A purported intimate image is connected with the offence if—

- (a) it appears to be of a person who was the subject of the request to which the offence relates (whether or not it is what was requested), and
- (b) it was in the offender’s possession, or under the offender’s control, as a result of that request.”—(*Dame Diana Johnson.*)

This amendment provides that a deprivation order can be made under section 177DA of the Armed Forces Act in connection with an offence under section 66F of the Sexual Offences Act 2003 (requesting the creation of purported intimate image of adult). Both those sections are inserted by the Data (Use and Access) Bill.

Schedule 12

SPECIFIED WAR MEMORIALS

Amendment made: 155, page 254, line 9, at end insert—

“PART 3

OTHER MEMORIALS

1 Statue of Sir Winston Churchill, Parliament Square, London”.—
(*Dame Diana Johnson.*)

This amendment makes the statue of Sir Winston Churchill in Parliament Square a specified memorial for the purposes of clause 112.

Schedule 15

CONFISCATION ORDERS: ENGLAND AND WALES

Amendment made: 156, page 320, line 18, at end insert—

“PART 13

CONFISCATION ORDERS MADE UNDER SAVED LEGISLATION: PROVISIONAL DISCHARGE

Provisional discharge of confiscation orders made under saved legislation

54 (1) This paragraph applies if—

- (a) an amount remains to be paid under a confiscation order made under—
 - (i) section 1 of the Drug Trafficking Offences Act 1986,
 - (ii) section 71 of the Criminal Justice Act 1988, or
 - (iii) section 2 of the Drug Trafficking Act 1994, and
- (b) the relevant two-year period has ended.

(2) The Crown Court may, of its own motion or on an application made by a person listed in sub-paragraph (3), discharge the confiscation order on a provisional basis if the court considers that it is in the interests of justice to do so.

(3) The persons are—

- (a) the prosecutor;
- (b) the designated officer for a magistrates’ court;
- (c) a receiver appointed under—
 - (i) section 11 of the Drug Trafficking Offences Act 1986, in the case of a confiscation order made under section 1 of that Act;
 - (ii) section 80 of the Criminal Justice Act 1988, in the case of a confiscation order made under section 71 of that Act;
 - (iii) section 29 of the Drug Trafficking Act 1994, in the case of a confiscation order made under section 2 of that Act.

(4) In deciding whether it is in the interests of justice to discharge a confiscation order on a provisional basis the court must, in particular, take into account—

- (a) any amount that the defendant has already paid under the confiscation order;
- (b) the extent to which the amount that remains to be paid under the order represents interest payable in respect of the order;
- (c) any steps that have already been taken in relation to the enforcement of the order;
- (d) the extent to which there are reasonable steps (or further reasonable steps) that could be taken in relation to the enforcement of the order;
- (e) the amount that the court considers would be recovered if all such reasonable steps (or further reasonable steps) were to be taken.

(5) Where an application under this paragraph is refused, a further application in relation to the confiscation order concerned may only be made—

- (a) after the end of the period of two years beginning with the date of the refusal, or
- (b) before the end of that period, with the leave of the court.

(6) There is no right of appeal against a decision of the court under this paragraph to discharge, or not to discharge, a confiscation order on a provisional basis.

(7) In sub-paragraph (1), the “relevant two-year period” means the period of two years beginning with—

- (a) the day on which the confiscation order was made, or
- (b) in a case where the order has been varied under the Drug Trafficking Offences Act 1986, Part 6 of the Criminal Justice Act 1998 or, as the case may be, Part 1 of the Drug Trafficking Act 1994, the day on which the order was varied.

Effect of provisional discharge under paragraph 54 and revocation of discharge

55 (1) This paragraph applies where a confiscation order has been discharged under paragraph 54 on a provisional basis.

(2) The order is to be treated as satisfied, and accordingly the proceedings against the defendant are to be treated as having concluded for the purposes of the Drug Trafficking Offences Act 1986, the Criminal Justice Act 1988 or, as the case may be, the Drug Trafficking Act 1994, subject to the rest of this paragraph.

(3) The provisional discharge of the order does not prevent the making of an application in respect of the order under—

- (a) section 14 of the Drug Trafficking Offences Act 1986, in the case of a confiscation order made under section 1 of that Act;
- (b) section 74C or 83 of the Criminal Justice Act 1988, in the case of a confiscation order made under section 71 of that Act;
- (c) section 15, 16 or 17 of the Drug Trafficking Act 1994, in the case of a confiscation order made under section 2 of that Act.

(4) Where, on an application under any of those provisions, the court varies the order, the court may also revoke the provisional discharge of the order.

(5) The Crown Court may, on an application made by a person listed in sub-paragraph (6), revoke the provisional discharge of the order if the court considers that it is in the interests of justice to do so.

(6) The persons are—

- (a) the prosecutor;
- (b) a receiver appointed under—
 - (i) section 11 of the Drug Trafficking Offences Act 1986, in the case of a confiscation order made under section 1 of that Act;
 - (ii) section 80 of the Criminal Justice Act 1988, in the case of a confiscation order made under section 71 of that Act;
 - (iii) section 29 of the Drug Trafficking Act 1994, in the case of a confiscation order made under section 2 of that Act.

(7) In deciding whether it is in the interests of justice to revoke the provisional discharge of a confiscation order the court must, in particular, take into account the matters listed in paragraph 54(4).

(8) Where the court revokes the provisional discharge of a confiscation order under this paragraph—

- (a) the order is, from the time of the revocation, no longer to be treated as satisfied, and
- (b) accordingly—
 - (i) from that time the proceedings against the defendant are to be treated as not having been concluded, and

- (ii) any interest which was payable in respect of the order for a period before the provisional discharge of the order but which had not been paid at the time of the provisional discharge becomes payable.

- (9) There is no right of appeal against a decision of the court under this paragraph to revoke, or not to revoke, the provisional discharge of a confiscation order.

Time for payment where provisional discharge of order is revoked

- 56 (1) This paragraph applies where a court revokes the provisional discharge of a confiscation order—

- (a) under paragraph 55(4) on an application under section 74C of the Criminal Justice Act 1988 or section 15 or 16 of the Drug Trafficking Act 1994, or
- (b) under paragraph 55(5).

- (2) If the court is satisfied that the defendant is unable to pay the full amount ordered to be paid under the order on the day on which the provisional discharge is revoked, the court may make an order requiring whatever cannot be paid on that day to be paid—

- (a) in a specified period, or
- (b) in specified periods each of which relates to a specified amount.

- (3) A specified period—

- (a) must start with the day on which the provisional discharge is revoked, and
- (b) must not exceed three months.

- (4) If—

- (a) within any specified period the defendant applies to the relevant court for that period to be extended, and
- (b) the relevant court is satisfied that, despite having made all reasonable efforts, the defendant is unable to pay the amount to which the specified period relates within that period,

the court may make an order extending the period (for all or any part or parts of the amount in question).

- (5) “The relevant court” means—

- (a) in a case where the Crown Court revoked the provisional discharge of the order, the Crown Court;
- (b) in a case where a magistrates’ court revoked the provisional discharge of the order, a magistrates’ court.

- (6) An extended period—

- (a) must start with the day on which the provisional discharge is revoked, and
- (b) must not exceed six months.

- (7) An order under sub-paragraph (4)—

- (a) may be made after the end of the specified period to which it relates, but
- (b) must not be made after the end of the period of six months starting with the day on which the provisional discharge is revoked.

- (8) Periods specified or extended under this paragraph must be such that, where the court believes that a defendant will by a particular day be able—

- (a) to pay the amount remaining to be paid, or
- (b) to pay an amount towards what remains to be paid, that amount is required to be paid no later than that day.

- (9) If—

- (a) an application has been made under sub-paragraph (4) for a specified period to be extended,
- (b) the application has not been determined by the court, and
- (c) the period of six months starting with the day on which the provisional discharge was revoked has not ended,

the amount on which interest is payable in respect of the order does not include the amount to which the specified period relates.

- (10) The court must not make an order under sub-paragraph (2) or (4) unless it gives the prosecutor an opportunity to make representations.

Financial status orders

- 57 (1) This paragraph applies where—

- (a) the Crown Court has decided of its own motion to consider whether to discharge a confiscation order on a provisional basis,
- (b) an application has been made under paragraph 54 or 55, or
- (c) the court has discharged a confiscation order on a provisional basis and an application has been made under—
 - (i) section 14 of the Drug Trafficking Offences Act 1986, in the case of a confiscation order made under section 1 of that Act;
 - (ii) section 74C or 83 of the Criminal Justice Act 1988, in the case of a confiscation order made under section 71 of that Act;
 - (iii) section 15, 16 or 17 of the Drug Trafficking Act 1994, in the case of a confiscation order made under section 2 of that Act.

- (2) The relevant court may order the defendant to give the court, before the end of the period specified in the order—

- (a) any information about the defendant’s assets and other financial circumstances, and
- (b) any documentary or other evidence in support of that information, that the court may require in connection with the exercise of its functions under paragraph 54 or 55.

- (3) “The relevant court” means—

- (a) where this paragraph applies as a result of sub-paragraph (1)(a) or (b), the Crown Court;
- (b) where this paragraph applies as a result of sub-paragraph (1)(c), the court to which the application mentioned in that sub-paragraph is made.”—(*Dame Diana Johnson.*)

This amendment enables a court, where it considers that it is in the interests of justice to do so, to discharge on a provisional basis a confiscation order made under legislation that pre-dates the Proceeds of Crime Act 2002 and to revoke such a provisional discharge.

Madam Deputy Speaker (Judith Cummins): We now move on to the second part of today’s proceedings, on new clauses and amendments relating to abortion. Before I call Tonia Antoniazzi to move new clause 1, I inform the House that new clause 20 in the name of Stella Creasy, which will be debated as part of this group, will fall if the House agrees to new clause 1.

New Clause 1

REMOVAL OF WOMEN FROM THE CRIMINAL LAW RELATED TO ABORTION

“For the purposes of the law related to abortion, including sections 58 and 59 of the Offences Against the Person Act 1861 and the Infant Life (Preservation) Act 1929, no offence is committed by a woman acting in relation to her own pregnancy.”—(*Tonia Antoniazzi.*)

This new clause would disapply existing criminal law related to abortion from women acting in relation to her own pregnancy at any gestation, removing the threat of investigation, arrest, prosecution, or imprisonment. It would not change any law regarding the provision of abortion services within a healthcare setting, including but not limited to the time limit, telemedicine, the grounds for abortion, or the requirement for two doctors’ approval.

Brought up, and read the First time.

Tonia Antoniazzi (Gower) (Lab): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Judith Cummins): With this it will be convenient to discuss the following:

New clause 20—*Application of criminal law of England and Wales to abortion (No. 2)*—

“(1) The Secretary of State must ensure that the recommendations in paragraphs 85 and 86 of the CEDAW report are implemented in respect of England and Wales.

(2) Sections 58, 59 and 60 of the Offences Against the Person Act 1861 are repealed under the law of England and Wales.

(3) The Infant Life Preservation Act 1929 is repealed.

(4) No investigation may be carried out, and no criminal proceedings may be brought or continued, in respect of an offence under those sections of the Offences Against the Person Act 1861 or under the Infant Life Preservation Act 1929 under the law of England and Wales (whenever committed).

(5) The Abortion Act 1967 is amended as follows.

(6) In section 6 remove, ‘sections 58 and 59 of the Offences Against The Person Act 1861, and’.

(7) Notwithstanding the repeal of the criminal law relating to abortion, the provisions of sections 1 to 4 of the Abortion Act 1967 remain in place except that that section 1 is amended so as to remove the words ‘a person shall not be guilty of an offence under the law relating to abortion when’ and replaced with ‘a pregnancy can only be terminated when’.

(8) The Secretary of State must (subject to subsection (9)) by regulations make whatever other changes to the criminal law of England and Wales appear to the Secretary of State to be necessary or appropriate for the purpose of complying with subsection (1).

(9) But the duty under subsection (8) must not be carried out so as to—

(a) amend this section,

(b) reduce access to abortion services for women in England and Wales in comparison with access when this section came into force, or

(c) amend section 1 of the Abortion Act 1967 (medical termination of pregnancy).

(10) The Secretary of State must carry out the duties imposed by this section expeditiously, recognising the importance of doing so for protecting the human rights of women in England and Wales.

(11) In carrying out the duties imposed by this section the Secretary of State must have regard in particular to the United Nations Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Economic, Social and Cultural Rights in considering what constitute the rights of women to sexual and reproductive health and to gender equality.

(12) The Secretary of State may (subject to subsection (9)) by regulations make any provision that appears to the Secretary of State to be appropriate in view of subsection (2) or (3).

(13) For the purpose of this section—

(a) ‘the United Nations Convention on the Elimination of All Forms of Discrimination against Women’ or ‘the Convention on the Elimination of All Forms of Discrimination against Women’ means the United Nations Convention on the Elimination of All Forms of Discrimination against Women, adopted by United Nations General Assembly resolution 34/180, 18 December 1979;

(b) ‘the International Covenant on Economic, Social and Cultural Rights’ means the International Covenant on Economic, Social and Cultural Rights 1966, adopted by United Nations General Assembly resolution 2200A (XXI), 16 December 1966; and

(c) ‘the CEDAW report’ means the Report of the Inquiry concerning the United Kingdom of Great Britain and Northern Ireland under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW/C/OP.8/GBR/1) published on 6 March 2018.”

New clause 106—*Abortion: requirement for in-person consultation*—

“In section 1(3D) of the Abortion Act 1967, omit ‘, by telephone or by electronic means’.”

This new clause would mean that a pregnant woman would need to have an in-person consultation before lawfully being prescribed medicine for the termination of a pregnancy.

Amendment 17, in clause 167, page 186, line 36, leave out “or 112” and insert—

“112 or [Application of criminal law of England and Wales to abortion Amendment 2]”.

Amendment 1, in clause 170, page 189, line 22, after subsection (2)(c) insert—

“(ca) section [Removal of women from the criminal law related to abortion].”

This amendment is conditional on the introduction of NC1. It would bring the new law into force on the day the Act is passed.

Amendment 18, page 189, line 22, at end insert—

“(ca) [Application of criminal law of England and Wales to abortion No. 2].”.

Tonia Antoniazzi: Nearly five years ago, having suffered a rare complication in her abortion treatment, Nicola Packer lay down in shock, having just delivered a foetus at home. Later arriving at hospital, bleeding and utterly traumatised, she had no idea that her ordeal was about to get profoundly worse and that her life would be torn apart. Recovering from surgery, Nicola was taken from her hospital bed by uniformed police officers in a police van and arrested for illegal abortion offences. In custody, her computers and phone were seized, and she was denied timely access to vital anti-clotting medication.

What followed was a four-and-a-half year pursuit by the police and the Crown Prosecution Service that completely overshadowed Nicola’s life, culminating in her being forced to endure the indignity and turmoil of a trial. She spent every penny she had funding her defence. The most private details of her life were publicly aired, and she had to relive the trauma in front of a jury—all that ultimately to be cleared and found not guilty.

Nicola’s story is deplorable, but there are many others. Laura, a young mother and university student, was criminalised for an abortion forced on her by an abusive partner. He coerced her into taking abortion pills bought illegally online, rather than going to a doctor. Laura describes his violent reaction to her pregnancy:

“he grabbed hold of me, pushed me against the wall, was just screaming in my face...pulling my hair and banging my head off the wall”.

Laura nearly died from blood loss as a result of the illicit medication he had coerced her into taking. When she was arrested, her partner threatened to kill her if she told anyone of his involvement. Laura was jailed for two years; the partner was never investigated by the police.

Another woman called an ambulance moments after giving birth prematurely, but instead of help, seven police officers arrived and searched her bins. Meanwhile, she tried to resuscitate her baby unassisted, who was

still attached to her by the umbilical cord. While the baby was in intensive care, she was denied contact; she had to express breast milk and pass it through a door. She tested negative for abortion medication—she had never taken it. Rather, she had gone into spontaneous labour, as she had previously with her other children. She remained under investigation for a year.

One of my constituents discovered that she was pregnant at seven months—she had no symptoms. She was told that she was too late for an abortion. She had seen reports of women being investigated after miscarriages or stillbirths based on their having previously been to an abortion clinic. She spent the rest of her pregnancy terrified that she would lose the baby and be accused of breaking the law. When labour began, she even delayed seeking medical help out of fear.

5 pm

Each one of these cases is a travesty enabled by our outdated abortion law. Although abortion is available in England and Wales under conditions set by the Abortion Act 1967, the law underpinning it, which dates back to 1861—the Offences Against the Person Act—means that outside those conditions, abortion remains a criminal offence carrying a maximum life sentence. Originally passed by an all-male Parliament elected by men alone, this Victorian law is increasingly used against vulnerable women and girls. Since 2020, more than 100 women have been criminally investigated, six have faced court, and one has been sent to prison. The women affected are often acutely vulnerable. Victims of domestic abuse and violence, human trafficking and sexual exploitation; girls under the age of 18; and women who have suffered miscarriage or stillbirth, or have given birth prematurely, have faced invasive and prolonged criminal investigations that cause long-term harm.

Jim Allister (North Antrim) (TUV): Can the hon. Lady advise us whether there is any other area of law governing the taking of life in which the guardrails of the criminal law have been removed? That is what new clause 1 proposes when it comes to the voiceless child. Is there no thought of protection for them?

Tonia Antoniazzi: The hon. and learned Member will know that the Abortion Act is not going to be amended. New clause 1 will only take women out of the criminal justice system because they are vulnerable and they need our help. I have said it before, and I will say it again: just what public interest is being served in the cases I have described? This is not justice; it is cruelty, and it has to end. Backed by 180 cross-party MPs and 50 organisations, and building on years of work by Dame Diana Johnson, my right hon. Friend the Member for Kingston upon Hull North and Cottingham—

Madam Deputy Speaker (Caroline Nokes): Order. I remind the hon. Member that she should not have referred to the Minister by name.

Tonia Antoniazzi: I do apologise, Madam Deputy Speaker. Every day is a school day.

My amendment, new clause 1, would disapply the criminal law related to abortion for women acting in relation to their own pregnancies. NC1 is a narrow, targeted measure that does not change how abortion services are provided, nor the rules set by the 1967

Abortion Act. The 24-week limit remains; abortions will still require the approval and signatures of two doctors; and women will still have to meet the grounds laid out in the Act.

Jim Shannon: Will the hon. Lady give way?

Tonia Antoniazzi: Not at the moment, but I will later. Healthcare professionals acting outside the law and abusive partners using violence or poisoning to end a pregnancy would still be criminalised, as they are now.

There has been a cacophony of misinformation regarding new clause 1, so let us be clear: if it passes, it would still be illegal for medical professionals to provide abortions after 24 weeks, but women would no longer face prosecution. Nearly 99% of abortions happen prior to 20 weeks, and those needing later care often face extreme circumstances such as abuse, trafficking or serious foetal anomalies. The reality is that no woman wakes up 24 or more weeks pregnant and suddenly decides to end her own pregnancy outside a hospital or clinic, with no medical support, but some women in desperate circumstances make choices that many of us would struggle to understand. New clause 1 is about recognising that such women need care and support, not criminalisation.

As Members will know, much of the work that I do is driven by the plight of highly vulnerable women and by sex-based rights, which is why I tabled new clause 1. I have profound concerns about new clause 106, tabled by the hon. Member for Sleaford and North Hykeham (Dr Johnson), which would remove the ability of women to have a consultation either on the phone or via electronic means, rowing back on the progress made in 2022 and again requiring women to attend a face-to-face appointment before accessing care. Introduced in 2020, telemedical abortion care represented a revolution for women and access to abortion care in this country. We led the world: evidence gathered in the UK helped women in some of the most restrictive jurisdictions, including the United States, to access abortion remotely. Here, the largest study on abortion care in the world found that telemedicine was safe and effective, and reduced waiting times.

The fact is that half the women accessing abortion in England and Wales now use telemedical care. Given the increases in demand for care since the pandemic, there simply is not the capacity in the NHS or clinics to force these women to attend face-to-face consultations. New clause 106 would have a devastating effect on abortion access in this country, delaying or denying care for women with no clinical evidence to support it.

What concerns me most about the new clause, however, is the claim that making abortion harder to access will help women in abusive relationships. Let me quote from a briefing provided by anti-violence against women and girls groups including End Violence Against Women, Rape Crisis, Women's Aid, Solace Women's Aid and Karma Nirvana, which contacted Members before the vote in 2022. They said:

“the argument that telemedicine facilitates reproductive coercion originates with anti-abortion groups, not anti-VAWG groups. The priority for such groups is restricting abortion access, not addressing coercion and abuse. Forcing women to carry an unwanted pregnancy to term does not solve domestic abuse.”

I could not agree more.

[*Tonia Antoniazzi*]

My hon. Friend the Member for Walthamstow (Ms Creasy), who tabled new clause 20, had a terrible experience today: she was unable to walk into Parliament because of the abuse that she was receiving outside and the pictures that were being shown. That was unforgivable, and I want to extend the hand of friendship to her and make it clear that we are not in this place to take such abuse.

While my hon. Friend and I share an interest in removing women from the criminal law relating to abortion, new clause 20 is much broader in terms of the scope of its proposed change to the well-established legal framework that underpins the provision of abortion services. While I entirely agree with her that abortion law needs wider reform, the sector has emphasised its concern about new clause 20 and the ramifications that it poses for the ongoing provision of abortion services in England and Wales. The current settlement, while complex, ensures that abortion is accessible to the vast majority of women and girls, and I think that those in the sector should be listened to, as experts who function within it to provide more than 250,000 abortions every year. More comprehensive reform of abortion law is needed, but the right way to do that is through a future Bill, with considerable collaboration between providers, medical bodies and parliamentarians working together to secure the changes that are needed. That is what a change of this magnitude would require.

Simon Hoare: My friend the hon. Lady—I hope she does not mind if I refer to her as a friend—is making a clear point. She has drawn attention to a great deal of confusion and misrepresentation in respect of what she is trying to achieve in her new clause, and she has shared some heartrending examples. However, she has just said something with which I think the whole House would agree. In recent years, we have seen our legislative approach to abortion effectively as placing ornaments on a legislative Christmas tree, tacking measures on to Bills in a very ad hoc way. I think she is actually right: this is a serious issue—I say this as a husband and as a father of three daughters—that requires serious consideration in a Public Bill Committee, with evidence from all sides and so on. Does she agree with me that, notwithstanding her laudable aims and heartfelt sincerity, it would be much better if these complex issues were dealt with in a free-standing Bill, rather than by amendment to a Crime and Policing Bill?

Tonia Antoniazzi: I thank my friend the hon. Member for his intervention, and I heard him make that point in an earlier intervention on the Minister. The fact is that new clause 1 would take women out of the criminal justice system, and that is what has to happen and has to change now. There is no way that these women should be facing what they are facing. Whether or not we agree on this issue, and this is why I have not supported new clause 20, a longer debate on this issue is needed. However, all that this new clause seeks to do is take women out of the criminal justice system now, and give them the support and help they need.

Jim Shannon: The hon. Lady and I have been friends for all the time we have been here. We had time last night to chat about these things, and we both know each other's point of view. May I ask her to cast her

mind back to telemedicine, if she does not mind? It is said that telemedicine is needed to protect vulnerable women who are unable to attend a clinical setting, but the risks are surely greater. Women may be coerced into abortions against their will with an abuser lurking in the background of a phone call, and pills can fall into the wrong hands, as we all know. Does she accept that, with all the protections she is putting forward to safeguard women, the one thing that does not seem to be part of this process is the unborn baby, and that concerns me greatly?

Tonia Antoniazzi: I thank the hon. Member for that contribution, and for the recognition that, while our voices and opinions differ across the House, we have respect for each other. I do not see this as a discussion about the Abortion Act or raising any issue relating to it, because this is the Crime and Policing Bill, and the new clause is only about ensuring that vulnerable women in those situations have the right help and support. That is the whole purpose of it; it is not about the issues that he would like to discuss now.

Mr Perkins: I absolutely recognise that my hon. Friend is coming from the right place on her amendment. I totally agree with her that a reform is needed, and she has raised some very powerful cases. She describes this as a very narrow change, but in actual fact she is asking us to ensure not just that in such cases the police should act differently, but that in every case ever no woman can ever be prosecuted. It is a hell of a leap for us to take, when this remains against the law, for her to say that these women, whatever the circumstances, must never be prosecuted. That is why I do not think I will be supporting the amendment, despite recognising that she is right that such a reform is needed. Can she say anything to explain why there must never be any prosecution ever?

Tonia Antoniazzi: Yes. I thank my hon. Friend for his intervention, because the truth is that we have to flip this around. No woman, or anybody, is deterred. This is not a deterrent. The criminal law does not work as a deterrent. These women are desperate and they need help. They may be coerced, or it could be just a stillbirth—it could be—but prosecution is not going to help the woman at any point.

Sam Rushworth (Bishop Auckland) (Lab): I agree with my hon. Friend that these women need help, but I cannot imagine a more lonely and difficult experience than being a woman who has an abortion under the circumstances she is outlining, and I think that is a problem with new clause 1. Would it not actually make abortion much more dangerous and much more lonely by simply decriminalising the woman, but not those who may be there to give support? I cannot think of any other time when someone might be more in need of support.

Tonia Antoniazzi: I do not know of any woman who has had an abortion, at any stage, and taken it lightly. Any abortion at any stage of your pregnancy is a life-changing experience. That is why I do not take this lightly. That is why, whether it is six weeks, 10 weeks, 15 weeks or whatever, and whether it is in term or out of term, that experience of child loss, whether it is planned or not, stays with a woman for the rest of her life. I do not take this easily, standing up here with the abuse we

have had outside this Chamber. This is a serious issue and these are the women who need the help. They need that help and they need it now. We cannot continue in this way. This very simple amendment to the Crime and Policing Bill would take the women out of that situation, and that is what I am seeking to achieve.

5.15 pm

Mr Angus MacDonald (Inverness, Skye and West Ross-shire) (LD): If a woman goes all the way through to full term and then decides it is an inconvenience, does the hon. Lady still think that she should be covered by this legal protection?

Tonia Antoniazzi: Wow. I would like to know if the hon. Member actually knows of any woman who would put themselves in that situation if there was not coercion or control of some kind. Obviously, a lot of research and conversations have been going on for years on this issue. I understand that people across the House have deeply held religious views—indeed, I was brought up a Catholic. My issue, from what I have been told, is this: how would that woman go about it? If it was by taking abortion pills, she would have a baby. Painting a picture of killing an unborn child in that way does not help to serve what we are doing in this place. We need to protect the women. *[Interruption.]* I need to make progress.

In the meantime, doctors, nurses, midwives, medical bodies, abortion providers and parliamentarians have come together to try to end the criminal prosecution of women on suspicion of illegal abortion offences. This is a specific and urgent problem, and one that is simple to fix. New clause 1 is the only amendment that would protect women currently at risk of prosecution and protect abortion services. That is why it has the explicit backing of every abortion provider and every organisation that represents abortion providers in England and Wales. The Royal College of Obstetricians and Gynaecologists, the Royal College of Midwives, the Royal College of General Practitioners, the Royal College of Psychiatrists and the Royal College of Nursing also endorse it. Numerous violence against women and girls groups, including the End Violence Against Women and Girls Coalition, Refuge, Southall Black Sisters, Rape Crisis England and Wales, Imkaan, and the Centre for Women's Justice, are also behind new clause 1.

The public overwhelmingly support this change too. I implore colleagues not to lose sight of the moral imperative here: namely, vulnerable women being dragged from hospital bed to police cell on suspicion of ending their own pregnancies. This is urgent. We know that multiple women are still in the system awaiting a decision, accused of breaking this law. They cannot afford to wait.

We have a once-in-a-generation opportunity to put an end to this in a simple and secure manner. This is the right change at the right time, so I implore colleagues who want to protect women and abortion services to vote for new clause 1. Let us ensure that not a single desperate woman is ever again subject to traumatic criminal investigation at the worst moments of their lives. There must be no more Lauras. There must be no more Nicola Packers.

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I rise to speak in support of new clause 106, which stands in my name, but first I will speak briefly to

new clause 1, which we have been discussing so far. The hon. Member for Gower (Tonia Antoniazzi) spoke about some pretty harrowing cases, and said how the first lady was utterly traumatised by having had her abortion at home, which she received via telemedicine. My new clause seeks to make women safer by ensuring that they are seen and given the opportunity for proper medical consultation before they get to the stage where they are given inappropriate medication because of a misunderstanding, and then end up traumatised, delivering a relatively mature foetus unexpectedly at home.

The hon. Lady did not say during her speech whether she believes that a baby should be terminated right up to term, but I want to put on the record that I do not. I work as an NHS consultant paediatrician, and I have cared for and personally held babies in my hands from 21 weeks and six days' gestation right through to term. I am very aware that babies from, say, 30 weeks upwards have a more than 98% chance of survival, so although I am supportive of women's right to choose early in pregnancy, I am not supportive of similar rights in relation to healthy babies right up to term.

Until the pandemic, women had to attend abortion clinics, where they would see a professional and talk through their desire for an abortion and the reasons for it. At the clinic, it would be checked that the woman was pregnant and how far pregnant she was. The hon. Lady raised cases of women who believed they were so far pregnant, but who turned out to be much further pregnant, which are well known; sometimes it goes the other way. One of the key reasons for this confusion is that women often bleed in early pregnancy, and they may believe that those bleeding episodes represent a period; when a woman thinks that she is 10 weeks pregnant, therefore, she may actually be 14 weeks pregnant.

That consideration is important in the context of accessing an abortion because at-home abortions via telemedicine are allowed only up until 10 weeks. The reason for that is not to be difficult or awkward, or to make it more difficult for women to access abortions; instead, it is a safety issue, because we know that complications are greater later in pregnancy. What happens in the early stages is that the procedure essentially causes the foetus to be born. If that happens to a baby much later in pregnancy, the procedure will cause it to be born when it has a chance of survival, which can lead to a traumatic experience for the mother as they deliver a much larger foetus than expected. It can lead to bleeding and, in one case I am aware of, has led to the death of a mother who was given pills to take at home when she was much further along in her pregnancy than she had expected.

Rachael Maskell (York Central) (Lab/Co-op): If this is about safety, then we also have to think about the safety of the baby. In my constituency, a baby had a live birth at 30 weeks' gestation. Tragically, that baby went on to live for just four days, struggling over that period, and then died. Must we not consider the baby's safety as much as the woman's safety?

Dr Caroline Johnson: I thank the hon. Lady for that intervention. I think we need to consider both.

I remember a case involving a lady, Carla Foster, in June 2023. From my reading of the case, she admitted to lying about where she was in her gestation, saying that

[Dr Caroline Johnson]

she was further back in pregnancy, at seven weeks, when she was actually much further along; she turned out to be around 33 weeks pregnant when her baby—her little girl, whom she called Lily—was born. In the papers I have read about the case, she described being traumatised by the face of that baby, which could have been prevented if she had been to a proper clinic and seen a health professional, as that health professional would have clearly seen that she was not seven weeks pregnant, and that taking abortion pills intended for early pregnancy was not a suitable or safe medical intervention.

If one has a termination later in pregnancy, it is done by foeticide. Essentially, an injection of potassium chloride is administered to kill the baby, and then the baby is born in the usual way, but deceased. That is why it is important to know what the gestation is—because the termination offered under the law is done by a different route, to make sure that it is done safely. We know that the later in pregnancy a termination happens, the more a woman is at risk of medical complications.

Suella Braverman (Fareham and Waterlooville) (Con): My hon. Friend is making an expert and well-informed speech, and I shall be supporting her amendment. On the point about the risks involved with abortion to birth, what does she think about jurisdictions such as New Zealand and the State of Victoria in Australia that have decriminalised abortion and seen a significant increase in failed late-term abortions—where a baby is born and there has been a lot of physical harm and risk as a result?

Dr Johnson: Every jurisdiction has a democratic right to do as it chooses and I respect that, but it is a tragedy when we hear of cases where late-term abortions have not been supported by medical care or the law, and women and infants have suffered significant harm as a result.

I want to raise the case of Stuart Worby. Some people say that this issue is about protecting vulnerable women, but in this case, which was prosecuted in December 2024, a man who did not want his partner to be pregnant, when she did want to be pregnant, decided to take matters into his own hands. He asked a woman who was not pregnant to get the pills for him. He put them in a drink and gave them to his partner, inducing a miscarriage. He has rightly been put in jail for that, but the case demonstrates that there are men out there who will obtain tablets with the help of a woman. That could not have happened if women had to have an in-person appointment, because the woman arriving at the clinic to get the abortion pills on the man's behalf would be clearly seen not to be pregnant, so would not be able to obtain the medication. My amendment seeks to protect women—women who are wrong about their gestation or who are mistaken in thinking they have had a bleed or whatever—to make sure that they have a safe termination using the right mechanisms.

Sir John Hayes (South Holland and The Deepings) (Con): I am delighted to tell my hon. Friend that I, too, will be supporting her amendment. There has been a lot of talk in this place in recent weeks about coercion—in a different Bill and in a different context. The kind of

coercion that she describes is a reality. It is all fine and well to have a fanciful middle-class view of the world, but as I said in respect of a different Bill, there are many wicked people doing many wicked things. The kind of coercion that she describes is the truth; it is the reality.

Dr Johnson: I agree with my right hon. Friend, and I shall come to coercion a little later. First, let me go back to new clause 1, which decriminalises the woman having an abortion in relation to her own pregnancy. It seems to me that what many wish to do is decriminalise abortion up until term. That is a legitimate position that some people take.

Catherine Fookes (Monmouthshire) (Lab): I urge the hon. Lady to rethink what she is saying. There is nothing in new clause 1 that refers to abortion up until term. There would be no change to the abortion law—absolutely no change at all. We are not saying aborted to term, and it is extremely harmful for her to say that.

Dr Johnson: I thank the hon. Lady for her intervention. Currently, it is illegal for a woman to procure her own abortion between 24 weeks and term if the baby is healthy. If there is a problem, she has to have it done by doctors in hospital. Under the proposed new rules, we will have a situation where a woman can legally have an abortion up until term if she wants to do so—[*Interruption.*] Yes, at any gestation. That is a completely legitimate argument. It is not one that I support or agree with, but it is a legitimate argument that people can make. If that is the case, they should have the courage of their convictions and make it.

Carla Lockhart (Upper Bann) (DUP): If criminal law does not work as a deterrent, why did late-term abortions increase in the State of Victoria and in New Zealand after decriminalisation? If we look at New Zealand in 2020, there was a 43% increase in late-term abortions between 20 weeks' gestation and birth compared with 2019. Therefore, criminal law does act as a deterrent, and when it is removed we see an increase. We need to learn from different jurisdictions in that regard.

Dr Johnson: The hon. Lady is right to say that we have seen an increase in incidences of people taking abortion pills late. Previously it was very difficult, if not impossible, to obtain the pills—it was certainly impossible to obtain them through NHS clinics—but now it is possible, because people can use a telemedicine clinic. They say that they are seven weeks pregnant and ask for pills, and we have seen examples where people have asked for the pills much further on in their pregnancy—into the 30 weeks—obtained the medicine and made themselves very unwell in doing so.

Turning to coercion, when a doctor sees a patient, they take at face value everything the patient tells them. When a lady uses telemedicine to have an abortion, it is not possible for a doctor or clinician to know whether somebody else is in the room with them, or sat the other side of the camera forcing them to say what they are saying. It is not possible for the doctor to know whether the lady is pregnant or not or whether the person asking for the medicine will be the person who takes it. That is very unsafe.

5.30 pm

Anna Sabine (Frome and East Somerset) (LD): I take the hon. Lady's point, although the same would apply if someone were face to face with a doctor; for example, I could get abortion pills and then give them to someone else after my appointment. I represent a semi-rural constituency, where we struggle with lack of bus routes and medical facilities. I understand her concerns about coercion, but there will be lots of women in my constituency who are victims of domestic violence and coercion for whom it will be significantly harder to access telemedicine were her amendment to be passed. A point was made about middle-class people, but it would be poorer people who struggle to access the service as a result of her amendment.

Dr Johnson: The hon. Lady is correct that if a woman got the tablets at a clinic, she could give them to somebody else, but in order to get them in the first place she would need to be 10 weeks pregnant, and the clinician would check that she was pregnant. When the medication appears not to have worked, questions would perhaps be asked about where the tablets had gone, so I think there is an inherent safety feature there.

The hon. Lady brings up the issue of bus routes. That is important, but the question is whether we should improve the bus routes or make medical services less safe. Most clinical services are accessed by individuals attending hospitals or clinics, and in some respects this instance is no different, because it is important that proper medical checks are done. I am not trying to limit people's access to what is clinically legally available. I am trying to make sure that people are safe when they do so.

I want to turn to women who have been trafficked or are being forced into sex work. We talked yesterday in the House about young girls who had been groomed and raped in the grooming gangs scandal. Would we put it past those evil, nasty men to have got drugs and given them to these young girls to hide the evidence of their crimes? I would not.

What about those who want to preserve the honour of their family by preventing their daughter from being pregnant? What about those who think that the baby being carried by their partner is of the wrong gender—they would like a boy but are having a girl? What about those who are trying to cover up sexual abuse, particularly of teenagers and young girls, by causing a termination to hide the evidence of their crimes? What if a partner does not want a baby? Stuart Worby got caught, was prosecuted and is rightly in jail, but how many others have done that and not got caught? We simply will never know.

No one knows who is taking these medications. If we have proper clinics, gestation can be checked, a clinician can ascertain more effectively if a woman is being coerced, and they can make the abortion medically as safe as possible. My amendment is not pro-life or pro-choice. It is pro-safety.

Ms Stella Creasy (Walthamstow) (Lab/Co-op): I think we all agree that there are concerns about vulnerable people and abortion law in this country, but we disagree about how to address them. I propose new clause 20 as a way to address those concerns and recognise that the issue of abortion access is increasingly under attack,

not just in our country but around the world. If we think that we face these challenges because we have outdated laws in this country, why would we retain them in any shape or form rather than learning from best practice around the world for all our constituents?

To start, let me put on the record that I take seriously all the concerns raised across the House about abortion. I recognise that this is a complex issue, I hear strongly the stories about investigations and prosecutions, and I want to see change, but I also recognise that change does not come without consequences. New clause 20, therefore, is based on what is good abortion law—what many of us have worked on. It is based on what the sector itself used to say mattered, which was that abortion law in England and Wales should recognise developments in modern abortion law in Northern Ireland, delivering on the promise we made in this place in 2019 that abortion was a human right, that safe care was a human right for women, and that we should see a progression of minimum human rights standards on abortion, including through the proposals of the Committee on the Elimination of Discrimination against Women.

I want to start with how the new clause would do that. I want to be clear that only this new clause would provide for decriminalisation. Decriminalisation, as defined by Marie Stopes, means removing abortion from the criminal law so that it is no longer governed by both the Offences Against the Person Act 1861 and the Infant Life Preservation Act 1929, because that would protect both clinicians and those who are at threat of criminal prosecution. Decriminalisation would not impact the regulations on safe medical use, medical conduct, safeguarding—I recognise that is a serious concern—or the distribution of medicines, and neither would it stop tackling those people who seek to use abortion as a form of abuse or coercion. I want to explain how,

In decriminalising and removing the laws that have caused those problems, the new clause would keep the 1967 Act not as a list of reasons why someone would be exempted from prosecution but as a guide to how abortion should be provided. Many of us in the House would recognise the shock for our constituents that abortion is illegal in theory and that the guidelines in the 1967 Act are the settled will of this place. To resolve any regulatory challenges, the new clause would require the Secretary of State to comply only with sections 85 and 86 of CEDAW—the convention on the elimination of all forms of discrimination against women. Those sections are about minimum, not maximum, standards of care, and that is only if the Secretary of State believes there appears to be an incongruence that needs to be addressed.

Sir John Hayes: I am trying to reconcile the two things that the hon. Lady has said. She talked about the significance of the 1967 Act. When Lord Steel—David Steel as he was then—spoke on its Second Reading, he said that it was not his aim

“to leave a wide open door for abortion on request”,—[*Official Report*, 22 July 1966; Vol. 732, c. 1075.]

yet she has said that it is a human right and so people should have the right to an abortion. How does she reconcile her advocacy of what she described as the “settled will” of the 1967 Act—not having abortion on request—with the right to have an abortion on request?

Ms Creasy: I hope that the right hon. Member has read the human rights requirements, because they are about the treatment and dignity of the woman in question and the safety of the service provided. I do not believe that Lord Steel would want women to be put at risk; indeed, I think that is why he fought for that original legislation. We have supported these human rights treaties in this place for other reasons. The new clause, as in the provisions in Northern Ireland, would use the human rights requirements as a guide—a template or a test—as to whether the safety and wellbeing of women is at the heart of what many of us believe is a healthcare rather than a criminal matter.

The new clause sets out additional tests for how we would interpret those human rights provisions. It brings in the international covenant on economic, social and cultural rights to constitute the rights of women to sexual and reproductive health and gender equality. Fundamentally, those human rights are about equal treatment of each other's bodies. At the moment, the lack of a human right creates an inequality for women in my constituency and his—an inequality that women in Northern Ireland do not face. We should shape services around their wellbeing; it is an established principle.

Some have argued that we should not make this change through amendments to legislation. This issue has always rightly been non-governmental, and there are people who disagree with the right to abortion, and people who support it, in every single party. That means that proposals for reform of abortion will always come from Back Benchers, or from somebody who has won the golden buzzer of a private Member's Bill, which happens very rarely.

For those who have called for consultation, the good news is that it is exactly what we got by voting for abortion to be a human right in Northern Ireland. If hon. Members' concern about this amendment is the lack of consultation, they should know that voting for it will trigger a consultation on how to apply the human rights test to abortion provision in England and Wales, so that we can test whether our services meet the objectives that we set for women in Northern Ireland.

Sir Desmond Swayne (New Forest West) (Con): There is a difference of principle on the question of human rights, because there are two lives involved in these decisions. That is the fundamental problem.

Ms Creasy: I respect the right hon. Gentleman's belief, and I will always defend his right to it. I tell him this, however: the human rights of the woman carrying the baby are intricately related to the ability of the baby to survive. If we do not look after women and protect their wellbeing, there will be no babies.

The human rights test allows us to ask whether it matters to us that we treat women equally when it comes to the regulation of this healthcare procedure. Practically, it also means that there is somebody to champion those regulations. In Northern Ireland, the human rights commissioner has taken the Government to court when access to the procedure has been denied. She has established buffer zones and safe access to abortion clinics as a human right. Indeed, she is now looking at telemedicine as a human right, and at how to provide it for women in a safe way.

Jim Allister: Will the hon. Lady give way?

Ms Creasy: I will, one more time, and then I want to make some progress.

Jim Allister: The hon. Lady refers to Northern Ireland. It was courtesy of her intervention back in 2019 that we had foisted upon Northern Ireland the most extreme abortion laws of any place in this United Kingdom—laws that totally disregard the rights of the unborn and treat them as a commodity to be disposed of at will and at whim. In consequence, we have seen a huge, unregulated increase in the destruction of human life through the destruction of the unborn in Northern Ireland. I do not think that that is an example that anyone should want to follow in any part of this United Kingdom.

Ms Creasy: I respect the fact that the hon. and learned Gentleman does not agree with abortion, but as I have said throughout my life when campaigning on this issue, stopping access to abortion does not stop abortion; it stops safe abortion. We are talking about how to provide abortion safely. He disagrees with abortion, and I will always defend his right to do so, but I will also point out the thousand women who have now had abortions in Northern Ireland safely, which means that their lives are protected. Surely if somebody is pro-life, they are pro-women's lives as well. New clause 20 is on that fundamental question.

Jim Shannon: Will the hon. Lady give way?

Ms Creasy: I am sorry, but I cannot. I will tell him afterwards why I cannot, but I promise that it is not out of a lack of respect for his position.

Some say that Northern Ireland is different, but why would we think that women in Northern Ireland are different from women in England and Wales when it comes to human rights? We are seeking not to remove our regulations, but to apply the same test to them. We simply want the Secretary of State to ask whether they are human-rights compliant. Those who celebrated bringing abortion to Northern Ireland, and who continue to promote it, did not just celebrate the provision of a service; they celebrated the liberation of women from this inequality, which we risk perpetuating for our constituents.

Carla Lockhart: Will the hon. Lady give way?

Ms Creasy: I am sorry, but I cannot take any interventions.

New clause 20 is primarily about whether we think that abortion is a human right, and how we apply that principle to our laws here. It is also about the very present and real threat to access in our communities. Members will have seen outside this place the modern anti-abortion movement that we now have in the UK, and will have received the scaremongering emails. Of course those in that movement are reacting more strongly than ever to the idea of women having this human right protected in law, because their opposition is not about children. If it was, they would not shout at mine when they see them in the street. It is about controlling women. They do not openly advocate for an end to abortion access, but they make lurid claims, including the claim that there would be abortion at birth, so let me put that one to bed. Because new clause 20 retains

the 1967 framework, it retains not just the time limit—crucially, it is different from new clause 1 in that regard—but all the provisions in the 1967 Act relating to everyone involved in an abortion.

5.45 pm

We know that the majority of abortions happen at less than 10 weeks in this country, but we should protect the time limit. We should also protect the medics involved, because the person who gets a fatal foetal abnormality diagnosis after 20 weeks is the person we should protect most of all. If we reduce that time limit, and if we start to target medics—it could happen in this country, as in America—those people who are asked to carry to term a baby who they know will die will not get our protection. Yes, we must stop the investigations and prosecutions under outdated laws that make no sense, but we must also protect people at that most heartbreaking moment when they are told that a baby that they really want will not live. That is what keeping the 1967 Act does.

Dr Caroline Johnson: Will the hon. Lady give way?

Ms Creasy: I am sorry; I cannot take interventions because of time.

Those who worry that new clause 20 removes outdated laws should look at the limited number of prosecutions that have taken place under existing laws, and compare it to the number of investigations that have taken place. Let us deal with the claims that are being put about. First, there is a claim that repeal would mean that there would no longer be the crime that MSI has called reproductive coercion. That is what it called the offence of coercion in the Serious Crime Act 2015, which it hailed. That offence would remain, and it explicitly covers forcing someone to have an abortion, giving the same penalty as section 59 of the Offences Against the Person Act 1861. Those who claim that coercing someone to have an abortion would be legal under new clause 20 have not paid attention to that legislation, or to the calls from the abortion providers to ensure that more healthcare providers—and, it seems, more Government lawyers—are aware of that 2015 law, and of reproductive coercion.

Those who claim that the loss of the “concealment of the body” law in section 60 of the Offences Against the Person Act would facilitate live abortions should look at the existing laws on grievous bodily harm and actual bodily harm, which are used in such cases because of the difficulty of proving an offence under section 60, and indeed because of the requirements of the Infant Life Preservation Act 1929. Having given birth to a baby at 37 weeks, I want to be very clear why time limits and medical decisions matter when it comes to abortion, not just to the application of substance misuse laws. Let us be very clear that there would be criminal offences to cover the cases that the hon. Member for Sleaford and North Hykeham (Dr Johnson) described, but we are also talking about removing laws that have criminalised people who have had stillbirths. These are people who need our compassion, and who need us to be able to differentiate between an outdated law that criminalises abortion and the malicious intent in the substance misuse legislation.

People should recognise how seldom these offences can be proved because they make no sense. Also, in retaining the 1967 Act, we retain the good faith principle

for all parties to an abortion. That would deal with the trope of sex selection; nobody can prove that abortion for sex selection reasons has happened, but that is covered in the good faith arrangements that are retained with the 1967 legislation.

I return to the subject of Northern Ireland, because it was not the absence of regulation that made a difference; it was Parliament voting to make abortion a human right, and then the Government working with us to make it happen. Voting for new clause 20 would kick-start a similar process. We know that Government lawyers never really like to deal with change—who does?—but this is the proper and appropriate way to proceed, and in our Parliament, this is the only way for Back-Benchers to make changes on matters of conscience.

Those of us who recognise that reproductive rights are the foundation of social justice know that now is the time to act. If we are not free to control what happens to our bodies, we cannot be free in the rest of our lives. Those who are playing politics with abortion play politics with equality. The Vice-President of the US has attacked our buffer zones. We should not tolerate his interference in any matter of human rights. Only new clause 20 would give buffer zones that human rights footing. We would not ask a woman to carry to term a baby that would die at birth, but again, there are people in this place who call our abortion laws ludicrous, and who advocate for a reduction in the time limit, putting a woman's health second. That would not happen with a human rights framework.

Those of us who care about these rights need to act tonight. Less than half of all men under 40 in this country believe that abortion should be legal in most cases, so those who feel that abortion is a settled matter that cannot be weaponised in our politics need to listen to the drumbeat already banging loudly in this country. We face a choice today. We know that these laws are outdated. Do we retain but limit them, or do we remove them and get ahead of what is to come? I urge colleagues who care about these matters to listen to our American counterparts, who bitterly regret not having acted under Biden and Obama to protect abortion access, and who now find medics being prosecuted and dragged across state lines. Do we learn from how Parliament has acted before?

Procedurally, Members know that if new clause 1 is passed, new clause 20 cannot go to a vote, so they will not have the chance to say whether they believe that a safe and legal abortion is a fundamental human right. I want to be clear that I will support new clause 1, but with great hesitation. That is not because I dismiss those proposing it. I hope we can all agree that there are genuine and decent terms for disagreement. It is because new clause 20 brings in a lock on ministerial powers. It explicitly restricts what Ministers and the Government—not Parliament—can do on this subject in a delegated legislation Committee.

It has been surprising to learn, in these debates, how few people have had the joyous experience of sitting in a delegated legislation Committee, stacked by the Whips with Government MPs, that makes major changes to the law, but in 15 years, that has happened to me a number of times. We have seen it on tuition fee rates and welfare cuts, and the previous Government tried to do it with the Retained EU Law (Revocation and Reform) Act 2023. Only new clause 20 would stop Ministers

[Ms Creasy]

using regulatory powers to overturn abortion rights. They could use them only to bring in human rights-compliant regulations. Conversely, if new clause 1 is passed, there are no constraints on how Ministers could use the powers. The Minister might say that the new clause brings in no requirement to make regulations. That is true. New clause 1 does not require regulation, but it can and will facilitate it. As the Hansard Society points out, Ministers sometimes seek powers in a Bill to enable them to take actions that they consider appropriate. That leaves Ministers with huge powers.

New clause 1 would bring abortion within the province of this legislation and give the Secretary of State enabling powers to make laws relating to abortion, as long as they would not reverse the disapplication of abortion law to a person acting in relation to their own pregnancy. The powers could be used to target medics, or the family of a person seeking an abortion. I therefore ask the Minister to explicitly give a commitment that if new clause 1 is passed, there will be no further regulation on abortion under the Bill, and no application to make new clause 1 workable or to clarify the impact of a prosecution on the anti-abortion laws that remain. If the Minister cannot do that, by definition she proves that that power will exist. By contrast, new clause 20 would restrict that. It would give power back to this place. Nobody can bind a future Parliament, but we can demand that it is not small Committees of hand-picked, select MPs making decisions on the Government's behalf, and that each of us should be able to act on behalf of our constituents.

Criminalisation does not reduce or deter abortion; it just makes it harder to carry out safely. We should be clear that criminalisation will remain if only new clause 1 is passed. If we want the decriminalisation that the sector has always advocated for—for good reason—it is only through new clause 20 that we can achieve that. I hope that colleagues in the Lords will have heard this debate, and will not let these matters rest.

Regret has no place in politics. It certainly has no place in the politics that I came here to represent. When there are those who would seek to attack women in this way, I pledge to continue fighting for women's rights. I pledge to continue fighting to make abortion a human right in this country, and I ask colleagues to consider the case for doing so in this way. But I ask people who care about this to think about this moment and whether we will ever have another one when this Parliament could act in such a positive, constructive and established way. We can get one thing over the line. Why not make it the thing that would make the biggest difference to our constituents?

Several hon. Members *rose*—

Madam Deputy Speaker (Caroline Nokes): Order. I am imposing an immediate four-minute time limit. Members will see that many colleagues wish to get in this evening.

Rebecca Smith (South West Devon) (Con): I rise to speak for new clause 106 and against new clauses 1 and 20.

I am grateful for this opportunity to place on the record my grave concerns about this hurried attempt to significantly alter our nation's abortion laws. It is my

view that by doing so we risk creating a series of unintended consequences that could endanger women, rather than protect and empower them. We need more time.

This is not a pro-choice versus pro-life debate. We already have the most inclusive abortion laws in Europe: medical abortion is available up to 24 weeks, which is double the European average, and we have the option of full-term abortion on medical grounds. Instead, today's debate is about ensuring that legislation as significant as this—seeking to introduce a wholesale change to abortion laws affecting England, Scotland and Wales—is not rushed through without the chance for significant scrutiny. Indeed, 90 minutes of Back-Bench debate does not cut it, in my opinion.

We should, of course, treat women seeking an abortion with compassion and dignity—that goes without saying. As a councillor on Plymouth city council, I chaired the commission on violence against women and girls. Defending the voiceless is my guiding principle in politics, and it is with those women and unborn babies in mind that I make this speech.

As over 1000 medical professionals said in an open letter cited in *The Telegraph* today,

“If offences that make it illegal for a woman to administer her own abortion at any gestation were repealed, such abortions would, de facto, become possible up to birth for any reason including abortions for sex-selective purposes, as women could, mistakenly, knowingly or under coercion, mislead abortion providers about their gestational age. If either of these amendments were to become law, it would also likely lead to serious risks to women's health because of the dangers involved with self-administered late abortions.”

They continue,

“Quite aside from the increased number of viable babies' lives being ended beyond the 24-week time limit, there would likely be a significant increase in such complications if”

new clause 1 or 20

“were to pass, as they would remove any legal deterrent against women administering their own abortions late in pregnancy. The current law permits flexibility and compassion where necessary but, for these reasons, we believe a legal deterrent remains important.”

Many supporters of new clauses 1 and 20 claim that the 24-week time limit for abortions would not change, but that is misleading. Any time limit is meaningless if abortions are legalised all the way up to birth, for any reason, without a legal deterrent. My concern is that, once decriminalisation has taken place, further steps will be taken to expand abortion time limits. Indeed, many of the campaigners mentioned this afternoon are on record saying as much. It is important that we are realistic about that.

Tonia Antoniazzi: We are not here to amend the Abortion Act. This is not a Backbench Business debate. We are here to debate an amendment to the Crime and Policing Bill. I hope that the hon. Lady stands corrected.

Rebecca Smith: I do not think it is a case of being corrected. I have significant concerns that, should the new clauses be passed, those are the next steps—it is a bit of a slippery slope. We may just have to disagree on that.

Public opinion and professional advice are clear. Polling undertaken by ComRes reveals that only 1% of the public support the introduction of abortion up to

birth, 70% of women would like to see a reduction in the time limit from 24 weeks to 20 weeks or less—still well above that of many of our European neighbours—and 89% of the population oppose the sex-selective abortions that new clauses 1 and 20 would allow.

Freddie van Mierlo: Will the hon. Lady give way?

Rebecca Smith: No, I will make some progress.

Those who champion new clause 1 claim that it is needed to stop arrests, long investigations and the prosecution of women, but it is important to highlight that prosecutions under sections 58 and 59 of the Offences Against the Person Act almost always relate to males inducing or coercing women into abortions. By decriminalising women, we would, by implication, also stop the opportunity to prosecute abusive or coercive males. To be prosecuted for aiding and abetting abortion, there needs to have been a case to answer in the first place.

Instead, I stand here to suggest a better route forward: new clause 106, tabled by my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson). She has rehearsed the arguments for that new clause excellently, but I will add that freedom of information requests have revealed that one in 17 women who took pills by post required hospital treatment—equivalent to more than 10,000 women between April 2020 and September 2021. Further investigation found that the number of ambulance service call-outs relating to abortion increased in London. They also increased in the south-west, where my constituency is, from 33 in 2019 to 74 in 2020—a 124% increase. That correlates directly with the removal of the need for a doctor's appointment. At-home abortions were made permanent by just 27 votes in March 2022. Polling in June 2025 found that two thirds of women support a return to in-person appointments. I call on the House to support new clause 106.

Catherine Fookes: I rise to speak in support of new clause 1, tabled by my hon. Friend the Member for Gower (Tonia Antoniazzi), which would remove women from the criminal law on abortion. Before my election last year, I served as the director of the Women's Equality Network Wales, and this issue has long been close to my heart.

Until very recently, violent men ending their partners' pregnancies made up the bulk of prosecutions under this 1861 law, but recently we have seen a big rise in women being targeted, many erroneously. This is not a law that exists in Northern Ireland, Scotland, France, Canada, Australia, New Zealand or even, Members may be surprised to know, the most anti-abortion states of America, but it is increasingly used against women in this country.

I want to take some time today to speak about one of these women. I will call her Becca, which I stress is not her real name. I know about what happened to Becca because her mum and dad were horrified at what happened, and they want us to hear about the injustice this law causes and to think of Becca when we cast our votes later.

6 pm

Becca was 19 years old when she gave birth to her baby in hospital. She had accessed legal abortion care through a licensed clinic, thinking she was in the first

10 weeks of pregnancy. She had suffered a very rare complication, and her pregnancy was later on than she and her doctors expected. Her parents reported that she had gained no weight, had had regular periods and had been working night shifts for the NHS only hours before.

Dr Caroline Johnson: Will the hon. Lady give way?

Catherine Fookes: Due to time, I will not; I apologise.

When Becca gave birth, her baby was small and premature. She says the first hospital she stayed in was amazing, providing support for her, her partner and their baby. The second, however, made the decision—against professional guidance and rules on patient confidentiality—to report her and her partner to the police on suspicion of attempted abortion. One month after her child was born, Becca returned home to register the birth. The police swooped. Both she and her partner were arrested, her from her parents' house and him from their baby's cot side. They were held in police cells and interviewed under caution, without understanding what was happening or why.

When they were bailed, social services visited their house and told them they were not allowed to care for their baby without supervision, meaning that Becca could not breastfeed or hold her baby until her parents were approved as supervisors. During that visit, the social worker made a difficult situation even worse, telling the family their baby was deaf and blind as a result of the alleged abortion attempt. The baby was not. This casual cruelty by a social worker caused immense distress. Fortunately, Becca, her partner and her baby are now doing well. Social services agree that they are good parents and are no longer monitoring them.

I imagine that many Members across the Chamber today had never thought this kind of cruelty existed under abortion law in this country. I know that I had never considered it. The truth is that the current legal framework harms women and girls when they are at their most desperate, and the only people who can stop it are us here in Parliament today. While changing the law by voting through new clause 1 today cannot erase what happened to Becca and her family, it can stop it happening to any more women. I urge Members to keep women like Becca in the forefront of their minds when they vote. Think of Becca and vote for new clause 1.

Sir Edward Leigh (Gainsborough) (Con): My concerns about these amendments were such that I and others commissioned a leading King's Counsel to draft a legal opinion regarding their effects. Let me inform Members of his conclusions. I begin with new clause 1. The KC confirms that, under new clause 1, in practice,

"it would no longer be illegal for a woman to carry out her own abortion at home, for any reason, at any gestation, up to birth."

I note that the hon. Member for Gower (Tonia Antoniazzi) acknowledges in her explanatory statement to new clause 1 that her amendment applies "at any gestation"—that is, up to full term.

Let us be clear what this means. Under new clause 1, women would be able to perform their own abortions—for example, with abortion pills, which can now be obtained without an in-person gestational age check—up to birth, with no legal deterrent.

Sarah Pochin (Runcorn and Helsby) (Reform): Due to medical advancements, we can save the life of a foetus at 21 weeks, yet we can legally terminate a foetus at 24 weeks. I shall be voting against all the amendments relating to the decriminalisation of abortion. Does the right hon. Gentleman agree that we should actually be reducing the window in which it is possible to have an abortion, so that the law reflects the realities of modern medicine?

Sir Edward Leigh: I agree. Let me move to new clause 20. I am dealing with very narrow legal points, and it might be of interest to the House that the KC concludes that the new clause

“would render the 24-week time limit obsolete in respect of the prosecution of women who undertake termination of pregnancy in typical circumstances.”

He explains that

“the NC20 amendment would repeal the abortion law offences”, including those relating to a “late abortion”. In other words, new clause 20 would fully repeal all existing laws that prohibit abortion in any circumstances, at any gestation, both in relation to a woman undergoing an abortion, and abortion providers or clinicians performing abortions.

In the second iteration of her new clause, the hon. Member for Walthamstow (Ms Creasy) has added a measure that seeks to amend the Abortion Act 1967, to create the impression that a time limit would remain. However, the Abortion Act only provides exemptions against prosecution under the laws that new clause 20 would repeal, so those offences would no longer remain under new clause 20. Since the Abortion Act itself contains no penalties or offences, and neither would the proposed new clause introduce any, adding a mere mention of an ongoing time limit in the Act would be toothless and utterly meaningless under the law. New clause 20 would de facto have the effect of fully decriminalising abortion up to full term for both women and abortion providers.

Hon. Members do not need to take my word for it. It is not often that they will hear me agree with the British Pregnancy Advisory Service, the UK’s leading abortion provider, but its assessment of new clause 20 concludes that it would

“largely render the Abortion Act 1967 obsolete”

and

“create a regulatory lacuna around abortion provision and access.”

There is one additional angle that Members need to be aware of. On new clause 20, the legal opinion finds that

“the effect of the amendment is that a woman who terminated her pregnancy solely on the basis that she believed the child to be female would face no criminal sanction in connection with that reason, or at all.”

Similarly, on new clause 1 the opinion confirms that

“it would not be illegal for a woman to carry out her own abortion at home, solely on the basis that the foetus is female.”

These amendments are not pro-woman; they would introduce sex-selective abortion.

Sex-selective abortion is already happening in this country. Back in 2012, a *Telegraph* investigation found that doctors at UK clinics were agreeing to terminate foetuses because they were either male or female. A BBC investigation in 2018 found that non-invasive prenatal tests were being widely used to determine a baby’s sex early in pregnancy, leading to pressure imposed on

some women to have sex-selective abortions. That evidence led the Labour party to urge a ban on such tests being used to determine the sex of babies in the womb. A report by the Nuffield Council on Bioethics similarly found that several websites were privately offering tests to determine the sex of a baby, and the council warned that the increasing prevalence of private testing may be encouraging sex-selective abortions. Passing new clause 1 or new clause 20 would likely make the situation worse. In conclusion, what we are faced with is an extreme set of amendments going way beyond what public dominion demands, and way beyond what is happening in any other country in the world.

Maya Ellis (Ribble Valley) (Lab): I rise in support of new clause 1 and new clause 20. I am someone who chooses to spend the majority of my time in this place focusing on women, who make up 51% of the population—on mothers, parents, women’s health and maternity—and I would like specifically to address comments that have been made in the Chamber today which pit the life of a foetus against that of a mother. Despite the fact that 40% of MPs are now women, and that every single one of us represents a constituency that will be 50% women, I rarely hear women’s issues being discussed here. On every issue in this House there is an angle that affects women differently, and that especially affects those caring for children differently, yet we do not speak about it.

When people speak against abortion in any form, I am stupefied by the bubble from within which they speak. Will they also speak out about the risk of giving birth when two-thirds of maternity wards are deemed unsafe by the Care Quality Commission? I doubt it. Will they speak out about the fact that more than 1.6 million women are kept out of the labour market because of their caring responsibilities, which are seven times those of men? I doubt it. Will they speak out about children in temporary accommodation, the extortionate cost of childcare, medical negligence and the decimation of Sure Start? I doubt it.

Until hon. Members have done their time making this world one thousand times better for mothers and parents, as it needs to be, I suggest that they reflect on the audacity of making a judgment in isolation today that cries, “Life.” Every decision we make in this place comes relative to its context. A woman who ends up in the truly agonising position of having an abortion is protecting a life—she is protecting her own life. Hers is the life that hon. Members choose to vote against if they vote against these amendments; hers is the life hon. Members would be choosing to discard.

As others have said, in reality, the amendments before us today will affect very few people, but will critically mean that while a woman is the carrier of a child, she will not be criminalised for anything to do with or within her body. Given how little the world tends to care about women and their bodies, I personally trust those individual women far more than I trust any state or judicial system that has yet to prove it can properly support the rights of women. That is why I will be voting for this and any amendments that further the rights of women over their own bodies.

Carla Lockhart: I believe that both lives matter in every pregnancy—both the mum’s life and the child’s life. Abortion is often framed as a choice between the

rights of the mother and of the child. I reject that framing, but today we are considering two amendments, new clause 1 and new clause 20, that would be bad for both women and unborn children; and one amendment, new clause 106, that would protect both women and unborn babies who are old enough to survive outside the womb.

In the last Parliament, I, along with a number of colleagues, warned that the pills-by-post scheme for at-home abortions would cause an increase in medical complications, dangerous late abortions and coerced abortions. Sadly, those warnings have become reality. A study based on a freedom of information request to NHS trusts found that more than 10,000 women who took at least one abortion pill at home, provided by the NHS, in 2020, needed hospital treatment for complications; that is the equivalent of more than one in 17 women or 20 per day.

Last December, Stuart Worby was jailed after using abortion pills, obtained by a third party through the pills-by-post scheme, to induce an abortion in a pregnant woman against her knowledge or will. Such cases could have been prevented if abortion providers had not pushed, in the face of warnings about precisely such incidents, for the removal of in-person appointments where a woman's identity and gestational age could be accurately verified, and any health risks assessed.

The issue of inaccurate gestational age has led indirectly to the amendments before us today. Abortion providers have themselves conceded, and I quote Jonathan Lord, former medical director for Marie Stopes, that, until recently,

“only three women have ever been on trial over the past 160 years”

for illegal abortions. Since then, there has been an increase in investigations and prosecutions, albeit a small number compared to the quarter of a million abortions we now have every year in the United Kingdom. This small rise in prosecutions has been caused by the pills-by-post scheme, which has enabled women, either because they miscalculate their own gestational age or through dishonesty, to obtain abortion pills beyond the 10-week limit, when at-home abortions are legal and considered safe for women, and even beyond our 24-week time limit for abortions. Tragically, this has led to viable babies' lives being ended.

What is the answer? I suggest it cannot be to make things worse by decriminalising abortion. That would be bad for women and unborn lives, removing the legal deterrent against dangerous late-term, unsupervised abortions that would put women at risk as well as babies, even long after they are viable in the womb. This would render our already very late time limit redundant in a context where pills can be obtained without any reliable in-person gestational age check.

The alternative solution is to end the pills-by-post scheme and reinstate in-person consultation. That is why I support new clause 106, and the public support it too. New polling has found that just 4% of women support the current pills-by-post arrangement and two thirds want a return to in-person appointments. Decriminalisation may allow the problems with the pills-by-post scheme to be covered up, but it will not stop the problems happening. In fact, it will incentivise more dangerous late-term abortions of viable babies.

Let me close by turning to Northern Ireland. When the hon. Member for Walthamstow (Ms Creasy) hijacked the Northern Ireland (Executive Formation etc.) Act to impose abortion on Northern Ireland, she argued that women in Northern Ireland faced discrimination because they did not have access to the same abortion provision as women in Great Britain. Let me very clear: Northern Ireland is very different. Northern Ireland does not have the pills-by-post scheme, so a direct correlation with GB cannot be made. I ask hon. Members to support new clause 106.

6.15 pm

Lizzi Collinge (Morecambe and Lunesdale) (Lab): It is worth being absolutely clear about what new clause 1 would and would not do. It would simply remove the threat of prosecution for women who end their own pregnancy: it would not change the abortion time limit, which remains. The rules around telemedicine remain. The requirement for two doctors to sign off remains.

In recent years there has been what I consider to be a worrying rise in the number of people being investigated, prosecuted and even imprisoned under the law. These prosecutions are deeply distressing and, in most cases, entirely disproportionate. It is far more common for a woman to miscarry or to miscalculate the stage of her pregnancy than to wilfully break the law.

To fully address the question from my hon. Friend the Member for Chesterfield (Mr Perkins), I do not think it is right, in the context of what is actually happening in investigations and prosecutions, that any woman should be prosecuted. The harm caused by the number of investigations and prosecutions where it is absolutely not justified outweighs that.

Deirdre Costigan (Ealing Southall) (Lab): A constituent came to see me yesterday and explained that when she was 16 she was coerced into a forced marriage by her family. She had not been allowed to have any sex education, so when she became pregnant she did not even realise. It was only when her mum noticed that she managed to access a legal abortion, but she told me that she could have been in a situation in which she would have had to get out of that marriage in order to have a late abortion. Does my hon. Friend think it would be in the public interest to go after women such as my constituent who were in forced marriages? Is that helpful?

Lizzi Collinge: I absolutely think it is not helpful to go against those women. New clause 1 would retain the criminal prosecution of men who force women to have an abortion, or indeed anyone who coerces a woman into having an abortion. One in eight known pregnancies end in miscarriage, yet we have seen women subjected to invasive investigations, delayed medical care and lengthy legal processes because they have had an abortion or a stillbirth.

Many colleagues have already spoken about the intense distress that legal proceedings inflict, whatever the circumstances. In the case of Nicola Packer, it took four years to clear her name. During that time, the scrutiny she faced was entirely dehumanising, with completely irrelevant matters treated as evidence of wrongdoing. For every woman who ends up in court, many more endure police investigations, often including phone seizures, home searches and even, in some cases, having children

[Lizzi Collinge]

removed from their care. All that not only is distressing and disproportionate for those women, but makes abortion less safe. If women are scared of being criminalised, they will not be honest with their midwives, GPs or partner. Abortion is healthcare, and healthcare relies on honest conversations between care providers and patients.

I will rebut a bit of the misinformation that says that new clause 1 would allow abusive partners or others to avoid prosecution. That is simply not true. NC1 applies only to the woman who ends her own pregnancy. Healthcare professionals who act outside the law, and partners and other family members who use violence or coercion would still be criminalised, just as they are now, and quite rightly so.

The amount of misinformation about abortion is distressing—I have seen it within and without this Chamber. What are the facts? Some 88% of abortions happen before nine weeks. As a woman who has lost two very-much wanted pregnancies at about that stage, I am very aware of what that actually means physically, and of what stage the foetus is at then. Abortions after 20 weeks make up just 0.1% of all cases, and those are due to serious medical reasons. Women are not ending their pregnancies because of convenience.

NC1 would not change what is happening with abortion care, but it would protect women from being dragged through these brutal investigations, which are completely inappropriate in the majority of cases anyway. Women are extremely unlikely to try to provoke their own abortion outside the time limits. A criminal sanction for that, or a distressing and intrusive investigation, is entirely disproportionate. It is not in the public interest to subject these women to these investigations.

I will finish with this: women who have abortions, women who have miscarriages and women who have children are not distinct sets of women. Many of us will experience at least two of those things, if not all three. Let us stop making false distinctions and trying to pit groups of women against each other, and let us stop brutally criminalising women—many of them very vulnerable women—in the way that the current law does, because it serves no purpose. Today, we can end that.

Rebecca Paul (Reigate) (Con): I rise to speak against new clauses 1 and 20, and in support of new clause 106, tabled by my hon. Friend the Member for Sleaford and North Hykeham (Dr Johnson). First, it is important for me to say that I fully support women's reproductive rights. I think that we generally get the balance right here in the UK, and protecting that is a hill I would die on. However, I am disturbed by new clauses 1 and 20, which would decriminalise abortion up to birth. If they become law, fully developed babies up to term could be aborted by a woman with no consequences.

The reason we criminalise late-term abortion is not about punishment; it is about protection. By providing a deterrent to such actions, we protect women. We protect them from trying to perform an abortion at home that is unsafe for them, and from coercive partners and family members who may push them to end late-term pregnancies. I have great respect for the hon. Member for Gower (Tonia Antoniazzi), who has tabled new clause 1. We share many of the same objectives on other

topics, but in this case I think she is trying to solve a very real issue—the increased number of prosecutions—with the wrong solution.

These amendments are driven by the case of Carla Foster, among others. Carla Foster is a mum who was prosecuted under UK law for carrying out an illegal abortion in May 2020, during the covid pandemic. She carried out the abortion at 32 to 34 weeks of pregnancy after receiving the relevant drugs through the pills-by-post scheme introduced during lockdown. This is a terrible case that harshly demonstrates the flaws with the current process, but the issue here is not the criminalisation of abortion after 24 weeks; it is the fact that Carla Foster was given the pills without checking how far along she was in the first place. She was failed by people here in Parliament who voted to allow those pills to be sent out by mail during lockdown without an in-person consultation. That was an irresponsible decision; and one that might have been forgiven in the light of a global pandemic if it had remained temporary. However, in March 2022 the scheme was made permanent.

If we want to protect women from knowingly or unknowingly acquiring abortion pills after 24 weeks of pregnancy and inducing an abortion at home, we must put an end to the situation in which those pills can be acquired without a face-to-face consultation at which gestational age verification by medical professionals can take place. These drugs are dangerous if not used in the right way, as we saw when Stuart Worby spiked a pregnant woman's drink with them, resulting in the miscarriage of her 15-week-old baby. Make no mistake: the pills-by-post scheme enabled that evil man and his female accomplice to commit that crime.

It is also important to note that prior to the pills-by-post scheme, only three women had been convicted for an illegal abortion over the past 160 years, demonstrating the effectiveness of the safeguard. However, since that scheme was introduced—according to Jonathan Lord, who was medical director of Marie Stopes at the time—four women have appeared in court on similar charges within an eight-month period. Criminalisation of abortion after 24 weeks is not the problem; the pills-by-post scheme is.

If new clause 1 passes while the pills-by-post scheme remains in place, here is what will happen. More women will attempt late-term abortions at home using abortion pills acquired over the phone, and some of those women will be harmed. Many of them will not have realised that they are actually going to deliver something that looks like a baby, not just some blood clots—that is going to cause huge trauma for them. Many of those women genuinely will not have realised how far along they are, due to implantation bleeding being mistaken for their last period, and on top of all of this, some of the babies will be alive on delivery.

We in this place need to get away from this terrible habit of only considering issues through a middle-class lens. What about women who are being sexually exploited and trafficked? What about teenage girls who do not want their parents to find out that they are pregnant?

Madam Deputy Speaker (Ms Nusrat Ghani): Order. I call David Smith.

David Smith (North Northumberland) (Lab): I rise to oppose new clauses 1 and 20 and to support new clause 106. All the new clauses concern the issue of abortion.

Through the process of decriminalisation, new clauses 1 and 20 will introduce the possibility of de facto abortion up to birth for any reason in this country, for the first time in history. Let me be clear: this means that it will no longer be illegal for a woman to abort a full-term, healthy baby. That would be a profound change in the settled position on abortion in this country for the past 58 years—an extreme move that polling has shown that the vast majority of the country does not want. Indeed, recent polling shows that only 3% of the public support the idea of abortion up to birth. New clause 106 would diminish the risk of women being criminalised for abortions beyond the current legal limit through the reinstitution of in-person appointments. That is popular; recent polling shows that two thirds of women back a return to in-person appointments for abortions.

I do not want to be standing here talking about abortion. It is not something that I came into Parliament to do. I am also very conscious that, as a man, I should be very careful about commenting on the experience of women. However, I feel that new clauses 1 and 20 give me no choice but to speak against them, despite my huge respect for the mover of new clause 1 in particular.

What are we trying to achieve here? If the aim is to decriminalise women in difficult situations, I have huge sympathy for that. For eight years I was the chief executive of a homelessness charity that housed and supported women in desperate situations, many of whom were traumatised, dependent on substances, with fluctuating mental ill health conditions and extensive experience of the criminal justice system. A common theme among them was that they had been abused and harmed from a very early age, consistently into their adulthood. The women we served and supported still had agency. They still had free will. If their circumstances were desperate at times, they nevertheless often confounded those circumstances to rise above them. However, they also made decisions that they regretted. They made decisions, at times, that those around them—and even they themselves, later—were appalled by.

Sam Rushworth: I recall, a few years ago, supporting a woman in a hostel who was traumatised by her own decision to abort a child. Does my hon. Friend agree, in the context of this language about protecting people, that we also need to protect people from these decisions when they are not made with the proper safeguards and protections in place?

David Smith: I do agree. If something is absolute—in terms of the new clauses, as I understand them—it must cover all eventualities, and what we are trying to say is that we simply do not believe that it can.

I have heard it said that no woman would induce an abortion after 24 weeks, but we cannot introduce such a profound change in abortion law on the basis of a simple hope that no woman would take such a drastic step. If we remove the possibility of criminal prosecution for abortion post 24 weeks' gestation, it is a certainty that some women will take that drastic step if there are no sanctions and no wider consequences.

Tracy Gilbert (Edinburgh North and Leith) (Lab): Will my hon. Friend give way?

David Smith: I am afraid I am going to make some progress.

In 2024, according to Government statistics, there were a quarter of a million abortions. If only 1% of them took place as late-term abortions, that would mean 2,500 late-term abortions a year. We also risk the rise, once more, of backstreet abortions. Imagine a scenario in which a woman knows that she cannot now be prosecuted under the law for a late-term abortion, but for some reason wishes to go ahead with one, or is pressured into it. Surely at this stage she is more likely to get hold of pills by post—which are not considered safe to take outside a clinical context after 10 weeks—by pretending to be under the legal limit, to undertake a dangerous procedure on herself, or to seek to procure an off-the-books abortion.

Emily Darlington: Will the hon. Gentleman give way?

David Smith: I will make progress.

The new clauses seek to address a perceived problem of police actions that were over-zealous in a handful of cases by making a fundamental change to abortion law that would put more women at risk while also risking the lives of infant children.

Lola McEvoy: My hon. Friend is giving a speech that I think many Members will find difficult to hear from such a wonderful friend and colleague. Does he agree that many women are already facing incredibly difficult situations, and many could already have a late-term abortion for which they could order pills online? We do not want to criminalise those who are not doing that. It is entirely wrong to criminalise people for taking action. Does my hon. Friend agree that the majority of women are doing the right thing?

David Smith: I absolutely do agree that the vast majority of women are doing the right thing, but I do not believe that we can cover all eventualities through such a fundamental black-and-white change in the law.

The real problem is that the temporary pills-by-post abortion scheme brought in during covid, which does not require in-person appointments, has been made permanent. That is why I added my name to new clause 106. In-person appointments would remove any doubt about the gestational age of a foetus within a narrow range, and massively reduce the likelihood of successful coercion, which is something I have seen throughout my work, as I have mentioned. This would consequently remove the possibility of egregious police overreach, which I know my hon. Friends are so concerned about.

Emily Darlington: Will my hon. Friend give way?

David Smith: I am just coming to my conclusion.

The choice for Members is very clear—indeed, stark. It is to approve the biggest change to abortion law in 58 years while, I believe, making things worse for women and their unborn children, or to solve the problem of criminal justice overreach by reinstating in-person appointments for abortion. This is clearly a very difficult subject, and I just feel that amending this Bill is not the right way to go about such a divisive and emotive change, but I will leave it there.

Several hon. Members *rose*—

Madam Deputy Speaker (Ms Nusrat Ghani): Order. The speaking limit is further reduced to three minutes.

6.30 pm

Julia Lopez (Hornchurch and Upminster) (Con): I rise to speak against new clauses 1 and 20, which represent rushed changes to our abortion laws of profound consequence not only for the unborn child, but for women themselves. My fear is that, if passed, these new clauses would undermine the ability to prosecute abusive partners who force women into ending a pregnancy, inadvertently lead to more dangerous and highly distressing at-home abortions, and risk reducing the status of an unborn child to a legal non-entity.

I also wish to put on record my deep unease about the continued attempts to lasso unrelated legislation with amendments on abortion. Whether or not one supports liberalisation, we should all be able to agree that these amendments represent substantial change to the existing law.

Tonia Antoniazzi: I am afraid the hon. Member is not stating what my new clause would actually do. It takes women out of the criminal justice system, and this is the Crime and Policing Bill.

Julia Lopez: I was also expressing my concerns about other amendments that have been tabled, but I believe the hon. Member is none the less proposing a substantial change that deserves more than a two-hour debate among Back Benchers.

As MPs, we are not here simply to express our opinions of an ideal world or even to focus only on highly distressing cases; we are legislators, and no greater legislative duty exists than to make sure that what we do in this House does not lead to unintended consequences in the real world for the most vulnerable. In two hours of debate on a Tuesday afternoon, we are being asked to rewrite a profound boundary in British law that protects the unborn child. That is not responsible lawmaking; it is a procedural ambush. It is telling that not even the promoters of decriminalisation in this House can agree on the form it should take. That ought to make each one of us pause, because it speaks to the challenge of moving beyond principle to real-world application.

It is worth our recalling previous efforts to amend Bills in this way and their consequences. The temporary pills-by-post scheme brought in during the crisis of the pandemic was made permanent by an amendment hooked, with little notice, on to an unrelated Bill, and what have we seen since? We have seen women accessing pills under false names and gestational dates, and taking them far beyond the recommended 10-week limit, and viable babies have been lost after late-term abortions. That is not women's healthcare; it is legal and medical failure.

Emily Darlington: Will the hon. Lady give way?

Lola McEvoy: Will the hon. Lady give way?

Julia Lopez: I am afraid there is simply not enough time.

That failure is now being used to justify the loosening of abortion laws still further due to a recent uptick in cases of women being investigated. I have looked carefully at the arguments being pushed for decriminalisation, and with those from the hon. Member for Walthamstow (Ms Creasy), I see that the bogeyman of the US right is back. Apparently, unless we agree to these amendments, evangelical religious groups paid for by US cash are going to start rolling back women's reproductive rights in this country. This is utter nonsense. We are in the UK, and we have a very different and a more balanced national conversation. This is not pro or anti life. It is not extremist to want protections for viable babies, and it is not anti-women to say that coercion or dangerous self-medication should not be outside the reach of the law.

We also see the argument made that this is solely a woman's health issue and nobody but she should have a say over what happens to her body, but that is to ignore a very inconvenient truth that has always stalked the abortion debate: this is not about one body; there are two bodies involved. Like it or not, this House has a duty to consider the rights of a woman against the safety and morality of aborting the unborn viable child without consequence. It is not extreme or anti-women to say that a baby matters too. I accept that new clause 1 does not decriminalise a doctor or third party carrying out an abortion outside existing time limits, but let us step back and ask why we have criminal law at all. It is not simply to punish, but to deter.

The former Justice Minister Laura Farris has expressed concerns that the challenge of prosecution for infanticide will become greater. She has also raised similar concerns about prosecuting coercive partners if the termination is no longer a criminal offence.

Madam Deputy Speaker: Order.

Tom Hayes: I want to start by aligning myself with, and commending the speeches of, my hon. Friends the Members for Morecambe and Lunesdale (Lizzi Collinge), for Ribble Valley (Maya Ellis), for Monmouthshire (Catherine Fookes), for Gower (Tonia Antoniazzi) and for Walthamstow (Ms Creasy). I am proud to stand alongside my colleagues and was proud to listen to what they had to say today. And because of what they had to say today, I have less to say, which will allow more people to speak.

I have been sent here by my constituents to defend and further their right to safe and legal abortion. My inbox has been inundated with messages from constituents who are concerned, and who want to be able to have safe and legal abortions. They want to be removed from the criminal justice system, as my hon. Friend the Member for Gower said, because we have situations where clinically vulnerable women, who have gone through some of the worst experiences that anybody can go through, will in some cases be arrested straight from the hospital ward, hurried to cells and made to feel unmitigated levels of shame and guilt, on top of the physical and mental traumas they have already experienced.

Lola McEvoy: My hon. Friend is articulating exactly the point, which is that very few women, if any at all, take the decision to have an abortion lightly. It is an incredibly difficult, painful and hard decision, which is physically and mentally very tough to deal with. Does he

agree that that is the crux of what we are doing here: alleviating some of the pain that those women are having to go through?

Tom Hayes: I thank my hon. Friend for that really powerful intervention. I completely agree. If in this place we can do one important thing today, which is to send a signal that we wish to alleviate that pain, then we should do it.

Emily Darlington: Is my hon. Friend aware of the fact that it is impossible medically to determine whether somebody has had a miscarriage or has used abortion pills, so the cases these women do not have a scientific or medical basis, only suspicion? If we really wanted to protect the woman, we would make sure that she had the right advice and the right medical support throughout her pregnancy.

Tom Hayes: I thank my hon. Friend for that intervention. I do agree, and it takes me to the points made by my hon. Friend the Member for Ribble Valley. She talked about how, over many years, women have been denied access to the healthcare, advice, guidance, childcare and other infrastructure that is so critical to a woman's quality of life. We need to end that, full stop.

That takes me to another point, which relates to new clause 106. I listened to the mover of new clause 106, the hon. Member for Sleaford and North Hykeham (Dr Johnson), and to those on the Opposition Benches making cases in support of it. I am afraid I do not agree. There is nothing in the clinical evidence available to support the new clause. As somebody who ran a domestic abuse and mental health charity for five years before I was elected, I am very painfully aware of the trauma and difficulties that women who have been domestically abused will go through, and I do not want them to feel, on top of that, shame and trauma about trying to access abortion services. It is important that we think about those people.

I forget who it was on the Liberal Democrat Benches, but they made a really important point about poorer people who are unable to access transport links to access clinics. There was a really important point about our infrastructures being broken down, such as bus connectivity. That is the legacy of the past 14 years, but it is a legacy we must none the less contend with or women will be impeded in their access to abortion services as a consequence.

Luke Taylor: Does the hon. Gentleman agree with the advice from the Royal College of Obstetricians and Gynaecologists, the Royal College of General Practitioners, the Royal College of Midwives, the Royal Pharmaceutical Society, the Faculty of Sexual and Reproductive Healthcare and the British Medical Association, who all know much more than we do about the issue, to vote firmly against new clause 106, because it makes women more vulnerable?

Tom Hayes: I thank the hon. Gentleman for that intervention. I agree with those bodies and I agree with him.

Finally, the hon. Member for Hornchurch and Upminster (Julia Lopez) made an argument about a bogeyman of American politics somehow being conjured up by my

hon. Friend the Member for Walthamstow. I represent Bournemouth East. In my constituency, we have BPAS Bournemouth, which was targeted by US Vice-President J.D. Vance when he made his point about buffer zones and abortion access. I have spoken with the people who work at that clinic since that speech was given, and they are scared. They want to support women's reproductive rights and women's health and safety, but staff members' vehicles are being tampered with, and women seeking the clinic's support are finding their access impeded. They want us to be sensitive in what we say and how we say it, because there are people across our constituencies who are deeply concerned for the welfare of women, and who look to us to send the right signal through how we conduct our politics.

I was a signatory to new clause 1 and new clause 20. I recognise that there will be a vote on new clause 1 first. I will vote in favour of it, and I call on all Members across this House to do the same.

Madam Deputy Speaker (Ms Nusrat Ghani): We have run out of time, so I will call the Front-Bench speakers. I call the Liberal Democrat spokesperson.

Lisa Smart: As is usual on matters of conscience, these votes will not be whipped by my party today, as I believe is the case across the House. That said, my party passed relevant policy at our party conference, and I will lay out that policy before talking a little about my predecessor's work on the 1967 Act. Then I will explain, in a personal capacity, why I will support some, but not all, of the amendments before us.

The Liberal Democrats believe that women have the right to make independent decisions about their reproductive health without interference from the state, and that access to reproductive healthcare is a human right. The current law impacts the most vulnerable women. Under that legislation, some can be dragged from hospital beds to prison cells and endure needlessly long periods of investigation and prosecution. The provisions that allow for this were introduced before women were even allowed to vote, so it is not surprising that many see the need for them to be updated.

In the past five years, there have been both debates about whether the police have the resources that they need to keep our community safe, and a surge of police investigations into women suspected of obtaining medication or instruments to end their pregnancy outside the law. That surely cannot be the best use of police time. Lib Dem policy is to ensure proper funding for impartial advice services, so that people can receive comprehensive, unbiased information without being pressured. Access to abortion should never be made more stressful, so we would maintain safe zones around clinics to protect those seeking care.

My predecessor as Liberal MP for Hazel Grove, the late Dr Michael Winstanley, later Lord Winstanley, was key in shaping the Abortion Act 1967. He was on a cross-party group of around a dozen MPs who sought to refine the language and the strategy of that vital legislation. Dr Winstanley continues to be mentioned on the doorstep in my constituency, and he is known, among other things, for bringing calm, professional insight to the debate. He drew on his background as a general practitioner and on his medical knowledge and experience to ground the discussion in medical evidence,

[Lisa Smart]

and was especially vocal in highlighting the dangerous and often desperate conditions faced by women when abortion was severely restricted. He made the case that legal, regulated abortion was not only safer but more humane.

At the end of this debate, I will join the World Health Organisation, the Royal College of Obstetricians and Gynaecologists, midwives, nurses, psychiatrists, general practitioners and the End Violence Against Women Coalition in supporting new clause 1. To be clear, this new clause would not change how abortion is provided or the legal time limit on it, and it would apply only to women acting in relation to their own pregnancy. Healthcare professionals acting outside the law, and abusive partners using violence or poisoning to end a pregnancy, would still be criminalised, as they are now.

Jerome Mayhew (Broadland and Fakenham) (Con): Will the hon. Lady give way?

Lisa Smart: I am under strict encouragement from Madam Deputy Speaker to be speedy, so I will not give way.

I very much support the spirit of new clause 20, but I cannot support new clause 106. I acknowledge that those who tabled it want women to be able to access the best healthcare available, but it would be a step backwards to make it harder for women to access the treatment that they need, whether that is women in a coercive relationship, or those who live in a rural area with limited transport options, and who find it hard to access in-person medical appointments. Telemedicine enables timely, accessible abortion care. We rightly speak repeatedly in this House of the strain on our NHS's space, staff and capacity, so it feels entirely retrograde to roll this service back and insert clinically unnecessary barriers, and I cannot support doing so.

The amendments and new clauses before us are subject to free votes, so Members can rightly choose for themselves. I very much hope that we choose to move forwards, not back.

Madam Deputy Speaker (Ms Nusrat Ghani): I call the shadow Minister.

6.45 pm

Harriet Cross (Gordon and Buchan) (Con): In recent weeks and months in this House, we have become familiar with votes of conscience. The amendments that I shall speak to—new clauses 1, 20 and 106—are also matters of conscience. Although I am responding for his Majesty's official Opposition, Conservative Members will have free votes, so the views that I express will be my own, and I fully recognise that there may be Conservative colleagues who disagree with me.

I recognise that the hon. Members for Gower (Tonia Antoniazzi) and for Walthamstow (Ms Creasy) tabled new clauses 1 and 20 with the very best of intent. I have no doubt that all Members who signed them did so with the objective of supporting and safeguarding the rights of women, and I can unequivocally say that I share those aims, as do my hon. Friends the Members for Hornchurch and Upminster (Julia Lopez), for Reigate (Rebecca Paul), for South West Devon (Rebecca Smith), and for Sleaford and North Hykeham (Dr Johnson),

and my right hon. Friend the Member for Gainsborough (Sir Edward Leigh), who have also spoken. However, I do not believe that new clauses 1 or 20 achieve the safeguarding of women that Members seek.

Views on abortion do not have to be absolutist. Being pro-choice is not incompatible with being pro-life when the foetus is at a stage at which it is inherently viable. Believing that women should have autonomy over their bodies does not negate the need for a system that safeguards women from physical and emotional harm. As we have heard, new clause 1 would ensure that pregnant women were not criminalised for accessing an abortion during their pregnancy. It would, however, retain the law relating to the provision of abortion in healthcare settings as it stands. Effectively, a woman in England and Wales would legally be able to abort an unborn child by her own means up to the moment prior to a natural birth, but a healthcare professional would be breaking the law if they tried to help her do so outside the 24-week limit.

Sir John Hayes: There is a calumny at the heart of this, which is that these new clauses are compatible with the '67 Act. When breaching an Act of this Parliament ceases to be unlawful, it loses its force and therefore its purpose, and that calumny cannot be allowed to stand on the record.

Harriet Cross: I thank my right hon. Friend for his intervention.

On the one hand, abortion would be decriminalised for women; on the other, restrictions on her ability to access that same procedure in a safe, controlled and supportive setting would remain. We must be careful not to create a law that has unintended and potentially harmful consequences, especially for those it is designed to help, and especially when those who are likely to rely on it are likely to be in a state of stress or distress.

New clause 1 raises many questions. Is it tenable to legalise all but full-term abortions in England and Wales, but not in other parts of the UK? What would be the legal implications if a woman in Gretna travelled 10 miles across the border to Carlisle to have an abortion after the 24-week limit that is in place in Scotland? Under new clause 1, how do we monitor such abortions that occur outside a healthcare setting? How do we ensure that mothers' physical and mental health is protected and supported? And what happens to the once-delivered foetus, if the abortion is outside a healthcare setting?

As we have heard, new clause 20 goes further than new clause 1 in many respects, so many of the same concerns apply. New clause 106 in the name of my hon. Friend the Member for Sleaford and North Hykeham would mandate an in-person consultation before a pregnant woman was prescribed medication to terminate a pregnancy. This new clause is not about making abortions harder to access. An abortion should, of course, be readily available to those who need and want it, and of course abortion medication should be easily accessible during the appropriate stages of pregnancy, but this new clause is about the safety of the mother and the unborn child.

Face-to-face appointments are commonplace for patients with a wide range of medications and conditions, particularly when new medications are being prescribed. A private, in-person consultation allows a doctor to be

as sure as they can be that the woman is acting of her own informed free will, and ensures that her mental state is assessed and understood. It also reduces as much as possible the likelihood of medication being misused or abused.

Telemedicine, while it has its place, can never be a replacement for the patient-doctor relationship developed during face-to-face appointments. It has serious shortcomings. There have been many cases where abortion medicine has been misused following telemedicine, and there have been many more hospitalisations of women following the use of telemedicine. However, I stress that not all of these cases will be down to misuse; we should all be aware of that. New clause 106 does not attempt to restrict access to abortions, and I would not support it if it did. Instead, it would act as an important safeguard to protect women from emotional trauma and physical harm.

The Parliamentary Under-Secretary of State for Justice (Alex Davies-Jones): Let me begin by emphasising that all women in England and Wales can access safe, regulated abortions on the NHS under our current laws. I also recognise and respect that there are strongly held views across the House on this highly sensitive issue, and I welcome the considered and informed debate we have had today.

The Government maintain a neutral stance on changing the criminal law on abortion in England and Wales. We maintain that it is for Parliament to decide the circumstances under which abortion should take place, and will allow Members to vote according to their moral, ethical or religious beliefs. If it is the will of the House that the criminal law on abortion should change, whether by our exempting pregnant women from the offences or otherwise, the Government would not stand in the way of such change. However, we must ensure coherence between the statute book and any legislation proposed.

It will be helpful if I first set out the relevant law. As hon. Members will know, in England and Wales, the criminal offences relating to abortion must be read in conjunction with the provisions of the Abortion Act 1967, which provide exemptions to the criminal offences. The Act defines the circumstances in which abortions or terminations can legally take place. Section 58 of the Offences Against the Person Act 1861 is the offence of administering drugs or using instruments to procure an abortion. It is an offence for a pregnant woman to unlawfully take a drug or use instruments with the intent of procuring her own miscarriage. It is also an offence for another person who has the intent of procuring the miscarriage of a woman, whether or not she is pregnant, to unlawfully administer drugs or use instruments with that intent. It is also an offence under section 59 of the 1861 Act for a person to supply or procure drugs, poison or an instrument that was intended to be used to procure a miscarriage.

The Infant Life (Preservation) Act 1929 deals with acts in the later stages of pregnancies, including late-term abortions in England and Wales. Under section 1 of the 1929 Act, it is an offence for any person to intentionally destroy the life of a child before it is born, if it is capable of being born alive, unless it can be proved that the act was done in good faith and only to preserve the life of the woman.

Turning to the amendments, the purpose of new clause 1, tabled by my hon. Friend the Member for Gower (Tonia Antoniazzi), is to disapply criminal offences relating to abortion from a woman acting in relation to her own pregnancy at any gestation. This means that it would never be a criminal offence for a pregnant woman to terminate her pregnancy, regardless of the number of weeks of gestation, including beyond the 24 weeks.

Jerome Mayhew: Will the Minister give way?

Alex Davies-Jones: I apologise, but I will not. We are really short on time.

It would also not be a criminal offence for a woman to intentionally deceive a registered medical practitioner about the gestation of her pregnancy in order to procure abortion pills by post beyond the 10-week time limit. It would remain an offence for another person, such as a doctor, to do the relevant acts, and for a pregnant woman to do the relevant acts for another woman, unless the provisions of the Abortion Act are applied.

New clause 1 seeks to ensure that a woman cannot commit an offence in relation to her own pregnancy under the law related to abortion, including under sections 58 and 59 of the Offences Against the Person Act 1861, and the Infant Life (Preservation) Act 1929. The phrase “related to abortion” is not defined in the clause but in practice will be limited to these provisions, as there are no other offences that relate to abortion in England and Wales.

It was suggested during the recent Westminster Hall debate on decriminalising abortion, and again today, that the risk with new clause 1 is that it creates a general power for the Secretary of State to amend the Abortion Act 1967 or the relevant criminal legislation relating to abortion. I would like to clarify that new clause 1 does not create such a power, nor do any other provisions of the Crime and Policing Bill. New clause 1 does not grant the Secretary of State additional secondary legislation powers, while clause 166 of the Bill does grant the Secretary of State a regulation-making power in relation to the provisions of the Bill. That can only be exercised to make provisions that are appropriate in consequence of the Bill’s provisions. It would not, for example, give the Secretary of State general powers to make substantive amendments to the Abortion Act 1967 in order to change the rules about abortion, or to amend the Offences Against the Person Act to reintroduce criminal offences, as that would not be consequential to new clause 1.

I turn to new clause 20, tabled by my hon. Friend the Member for Walthamstow (Ms Creasy), which would repeal existing criminal offences relating to abortion and concealment of a birth, place a duty on the Secretary of State to implement certain recommendations relating to abortion services, and create regulation-making powers regarding criminal offences relating to abortion.

Jerome Mayhew: Will the Minister give way?

Alex Davies-Jones: I will not give way.

This is a complex new clause, and I will not address all of its provisions or the policy intentions behind them. However, I will highlight areas where the House may want to consider whether the duties or delegated powers may be unclear or give rise to unintended consequences.

[Alex Davies-Jones]

I acknowledge that my hon. Friend's approach seeks to mirror the model used to decriminalise abortion in Northern Ireland. However, it is important to recognise that the circumstances in Northern Ireland at the time were markedly different from those in England and Wales. There was no functioning Executive, no provision of abortion services except in the most exceptional circumstances and no equivalent to the Abortion Act 1967, so provision had to be made to create a regime for abortion services. As such, the approach to decriminalising abortion in England and Wales, where the provision and regulation of lawful abortions already exists, needs to reflect the distinct legal context.

New clause 20 would impose a duty on the Secretary of State to implement paragraphs 85 and 86 of the convention on the elimination of all forms of discrimination against women in England and Wales by using the regulation-making powers in subsection (8). The CEDAW report contains recommendations relating to the criminal law on abortion, which would, in so far as they relate to England and Wales, already be addressed by the repealing of the offences through subsections (2) and (4) of the new clause.

The report includes recommendations that go beyond the provision of abortion services, such as on the provision of sexual and reproductive health and education. As I have mentioned, the CEDAW report and its recommendations were developed in the specific context of Northern Ireland and therefore reflected the position there at the time. The position in England and Wales is different, with existing guidance, services and legislation that already address many of the report's recommendations.

I turn to the criminal law aspect of the new clause. Subsections (2) and (3) would repeal sections 58 to 60 of the Offences Against the Person Act 1861, as well as the Infant Life Preservation Act 1929. Repealing those offences would remove criminal liability for a woman acting in relation to her own pregnancy and would also decriminalise any other person doing the relevant acts to a pregnant woman, or in relation to the body of a child. For example, there would no longer be a specific offence to cover cases of forced abortion. That would mean that situations in which an individual subjected a pregnant woman to violence with the intention of causing a miscarriage would be dealt with under different offences relating to assaults and bodily harm rather than section 58 of the Infant Life Preservation Act. The moratorium on investigations and prosecutions contained in subsection (4) would discontinue such cases. Therefore, those suspected of forcing a woman to have an abortion before the offences were repealed could not be investigated for those offences.

Subsection (2) seeks to repeal section 60 of the Offences Against the Person Act 1861, which criminalises concealing a birth by disposing of a child's body after its birth. Unlike sections 58 and 59 of the 1861 Act, that offence is not limited to abortion-related acts. Repealing it entirely could therefore create a gap in the law regarding non-abortion-related concealment of birth following a child's death. While I understand the concern of my hon. Friend the Member for Walthamstow about investigations under section 60 relating to alleged illegal abortions, a full repeal may have unintended consequences.

I will briefly address a point that my hon. Friend made about existing offences that cover this matter. The offence of perverting the course of justice requires a positive act coupled with an ulterior intent that the course of justice will be perverted. Therefore, it is not necessarily the same and we do not want to provide unintended consequences. It is important to note that subsection (12) grants the Secretary of State regulation-making powers in the light of the repeal of these offences, subject to certain restrictions. The power could be used, for example, to create offences specifically targeted at forced abortions or concealing a birth by disposing of a child's body. While I do not comment on the policy intent, the House typically exercises its full powers of scrutiny over the introduction of new and serious offences, rather than conferring a power on the Secretary of State to do so through secondary legislation.

New clause 106, which was tabled by the hon. Member for Sleaford and North Hykeham (Dr Johnson), deals directly with the Abortion Act 1967. The intended purpose of the new clause is to require women to attend an in-person consultation. Section 1(3D) of the Abortion Act 1967 does not apply to consultations that take place before the medicine is prescribed. Women would therefore continue to have remote consultations for prescription of the medicine, but would then be required to travel to a hospital or clinic for an in-person consultation before being able to self-administer the medicine at home. Alternatively, women could have an in-person consultation to be prescribed the medicine and then the medication could be posted to the women at home. The overall effect of this new clause would mean that no woman could legally have an at-home early medical abortion without an in-person consultation.

In conclusion, if it is the will of Parliament that the law should change, the Government, in fulfilling our duty to ensure that the legislation is legally robust and workable, will work closely with my hon. Friends the Members for Gower and for Walthamstow to ensure that their new clauses accurately reflect their intentions and the will of Parliament, and are coherent with the statute book. As I have already stated, the Government take no position. I hope these observations are helpful to the House when considering the new clauses.

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

The House divided: Ayes 379, Noes 137.

Division No. 232]

[7 pm

AYES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
Abbott, Jack
Abrahams, Debbie
Akehurst, Luke
Alaba, Mr Bayo
Aldridge, Dan
Alexander, rh Heidi
Al-Hassan, Sadik
Amos, Gideon
Anderson, Callum
Anderson, Fleur
Antoniazzi, Tonia
Aquarone, Steff
Arthur, Dr Scott
Asato, Jess
Asser, James

Athwal, Jas
Atkinson, Catherine
Atkinson, Lewis
Babarinde, Josh
Bailey, Olivia
Ballinger, Alex
Bance, Antonia
Barker, Paula
Barros-Curtis, Mr Alex
Baxter, Johanna
Beales, Danny
Beavers, Lorraine
Begum, Apsana (*Proxy vote cast by Zarah Sultana*)
Bell, Torsten
Benn, rh Hilary
Bennett, Alison
Berry, Siân

Betts, Mr Clive	Dowd, Peter	Irons, Natasha	Moran, Layla (<i>Proxy vote cast by Wendy Chamberlain</i>)
Billington, Ms Polly	Downie, Graeme	Jameson, Sally	Morello, Edward
Bishop, Matt	Duncan-Jordan, Neil	Jardine, Christine	Morgan, Helen
Blake, Olivia	Dyke, Sarah	Jarvis, Liz	Morgan, Stephen
Blake, Rachel	Eagle, Dame Angela	Jermey, Terry	Morris, Joe
Bloore, Chris	Eastwood, Colum	Johnson, rh Dame Diana	Morrison, Mr Tom
Blundell, Mrs Elsie	Eccles, Cat	Jones, Clive	Murphy, Luke
Bonavia, Kevin	Edwards, Lauren	Jones, Gerald	Murray, Chris
Botterill, Jade	Efford, Clive	Jones, Lillian	Murray, rh Ian (<i>Proxy vote cast by Chris Elmore</i>)
Brandreth, Aphra	Egan, Damien	Jones, Louise	Murray, James
Brash, Mr Jonathan	Ellis, Maya	Jones, Ruth	Murray, Susan
Brewer, Alex	Elmore, Chris	Josan, Gurinder Singh	Myer, Luke
Brickell, Phil	Entwistle, Kirith	Juss, Warinder	Naish, James
Brown-Fuller, Jess	Eshalomi, Florence	Kane, Chris	Naismith, Connor
Buckley, Julia	Esterson, Bill	Kaur, Satvir (<i>Proxy vote cast by Chris Elmore</i>)	Kendall, rh Liz
Burgon, Richard	Evans, Dr Luke	Kendall, rh Liz	Khan, Naushabah
Burke, Maureen	Falconer, Mr Hamish	Khan, Naushabah	Kinnock, Stephen
Burton-Sampson, David	Fenton-Glynn, Josh	Kirkham, Jayne	Kitchen, Gen
Byrne, Ian	Ferguson, Mark	Kohler, Mr Paul	Kumar, Sonia
Cadbury, Ruth	Fleet, Natalie	Kyle, rh Peter	Kyrke-Smith, Laura
Caliskan, Nesil	Foody, Emma	Lake, Ben	Lamb, Peter
Campbell, Irene	Fookes, Catherine	Law, Noah	Leadbeater, Kim
Campbell-Savours, Markus	Forster, Mr Will	Leishman, Brian	Lewin, Andrew
Cane, Charlotte	Foster, Mr Paul (<i>Proxy vote cast by Lorraine Beavers</i>)	Lewis, Clive	Lewis, Clive
Carling, Sam	Francis, Daniel	Lightwood, Simon	Long Bailey, Rebecca
Carns, Al	Franklin, Zöe	MacAlister, Josh	MacCleary, James
Chadwick, David	Frith, Mr James	Macdonald, Alice	MacNae, Andy
Chamberlain, Wendy	Furniss, Gill	Madders, Justin	Maguire, Ben
Chambers, Dr Danny	Gardiner, Barry	Maguire, Helen	Malthouse, rh Kit
Champion, Sarah	Gardner, Dr Allison	Martin, Amanda	Martin, Mike
Charalambous, Bambos	Gelder, Anna	Mather, Keir	Mathew, Brian
Charters, Mr Luke	Gemmell, Alan	Mayer, Alex	McCluskey, Martin
Chowns, Ellie	George, Andrew	McDonagh, Dame Siobhain	McDonald, Andy
Clark, Feryal	German, Gill	McDonald, Chris	McDonnell, rh John
Coleman, Ben	Gibson, Sarah (<i>Proxy vote cast by Anna Sabine</i>)	McDougall, Blair	McEvoy, Lola
Collier, Jacob	Gilbert, Tracy	McFadden, rh Pat	McGovern, Alison
Collinge, Lizzi	Gilmour, Rachel	McIntyre, Alex	McKee, Gordon
Collins, Victoria	Gittins, Becky	McKenna, Kevin	McMorris, Anna
Conlon, Liam	Glover, Olly	McNeill, Kirsty	Medi, Llinos
Coombes, Sarah	Goldman, Marie	Midgley, Anneliese	van Mierlo, Freddie
Cooper, Andrew	Goldsborough, Ben	Miliband, rh Ed	Miller, Calum
Cooper, Dr Beccy	Gordon, Tom	Milne, John	Mishra, Navendu
Cooper, Daisy	Gosling, Jodie	Mitchell, rh Sir Andrew	Mohamed, Abtisam
Corbyn, rh Jeremy	Gould, Georgia	Moon, Perran	
Costigan, Deirdre	Grady, John		
Cox, Pam	Green, Sarah		
Coyle, Neil	Greenwood, Lilian		
Craft, Jen	Griffith, Dame Nia		
Creasy, Ms Stella	Gwynne, Andrew (<i>Proxy vote cast by Chris Elmore</i>)		
Crichton, Torcuil	Hack, Amanda		
Curtis, Chris	Haigh, rh Louise		
Daby, Janet	Hall, Sarah		
Dakin, Sir Nicholas	Hanna, Claire		
Dance, Adam	Harding, Monica		
Darling, Steve	Hardy, Emma		
Darlington, Emily	Harris, Carolyn		
Davey, rh Ed	Hatton, Lloyd		
Davies, Ann	Hayes, Helen		
Davies, Paul	Hayes, Tom		
Davies-Jones, Alex	Hazelgrove, Claire		
Dean, Bobby	Healey, rh John		
Dean, Josh	Heylings, Pippa		
Dearden, Kate	Hinchliff, Chris		
Denyer, Carla	Hobhouse, Wera		
Dickson, Jim	Hodgson, Mrs Sharon		
Dillon, Mr Lee	Hopkins, Rachel		
Dinenage, Dame Caroline	Hughes, Claire		
Dixon, Anna	Hume, Alison		
Dixon, Samantha	Ingham, Leigh		
Dodds, rh Anneliese			
Dollimore, Helena			
Doughty, Stephen			

Siddiq, Tulip
 Simons, Josh
 Slade, Vikki
 Slaughter, Andy
 Slinger, John
 Smart, Lisa
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Sarah
 Smyth, Karin
 Snell, Gareth
 Sollom, Ian
 Spencer, Dr Ben
 Stainbank, Euan
 Stevens, rh Jo
 Stewart, Elaine
 Stone, Jamie
 Stone, Will
 Strathern, Alistair
 Strickland, Alan
 Sullivan, Dr Lauren
 Sultana, Zarah
 Swallow, Peter
 Tami, rh Sir Mark
 Taylor, David
 Taylor, Rachel
 Thomas, Cameron
 Thomas, Gareth
 Thompson, Adam
 Thornberry, rh Emily
 Tidball, Dr Marie
 Toale, Jessica
 Trott, rh Laura
 Tufnell, Henry

Turmaine, Matt
 Turner, Karl
 Turner, Laurence
 Twist, Liz
 Uppal, Harpreet
 Vaughan, Tony
 Vince, Chris
 Voaden, Caroline
 Wakeford, Christian
 Ward, Chris
 Ward, Melanie
 Waugh, Paul
 Webb, Chris
 Welsh, Michelle
 Western, Andrew
 Western, Matt
 Wheeler, Michael
 Whitby, John
 White, Jo
 White, Katie
 Whittome, Nadia
 Wilkinson, Max
 Wilson, Munira
 Witherden, Steve
 Woodcock, Sean
 Wrighting, Rosie
 Wrigley, Martin
 Yang, Yuan
 Yemm, Steve
 Young, Claire
 Zeichner, Daniel

Tellers for the Ayes:

**Luke Taylor and
 Katrina Murray**

NOES

Ali, Tahir
 Allister, Jim
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart
 Argar, rh Edward
 Bacon, Gareth
 Badenoch, rh Mrs Kemi
 Baldwin, Dame Harriett
 Barclay, rh Steve
 Bhatti, Saqib
 Blackman, Bob
 Bool, Sarah
 Bowie, Andrew
 Brackenridge, Mrs Sureena
 Brandreth, Aphra
 Braverman, rh Suella
 Burghart, Alex
 Campbell, Mr Gregory
 Cartlidge, James
 Clifton-Brown, Sir Geoffrey
 Cocking, Lewis
 Collins, Tom
 Cooper, John
 Coutinho, rh Claire (*Proxy
 vote cast by Danny Kruger*)
 Cox, rh Sir Geoffrey
 Cross, Harriet
 Davies, Gareth
 Davies, Jonathan
 Davies, Mims
 Davis, rh David
 Dewhurst, Charlie
 Duncan Smith, rh Sir Iain

Easton, Alex
 Evans, Chris
 Evans, Dr Luke
 Farnsworth, Linsey
 Farron, Tim
 Ferguson, Patricia
 Fortune, Peter
 Fox, Sir Ashley
 Foy, Mary Kelly
 Francois, rh Mr Mark
 French, Mr Louie
 Fuller, Richard
 Garnier, Mark
 Glen, rh John
 Griffith, Andrew
 Griffiths, Alison
 Harris, Rebecca
 Hayes, rh Sir John
 Hinder, Jonathan
 Hinds, rh Damian
 Hoare, Simon
 Holden, rh Mr Richard
 Hollinrake, Kevin
 Holmes, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hurley, Patrick
 Hussain, Mr Adnan
 Jenkin, Sir Bernard
 Jenrick, rh Robert
 Johnson, Dr Caroline
 Jopp, Lincoln
 Kane, Mike

Kearns, Alicia (*Proxy vote cast
 by Joy Morrissey*)
 Khan, Ayoub
 Kruger, Danny
 Lamont, John
 Leigh, rh Sir Edward
 Lewis, rh Sir Julian
 Lockhart, Carla
 Lopez, Julia
 MacDonald, Mr Angus
 Mak, Alan
 Maskell, Rachael
 Mayhew, Jerome
 McAllister, Douglas
 McMurdock, James
 McNally, Frank
 Mohamed, Iqbal
 Mohindra, Mr Gagan
 Moore, Robbie
 Morrissey, Joy
 Morton, rh Wendy
 Mullan, Dr Kieran
 Mullane, Margaret
 Murrison, rh Dr Andrew
 Nash, Pamela
 Norman, rh Jesse
 Obese-Jecty, Ben
 O'Brien, Neil
 Patel, rh Priti
 Paul, Rebecca
 Perkins, Mr Toby
 Philp, rh Chris
 Pochin, Sarah
 Raja, Shivani (*Proxy vote cast
 by Mr Mohindra*)
 Rankin, Jack
 Reed, David
 Rimmer, Ms Marie
 Robertson, Joe
 Robinson, rh Gavin

Rosindell, Andrew
 Rushworth, Sam
 Shannon, Jim
 Shastri-Hurst, Dr Neil
 Shelbrooke, rh Sir Alec
 Smith, David
 Smith, Greg
 Smith, rh Sir Julian
 Smith, Rebecca
 Spencer, Dr Ben
 Spencer, Patrick (*Proxy vote
 cast by Danny Kruger*)
 Stafford, Gregory
 Stephenson, Blake
 Stride, rh Sir Mel
 Stringer, Graham
 Stuart, rh Graham
 Swann, Robin
 Swayne, rh Sir Desmond
 Thomas, Bradley
 Tice, Richard
 Timothy, Nick
 Tugendhat, rh Tom
 Turley, Anna
 Twigg, Derek
 Vickers, Martin
 Vickers, Matt
 Walker, Imogen
 Whately, Helen
 Whittingdale, rh Sir John
 Wild, James
 Williamson, rh Sir Gavin
 Wilson, rh Sammy
 Wood, Mike
 Wright, rh Sir Jeremy
 Yasin, Mohammad

Tellers for the Noes:

**Mr Andrew Snowden and
 David Simmonds**

Question accordingly agreed to.

New clause 1 read a Second time, and added to the Bill.

7.16 pm

Proceedings interrupted (Programme Order, this day).

The Chair put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83D).

New Clause 106

ABORTION: REQUIREMENT FOR IN-PERSON CONSULTATION

“In section 1(3D) of the Abortion Act 1967, omit ‘, by telephone or by electronic means’.”—(*Dr Caroline Johnson.*)

This new clause would mean that a pregnant woman would need to have an in-person consultation before lawfully being prescribed medicine for the termination of a pregnancy.

Brought up.

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

The House divided: Ayes 117, Noes 379.

Division No. 233]

[7.16 pm

AYES

Allister, Jim
 Anderson, Lee
 Anderson, Stuart
 Andrew, rh Stuart

Bacon, Gareth
 Badenoch, rh Mrs Kemi
 Baldwin, Dame Harriett
 Bhatti, Saqib

Blackman, Bob
 Bool, Sarah
 Bowie, Andrew
 Braverman, rh Suella
 Burghart, Alex
 Campbell, Mr Gregory
 Clifton-Brown, Sir Geoffrey
 Cocking, Lewis
 Cooper, John
 Coutinho, rh Claire (*Proxy vote cast by Danny Kruger*)
 Cox, rh Sir Geoffrey
 Cross, Harriet
 Davies, Gareth
 Davies, Jonathan
 Davies, Mims
 Davis, rh David
 Dewhurst, Charlie
 Duncan Smith, rh Sir Iain
 Easton, Alex
 Evans, Chris
 Farron, Tim
 Ferguson, Patricia
 Fortune, Peter
 Fox, Sir Ashley
 Foy, Mary Kelly
 Francois, rh Mr Mark
 French, Mr Louie
 Fuller, Richard
 Garnier, Mark
 Glen, rh John
 Griffith, Andrew
 Griffiths, Alison
 Harding, Monica
 Harris, Rebecca
 Hayes, rh Sir John
 Hinder, Jonathan
 Hinds, rh Damian
 Holmes, Paul
 Huddleston, Nigel
 Hudson, Dr Neil
 Hurley, Patrick
 Hussain, Mr Adnan
 Jenkin, Sir Bernard
 Jenrick, rh Robert
 Jermy, Terry
 Johnson, Dr Caroline
 Jopp, Lincoln
 Kane, Mike
 Kearns, Alicia (*Proxy vote cast by Joy Morrissey*)
 Khan, Ayoub
 Kohler, Mr Paul
 Kruger, Danny
 Lamont, John
 Leigh, rh Sir Edward
 Lewis, rh Sir Julian
 Lockhart, Carla
 Lopez, Julia

MacDonald, Mr Angus
 Mak, Alan
 Maskell, Rachael
 Mayhew, Jerome
 McAllister, Douglas
 McMurdock, James
 Mohamed, Iqbal
 Mohindra, Mr Gagan
 Moore, Robbie
 Morrissey, Joy
 Mullan, Dr Kieran
 Murrison, rh Dr Andrew
 Norman, rh Jesse
 Obese-Jecty, Ben
 O'Brien, Neil
 Patel, rh Priti
 Paul, Rebecca
 Philp, rh Chris
 Pochin, Sarah
 Raja, Shivani (*Proxy vote cast by Mr Mohindra*)
 Rankin, Jack
 Reed, David
 Rimmer, Ms Marie
 Robertson, Joe
 Robinson, rh Gavin
 Rosindell, Andrew
 Rushworth, Sam
 Shannon, Jim
 Shelbrooke, rh Sir Alec
 Smith, David
 Smith, Greg
 Smith, rh Sir Julian
 Smith, Rebecca
 Spencer, Dr Ben
 Spencer, Patrick (*Proxy vote cast by Danny Kruger*)
 Stafford, Gregory
 Stephenson, Blake
 Stride, rh Sir Mel
 Stuart, rh Graham
 Swann, Robin
 Swayne, rh Sir Desmond
 Thomas, Bradley
 Tice, Richard
 Timothy, Nick
 Tugendhat, rh Tom
 Twigg, Derek
 Vickers, Martin
 Vickers, Matt
 Whittingdale, rh Sir John
 Wild, James
 Williamson, rh Sir Gavin
 Wilson, rh Sammy
 Wood, Mike

Tellers for the Ayes:
Mr Andrew Snowden and
David Simmonds

NOES

Abbott, rh Ms Diane (*Proxy vote cast by Bell Ribeiro-Addy*)
 Abbott, Jack
 Abrahams, Debbie
 Ahmed, Dr Zubir
 Akehurst, Luke
 Alaba, Mr Bayo
 Aldridge, Dan
 Alexander, rh Heidi

Al-Hassan, Sadik
 Amos, Gideon
 Anderson, Callum
 Anderson, Fleur
 Antoniazzi, Tonia
 Aquarone, Steff
 Arthur, Dr Scott
 Asato, Jess
 Asser, James
 Athwal, Jas

Atkinson, Catherine
 Atkinson, Lewis
 Babarinde, Josh
 Bailey, Olivia
 Ballinger, Alex
 Bance, Antonia
 Barclay, rh Steve
 Barker, Paula
 Barros-Curtis, Mr Alex
 Baxter, Johanna
 Beales, Danny
 Beavers, Lorraine
 Begum, Apsana (*Proxy vote cast by Zarah Sultana*)
 Bell, Torsten
 Benn, rh Hilary
 Bennett, Alison
 Berry, Siân
 Betts, Mr Clive
 Billington, Ms Polly
 Bishop, Matt
 Blake, Olivia
 Blake, Rachel
 Bloore, Chris
 Blundell, Mrs Elsie
 Bonavia, Kevin
 Botterill, Jade
 Brackenridge, Mrs Sureena
 Brandreth, Aphra
 Brash, Mr Jonathan
 Brewer, Alex
 Brickell, Phil
 Brown-Fuller, Jess
 Buckley, Julia
 Burgon, Richard
 Burke, Maureen
 Burton-Sampson, David
 Butler, Dawn
 Byrne, Ian
 Cadbury, Ruth
 Caliskan, Nesil
 Campbell, rh Sir Alan
 Campbell, Irene
 Campbell-Savours, Markus
 Cane, Charlotte
 Carling, Sam
 Carns, Al
 Chadwick, David
 Chamberlain, Wendy
 Chambers, Dr Danny
 Champion, Sarah
 Charalambous, Bambos
 Charters, Mr Luke
 Chowns, Ellie
 Clark, Feryal
 Coleman, Ben
 Collier, Jacob
 Collinge, Lizzi
 Collins, Tom
 Collins, Victoria
 Conlon, Liam
 Coombes, Sarah
 Cooper, Andrew
 Cooper, Dr Beccy
 Cooper, Daisy
 Costigan, Deirdre
 Cox, Pam
 Craft, Jen
 Creagh, Mary
 Creasy, Ms Stella
 Crichton, Torcuil
 Curtis, Chris
 Daby, Janet
 Dakin, Sir Nicholas
 Dance, Adam
 Darling, Steve
 Darlington, Emily
 Davey, rh Ed
 Davies, Ann
 Davies, Paul
 Davies-Jones, Alex
 Dean, Bobby
 Dean, Josh
 Dearden, Kate
 Denyer, Carla
 Dickson, Jim
 Dillon, Mr Lee
 Dinenage, Dame Caroline
 Dixon, Anna
 Dixon, Samantha
 Dodds, rh Anneliese
 Dollimore, Helena
 Doughty, Stephen
 Dowd, Peter
 Downie, Graeme
 Duncan-Jordan, Neil
 Dyke, Sarah
 Eagle, Dame Angela
 Eccles, Cat
 Edwards, Lauren
 Efford, Clive
 Egan, Damien
 Ellis, Maya
 Elmore, Chris
 Entwistle, Kirith
 Evans, Dr Luke
 Falconer, Mr Hamish
 Farnsworth, Linsey
 Fenton-Glynn, Josh
 Ferguson, Mark
 Fleet, Natalie
 Foody, Emma
 Fookes, Catherine
 Forster, Mr Will
 Foster, Mr Paul (*Proxy vote cast by Lorraine Beavers*)
 Foxcroft, Vicky
 Francis, Daniel
 Franklin, Zöe
 Frith, Mr James
 Gardiner, Barry
 Gardner, Dr Allison
 Gelderd, Anna
 Gemmell, Alan
 George, Andrew
 German, Gill
 Gibson, Sarah (*Proxy vote cast by Anna Sabine*)
 Gilbert, Tracy
 Gilmour, Rachel
 Gittins, Becky
 Glover, Ollie
 Goldman, Marie
 Goldsborough, Ben
 Gordon, Tom
 Gosling, Jodie
 Gould, Georgia
 Grady, John
 Green, Sarah
 Greenwood, Lilian
 Griffith, Dame Nia
 Gwynne, Andrew (*Proxy vote cast by Chris Elmore*)
 Hack, Amanda

Hall, Sarah
 Hardy, Emma
 Harris, Carolyn
 Hatton, Lloyd
 Hayes, Helen
 Hayes, Tom
 Hazelgrove, Claire
 Healey, rh John
 Heylings, Pippa
 Hinchliff, Chris
 Hobhouse, Wera
 Hodgson, Mrs Sharon
 Hopkins, Rachel
 Hughes, Claire
 Hume, Alison
 Ingham, Leigh
 Irons, Natasha
 Jameson, Sally
 Jardine, Christine
 Jarvis, Liz
 Johnson, rh Dame Diana
 Jones, Clive
 Jones, Gerald
 Jones, Lillian
 Jones, Louise
 Jones, Ruth
 Josan, Gurinder Singh
 Joseph, Sojan
 Juss, Warinder
 Kane, Chris
 Kaur, Satvir (*Proxy vote cast by Chris Elmore*)
 Khan, Naushabah
 Kinnock, Stephen
 Kirkham, Jayne
 Kitchen, Gen
 Kumar, Sonia
 Kyle, rh Peter
 Kyrke-Smith, Laura
 Lake, Ben
 Lamb, Peter
 Lavery, Ian
 Leadbeater, Kim
 Leishman, Brian
 Lewin, Andrew
 Lewis, Clive
 Lightwood, Simon
 Long Bailey, Rebecca
 MacAlister, Josh
 Macdonald, Alice
 MacNae, Andy
 Madders, Justin
 Maguire, Ben
 Maguire, Helen
 Malhotra, Seema
 Malthouse, rh Kit
 Martin, Amanda
 Martin, Mike
 Mathew, Brian
 Mayer, Alex
 McCluskey, Martin
 McDonald, Chris
 McDonnell, rh John
 McDougall, Blair
 McEvoy, Lola
 McFadden, rh Pat
 McGovern, Alison
 McIntyre, Alex
 McKee, Gordon
 McKenna, Kevin
 McMorris, Anna
 McNeill, Kirsty

Medi, Llinos
 Midgley, Anneliese
 van Mierlo, Freddie
 Miliband, rh Ed
 Miller, Calum
 Milne, John
 Mishra, Navendu
 Mitchell, rh Sir Andrew
 Mohamed, Abtisam
 Moon, Perran
 Moran, Layla (*Proxy vote cast by Wendy Chamberlain*)
 Morden, Jessica
 Morello, Edward
 Morgan, Helen
 Morgan, Stephen
 Morris, Joe
 Morrison, Mr Tom
 Mullane, Margaret
 Murphy, Luke
 Murray, Chris
 Murray, rh Ian (*Proxy vote cast by Chris Elmore*)
 Murray, James
 Murray, Susan
 Myer, Luke
 Naismith, Connor
 Nash, Pamela
 Newbury, Josh
 Niblett, Samantha
 Nichols, Charlotte
 Norris, Alex
 Norris, Dan (*Proxy vote cast by Chris Elmore*)
 Onn, Melanie
 Opher, Dr Simon
 Osborne, Tristan
 Owatemi, Taiwo
 Owen, Sarah
 Pakes, Andrew
 Patrick, Matthew
 Peacock, Stephanie
 Pearce, Jon
 Pennycook, Matthew
 Perkins, Mr Toby
 Perteghella, Manuela
 Phillips, Jess
 Pinkerton, Dr Al
 Pinto-Duschinsky, David
 Pitcher, Lee
 Pollard, Luke
 Powell, Joe
 Powell, rh Lucy
 Poynton, Gregor
 Prinsley, Peter
 Quigley, Mr Richard
 Race, Steve
 Ramsay, Adrian
 Ranger, Andrew
 Reader, Mike
 Reed, rh Steve
 Reeves, rh Ellie
 Reid, Joani
 Reynolds, Mr Joshua
 Rhodes, Martin
 Ribeiro-Addy, Bell
 Richards, Jake
 Riddell-Carpenter, Jenny
 Rigby, Lucy
 Robertson, Dave
 Roca, Tim
 Rodda, Matt

Russell, Sarah
 Ryan, Oliver
 Sabine, Anna
 Sackman, Sarah
 Sandher, Dr Jeevun
 Savage, Dr Roz
 Saville Roberts, rh Liz
 Sowards, Mark
 Shastri-Hurst, Dr Neil
 Siddiq, Tulip
 Simons, Josh
 Slade, Vikki
 Slaughter, Andy
 Slinger, John
 Smart, Lisa
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smyth, Karin
 Snell, Gareth
 Sollom, Ian
 Stainbank, Euan
 Stevens, rh Jo
 Stewart, Elaine
 Stone, Jamie
 Stone, Will
 Strathern, Alistair
 Strickland, Alan
 Sullivan, Kirsteen
 Sullivan, Dr Lauren
 Sultana, Zarah
 Swallow, Peter
 Tami, rh Sir Mark
 Taylor, David
 Taylor, Rachel
 Thomas, Cameron
 Thomas, Gareth
 Thompson, Adam
 Thornberry, rh Emily
 Tidball, Dr Marie
 Toale, Jessica

Tomlinson, Dan
 Trott, rh Laura
 Tufnell, Henry
 Turley, Anna
 Turmaine, Matt
 Turner, Karl
 Turner, Laurence
 Twist, Liz
 Uppal, Harpreet
 Vaughan, Tony
 Vince, Chris
 Voaden, Caroline
 Wakeford, Christian
 Ward, Chris
 Ward, Melanie
 Waugh, Paul
 Webb, Chris
 Welsh, Michelle
 Western, Andrew
 Western, Matt
 Whately, Helen
 Wheeler, Michael
 Whitby, John
 White, Jo
 White, Katie
 Whittome, Nadia
 Wilkinson, Max
 Wilson, Munira
 Witherden, Steve
 Woodcock, Sean
 Wrighting, Rosie
 Wrigley, Martin
 Yang, Yuan
 Yemm, Steve
 Young, Claire
 Zeichner, Daniel

Tellers for the Noes:
Luke Taylor and
Katrina Murray

Question accordingly negated.

Clause 170

COMMENCEMENT

Amendment made: 1, page 189, line 22, after subsection (2)(c) insert—

“(ca) section [Removal of women from the criminal law related to abortion].”—(*Tonia Antoniazzi.*)

This amendment is conditional on the introduction of NC1. It would bring the new law into force on the day the Act is passed.

Bill to be further considered tomorrow.

Jerome Mayhew (Broadland and Fakenham) (Con):
 On a point of order, Madam Deputy Speaker. Irrespective of our position on the votes that we have just taken, we have to acknowledge that we have made a major change to abortion law, yet that was on the basis of no evidence sessions, no Committee stage scrutiny, and just 46 minutes of a Back-Bench debate and a winding-up speech by a Minister who refused to take any interventions, when the Chamber was full of one-line debates. If we want to continue like this, can you advise me, Madam Deputy Speaker, on how we can improve our rules, so that we do not have this situation in the future?

Madam Deputy Speaker (Ms Nusrat Ghani): Mr Mayhew, to be clear, nothing has happened that is out of order. Your point is more one of frustration than process and procedure, and it is not a point of order for the Chair.

Business without Debate

DELEGATED LEGISLATION

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

BETTING, GAMING AND LOTTERIES

That the draft Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025, which were laid before this House on 12 May, be approved.—(*Martin McCluskey.*)

Question agreed to.

Prostate Cancer Treatment

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

7.34 pm

Dr Rupa Huq (Ealing Central and Acton) (Lab): Joe Biden's recent diagnosis has to some extent put prostate cancer in the spotlight of late, but it is not just him—there is Stephen Fry, Jools Holland and Robert De Niro. More than 50,000 men in the UK and 1.4 million men worldwide are diagnosed with prostate cancer yearly, which is projected to double by 2040. With one in eight men diagnosed during their life, it is the most common male cancer. More than half of those men are pre-retirement age, such as the cyclist Sir Chris Hoy, who was diagnosed at 48, but 70-plus is the most common age.

My late dad was 69 when he was diagnosed. He left this earth just shy of his 79th birthday in August 2014, so he had 10 years. It is often said that men die with prostate cancer, not of it. With my dad, it spread to bone cancer, but pneumonia was actually the cause of death on the certificate. I miss him every day.

Treatment for prostate cancer has improved dramatically since then. One crucial breakthrough is the development of the drug abiraterone, a Great British success story discovered and initially developed in London at the Institute of Cancer Research. It is a shining example of British science leading the world and revolutionising advanced prostate cancer care.

Clive Jones (Wokingham) (LD): Will the hon. Member reiterate a question that I have for the Minister? Specifically, given that abiraterone is already approved for use in Scotland and Wales, what action is the Minister taking to ensure that men in England are not disadvantaged in accessing lifesaving cancer treatments?

Dr Huq: The hon. Member reads my mind about the postcode lottery, which I will come to in my list of questions. I know that my hon. Friend the Minister is very sympathetic and on the right side.

Abiraterone is now a global drug. Half a million men around the world have had transformed outcomes, improved quality of life and extra years spent with loved ones.

Jim Shannon (Strangford) (DUP): Will the hon. Lady give way?

Dr Huq: Yes, I will. What an honour to give way to the hon. Member for Strangford (Jim Shannon)!

Jim Shannon: I thank the hon. Lady for bringing forward this debate; she is absolutely right to do so, and I congratulate her on that. She may not be aware that abiraterone is not routinely available in Northern Ireland for men with high-risk hormone-sensitive metastatic prostate cancer, unlike in Scotland and Wales. It is primarily approved for men with advanced prostate cancer that has already spread. While it can be accessed through an individual funding request process, it is not a standard first-line treatment option. Does she agree that men in Northern Ireland and right here in England should be able to access treatment that is available in Scotland and Wales?

Dr Huq: The hon. Gentleman makes a powerful point. We are seeing a theme of uneven application. The rule of law means that the law applies to everyone, so it looks like something has gone wrong here.

Tom Gordon (Harrogate and Knaresborough) (LD): I thank the hon. Lady for securing this important Adjournment debate. We have heard from a number of Members who have constituents who are affected or have frustrations with the current system. I met a gentleman called David in the run-up to the general election who has metastatic prostate cancer and is not eligible for abiraterone. He asked me if we would push and do what we could in Parliament to ensure that people such as him could get the drug. He is fortunate and can afford to pay for it privately, but not everyone is in that situation. This is about ensuring that we have equality of access for everyone, regardless of their financial circumstances. Does the hon. Lady agree that we need to have another look at this issue?

Dr Huq: I completely agree with the hon. Gentleman that access should be based not on how deep somebody's pockets are, but on need.

Abiraterone halves the risk of relapse. Each relapse literally costs the NHS millions—the definition of lose-lose. As many Members have pointed out, it is already successfully available on the NHS and routinely funded for use in metastatic cases in England, but sadly there is a catch: abiraterone is not available on the NHS for men with non-metastatic prostate cancer living in England.

Danny Beales (Uxbridge and South Ruislip) (Lab): I thank my hon. Friend for bringing forward this very important debate for her constituents, my constituents and people in the UK. Does she agree that since this issue was last assessed by the National Institute for Health and Care Excellence, there have been significant developments, as has been mentioned by other colleagues, both in the provision of the drug in other nations and the fact that it is now available off-patent, so it is much cheaper to access? That will fundamentally change the cost-benefit analysis that NICE did previously. Does she agree that her constituents and my constituents need this drug just as much as patients in Scotland and Wales who are benefiting from it?

Dr Huq: I totally agree. West London needs the same as the west of Scotland, the west of Wales, and all the other bits of those other nations. Men can access abiraterone on the NHS in Scotland and Wales, but not in England, even with an identical diagnosis. It seems at best anomalous that their postcode, not their prognosis, is determining their treatment, and we all know that the NHS is meant to be free at the point of need.

I would give anything to have had longer with my dad. I was reminded of him when, like the hon. Member for Harrogate and Knaresborough (Tom Gordon), I had someone come to see me: Peter Treadgold, who came to my advice surgery and pointed out that he is falling between the cracks. He had a long-standing diagnosis, with remission, and he diligently followed all the advice. He was under NHS monitoring for 20 years because he had heightened prostate-specific antigen levels, although he was never actually offered an MRI or ultrasound scan. Last year, his cancer came back,

and he was told that he would need hormone and radiation therapy; abiraterone was not offered. Peter is one of the one in three people who get the devastating news that their cancer has come back, and has been denied access to a treatment that could save or extend his life.

The first time I heard of abiraterone was when I met Peter, because as my hon. Friend the Member for Uxbridge and South Ruislip (Danny Beales) said, in my dad's day, it would not have been cost-efficient. However, it is now a generic drug—it has gone off patent—but it is licensed only for metastatic cases. As my hon. Friend the Minister knows well, there is a complicated, convoluted process involved in getting it approved for non-metastatic cases. There is no question about the effectiveness of abiraterone. It has had one of the biggest trials known to mankind, a genuinely world-beating trial. When NHS England's own clinical priorities advisory group plotted the clinical benefit against the net cost, abiraterone scored highest in that tabulation. It is calculated that two years of abiraterone treatment would halve the death rate for men with locally advanced prostate cancer, but we hear about budgetary challenges. I have written to the Minister and tabled questions, and have been told that NHS England has not identified the recurrent budget to support provision of the drug.

We should look long-term, at the remissions, and at the cost of chemotherapy, hospital appointments and other associated things. Those costs add up. University College London found that abiraterone would pay for itself if it were £11 a day. Do Members know what the NHS is actually paying? Does anyone want to hazard a guess? Oh, we are not doing call and response. Abiraterone costs £2.75 a day, now that it is off patent and has come down in price. That is less than three measly quid to avoid costly relapses, scans, chemo, hospital appointments and everything else—less than three little round ones to improve lives and reduce deaths. As we have heard, only people who can fork out up front for private treatment or private medical insurance currently have that option, and again, our NHS was not meant to be for private profiteering or big pharma drug pushers. People are seeing their pensions and life savings evaporate, and we are in a cost of living crisis. This drug should be universally available.

It took less than one year for abiraterone to be approved for men with non-metastatic prostate cancer in Scotland and Wales. In England, it is now three years and counting, and we still have not had a concrete resolution. Right now, abiraterone is the cheapest and most cost-effective it has ever been, and as the excellent Prostate Cancer UK put it, the postcode lottery must end. Lord Darzi's independent investigations into the NHS found that the UK had higher cancer mortality rates than other comparable countries, and sadly, progress in diagnosing cancer at stages 1 and 2 is flatlining. Just over half of prostate cancers are caught at an early stage. That falls well short of the NHS target of 75%. I appreciate that Labour has just come into power after 14 years of the Conservative party, so it will take time to fix our health system, but we need it to be more responsive—to act early and rapidly, to use all the tools it can, and to offer preventive rather than after-the-fact care in every case. Abiraterone exemplifies all those things.

I welcome the Chancellor's 3% real-terms increase in NHS spending to deliver the exciting plan to build an NHS fit for the future. With the 10-year plan coming soon and the national cancer strategy due this autumn, we have a real chance to deliver significant improvements for people living with cancer, so as is customary, I have a list of questions for the Minister. I will incorporate those of my hon. Friends—I think we are all friends here, even if we sit on opposite sides of the Chamber.

First, will the Minister commit to exploring ways of ensuring that additional NHS funding is used to make abiraterone available to all men who need it in England—and in Northern Ireland, as the hon. Member for Strangford (Jim Shannon) has pointed out? Secondly, will the Minister support the introduction of a national programme of screening for prostate cancer, like those that we have for comparable cancers in the United Kingdom? Thirdly, given the complexity of NHS England's decision-making processes in relation to the availability of abiraterone—which sound like a right old bureaucratic nightmare—as the functions of NHS England are transferred back to the Department of Health and Social Care, will the Minister take steps to ensure that all decisions about access to medicine, including abiraterone, are timely and transparent? I know that she has had a long career in the NHS, and as I have said, she is on the side of the angels.

Fourthly, will the Minister commit to publishing an equality impact assessment, given the disturbingly disproportionate effect that prostate cancer is having on black men, who are more likely to develop it and to receive a late diagnosis, and less likely to receive the right treatment? I am doing this partly for Dad, who is watching from somewhere up above, but also for the black and minority ethnic men who are implicated here and now. This is the second time that you have been in the Chair, Madam Deputy Speaker, when I have been talking about health inequalities since Friday, when we discussed assisted dying. You have chaired both debates excellently.

Fifthly, in the light of the lengthy approval process, will the Minister assess the adequacy of the funding formula model—we have NICE and we have the Medicines and Healthcare products Regulatory Agency, and it all seems a bit knotty—and consider whether novel pharmaceutical treatments could be produced cost-effectively, especially, as my hon. Friend the Member for Uxbridge and South Ruislip said, when they come off-patent. I am arguing for simplification in cases in which drugs are already prescribed for limited use and there is a credible case for expanding their application to a generic treatment. We are halfway there; we just need to go that little bit further.

Prostate Cancer UK estimates that 672 men die prematurely each year because we have no access to abiraterone. Each week that this continues, 13 men in England will die from a cancer that could have been treated cheaply had they lived in Scotland or Wales. Labour is the party of the NHS, and a Labour Government introduced the UK's first dedicated cancer strategy; so let us go for this win-win for all, end the iniquitous, unjust postcode lottery, celebrate the best of British science, and widen access to abiraterone for all those who need it, not just those who can afford it.

7.47 pm

The Minister for Secondary Care (Karin Smyth): I thank my hon. Friend the Member for Ealing Central and Acton (Dr Huq) for securing the debate, and I thank the other Members who have spoken.

As my hon. Friend has said, more than 50,000 men are diagnosed with prostate cancer every year, and one in eight will be diagnosed with it during their lifetime. I commend her for raising an issue that I know is very personal to her, as she has articulated so well. I am sure that her late father is watching her carefully. She was also right to support her constituent Peter by raising this issue, which affects so many men, and to highlight the number of black and minority ethnic men presenting with the disease. That is something on which we have all campaigned very strongly.

Timely and equitable diagnosis and access to innovative medicines for the treatment of prostate cancer are of the utmost importance. To support faster diagnosis, NHS England has redesigned pathways to maximise capacity. We are also aware of very early-stage trials of the use of artificial intelligence in prostate cancer detection, and we look forward to a formal report on those trials, so that the evidence can be considered carefully.

Carla Lockhart (Upper Bann) (DUP): The effects of prostate cancer have been well noted tonight, as has the number of men who are affected. About 12,000 die from it each year, more than 300 of them in Northern Ireland. Does the Minister agree that Northern Ireland should be included in the commissioning, and will she undertake to speak to the Health Minister in Northern Ireland about the issue? Does she also agree that this needs to sit alongside a UK-wide prostate cancer screening programme, targeting in particular people with a family history of the disease?

Karin Smyth: We talk regularly with our colleagues in Northern Ireland, and I am always happy to do so. As the hon. Lady knows, this matter is devolved, so it is a matter for Northern Ireland, and we respect the devolution settlement.

Our elective reform plan, published in January 2025, builds on the investments already made with an ambitious vision for the future of diagnostic testing. This will include more straight-to-test pathways, increasing and expanding community diagnostic centres, and better use of technology. With nearly 170 community diagnostic centres up and running, they can take on more of the growing diagnostic demand in elective and cancer care. We will also deliver additional capacity in 2025-26 by expanding some existing centres and building up to five new ones. We will address the challenges in diagnostic waiting times, providing the CT, MRI and other tests that are needed to reduce the elective and cancer waits.

Members know that the National Institute for Health and Care Excellence—we have heard a little about it this evening—is an independent body responsible for assessing whether new licensed medicines can be recommended for routine use in England, based on a thorough assessment of their clinical and cost effectiveness. The NHS is legally required to fund NICE recommended medicines, ensuring consistency of access for NHS patients wherever they live in England.

[Karin Smyth]

NICE is able to recommend promising new cancer medicines for use through the cancer drugs funds, which supports patient access while real-world evidence is generated to address clinical uncertainties. Through the cancer drugs fund, NHS patients also benefit from access to cancer medicines from the point of positive draft NICE guidance, accelerating access to clinically and cost effective medicines by up to five months. Through this process, many thousands of patients, including patients with prostate cancer, have been able to benefit from effective new treatments at prices that represent value to the NHS.

The drug that is the subject of this debate, abiraterone, is licensed, as my hon. Friend the Member for Ealing Central and Acton said. It is recommended by NICE for use in the treatment of certain types of metastatic prostate cancer, and it is now routinely available to NHS patients in England in line with the NICE recommendation. NHS England has recently put in place an interim commissioning policy that makes abiraterone available for men with high-risk, hormone-sensitive metastatic prostate cancer, pending the outcome of NICE's update of its negative guidance. I am pleased that this approach was agreed between NICE and NHS England late last year to ensure uninterrupted access to abiraterone for men leaving the STAMPEDE trial.

My hon. Friend raised particular concerns about access to this drug for men with non-metastatic prostate cancer. First, it is important to note that abiraterone is not licensed by the MHRA for use in this indication, and it is therefore off-label. NICE does not evaluate the off-label uses of medicines, and the drug is also now off-patent and available generically, which means there is no single manufacturer that could sponsor an MHRA licence application or NICE evaluation. It is therefore for NHS organisations to take decisions on funding based on the available evidence.

NHS England considered abiraterone for the treatment of non-metastatic prostate cancer through its clinical prioritisation process last year. Through this process, NHS England concluded that evidence supported the routine commissioning of the drug in this indication. Approximately 7,000 men per year could be eligible for this drug, and it is estimated that it would cost an additional £20 million per year to fund that.

While, as my hon. Friend said, there may be some cost savings in the pathway from preventing the disease's progression, these are unlikely to materialise for about

five years and would not impact the up-front costs of the £20 million per year for the additional out-patient monitoring and drug cost. I had not heard the figures she outlined, but I will get back to her on some of the questions she asked, and it would be helpful to know where those figures are from.

Unfortunately, it has not been possible to identify the necessary current funding to support the commissioning of abiraterone for this purpose or any other treatments in this prioritisation round. I know that is disappointing for those affected, and I want to acknowledge that this is a really difficult and unusual situation. However, I want to assure my hon. Friend and other hon. Members that the funding position for this treatment does not mean that there are no treatment options. The NICE guideline on prostate cancer recommends the treatment of non-metastatic prostate cancer with surgery and radiotherapy.

I want to assure hon. Members that NHS England is keeping this position under review, and would reconsider funding for abiraterone for non-metastatic prostate cancer if the funding position changes. Earlier this month, NHS England met Prostate Cancer UK, which shared its financial model of the expected cost impacts. NHS England is reviewing this in more detail, and I encourage it to continue those discussions.

In closing, I recognise how hard it is when patients want access to effective treatments. I also recognise the distress and worry it causes not only for patients, but for their families and friends. The Government are committed to ensuring that we provide access to the most innovative and effective medicines, but it has to be in a way that is sustainable and affordable for the NHS. It is right that NHS England continues to engage with Prostate Cancer UK, and I know that my hon. Friend and other Members will keep an eye on this and similar issues with drugs coming forward. The national cancer plan will seek to improve every aspect of cancer care, to better the experience and outcomes of people with cancer. Our goal is to reduce the number of lives lost to cancer over the next 10 years. I am grateful for the opportunity to respond to the debate this evening.

Question put and agreed to.

7.55 pm

House adjourned.

Westminster Hall

Tuesday 17 June 2025

[GRAHAM STRINGER *in the Chair*]

Hydrogen-powered Aviation

9.30 am

Sadik Al-Hassan (North Somerset) (Lab): I beg to move,

That this House has considered hydrogen powered aviation.

It is a pleasure to serve under your chairship, Mr Stringer. I will start by thanking everyone who has come this morning to participate in this debate. This subject sits at the crossroads of three major challenges facing our country today: our climate ambitions, our pursuit of technological innovation and our desire to kickstart domestic industry.

As the Member of Parliament for North Somerset, my constituency is certainly no stranger to the aerospace industry. Since the pandemic, Bristol airport has emerged as one of the UK's fastest-growing airports, now serving 10 million passengers a year, with plans to increase that to 15 million passengers a year by 2040. Although many of my constituents have expressed support for the potential for the 10,000 or so additional jobs such an expansion may bring to my local area, many more have expressed concern over how it can be squared against the airport's aim to achieve net zero by 2030.

Last week, we saw the Sustainable Aviation Fuel Bill enter the House for its Second Reading. That Bill will do much to spur and support the nation's sustainable aviation fuel sector, in which Bristol airport is already a leading light. I—and I have no doubt many Members in this room—would echo those sentiments. I am a strong supporter of sustainable aviation fuel, and I look forward to seeing the transformational effect it will have on aviation emissions in the years to come.

The Government have already clearly displayed their vision and leadership in this space, and set forth a sensible plan to bring about the maturity of this sector. That is why I wish to focus our debate today not on the technology of tomorrow, but on that of the day after. Hydrogen-powered aviation presents one of the few truly scalable zero-emission pathways for the future of aviation, allowing us to meet our net zero targets while simultaneously keeping flying affordable and accessible.

We currently find ourselves in a fortunate position. The UK is already home to some of the most innovative aerospace companies in the world. From Airbus, located near my old house in Filton—in the constituency of my hon. Friend the Member for Filton and Bradley Stoke (Claire Hazelgrove)—to Rolls-Royce in Derby, we have a wealth of expertise to draw on, with a track record of innovative success. Aviation is currently responsible for around 7% of emissions in the UK today, with that figure expected to rise to 16% by 2035 unless meaningful action is taken soon.

Although in recent years we have had great success in decarbonising our power generation, cars, heating and many other sectors, the stark reality is that aviation is one of the most difficult sectors to decarbonise. Currently

aviation is primarily fuelled by kerosene, and although great strides have been made in sustainable aviation fuel in recent years, there are currently no cost-competitive alternatives available. As the world continues on the inextricable path towards even greater levels of globalism and integration, the aviation industry's ability to move people and goods swiftly across continents will only continue to grow in importance.

However, as aviation's role in the global economy continues to grow, so will its contribution to global emissions, unless we have the foresight today to take the necessary steps for tomorrow and begin supporting the nascent hydrogen aviation industry. In my constituency, Bristol airport has shown real vision and leadership by taking a leading role in the Hydrogen in Aviation alliance, which has laid out a clear case for immediate action to secure our comparative advantage, not just for the betterment of our environment but for the economic prospects. That is a part of this debate that is not spoken about enough.

Many years ago, the UK was an early innovator and pioneer in the offshore wind sector, but a slow, disjointed deployment saw many of the manufacturing opportunities shift abroad to Europe, China and elsewhere. Today we find ourselves in a similar situation with hydrogen. The next 10 years will be critical: either we develop a coherent policy framework, which encourages private sector investment, or we will cede our leadership to the United States, China, the European Union and others, who are already heavily investing in hydrogen-powered aviation. By 2050, the global hydrogen economy is predicted to be worth around \$8 trillion. Let us not make the mistake of the offshore wind sector again. Let us be leaders in this space, and so reap the rewards.

The west of England boasts the largest aerospace cluster in the UK. I recently had the privilege of visiting my former university in Bath, and the science park it has developed in tandem with the University of Bristol. They are doing excellent work to realise hydrogen's potential to transform the aviation sector. Those twin pillars of south-west higher education are working closely with Airbus and Bristol airport as part of the Hydrogen South West group, which aims to cement the position of North Somerset, Bristol and the surrounding area as a national leader in the field.

During my visit to the science park it was made clear to me that although they are excited about the role that hydrogen has to play in the future of the aviation industry, the ever-shifting net zero policy landscape—especially the perceived lack of clarity from the Government on hydrogen's future role—has handicapped the sector's ability to draw in private investment. The Government must make it clear to the private sector that they do have faith in hydrogen's ability to transform the aviation sector, and that early investment into the nascent industry will be rewarded in future.

According to data supplied by the sector's trade association ADS, the global aviation industry could require more than 100 million tonnes of hydrogen by 2050, even by today's lacklustre transition plans. As we have seen with sustainable aviation fuel, the scaling up of production to those levels will require not just significant private and Government investment, but years to develop plans, build plants and train a sufficiently skilled workforce. It is imperative that we get moving on this issue today.

[*Sadik Al-Hassan*]

Although in one moment we must applaud the Government for their work on sustainable aviation fuel, in the next we must begin turning and then fixing their gaze towards hydrogen. The Government have already signalled support of the sector by announcing £100 million for the development of hydrogen planes through the Aerospace Technology Institute programme shortly after coming to power last July. In the autumn Budget, the Government announced almost £1 billion for the aerospace sector over the next five years. Similarly, in the spending review delivered by my right hon. Friend the Chancellor last week, £500 million was committed to support the development of hydrogen infrastructure.

Over the past year, however, I have had innumerable conversations with leading figures in the sector, who have told me time and again of significant anxiety as to whether the UK Government envisage hydrogen having a direct role in the aviation industry in the medium to long term. While other countries push ahead with hydrogen, rightly seeing it as a valuable export market, we run the risk of being left in their wake—or contrails—unless we get a move on and make clear to the industry our steadfast support.

The experience of transition to renewables taught us that although Government investment can catalyse partnerships with the private sector, it ultimately must fall to the private sector to be the driver of change. Before the private sector will start the engine, it falls to this House and this Government thoroughly to investigate this area, set sensible standards and support the development of the necessary infrastructure, to enable a hydrogen-powered aviation future. To that end, I eagerly look forward to hearing from the Minister how he intends to support the industry further in the critical 10 years to come.

9.38 am

Jim Shannon (Strangford) (DUP): It is a real pleasure to serve under your chairship, Mr Stringer. I thank the hon. Member for North Somerset (Sadik Al-Hassan) for leading the debate and setting the scene so well. It is a pleasure to see the Minister and shadow Minister in their places. I look forward to the Minister's response and helpful answers to our questions, to ensure we are encouraged by this debate that benefits will come to our constituencies.

Hydrogen is an alternative that is becoming more widely explored. There is no doubt it could and must play a part in the UK's contribution to net zero targets. The ultimate secret to reaching net zero targets is how to do so without adversely impacting our constituents. I am not a sceptic—I never have been. Some people might be sceptics, but I am not one of them. I recognise the importance of meeting the targets, and hydrogen is one way to do that. Alternative forms of energy are being used in many transport paths, so it is important that we are here today to discuss the progression of our aviation industry.

I want to mention some of the things that are happening in Northern Ireland. Undoubtedly, a progression to hydrogen rather than fossil fuels has its benefits in terms of the transport industry. There are zero carbon dioxide emissions. Hydrogen is attractive for long-haul flights

and has faster refuelling mechanisms. Of course, cost implications are very important as we move forward. Any new technology is always costly at the start, but as it gets easier to do, the cost implications reduce. At this moment in time the implications are incredibly large. Airports across the UK will require massive infrastructure upgrades. Most planes will require to be redesigned with larger storage capacity and the freezing temperature of hydrogen must be considered, so there are cost implications there. But for every airport across this great United Kingdom of Great Britain and Northern Ireland, we can do it better together.

Companies across the UK such as Airbus, easyJet, Boeing and Wrightbus in NI have looked at and announced plans for hydrogen-powered aircraft and other modes of transport. We just need to look at the transition that was made back home in Northern Ireland by Wrightbus in Ballymena, who developed a green hydrogen production facility capable of powering up to 300 hydrogen buses daily. It has taken some time to get there, but it was on the cusp of something new, and I understand that now almost every bus in London is a Wrightbus, with potentially more across the country. Furthermore, Airbus has announced plans for a hydrogen-powered commercial aircraft by 2035. That is another indication of the timeline. easyJet successfully tested a hydrogen combustion engine in 2022. There have been many advances—small steps now, but great steps for the future as we look forward.

We have spoken a lot today about the importance of our aviation and aerospace sector to the economy of the United Kingdom of Great Britain and Northern Ireland. When we look at transforming capabilities for the future, the key word is investment, so I am keen to get the Minister's thoughts on how he sees that investment happening with all of the United Kingdom of Great Britain and Northern Ireland as the beneficiaries of that. We are very fortunate to have a Minister in place who is a friend of Northern Ireland and who regularly visits. He has had discussions with the Minister back home at the Assembly to formulate ideas and move forward positively and constructively.

The key phrase is investment in the sector. I look at companies such as Spirit AeroSystems in Belfast and in my constituency of Strangford, which offers world-class aerospace engineering capabilities but is in the middle of a “buyover” that guarantees nothing for Northern Irish jobs. In the Chamber last week, when I had an opportunity to ask the Secretary of State for Business and Trade about this, they were agreeable to the idea of meeting unions and people who could “buy over” to ensure the continuity of jobs across Northern Ireland. How can we possibly talk about investing in companies like this but offer nothing to preserve the future? It is really important that we get it all together in the right way. Perhaps this is a reminder to the relevant Ministers that issues like this will not go away, and that Government intervention to protect the future of our aviation sector is imperative.

There are roles in which all companies across the United Kingdom can play a part, small to large. All of us have a role to play. Some are more critical, but all of them are very helpful. For the likes of Northern Ireland, for instance, we have smaller airports that are perfect for short-haul early flight trials. We are very fortunate to have Belfast International, Belfast City and Londonderry

airports, but they are all for short-haul and domestic flights, although there is an indication that next year there will be direct flights to the United States of America.

On early flight trials I have one thought. Ards airport is a small constituency airport—we have the Ulster flying club—and there are possibilities for using that for early trials. Why not? That shows that the reach of this debate can go even further. We have green targets that we are planning to meet. It would be fantastic if the UK could be a global leader in green aviation, but we must never underestimate the cost, the time and the infrastructure that are required.

There is no doubt about the Minister's commitment to the aviation sector, but I look to him to get an idea of his plans and strategy for the future. That is the encouragement that I am looking for today arising from this debate, and I seek reassurances about people's jobs in the aviation sector. We need to retain people with the relevant skills, so in the event of any changeovers—for instance, at Spirit AeroSystems back home—we must ensure that jobs are retained and encouraged. The industry would be nothing without the workers in it, who make it what it is, and Government intervention is required to maintain its success.

I look forward to seeing what the future looks like for hydrogen-powered aviation, and I have a very strong and positive hope—indeed, perhaps a vision—that the United Kingdom of Great Britain and Northern Ireland can showcase what we have to offer for the future of aviation, and particularly for hydrogen-powered aviation.

9.46 am

Steve Yemm (Mansfield) (Lab): It is a pleasure to serve under your chairmanship, Mr Stringer. I thank my hon. Friend the Member for North Somerset (Sadik Al-Hassan) for securing this timely and very important debate.

My constituency of Mansfield is just a stone's throw away from East Midlands airport, which is one of the UK's key freight and passenger hubs. It is important not only to our local economy, but to many of my constituents, who use the airport to get away on family holidays. With climate change being a significant concern to many of my constituents, and with the instability of hydrocarbon-based aviation fuel pricing as a result of numerous factors, including global conflict, I very much welcome the consideration of hydrogen-powered aviation as a practical and vital path towards sustainable flight.

The east midlands has always been at the heart of British industry and innovation, and now we must be at the forefront of clean technology. Aviation accounts for around 7% of our carbon emissions and the figure is growing, but rather than grounding its progress, we need to power it differently. Hydrogen offers us a really tangible solution: it produces zero carbon emissions at the point of use, and has great potential to fuel short and medium-haul flights by the mid-2030s—exactly the kinds of routes that operate out of East Midlands airport.

Hydrogen has real, tangible benefits over other approaches such as sustainable aviation fuel and battery power. We are already seeing British companies—including companies local to me in the east midlands, such as Rolls-Royce, and ZeroAvia in the south-west, which is

working with East Midlands airport—investing in hydrogen engines. I believe that the Government have a responsibility to at least consider supporting that transition, not only to meet our climate targets but to protect and grow jobs in aviation, engineering and logistics in the east midlands.

Let us not forget that our constituents all want cleaner skies and to reach net zero, but they also want the opportunity to travel. Hydrogen-powered aviation can potentially deliver both, but to develop the technology to do that, we need the right investment in infrastructure, and particularly in research and development. We can turn regional airports into hubs of innovation that are important for the regions, and create a new export market in green aviation technology—that is not pie in the sky thinking. It will take some work to achieve it, but it is practical and necessary.

We should back British innovation and cleaner aviation. Let us ensure that the east midlands, Britain and the UK lead the world with this new, exciting technology.

9.50 am

Claire Young (Thornbury and Yate) (LD): It is a pleasure to serve under your chairship, Mr Stringer. I thank the hon. Member for North Somerset (Sadik Al-Hassan) for securing this debate, which is particularly important for the west of England.

Hydrogen-powered flights have real potential to cut carbon emissions in a notoriously difficult to decarbonise industry, while still allowing people to enjoy flying around the world, as the aircraft would emit only water vapour. The industry needs support now, however, which means thinking about the technology, infrastructure and regulation.

Airbus, where many of my constituents work, is aiming for hydrogen-powered airliners by 2035. Its studies suggest that UK hydrogen aviation could support up to 110,000 jobs in this country, and we absolutely have the potential to show global leadership. When I discussed the ZEROe project on a visit to Airbus last year, it was trying to decide between hydrogen combustion and hydrogen fuel cells. It has now plumped for the latter, although it does not rule out direct combustion in the future. It and other manufacturers are working in collaboration with academia, and there is some excellent knowledge in this area in our local universities. We need to back investment in research, development and manufacturing infrastructure. Other companies such as GKN, which has a base in my constituency, are also looking at hydrogen.

The west of England has a long history of innovation in aviation, going back to the days of Sir George White; it has many things that co-ordinate to make it a place to invest. For example, just outside my constituency, we have the Bristol and Bath science park, and we have the national composites centre. Hydrogen molecules are very small, so containing it is a challenge, but that is where the national composites centre's expertise can help. In the science park, the institute for advanced automotive propulsion systems is also looking at hydrogen.

Obviously, it is no good having hydrogen-fuelled aeroplanes if we do not have the hydrogen, so we need large-scale investment in green hydrogen. It is all very well having zero emissions on our flights, but if the electricity is being generated from non-low carbon power in the first place, there will still be associated emissions.

[Claire Young]

As the Energy Security and Net Zero Committee has heard a number of times in its inquiries, it is really important that the Government make a decision about the future use of hydrogen. Given that we will only ever be able to produce a finite amount of green hydrogen, I think we need to prioritise it for industries where there are no realistic alternatives, including aviation.

We need to be thinking about how we produce that energy, and again our area has something to offer the country, because we have the potential for new nuclear at Oldbury and we have the River Severn, where there was a recent commission on tidal power. We therefore have the means of producing green energy. We have expertise in all those areas, with excellent nuclear specialism in our local universities, the aviation expertise to develop its use in aviation, and the facilities that I described in the Bristol and Bath science park to help to tackle some of the problems associated with deploying the technology.

On infrastructure, we obviously need to think about not just how we are producing that energy, but how we are delivering it to airports and how we are storing it. Again, that comes back to the question about the future of the gas grid in this country—will it be repurposed for hydrogen at some point? Regulation and having the right regulatory environment are important. People are very aware that hydrogen is highly flammable, but we can make it safe by putting the right protocols in place.

Our 2024 manifesto set out taxation reform that would help to redirect people away from frequent high carbon flights. It is important that we give people a means of judging the carbon emissions from their flights. Many companies will be looking at their own net zero aims, and it is important that people understand the implications of their choices when flying.

Hydrogen-powered aviation has the potential to cut transport emissions and boost our economy through new jobs. The west of England is particularly well placed to support the industry. It is time to make sure that the regulatory environment is right and that limited public money is invested effectively.

9.56 am

Luke Taylor (Sutton and Cheam) (LD): It is a pleasure to serve under your chairship, Mr Stringer. I thank the hon. Member for North Somerset (Sadik Al-Hassan) for securing this debate and for continuing the conversation that we have been having over the last couple of weeks about the future of aviation—something it is always a pleasure to talk about.

Nothing is inevitable about the pollution in our skies. Aviation does not have to be the easy poster child for conspicuous consumption of resources and casual carbon emissions. It does not have to be part of the problems we face with a warming planet, melting ice caps and increasingly extreme weather. With the right choices, it can be part of the solution. Britain is already feeling the mounting toll of climate change: flash floods, record heatwaves and freak storms. That is not abstract; it is already costing lives and livelihoods across the country. Aviation contributes to that problem and we cannot pretend that it does not.

In 2022 alone, UK domestic and international flights produced nearly 30 million tonnes of carbon dioxide, equivalent to 7% of the nation's entire greenhouse gas

emissions. If nothing changes, the Climate Change Committee projects that aviation will account for 16% of UK emissions by 2035. We cannot meet our net zero goals without tackling this issue. This debate is particularly well timed following the introduction of the Sustainable Aviation Fuel Bill last week, which addresses the climate emissions of existing technology fuels.

There is good news beyond that, however, and aviation can be part of the solution to our fight against climate change. Thanks to scientific progress and industry innovation, we now have the technology to fly without fossil fuels. Green hydrogen, produced using renewable energy, is a clean fuel that emits no carbon when used. It is one of the most promising solutions for decarbonising aviation, whether by powering aircraft directly or by creating sustainable aviation fuels. That is not a pipe dream; it is already happening.

Hydrogen aircraft are being trialled, green fuel production is scaling up and aircraft around the world are beginning to prepare for a hydrogen-powered future. However, the UK risks being left behind unless we match ambition with investment. The ATI estimates that aerospace's economic contribution to the UK economy could increase from £8.4 billion today to over £37 billion by 2050, driven by new low and zero emission technologies such as hydrogen-powered aircraft.

Britain's aerospace sector is ready, but it lacks confidence that essential infrastructure exists, such as the hydrogen production that those aircraft will require. ADS, the UK trade association for aerospace, defence, security and space, estimates that global aviation could require more than 100 million tonnes of hydrogen by 2050—3 million tonnes of which would be used in the UK. It is essential that we scale up the production of green hydrogen to meet that challenge, and enable the shift in the industry to take place. Investment is required in production, as is massive investment in refuelling systems and supply chains, as well as the planning approvals that are required to approve projects necessary for that development.

The ATI strategic programme has supported several key projects in the shift to develop hydrogen-electric propulsion systems, including ZeroAvia's HyFlyer and advanced fuel cells for aviation decarbonisation projects, GKN's H2GEAR and H2FlyGHT—lots of confusing acronyms and project names—and Project Fresson, led by Cranfield Aerospace Solutions. Some of those projects, including those by ZeroAvia, have resulted in or will soon result in certification applications with the Civil Aviation Authority that will complete in the coming years—the earliest of them by 2026.

ZeroAvia, which is based in the constituency of my hon. Friend the Member for South Cotswolds (Dr Savage), is backed by many huge investors, including Airbus, British Airways, and the Amazon Climate Pledge Fund. It is already attracting orders from airlines such as Alaska Airlines and United Airlines. Critically, it has also had investment from the UK Infrastructure Bank and the Scottish National Investment Bank, which shows the immediate viability and attractiveness of investing in this technology.

Having raised over \$250 million and grown a team of more than 200 employees across Gloucestershire and London, ZeroAvia is already making a significant contribution to the aviation industry. It is currently targeting certifying with the CAA a hydrogen-electric

powertrain for planes with up to 20 seats, with the target of it entering service next year. The step after that will be developing an engine for larger 40 to 80-seat aircraft by 2028. The certification will require investment in the CAA to provide the skills and expertise to evaluate and then certify the aircraft as safe.

The advantage of ZeroAvia's approach is the ability for airlines to retrofit the engines into existing fleets. This is not a tale about a technology of the future. ZeroAvia has already performed several world-first breakthrough flight demonstrations of its powertrain technology from its base at Cotswold airport. ZeroAvia is an incredibly exciting new entry to the sector, but existing aviation giant Airbus has also seized the opportunity of hydrogen. Its plans are bigger and depend on more infrastructure; as a result, Airbus recently announced its ZEROe hydrogen-powered aircraft programme would be delayed by a decade because of concerns about the availability of infrastructure to support hydrogen flight.

The ZEROe aircraft features an electric-propeller propulsion system powered by hydrogen fuel cells that uses the hydrogen to generate electricity on board through a chemical reaction, similar to the approach taken by ZeroAvia. The only by-product of this reaction is water, and when combined with green hydrogen production, the process is carbon-neutral. The ZEROe approach with propeller propulsion is the likely first-generation hydrogen powerplant type, replacing domestic and regional aircraft, like those ZeroAvia is already developing, for shorter flights.

That approach contrasts with the one Rolls Royce is taking with its project to modify existing technology engines to run on gaseous hydrogen, instead of requiring a conversion to electrical energy to power an onboard electric motor. Rolls showed the huge potential of that work back in 2022 when it successfully ran a modified AE 2100-A engine, which is a variant of the turboprop powerplant that equips the Saab 2000 regional airliner, which is a long-established and widely used regional turboprop.

The next stage of that work is to modify a Pearl 15 business jet engine, which is a twin shaft turbofan that currently powers the Bombardier Global Express, showing that this approach is potentially applicable to turbofans as well as turboprops. The direct combustion of hydrogen in a modified existing-technology engine shows an alternative route to harnessing hydrogen to decarbonise the aviation industry. These projects show the huge potential of this fuel to take aviation into the modern era of low and zero-emission operations.

There are three approaches: eSAF, fuel cell to electrical production on the aircraft and direct hydrogen propulsion. They are all viable technologies and approaches that the market, industry and research will understand and develop for the appropriate sectors. For now, those projects are all being held back by infrastructure availability, and I call on the Minister to fix that. I welcome his Government's July announcement of the commitment of over £100 million for the development of hydrogen and electric aircraft through the Aerospace Technology Institute, and nearly £1 billion over five years to support innovation in the aerospace sector. There is no denying that those are serious, positive moves, but they must be only the start. If we get sustainable aviation fuel right, the benefits for cities such as London will be enormous. Clean flights mean cleaner air, fewer respiratory illnesses, fewer days

lost to sickness, and longer, healthier lives. Getting it right would also mean economic leadership, new green engineering jobs, revitalised manufacturing, and a chance for Britain to lead the global hydrogen economy.

Of all transport sectors, on a first-principle basis, aviation is the one to which hydrogen is most applicable. In fact hydrogen will be essential if aviation is to make its net zero targets. Aviation is the most energy-intensive mode of transport and the most sensitive to mass, as the Breguet range equations that I explained to all hon. Members last week show. That is why aviation will be the most suitable use of hydrogen fuel in the future. Aviation has the least competition from other zero-emission pathways, due to their various shortcomings. The sector's energy demand is plannable and high, creating significant offtake that can bring H₂ down the cost curve. Additionally, the professionalised and regulated environment of aviation is very well suited to handling the new fuel, and establishing standards and safety. Hydrogen's success in aviation will be a major proof point against many existing investor concerns for other sectors.

I urge the Minister first to provide longer-term clarity to industry on the availability of hydrogen. The Government must signal their intentions on renewable energy and hydrogen production targets beyond 2040, and, to bring forward the business models for hydrogen transport, storage and power, they should also extend Aerospace Technology Institute funding to a 10-year horizon.

Unlike what we have heard from other hon. Members in this debate, this is absolutely not a call for flights to be grounded and Britain isolated. This is a call to fly smarter and cleaner, to back British science and leadership to build a better and more sustainable future. Aviation connects us to people, places and possibilities. It can drive innovation. It boosts economies and it brings the world closer together. With the right action, it can keep doing all of that without costing us our planet.

10.7 am

Greg Smith (Mid Buckinghamshire) (Con): It is a pleasure to serve under your chairmanship, Mr Stringer. I congratulate the hon. Member for North Somerset (Sadik Al-Hassan) not only on securing the debate but on setting out the case for hydrogen aviation so clearly in his opening remarks. The Second Reading of the Sustainable Aviation Fuel Bill last week was but the precursor to this Westminster Hall debate—this debate was trailed in that one. I also congratulate all other hon. Members who have spoken in the debate.

It is a pleasure to speak for His Majesty's Opposition in this important debate on the policies of the Government of the United Kingdom on hydrogen-powered aviation. Aviation is a sector that underpins global connectivity, international trade, and regional economic growth, but its long-term sustainability requires bold innovation, and a clear policy framework that supports low-carbon propulsion technologies while enabling British industry to lead.

Let me be clear: hydrogen is not a hypothetical solution. It is a practical, viable and strategically critical path forward for decarbonising flight. The UK has a golden opportunity to lead the world in this technology, not just by developing aircraft but by creating the entire hydrogen aviation value chain, from production and distribution to propulsion and maintenance. When combusted

[Greg Smith]

purely, hydrogen emits only water vapour, unlike kerosene, obviously, which produces carbon dioxide. Moreover, unlike battery electric aircraft, hydrogen aviation scales better over distance and payload, making it suitable for not just short-term hops but future regional and potentially transcontinental routes. That is not only good for the planet, but good for Britain.

According to the Aerospace Technology Institute, the UK could generate up to £34 billion in GVA and support 60,000 jobs by 2050 through hydrogen powered aviation. That is thousands of skilled engineering, manufacturing and research and development roles across the country. These areas stand to benefit significantly from hydrogen aircraft production, airport infrastructure retrofitting and fuel supply chain development. In Bristol and Gloucestershire, Airbus and GKN Aerospace are already laying the groundwork for hydrogen propulsion and systems integration. In the midlands, particularly in Derby and Coventry, Rolls-Royce is developing hydrogen combustion engines in work that has the potential to sustain and expand our world leading turbo machinery industry. In Teesside, the Conservative Government-designated hydrogen transport hub is pioneering fuel production and logistics, with Teesside international airport poised to become a hydrogen aviation testbed. In Scotland, Prestwick airport is leading hydrogen aircraft trials and Aberdeen is already a recognised centre for hydrogen fuel development. Belfast, home to Spirit AeroSystems, is well positioned to play a central role in manufacturing structural components for the hydrogen aircraft of the future.

A successful future-focused aviation sector means more than environmental progress; it means greater reliability and connectivity for passengers, and competitive ticket prices driven by fuel efficiency. For business, it means faster, lower emission logistics, better access to export markets and the growth of regional airports as hubs for commerce and investment. There is an important distinction to be made here, and one that we in this place must be honest about. While hydrogen fuel cells offer lower energy losses and may suit smaller aircraft or drones, it is pure hydrogen combustion that offers the best chance of achieving decarbonisation for medium to large aircraft, especially within the constraints of airframe weight and power density. Combustion also enables more rapid retrofit of existing aircraft designs and is more compatible with current maintenance ecosystems and airport infrastructure. Simply put, hydrogen combustion is the most practical, scalable route for commercial aviation and the UK should be focusing investment accordingly.

It was the Conservatives in government who recognised that early on. Under the jet zero strategy established in 2022, we committed funding to Project FlyZero, supported by trials by ZeroAvia and Rolls-Royce. We ringfenced funding for hydrogen infrastructure at UK airports. We laid the groundwork for the SAF price mechanism that this current Government is carrying through with the SAF Bill. We established the hydrogen transport hub in Teesside, where our fantastic mayor Ben Houchen, now Lord Houchen, oversaw a combined £23 million funding package to kick-start the local hydrogen-based economy. We also made Britain one of the first countries to support regulatory frameworks for hydrogen-powered flight trials.

Turning to the new Government, the mantle has clearly democratically passed to them, and the test on whether hydrogen aviation can succeed lies with them. The promised expansion of the aerospace growth partnership, sadly, has been watered down. The Aerospace Technology Institute's hydrogen propulsion roadmap seems to have stalled, and companies at the cutting edge, from Cranfield to Kemble to Prestwick, report difficulty in accessing follow-on support, despite clear potential and private co-investment. The Government must stop conflating hydrogen policy with overreliance on electric-only solutions, which simply cannot be scaled to long-haul aviation. A narrow vision such as that would be misguided; it is actively stifling British leadership in this vital sector. If we want to lead the next aviation revolution to match our leadership in jet engines with leadership in zero carbon propulsion, then ambition must be matched by action. That means committing long-term funding for hydrogen combustion propulsion research and development, providing meaningful and long-term support for airport hydrogen infrastructure trials, especially in regional hubs, accelerating the certification and regulatory pathway for hydrogen aircraft and aligning hydrogen production strategies with the wider UK aviation sector.

The hydrogen age is not coming. It is here, and unless the Government correct course, the opportunity to lead it will pass us by. The last Conservative Government laid the foundations for hydrogen-powered aviation. I very much hope that this Government, and this Minister, do not allow the UK to lose that legacy through indecision. I challenge the Minister, who is very thoughtful on this subject and has the best interests of aviation at heart, to ensure that hydrogen is part of that future.

10.15 am

The Parliamentary Under-Secretary of State for Transport (Mike Kane): It is a pleasure to serve under your chairmanship, Mr Stringer. It was also a pleasure, as a young councillor, to serve under your leadership of Manchester city council in the early '90s. As I said in a debate the other day, you were chairman of the airport that last built an international runway in the UK—the only one in 80 years. I learned a lot in that period, and I am always grateful to you.

I congratulate my hon. Friend the Member for North Somerset (Sadik Al-Hassan) on securing an excellent first debate in Westminster Hall and thank other hon. Members for their contributions. Famously, my hon. Friend is a pharmacist by training and by trade; he actually lives in a village called Pill, which is probably the strongest case of nominative determinism I have come across in my political career. He is also a doughty champion for Bristol airport. He never fails to tackle me about the issue in the Lobby or the Chamber. The airport plays a crucial role in providing connectivity and enabling growth in the south-west, and I welcome the leading role that it has played in developing hydrogen, such as the recent Project Acorn trials, which demonstrated the safe use of zero emission ground handling equipment in an airside environment.

I am grateful to hon. Members for their contributions on the SAF Bill last week. The Opposition spokesman, the hon. Member for Mid Buckinghamshire (Greg Smith), spoke well about his passion for this issue,

and mentioned that hydrogen fuel produces only water vapour. It is good for the environment, jobs and airports. It can help general and commercial aviation.

Upon coming into government, I had to take some tough decisions. The Jet Zero Council, established under the last Government, was reasonably ineffective. It hardly met and it was unwieldy; people said that it had become a talking shop with limited outcomes. I made big decisions to refocus it, narrow it down and ensure that it had tangible outcomes.

For all the groundwork that the Opposition spokesperson said that the last Government laid, we have had to make tough decisions. We are the Government that introduced the mandate for SAF, which came into law on 1 January this year, and in the first Session of this Parliament we are making decisions about the revenue certainty mechanism. I am grateful to all hon. Members who are supporting that, but we should have been doing this years ago. We now have a Government who are committed to making progress, and we will continue doing so.

As the Secretary of State noted when introducing the Bill last week, the Government recognise the key role of the aviation sector in driving growth, and

“we will not accept false trade-offs that pit aviation’s growth against our commitments to net zero.”—[*Official Report*, 11 June 2025; Vol. 768, c. 1031.]

I want to see a future in which more passengers and goods fly while we transition to a greener aviation sector. In addition to introducing the SAF Bill, the Government have already established a SAF mandate, as I have said. The mandate and the revenue certainty mechanism will provide much-needed support to SAF producers, stimulating investment in domestic production, which we all want to see, by reducing financial risk and uncertainty for those producers and supporting the UK to become a world leader in sustainable fuel production. As I said in last week’s debate, the world is looking to us and asking us about our revenue certainty mechanism, because we are leading the world in that field.

As we all know, we are also acting to modernise our airspace. Earlier this month, we released a response to the consultation on a new UK airspace design service—UKADS—and support fund. UKADS will make flightpaths more direct and efficient, reducing unnecessary emissions and supporting flights with fewer delays.

Let us get to the subject in hand. I recognise the clear potential of hydrogen as a zero emission aviation fuel and what it could contribute towards greener aviation. As the hon. Member for Strangford (Jim Shannon) said in his customarily excellent speech, it produces zero CO₂. He is right that it is costly, but we know that the costs will become competitive as we scale up. He speaks well of Spirit in his constituency and the workers who work there in this field. I pay tribute to him and them for what they do in Northern Ireland.

Given our world-leading aerospace sector, we should seek to capture in the UK the jobs and growth benefits emerging from these technologies. The Government have already acted to support the use of low-carbon hydrogen in aviation through the SAF mandate, with eligible hydrogen rewarded through the provision of tradeable SAF certificates. Innovation led by the sector is key, and I welcome the work by Airbus and GKN on hydrogen technology in the south-west and the support provided by academia, such as by Bath University.

I congratulate the hon. Member for Thornbury and Yate (Claire Young); the south-west is well placed in the R&D world for this technology. Given her work as a former leader of the council and her expertise in the tech sector, I welcome her valuable contribution to the debate.

We will continue to co-invest with industry on a range of R&D projects, which a number of Members raised, including the development of hydrogen aircraft technology through the Aerospace Technology Institute programme that the hon. Member for Sutton and Cheam (Luke Taylor) mentioned. As announced in the spending review, we will invest more than £3 billion in the next four years in the advanced manufacturing sector on zero emission vehicles, batteries and aerospace technologies. I join him in congratulating Cranfield Aerospace Solutions, which I visited while in opposition, on its work.

The Government will further set out our approach to the advanced manufacturing sector in the modern industrial strategy later this month. That will benefit from the UK-US trade deal signed today, under which there will be zero tariffs on UK aerospace trade with the United States. I am aware that aircraft developers are moving at pace, with ZeroAvia announcing plans last month for a manufacturing base in Glasgow. I thank my hon. Friend the Member for Mansfield (Steve Yemm) for mentioning it and for being a doughty champion for East Midlands airport near his constituency. He is right to mention the geopolitical situation. There are many reasons why we should make these changes, but energy security is one of them, given that we are in an increasingly uncertain world. He brings his previous tech experience to the debate, and I congratulate him on his contribution.

The wider sector should prepare for the adoption of this new technology and, to support those whole-system changes, the Government, the aviation and aerospace sector, and academia must work together. The Jet Zero Taskforce that I have established is a key focus for that collaboration, and I am pleased to co-chair the expert group alongside the Minister for Industry. Importantly, one of the task and finish groups of the Jet Zero Taskforce is reviewing barriers to the commercial operation of hydrogen aircraft. The group will report on its findings in the autumn, and I look forward to considering them closely.

As the hon. Member for Thornbury and Yate said, regulation is critical. Improving regulation in the UK, and ensuring that it enables growth and does not unduly hold back investment, is an essential part of the Government’s growth mission and of delivering on the plan for change. For that reason, in March the Chancellor announced that in the current financial year the Department for Transport will fund the Civil Aviation Authority’s hydrogen in aviation regulatory challenge. This work is helping the CAA to collaborate with innovative companies through regulatory sandboxes, in order to develop a proportionate regulatory framework for them.

Finally, I will touch on the production of low-carbon hydrogen, which is essential not only for aviation but for the wider economy. We have strong domestic expertise and favourable geology and infrastructure to develop a thriving low-carbon hydrogen sector in the UK. We are delivering real projects to kick-start the UK’s hydrogen economy, as demonstrated by the recently signed contracts for projects that were successful in the first hydrogen allocation round.

[Mike Kane]

Later this year, the Department for Energy Security and Net Zero will publish a refreshed hydrogen strategy to ensure that hydrogen achieves its unique role in the Government's clean energy superpower and growth missions. Just last week, the Government announced over £500 million to develop the UK's first regional hydrogen transport and storage network, boosting industrial regions such as Merseyside, Teesside and the Humber.

The week of the international Paris air show is an important time to reflect on the progress that we are making towards a greener aviation sector. I therefore reiterate my ambition on this important matter, as well as my thanks to my hon. Friend the Member for North Somerset for securing today's debate and to other hon. Members for contributing to it.

10.26 am

Sadik Al-Hassan: I, too, thank all the hon. Members who have contributed to the debate. It was fantastic to hear from the hon. Member for Strangford (Jim Shannon) about the importance of mitigating any impact of this change on constituents and of challenging scepticism about hydrogen's role. He is definitely on the bus when it comes to hydrogen. My hon. Friend the Member for Mansfield (Steve Yemm) is a champion of his local airport and of green hydrogen, which offers us strategic energy independence and jobs while also helping us to meet climate targets. The hon. Member for Thornbury and Yate (Claire Young) talked about the innovation history in the west of England, a region that she said is up for the challenges of hydrogen while prioritising change in aviation.

Front Benchers made a number of important points, too, including about the risk of doing nothing for our ability to meet our climate targets; the skills needed to reflect the changes to regulation to go alongside the Government's announced funding; the need for a long-term plan to drive investment; the fact that hydrogen is good for the planet and good for Britain; the role of the Government in providing leadership in this hydrogen age, not only in the UK but internationally; and the effect of a refocused Jet Zero Council on progress on

catching up in order to meet our plans for a greener aviation sector. I also welcome the UK-US trade deal and its potential benefits for the nascent hydrogen economy. I thank all the relevant Members for bringing those points to the fore; I am certain that the Minister has heard them and will take them away.

We have heard today about the extraordinary opportunities across the country that the development of the aviation sector might bring. I have seen at first hand in my constituency of North Somerset that it is an incredibly exciting sector, which has long been at the cutting edge of innovation in this country; hydrogen-powered aviation is just the latest link in a chain stretching back over 100 years.

I get the sense that we are unified behind hydrogen-powered aviation. We all agree on the need to reach our legally binding net zero targets, and that we must do so in a way that maintains the affordability and accessibility of the modern aviation industry. I believe that hydrogen-powered aviation is the answer. Down the line, we might disagree on some minor tactical points, but so long as we agree on the overarching aim and strategy, I believe that we can get there.

Realising the potential of hydrogen-powered aviation is incredibly important, not just for the long-term regional economic prospects of constituencies such as mine, in which Bristol airport plays such a key role in our local economy, but for our nation as a whole. As we have heard, the aviation industry supports over 1.6 million jobs across our country and contributes over £120 billion to our economy every year. While we are here to recognise its contributions to our emissions, I think we agree on its importance to our future economic growth and, therefore, on the need to support its decarbonisation while not imperilling its expected strong growth.

I thank Members again for their contributions. I look forward to seeing how the sector continues to develop in the years to come. As they say, the sky's the limit.

Question put and agreed to.

Resolved,

That this House has considered hydrogen powered aviation.

10.30 am

Sitting suspended.

Transport Infrastructure: Cramlington and Killingworth

11 am

Graham Stringer (in the Chair): I will call Emma Foody to move the motion and the Minister to respond. I remind other Members that they may make a speech only with prior permission from the Member in charge and the Minister. There will be no opportunity for the Member in charge to wind up, as is the convention for 30-minute debates.

Emma Foody (Cramlington and Killingworth) (Lab/Co-op): I beg to move,

That this House has considered transport infrastructure in Cramlington and Killingworth constituency.

It is a pleasure to serve under your chairship, Mr Stringer. I am pleased to debate this important issue and to see the Minister for future of roads. It will come as no surprise to her that I will take the opportunity to talk about the Moor Farm and Seaton Burn roundabouts in my constituency. We have become pen pals on this issue and I thank her for her responses and for meeting me about it.

I start by warmly welcoming the Government's recent announcements in the regional growth statement, with £1.8 billion secured for the north-east; the emphasis on delivering capital projects in the spending review; and most importantly, the announcement on the Green Book. That will support transport infrastructure investment in communities such as mine in Northumberland, North Tyneside and Newcastle.

For too long under the Conservatives' Green Book we were disadvantaged—missing out on the investment we deserve due to outdated formulas. Those recent announcements show a Government committed to long-term growth and investment. I want that to be used to unlock the enormous potential of my communities.

Jim Shannon (Strangford) (DUP): I commend the hon. Lady for bringing forward this debate. Before she was elected, she had a scheme that she wished to happen. Now, as an MP, she has the opportunity to push it forward, and she will hopefully get a response from a sympathetic Minister. Does she agree that if that infrastructure is not in place, it will hold back economic growth in her constituency? It is important to move that project forward, because with that every other project can move forward.

Emma Foody: I absolutely agree with the hon. Member—it is as if he has seen the key points of my speech. This is a critical piece of infrastructure in my area for all the reasons he said and more.

One such game-changing project for the north-east would be the upgrading of the Moor Farm and Seaton Burn roundabouts. Those who do not know about these roundabouts have never heard me speak in this place, because I talk about them a lot. Moor Farm is a major, strategic six-armed roundabout that links the A19, A1 and A189 and sits to the south of Northumberland, on the border with North Tyneside. This heavily congested and well used roundabout is a key gateway across south-east Northumberland to the Northumbria specialist

emergency care hospital in Cramlington and to the new data centre in Cambois that the Government have been pivotal in supporting.

Seaton Burn links Northumberland and North Tyneside to the A1 and on through to Newcastle, as well as providing links to south-west Cramlington, an area of significant housing development, and the villages to the north-west of North Tyneside. These critical pieces of infrastructure form part of the south-east Northumberland corridor, as well being a key link to Blyth, Killingworth in North Tyneside, and Newcastle. Both roundabouts sit on the A19, which is of strategic importance to the north-east more widely, linking to the Port of Tyne, South Tyneside and Sunderland, and to key employment sites such as Cobalt Park, Follingsby Park and the International Advanced Manufacturing Park.

In earlier road investment strategies, Silverlink and Testo's roundabouts, further south on the A19, have been upgraded. Those earlier works significantly improved traffic flows on the A19 through the north-east to south-east Northumberland. It is now possible to travel north on the A19 from Thirsk in North Yorkshire all the way to south-east Northumberland without hitting an at-grade junction—until Moor Farm roundabout. Surely, now is the time to finish the job and complete the junctions to the end of the A19 at Seaton Burn.

My area has seen significant housing developments in recent years, including estates such as St Nicholas Manor, the Fairways and West Meadows in Cramlington, and Backworth Park in North Tyneside, with future sites including Killingworth Moor and Murton Gap—all of which add pressure to the roundabouts. In 2022, the section of the A19 east of the Seaton Burn junction had an annual average daily flow of 44,300 motor vehicles, while the section of the A19 east of Moor Farm had an annual average daily flow of 33,900.

The result is that the roundabouts are past breaking point. Do not just take my word for it; the Department for Transport's own statistics show that, between 2021 and 2024, there was an 87% increase in delays through the northbound A19 section of Moor Farm, and a 36% increase southwards. The A19 section of Seaton Burn saw a 31% increase during the same period, which has a knock-on impact on the A1, with an 18% increase in delays joining Seaton Burn on the A1 northbound.

David Smith (North Northumberland) (Lab): My hon. Friend is making an important and powerful speech about the significance of local road infrastructure. She mentions the A1, which is in my constituency, and I know Moor Farm roundabout well. Does she agree that as the Government make a massive investment in local transport, we really have to think about investing in key junctions up and down the A19 and the A1 so that we can improve road safety and efficiency for everyone concerned?

Emma Foody: My hon. Friend is absolutely right about the impact that such infrastructure has, not just on people in my constituency but on those across Northumberland and North Tyneside. His point about the A1 is well made, and I was about to move on to the fact that delays at the Seaton Burn and Moor Farm roundabouts have increased by 59% because of the traffic back-up on that section of the A1.

Ian Lavery (Blyth and Ashington) (Lab): I congratulate my hon. Friend on securing the debate, which is particularly important for us in Northumberland—we quite often get left behind, don't we? People are frightened to use the Moor Farm roundabout, and they will take different routes to avoid it. Does she agree that the issue will become even more critical once we get the £10 billion investment in the data centre in Cambois, which is in my constituency, as well as the investment in the Energy Central project in Blyth and Ashington, and in the Port of Blyth? We need investment in the Moor Farm roundabout for individuals, for residents, for businesses and for the future development of our wonderful area.

Emma Foody: My hon. Friend is absolutely right. This investment is critical now, but if we want to see the growth that we need in business and in housing developments for our constituents in future, it is essential that we have these upgrades.

National Highways has confirmed that Moor Farm has a volume over capacity of 104% at both the morning and afternoon peaks. The agency's own classification is that Moor Farm is oversaturated, and the frequent accidents and breakdowns can lead to congestion for literally miles. Barely a week goes by without such incidents, and it is local people and businesses who pay the price. The Carabao cup-winning Newcastle United hero Dan Burn recently had to step in to help a stranded vehicle on Moor Farm roundabout. Although I have every confidence in Dan Burn on the pitch, he cannot be there every day to save the day on Moor Farm roundabout.

In all seriousness, the current congestion causes misery for commuters and businesses, and without support and investment, the situation will only continue to get worse. It is for that reason that improvements have been drawn up, and Moor Farm and Seaton Burn roundabouts are being assessed as part of the next round of the road investment strategy. Their importance is also recognised by all local parties, including Northumberland county council, North Tyneside council, Newcastle city council and, indeed, the North East combined authority.

The north-east devolution deal, signed in 2024, stated:

"The government recognises the area's priorities for improvements to the Strategic Road Network...such as the upgrading of A19 junctions North of Newcastle (Moor Farm...and...Seaton Burn)."

The north-east growth plan further recognises that upgrades on the A19 at Moor Farm and Seaton Burn are an investment in infrastructure priorities. The Mayor of the North East, Kim McGuinness, has stated that the roundabouts sit on one of the region's key transport corridors, and that it is "of strategic importance" to the north-east that they are upgraded. As Moor Farm and Seaton Burn sit on the strategic road network, however, the funding and responsibility sit with the Department for Transport and National Highways. Therefore, they cannot be upgraded through devolved funding to the North East combined authority.

I have touched on the nightmare that the current roundabouts are causing for local people, but it is not only that; as has been mentioned, they are holding back businesses, growth and investment in my communities. That has a direct impact on my constituents' quality of life, because it puts at risk our ability to support the Government in their missions to deliver on growth and

housing. Northumberland county council has warned that improvements to the junctions are critical to future growth aspirations.

Mike Martin (Tunbridge Wells) (LD): Let me take the debate from the north-east to the south-east and Kent. The story that the hon. Lady is telling is very similar to that of the A21 Kippings Cross junction in my constituency. Of course, we have the opposite problem: the houses have all gone in, but none of the infrastructure has been built. Now that the spending review is giving lots of money to northern constituencies—I do follow her argument that they have been under-invested in for some time—what is there for the south-east? Where does the balance lie in catching up on the infrastructure that has not been built in the south-east, while all the houses have been built?

Emma Foody: I appreciate the hon. Gentleman's advocacy for his communities. However, I am afraid that communities like mine have missed out year after year after year. No matter who the Prime Minister of the previous Conservative Government was, they never put the infrastructure or the investment that was required into the north-east; finally we have a Government who are prioritising that, and I am afraid I am never going to argue against it.

Without the improvements to these roundabouts, Northumberland county council warns that they will remain a "significant constraint" on economic growth in south-east Northumberland, while North Tyneside council warns there is a "very real risk" that significant housing and economic growth, in line with national policy, cannot be delivered without investment into this critical highway infrastructure. There is also real risk that blocks placed by National Highways due to congestion affect the ability to produce a local plan and meet housing need across North Tyneside, with the Mayor of the North East adding:

"The lack of capacity is now constraining much needed plans for housing and economic development".

South-east Northumberland is a key regional and national corridor for growth, including the Port of Blyth and Northumberland Energy Park, which will house the £10 billion data centre at Cambois. Businesses and local stakeholders have spoken to me ahead of the debate about their frustration and have provided real world examples.

Miller UK, which is headquartered in Cramlington, manufactures and supplies excavator buckets and attachments across the UK and the world. It has a significant number of trucks delivered on a daily basis, and it set out that

"Moor farm congestion impacts on delivery times and leads to increased running costs".

Fergusons Transport is a logistics firm based in Dudley in North Tyneside, and it similarly expressed frustration at the delays, capacity and increased emissions. It added:

"This outdated infrastructure is holding our region back".

George Smith produces exceptional upholstered furniture from its Cramlington factory, which is sold across the world. It has lost staff due to the frustrations of a commute involving Moor Farm, and said:

"A properly designed and delivered solution at Moor Farm would make a meaningful difference to our ability to attract and retain staff".

Similarly, RENOLIT is a global family-owned specialist in high-quality plastic films and polymer solutions that is based in Cramlington. It also stressed the importance of delivering upgrades.

What is the cost of missed opportunities? There are the developments and investment that have not come forward, or are being held back, because of concerns that congestion at Moor Farm will lead to applications being blocked or that the mitigation costs are too high. Those missed opportunities are jobs and homes for local people that may be invested elsewhere, or indeed not at all.

I have said before that Moor Farm and Seaton Burn are holding back growth, investment and opportunity, so how can the Government support my region and community in getting those long-overdue upgrades? The Department for Transport and National Highways assessed the business case for the roundabouts in the latest road investment strategy pipeline. Under the previous Conservative Government's Green Book criteria, they were found to be low or poor value for money. However, this assessment has been challenged by local councils and the North East combined authority, which highlighted that the assessment used traffic data from 2019.

As I said earlier, the Department for Transport's own figures show that there have been significant increases in delays in recent years, yet that data was not used for the assessment, and the assessment also did not take into account all the housing developments in the pipeline. We are in a Catch-22 situation where only some future developments, whether employment or housing, are being assessed, yet there are business and development opportunities on key sites in Northumberland and North Tyneside that are not being brought forward due to the lack of certainty about whether they will be blocked or incur additional costs due to the roundabouts' capacity constraints.

We know that assessments of the outcomes of investments in the north-east have significantly undervalued the impact before. Take the recent reopening of the Northumberland line in December 2024. Initially, usage was expected to be 50,000 by Easter 2025, yet with only some of the stations open to date, including Seaton Delaval in my constituency, figures show that 250,000 journeys have been made—five times the expected number of passenger journeys. Investment in infrastructure delivers results, and I have no doubt that with Moor Farm and Seaton Burn we would, similarly, see substantially more benefits delivered than the assessment implies.

That is precisely why the Government's review and changes to the Green Book are so vital. A move to a place-based business case is absolutely correct, and for Moor Farm and Seaton Burn, it cannot come soon enough. From Conservative-led Northumberland to the Labour Mayor of North Tyneside, Karen Clark, and the North East Mayor, Kim McGuinness, and local Labour MPs, we are universally agreed: to unlock growth, support business and finally end the misery for local residents in south-east Northumberland, north Tyneside and the wider north-east, these upgrades are essential.

The Government are right to place these decisions in the hands of those who know our communities best, and what delivers for them. I have previously asked, as has the North East combined authority, for this scheme to be judged as a test case for a new methodology for the Green Book. With the changes to the Green Book

and the welcome move to place-based business cases, could the A19 north of Newcastle scheme be the test case for new methodology? With the growth that would be unlocked by bringing the scheme forward, overlooked in the previous methodology, will the Department for Transport work with local stakeholders to test this?

Our Government have rightly embraced devolution. Given the importance placed on these junctions to local stakeholders, and the fact that this was specifically referenced in both the deeper devolution deal and the north-east growth plan, what weight is placed on this in the road investment strategy assessment? What conversations have taken place between the Department for Transport and the Ministry of Housing, Communities and Local Government, given that local plan and housing targets could be at risk if this barrier is not removed? Now that the spending review has been announced, what is the timeframe for a decision on the next round of road investment strategy and the projects identified to go forward? Finally, despite the misinformation put out by Conservative councillors in Northumberland, can the Minister confirm that, under the previous Government, no funding had been awarded for improvements at the roundabouts, and no money for this project has been withdrawn?

The Government have ambitious missions to deliver growth and build the houses that our country needs. Cramlington and Killingworth, and the wider north-east, stand ready to support delivery, but right now the situation at Moor Farm and Seaton Burn acts as a blocker to growth, causing misery to residents and commuters and holding back investment. The voices of local people, business, councils and elected representatives is clear: we need these key junctions to be upgraded. They are holding back the enormous potential of the communities that I represent. Investing here and upgrading the roundabouts can help to deliver our missions, and I hope that this critical investment will be brought forward. I look forward to hearing from the Minister on how we can work together to achieve that.

11.18 am

The Parliamentary Under-Secretary of State for Transport (Lilian Greenwood): It is always a pleasure to serve with you in the Chair, Mr Stringer. I congratulate my hon. Friend the Member for Cramlington and Killingworth (Emma Foody) on securing the debate. I know how committed she has been to raising the importance of transport infrastructure in her constituency, frankly at every opportunity. Today, she has set out very clearly the challenges for her constituents and the communities that she represents. I welcome the opportunity to speak about the Government's ambitions.

Reliable transport infrastructure is vital to everyone's daily life, whether it is connecting communities, family and friends, providing access to jobs and training, or moving goods. It can boost productivity by helping firms to cluster and innovate, unlocking land for housing and development, and making places more attractive to live, work and invest in. The Government recognise the challenges facing communities such as Cramlington and Killingworth, and today I will outline what we are doing to maintain and renew our infrastructure, protect vital public transport services and invest in the long-term future of our transport system.

[Lilian Greenwood]

We recognise the long-standing aspirations of local leaders, and by devolving power and decision making from Whitehall we are ensuring that local decisions are taken at the right level. I commend Mayor Kim McGuinness on her ambitions and vision for the north-east. The Government are backing those ambitions with real support, as my hon. Friend will be aware. At last week's spending review, we outlined our commitment to the protection of vital public transport services and the maintenance of our road and rail networks. That reflects the Government's recognition of the essential role that transport plays in driving economic growth, regional development and public service delivery.

Through the transport for city region settlements, eligible mayoral combined authorities will receive dedicated funding to deliver key local projects. The North East combined authority, NECA, will receive £1.8 billion from the TCR settlement between 2027 and 2032. That builds on the £573 million already provided from the first round of city region sustainable transport settlements.

Ian Lavery: I enjoyed the company of my hon. Friend the Minister in Cowpen Road in Blyth not too many months ago. Does she share my frustration, amazement and disbelief in Northumberland county council for criticising this Government for investment in transport infrastructure, when the A1 dualling has been announced more times than I can remember, and the Blyth relief road is waiting for investment. The Conservatives did absolutely nothing in 14 years; after every spending review, they would announce that they would pay for this and that, but it never happened. Yet, after mere months, Northumberland county council are criticising every decision that this Government have made. This Government will make a real difference to the transport infrastructure in Northumberland.

Lilian Greenwood: As my hon. Friend says, the last Government were good at making announcements, and very poor at putting real money behind those announcements. We are determined to do something very different. This unprecedented long-term funding certainty will enable enhancements and renewal of local transport networks, based on local priorities, helping to drive growth and productivity, support the delivery of new homes and decarbonise local transport networks.

I am aware of the specific concerns of my hon. Friend the Member for Cramlington and Killingworth about the road infrastructure in her constituency, particularly the Moor Farm and Seaton Burn roundabouts, as well as the challenges that need to be addressed around congestion and the delays impacting residents and businesses. As part of last week's spending review, the Government announced £24 billion of capital funding between 2026 and 2030 to maintain and improve motorways and local roads across the country. That funding will allow National Highways and local authorities to deliver faster, safer and more reliable journeys. Already this year, the north-east has been provided with an extra £22 million for local roads maintenance. The opportunities for new enhancements to the strategic road network will be considered in due course, as part of the future road investment strategy, which will start from 1 April next year.

I am grateful to my hon. Friends the Members for North Northumberland (David Smith) and Blyth and Ashington (Ian Lavery) for highlighting the needs and challenges of their communities. Now that the spending review has been completed, we will take decisions on how best to spend that money on both strategic and local roads.

My hon. Friend the Member for Cramlington and Killingworth asked some specific questions, which I will try to go through. As she rightly noted, on 11 June, alongside the spending review, the findings of the Green Book review were published. They sought to understand whether it is being used in a way that ensures a fair, objective and transparent appraisal of proposals across the country. As a Department, we will work with Treasury analysts to develop and embed any changes to the Green Book.

A new place-based business case taskforce will be established to define objectives for a particular place and bring together the relevant interventions that are needed to achieve objectives across different policy areas. This is about making sure that places like the north-east get their fair share of transport investment. The taskforce will also feature participants from local and regional government, as well as other Government Departments, and will identify appropriate test cases for place-based business cases, and what that means for existing proposals in due course. I note that my hon. Friend got her bid in early.

The deeper devolution deal and the north-east growth plan will allow the combined authority to enter into agreements with Government, other local authorities and National Highways to determine shared priorities for the strategic and key road networks. This closer working relationship, and strategies such as the north-east growth plan, will be an important consideration in the prioritisation of enhancements to the strategic road network in the north-east.

On local plans and housing targets, our Department has a close working relationship with the Ministry for Housing, Communities and Local Government on a range of transport matters to support our ambitious goals for housing. The successful implementation of local plans is a key part of ensuring development in the right places. Local authorities are encouraged to develop plans in sustainable locations that are not wholly reliant on significant investment in the strategic road network. I recognise that in some cases that is hard to avoid, and it is essential that issues such as constraints on growth form part of the assessment of individual schemes, as my hon. Friend said, and wider investment planning for the network.

On the spending review, schemes that are in the RIS pipeline, such as the A19 north of Newcastle scheme, are being considered for possible delivery beyond 2030. The Department expects to reconfirm those schemes that remain in the pipeline, and they will continue to be developed during the next period, when RIS3 is published early next year. I heard the points that my hon. Friend made about how the pressures on the network may have changed in recent times.

I will just touch on the point about local councillors. As with all schemes in the RIS pipeline, the proposals are funded for their development stages only, and there has been no commitment and no funding for their full delivery at any stage. To say otherwise is simply untrue.

In addition to considerations on the strategic road network, it is vital that we improve public transport connectivity. We are driving forward wider regional transport reforms, including rail upgrades and the resources and powers to deliver better buses as we look to build a modern, integrated public transport system. My hon. Friend highlighted the difference that investment in local rail is already making in her region. This year, we are providing NECA with £24 million to support and improve bus services by putting power over local bus services back into the hands of local leaders. That will help to ensure we meet the needs of the communities that rely on them, while protecting socially and economically necessary services. I understand that Mayor McGuinness is exploring franchising options that, if taken forward, would ensure that local bus networks across the north-east can be designed to work better for the people who rely on those services.

We have also just confirmed that from next year, we will be providing £900 million a year to maintain and improve bus services across the country, ensuring that they continue to be affordable and accessible to all. As part of the Government's clean energy mission, we are also committed to decarbonising transport. The spending review confirmed £1.8 billion to support the uptake of electric vehicles and charging infrastructure, including the provision of charging infrastructure along the strategic road network in England.

Active travel also plays a crucial role in the mission, and last week we were pleased to announce a further £616 million nationally to build and maintain walking and cycling infrastructure, and the north-east is already benefiting from more than £7 million this year to support the development of active travel facilities.

Our communities deserve transport infrastructure that supports growth, enhances mobility and ensures sustainability. The Government will shortly publish our 10-year infrastructure strategy, which will set out a long-term plan for how infrastructure projects are planned and delivered. Today's contributions will help us as we make decisions in the weeks, months and years ahead. We remain dedicated to delivering improvements that will make a real difference to people's lives, including in the constituencies of my hon. Friends in the north-east. Through investment, innovation and engagement with local leaders, we will continue to transform transport infrastructure for the better. I thank all my hon. Friends for the cases they have made, making sure that I understand the needs and challenges faced by communities in their area. I look forward to working with them as we go forward.

Question put and agreed to.

11.29 am

Sitting suspended.

Genocide Convention: UK Compliance

[CHRISTINE JARDINE *in the Chair*]

4 pm

Ellie Chowns (North Herefordshire) (Green): I beg to move,

That this House has considered UK compliance with the Convention on the Prevention and Punishment of the Crime of Genocide.

It is a pleasure to serve under your chairship, Ms Jardine. On 29 December 2023, South Africa brought a case before the International Court of Justice regarding the application of the convention on the prevention of and punishment of the crime of genocide in the Gaza strip. South Africa argued that Israel's deliberate denial of humanitarian aid to the Palestinians could constitute one of the prohibited acts under the genocide convention by "deliberating inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part".

On 26 January 2024, the ICJ issued an interim response, which recognised a "plausible risk" that Israel's acts could amount to genocide being committed against the Palestinian people. The president of the ICJ at the time subsequently stated that the purpose was to declare that the Palestinians had

"plausible rights to protection from genocide",

which were at a real risk of irreparable damage.

The ICJ's ruling was very clearly not intended as a determination of whether a genocide had occurred; rather, it was intended to indicate that if some of the acts that South Africa cited in its case were proven, they could fall under the United Nations convention on genocide. Those acts were military operations in and against Gaza; killing, injuring or destroying life and preventing births; displacement, deprivation and the destruction of life; incitement and encouragement to genocide; the destruction of evidence; and genocide itself. At the same time, the ICJ called for "immediate and effective measures" to protect Palestinians in the occupied Gaza strip from the risk of genocide by ensuring sufficient humanitarian assistance and enabling basic services.

Today, the humanitarian situation in Gaza is beyond imaginable. Oxfam summarises it as follows—

Christine Jardine (in the Chair): Order. There is a Division in the House on the Crime and Policing Bill—the first of a number. We will suspend the sitting for 45 minutes.

4.2 pm

Sitting suspended for Divisions in the House.

4.57 pm

On resuming—

Ellie Chowns: For clarification, since the Minister is not in his place and no one from the Government is here, is it correct that I continue?

Christine Jardine (in the Chair): The Parliamentary Private Secretary is here, and the Minister has just arrived.

Ellie Chowns: Marvellous. As I was saying before the Divisions, the humanitarian situation in Gaza is horrific beyond imagining. Oxfam summarised it as follows:

“The Israeli military has killed over 52,000 Palestinians in Gaza, including thousands of children. Entire families and neighbourhoods have been destroyed... Israel is blocking all but a trickle of life-saving aid into Gaza - people are struggling to access basics like food, water, medicine and shelter... All of Gaza is at risk of a manmade famine. Starvation is widespread, and children and families are already dying from hunger... Israel has cut electricity to Gaza’s main desalination plant that supplied clean water to around 500,000 people.”

Last month, the UN Office for the Co-ordination of Humanitarian Affairs said the territory was:

“The only defined area—a country or defined territory within a country—where you have the entire population at risk of famine. One hundred per cent of the population at risk of famine... Gaza is the hungriest place on Earth.”

It seems clear that what the world is witnessing, in real time, is the continued cruel and inhumane policy of using starvation of civilians as a method of warfare and collective punishment. We see this daily.

The BBC reported today that 51 Palestinians were killed today while waiting for flour at a Gaza aid site. This all happened since the ICJ’s 2024 assessment that there was a plausible risk of genocide in Gaza. If that risk existed then, it has existed every day since, and it is now absolutely undeniable. However, the UK Government’s actions and choices do not appear to recognise that risk, and it is not clear what they have done, if anything, to assess the risk of genocide before making policy decisions.

Amnesty International has done that work, however. It argues that there is evidence of a “calculated” plan to bring about the “physical destruction” of Palestinians in Gaza, and it concludes that factors that include the obstruction or denial of lifesaving goods and humanitarian aid, the killing of civilians, damage and destruction of civilian infrastructure, forcible displacement, and the restriction of power supplies taken together constitute genocide.

I do not have enough time to cover the extent to which all the tests are being met, but I do not think the Minister or any other Member can possibly be unaware that the Israeli military has targeted hospitals, refugee camps and schools, with multiple generations of families wiped out because of direct or indiscriminate attacks. They cannot be unaware of the vast damage and destruction inflicted on critical infrastructure, including essential parts of the food production system; hundreds of thousands of residential homes; water, sanitation and hygiene infrastructure; hospitals and other healthcare facilities; roads and energy infrastructure. No one can be unaware of how the Israeli authorities have issued large numbers of the civilian population in Gaza with evacuation orders that have caused repeated mass forced displacement under utterly unsafe and inhumane conditions, that Gaza has been under electricity blackout since the 11 October 2023, that power supplies have repeatedly been used as weapons of war, or that in March 2025 Israel shut off the electricity supply to a desalination plant for drinking water.

That is all occurring against a backdrop of well-documented statements from Israel’s political and military leadership that indicate a pattern of dehumanising, racist and derogatory rhetoric against Palestinians, which escalated significantly after the horrific and utterly

inexcusable terror attacks of 7 October. That rhetoric from the Israeli Government includes statements calling for, or justifying, genocidal acts.

Consider, too, the other violations of international law that, as stated by Amnesty International, at the very least point to potential genocidal intent, such as incommunicado detention, torture and other ill-treatment of Palestinians from Gaza, and the widespread destruction of cultural, historical and religious sites, including after Israel had already gained military control over them and where there was no apparent military necessity. Those are just some of the factors considered by Amnesty International in reaching its conclusion that Israel has committed genocide against Palestinians in Gaza.

The UK Government have been crystal clear that it is for the international courts to determine whether or not genocide is happening in Gaza. I do not agree, but that is anyway irrelevant to the UK’s obligation under the genocide convention to act to prevent genocide. By definition, that must happen before it is established that a genocide has taken place. Indeed, the ICJ established in *Bosnia and Herzegovina v. Serbia and Montenegro* that the threshold for taking action to prevent is where there is a “serious risk” that genocide might take place. Therefore, the UK has a clear and legal obligation to act to prevent genocide, along with all other signatories of the United Nations genocide convention under article I of the convention. This should not wait for a court determination; that will be too late.

Indeed, that argument was the basis on which South Africa brought its case to the ICJ, and it makes a mockery of our obligation under international law if prevention hinges on genocide being conclusively proven in court, by which time the targeted group in question may have been wiped out. On 14 May 2025, the Minister seemed to recognise that point and asserted that this Government

“have not waited for...the determination of international courts, to take action.”—[*Official Report*, 14 May 2025; Vol. 767, c. 353.] He referred to the suspension of some arms licences to Israel and the sanctioning of some individual settlers, and even two individual Israeli Ministers, as examples of action that has been taken. While that is hugely welcome, I respectfully note that these actions do not amount to doing everything possible to prevent genocide.

Indeed, the implication of the Government’s position is that, because the courts have not made a genocide determination yet, they are not required to take a level of action that would constitute meaningful prevention, such as a full arms embargo, full sanctions against military and political leaders, a complete ban on all military co-operation, the suspension of the existing trade agreement, a ban on settlement goods and so on.

The Government will not even name the genocide in Gaza, but that is not the point I want to dwell on in this debate. Rather, I want to ask the Minister to tell us what the UK Government are doing to assess the risk of genocide and to determine whether there is any potential that it might be happening in Gaza, because that should surely be informing every single decision they make in relation to Gaza.

The ICJ has been very clear that the risk of genocide is plausible. A September 2024 UN special committee warned that

“the policies and practices of Israel...are consistent with the characteristics of genocide.”

The UN special rapporteur on the Occupied Palestinian Territories, Francesca Albanese, found that

“There are reasonable grounds to believe that the threshold indicating”

that Israel has committed genocide

“has been met.”

Even if the UK does not formally recognise the assessment made by Amnesty International, the evidence accumulated must surely point to a possibility. For a responsible signatory to the genocide convention, that possibility is everything, because without having conducted an assessment of the risk of genocide in Gaza, I fail to see how the UK can carry out its legal duty to prevent. An assessment of risk is also fundamental to any determination of whether the UK may be complicit in any genocide—for example, by continuing to provide F-35 parts via the global supply pool, which are used in attacks on civilians in Gaza.

Although I welcome the publication of a summary of the assessment process and decisions that led to the suspension on 22 September 2024 of some arms export licences, the assessment was limited in scope. It has three short sections entitled “humanitarian”, “treatment of detainees” and “conduct of hostilities”. It was concerned solely with whether UK exports might be used to commit or facilitate a serious violation of international humanitarian law—IHL. There is no reference, for example, to forced displacement, the deliberate restriction of power supplies, or genocidal encouragement, incitement or intent. As such, that assessment falls far short of an assessment of the risk of genocide. Parliament has so far struggled to get a straight answer on whether such an assessment has been conducted, let alone get any assessment published, if it does exist.

On 6 May, during an oral statement on the middle east, my Green colleague, my hon. Friend the Member for Waveney Valley (Adrian Ramsay), explicitly asked the Minister:

“When did he last assess the real risk that Israel is committing genocide in Gaza?”

This was the Minister’s response:

“We assess risk. I can confirm that those assessments are ongoing and that a prevention of humanitarian aid reaching Gaza is part of them.”—[*Official Report*, 6 May 2025; Vol. 766, c. 588.]

On 14 May, replying to an urgent question in the House, the Minister advised that there were ongoing assessments in relation to international humanitarian law, and that these considered all the relevant tests. He specifically cited the genocide convention when making that point. The following day, I used a written question to ask for the most recent risk assessment to be published. The reply I received on 3 June referred me not to an assessment of the risk of genocide, but back to the Government statement of 2 September in relation to export licences. The statement, which is definitely not an assessment of the risk of genocide and which was made more than six months ago, begs the question: has there been no more recent assessment? Has there been any assessment of the risk of genocide?

The Government’s submission in *Al-Haq v. Secretary of State for Business and Trade* suggests that such an assessment does exist. It stated that the FCDO’s assessment and the Government’s conclusion is that there was no serious risk of genocide occurring. That was their assessment in 2024.

I asked about that again in an oral question to the Minister on 4 June, the day after his unilluminating written reply to me. I asked very specifically if he would publish his most recent genocide risk assessment without delay. His response indicated that there has in fact been no genocide risk assessment. He said,

“the question that we assessed in relation to international humanitarian law was whether there was a real risk of a breach of IHL. That was the assessment we made when we first entered government. That is a considerably lower bar than the questions to which the hon. Member refers. We continue to make those assessments, which cover the entirety of international humanitarian law. We have updated the House on that initial assessment, which is at a rather lower bar than she is suggesting, and the assessment broadly remains in place.”—[*Official Report*, 4 June 2025; Vol. 768, c. 348.]

Again, that refers back to the assessment, which is not an assessment of a risk of genocide.

In the meantime, the hon. Member for Argyll, Bute and South Lochaber (Brendan O’Hara) asked a written question, which elicited a response confirming that there have been regular IHL assessments since the beginning of the conflict on 7 October 2023, and that these assessments are continuous, with the latest due to be finalised before the end of the month. What still has not been confirmed is whether these include an assessment of the risk of genocide.

My purpose in securing this debate is simple. I want to know whether the UK Government have carried out any assessment of the risk of genocide in Gaza. In case I have not made myself clear, I do not consider the assessment that led to the change in export licences in September 2024 to be a test of genocide. The Minister himself appears to have already acknowledged that that one, or any other assessment that may or may not have been conducted, met a lower bar by being focused solely on the risk of breach of IHL. I very much trust that he will not cite that in his reply today. I also trust that he will not retreat to the Government’s well-worn position that it is for the international courts to make a determination of genocide. For the purposes of this debate, I accept that that is the legal position and it needs no further explanation at this time.

I think I have demonstrated that there is a wealth of evidence of the risk of genocide, and that there is widespread acceptance that that is the case. Now I simply want to understand—yes or no—whether the UK Government have conducted any assessment of the risk of genocide in Gaza. Preventing genocide goes to the heart of our obligations under international law—under the genocide convention—and it seems unconscionable that such an assessment would not have been conducted. We need to know. On that note, I look forward to the Minister’s unambiguous reply. I am sure he will understand that I will seek to intervene on him if an unambiguous yes or no is not forthcoming.

5.10 pm

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Mr Hamish Falconer): It is a pleasure to serve under your chairmanship, Ms Jardine. I am grateful to the hon. Member for North Herefordshire (Ellie Chowns) for securing the debate. As she alluded to, we have had many exchanges on events in Israel and Palestine.

[Mr Hamish Falconer]

Let me start by setting out a little of the legal position in relation to the 1948 convention on genocide. The convention was clearly born out of the horrors of the second world war. It was a solemn commitment by the international community to say, “Never again.” Today, upholding the convention is of paramount importance to the Government. I thank the hon. Member for her thoughtful contribution on the issue.

Complying with international law is a fundamental part of the Government’s commitment to the rule of law. I can confirm that we continue to treat all our international legal and humanitarian obligations seriously. That is what our assessments are focused on, and we abide by all of them, including those under the genocide convention.

Ellie Chowns: Will the Minister give way?

Mr Falconer: I will make a little progress, and then of course I will.

More than 75 years after it was created, we remain fully committed to the responsibilities set out in the genocide convention. As the hon. Member knows, the long-standing policy of the UK Government is that any formal determination as to whether genocide has occurred is a matter for a competent national or international court, rather than for Governments or non-judicial bodies. That allows a decision to be made in the light of all available evidence, in the context of a credible judicial process.

The hon. Member asked repeatedly for a risk assessment of genocide. There is a difference between the lower bar of the serious risks that we determined in the September assessments and the higher bar. I recognise that she would prefer different answers, but as a Minister I must attend to the legal questions on me, which are at the lower bar. I will not speculate about legal determinations beyond that. I have confirmed repeatedly, to her and to the whole House, that the Government understand our legal obligation under the genocide convention and we have met it. We have set out the assessments that we have made and we continue to keep them under review.

Ellie Chowns: The Minister is relying on arguments that, as I have articulated, do not answer my question. He says that the Government take their responsibilities under international law seriously, including the responsibility under article I of the genocide convention to prevent genocide. Does he recognise that we cannot wait for a court to determine that genocide has occurred if we are to prevent that genocide? We have to act before that. Does he recognise that by repeatedly relying on the assessments relating to export licences and IHL, he is not addressing the question? Has a risk assessment of genocide in Gaza been conducted by the Government? It should be, if we are to fulfil our obligations under international law.

Mr Falconer: I understand that the hon. Member does not like the answers that she has been provided with, but they have remained consistent, because our position is consistent. I can assure her that, armed with the full legal advice of the Government, I am confident that the Government are complying with the genocide convention. She raises the very—

Ellie Chowns: Will the Minister give way?

Mr Falconer: I will not give way again.

The hon. Member’s question—“Surely, we must not wait for a formal determination?”—is incredibly important. I want to reassure hon. Members that we do not wait. Where there have been provisional measures issued in the ICJ case, we have both abided by those measures ourselves and called on those affected, including the Government of Israel, to abide by them. We have taken a series of steps, and we have led the international community in many of those steps. We recognise the gravity of what is happening in Gaza, in the west bank and across the region. We are trying to take steps equal to the scale of that challenge and we will continue to do so.

Ayoub Khan (Birmingham Perry Barr) (Ind): We have heard repeated constantly the stance that genocide is a matter for a competent court—that has been a long-standing position of the Government—but we also know that a determination has been made, or has allegedly been made, because lawyers acting for the Government in court have said so, that that matter has been considered and that there is no genocide. Does the Minister understand why the British public are perplexed by what is being said in the House vis-à-vis what has been said in court?

Mr Falconer: I understand the complexities of these questions. I recognise that the judge has not yet opined in the judicial proceedings to which the hon. Member refers. Once the judge has done so, we will all be in a position to consider his findings. I have set out the Government’s position, as I think the hon. Member said, at some length, over a series of appearances in Parliament and outside of it, and through written questions. I will try always to explain why it is that the—

Rachel Gilmour (Tiverton and Minehead) (LD): This morning I was at a very moving service at St Paul’s cathedral to recognise the 30th anniversary of the genocide at Srebrenica. One of the VIP guests was His Excellency the Palestinian ambassador. Would the Minister have any idea why he was considered to be such an important guest at such an occasion?

Mr Falconer: I was not at the event and I cannot speak to who was invited or why, but obviously I speak to Dr Zomlot on a regular basis. He is personally affected by the crisis in Gaza and across the Occupied Palestinian Territories. There is no doubt in the Government about the depth of human suffering that is being experienced each and every day—that was experienced overnight—by people desperate to access aid in Gaza. The position that I am laying out in relation to the legal tests that the hon. Member for North Herefordshire mentioned is to reassure the House that we take our obligations under the convention incredibly seriously. The long-standing position about determination is that it is for a competent court. That does not stop us taking action in response to the tragedy that is unfolding before our eyes.

Tom Gordon (Harrogate and Knaresborough) (LD): Recently, the Joint Committee on Human Rights published a report about accountability for Daesh crimes, including genocide. A number of recommendations in that report pertain to issues applicable to other situations that have

been referred to today. I want to press the Minister on the issue of universal jurisdiction. Would he and the Government consider a change in the law to allow for the prosecution of genocide regardless of a perpetrator's nationality?

Mr Falconer: I am of course very happy to consider the recommendations of the Committee. We do have extrajudicial—I will be careful on the legalities of it, but as I understand it, British courts can look into crimes of genocide outside the UK where a UK national is involved. If the recommendation of the Committee is that that should be expanded, we can take a look at that, but that is the current position. At the risk of stating the absolute obvious, it is a criminal offence to commit genocide in the UK and it is a criminal offence to commit genocide outside the UK if you are a UK national, and our courts have competence to hear that.

I want to be clear on our position in relation to the Occupied Palestinian Territories. We strongly oppose the expansion of Israel's military operations in Gaza and its stated intention to hold territory indefinitely. Israel's denial of essential humanitarian assistance is unjustifiable. Israeli settlements in the west bank and East Jerusalem are illegal under international law and settler violence against Palestinians is unacceptable. Extremist rhetoric inciting unlawful violence against Palestinians is abhorrent. The House has heard about steps we have taken in recent days to respond. We have equally been clear in our condemnation of Hamas for its heinous terrorist attacks on 7 October, which the hon. Member for North Herefordshire referred to, its cruel holding of hostages and its use of civilian infrastructure in conflict, which places civilians at huge risk.

The hon. Member for North Herefordshire talked of the International Court of Justice, which is considering a case brought under the genocide convention by South Africa against Israel. It has issued provisional measures, including on humanitarian access. We respect the Court's independence and its authority to issue binding orders, and expect Israel to follow them under international law. Separately, the International Criminal Court is investigating what is happening in Israel and the OPTs. We fully support that Court's role in investigating and prosecuting serious international crimes and holding those responsible accountable, including delivering justice for victims.

Iqbal Mohamed (Dewsbury and Batley) (Ind): Nearly a year ago, in an advisory opinion, the ICJ ruled Israel's occupation of the Palestine territories unlawful. It clearly specified obligations on all states not to provide any economic, diplomatic, political or military support that helps to perpetuate that unlawful occupation. The UK Government's assessment of the advisory opinion has not yet been published. Will the Minister advise us when that assessment will be published and whether he believes that the UK Government are in full compliance with the advisory opinion?

Mr Falconer: I want to clarify about the advisory opinion, which we are still considering—it was long in the making and has broad implications—that the UK

agrees with the central position that the hon. Member describes, which is that settlements are illegal and should cease. That is not a novel element of the advisory opinion for the UK Government. *[Interruption.]* I will make some progress, if I may.

Ellie Chowns: Will the Minister give way on settlements?

Mr Falconer: Let me make a little progress, and then I will be happy to.

Let me set out what the Government are doing. We have called on the Government of Israel repeatedly to comply fully with their international obligations. We do so in private, with Ministers, and in public, through co-ordinated public statements with partners. We have built strong international pressure on Israel to address the humanitarian situation in Gaza, including through the Security Council. We have voted repeatedly in the Security Council to that effect, demanding the lifting of restrictions on aid in Gaza in line with humanitarian law. We have also taken action to address settler violence and extremism, including the sanctions last week against Mr Ben-Gvir and Mr Smotrich for inciting extremist violence, which constitutes an abuse of Palestinians' human rights.

I give way to the hon. Member for North Herefordshire on settlements.

Ellie Chowns: I thank the Minister. Will he address the question I have previously raised in the House? Trade in settlement goods is trade in the proceeds of crime, so will he ban it?

Mr Falconer: Ms Jardine has reminded me that I have one minute left, so I will answer the question and then conclude. Goods from illegally occupied settlements come under different trading provisions than those from green-line Israel. That is a question for His Majesty's Revenue and Customs that we keep under regular review. As the hon. Member is aware, others are looking at these questions, but at the moment no European power bans settlement trade in the way that she describes. It is something that we talk to our partners and allies about.

Let me conclude rapidly in order to give the hon. Member the final word. I want to reaffirm that the Government are meeting their international obligations, including those under the genocide convention. We continue to maintain that genocide determinations are a matter for a competent—

Ellie Chowns: Will the Minister give way on that point?

Mr Falconer: I am about to hand over to the hon. Member. Our commitment to international law is firm. It applies everywhere without exception, and our record reflects that.

Christine Jardine (in the Chair): The Question is—*[Interruption.]* Order. The Member in charge does not have the right to wind up a 30-minute debate.

Question put and agreed to.

Disabled People in Poverty

5.28 pm

Neil Duncan-Jordan (Poole) (Lab): I beg to move,

That this House has considered Government support for disabled people in poverty.

It is a pleasure to serve under your chairship, Ms Jardine. Most hon. Members present will be aware that this debate takes place in the shadow of the publication of the welfare Bill, probably tomorrow, which could usher in some of the deepest and most severe cuts to disability benefits since 2010.

We already know that the current benefits system is not working. Some 700,000 families with a disability are already living in poverty, and 75% of people who turn to food banks are disabled or live in a disabled household. Figures from the Department for Work and Pensions in March this year revealed that 4.7 million people in disabled households are facing hunger, and unsurprisingly, women make up the majority of those disabled people and carers.

Jim Shannon (Strangford) (DUP): I withdrew my name so that other Members would have time to speak, but I will make a small intervention. In Northern Ireland, over a fifth of the population aged 16 to 64 are disabled. Among the UK regions, Northern Ireland has the lowest disability employment rate and the largest unemployment gap between disabled and non-disabled persons. The fact is, if someone is disabled and in poverty in Northern Ireland, they are really in trouble. Does the hon. Gentleman agree that it is up to this Government, and this Minister, to give us the changes that we need to help those disabled people in poverty in Northern Ireland and elsewhere?

Neil Duncan-Jordan: Yes, I agree, and later I will talk about disabled people and how employment may be a route out of poverty.

Any losses through changes to benefits will overwhelmingly fall on those who are already the poorest in our society. The Government are right that the social security system is in need of reform, but benefits are far from generous, and they often fail to cover the essentials of living. The process of claiming support can also be extremely complicated and confusing, and that often leads to individuals incorrectly filling in the forms or finding the process too difficult to even start. The assessment process, which is outsourced to five private companies, can be slow and is often open to appeal.

Sarah Dyke (Glastonbury and Somerton) (LD): My constituent in Langport, Samantha, is a recipient of personal independence payment. She had treatment for endometritis and is struggling with cancer. Her PIP review was submitted in 2024. It comprised 100 pages of evidence—an onerous process that took six weeks to complete—and she is still awaiting a decision. Does the hon. Gentleman recognise my concern that the Government's intention to make what is already a burdensome process more challenging will discriminate against the most vulnerable in our society?

Neil Duncan-Jordan: I absolutely agree with the hon. Member.

All the things I described need to be addressed, but the fear among disabled people is that the changes outlined in the “Pathways to Work” Green Paper, which may or may not find their way into the Bill, amount to piling more cuts on to an already broken system.

Andy McDonald (Middlesbrough and Thornaby East) (Lab): In my constituency, 23,000 people receive universal credit and 11,000 receive PIP. I have asked what impact the changes will have on people going into poverty or being helped into work, and I have had very few answers. Estimates from Health Equity North show that the changes will amount to about £22 million a year being taken out of the local economy. Does my hon. Friend agree that it is utterly unconscionable for us to decide to produce that outcome without any evidence to demonstrate the benefits? We are effectively voting blind, and that is simply not acceptable.

Neil Duncan-Jordan: I thank my hon. Friend for his contribution. I will later talk about the evidence that we need to see before we come to a vote.

Imran Hussain (Bradford East) (Lab): My hon. Friend is making a strong case. Further to the previous intervention, 44,000 disabled people in my constituency risk losing PIP. They are absolutely horrified, because they will not only lose their dignity but be pushed into serious poverty. This is not the right way to do things, and it is certainly not the Labour way to do things. Does he agree that the right choice would be to tax the super-rich, so they pay their fair share?

Neil Duncan-Jordan: We absolutely have to look at our taxation system and ensure that those with the broadest shoulders carry the biggest burden, rather than saving money on the back of disabled people.

Even the Government's own assessment shows that the changes are likely to have a significant financial impact on claimants. For example, tightening the eligibility criteria for personal independence payment so that individuals will be required to score four points in at least one category will mean that 800,000 people lose the daily living element of PIP, with an average loss of £4,500 a year. The points system is already deeply flawed, especially for those with dynamic disabilities such as multiple sclerosis or myalgic encephalomyelitis. The domino effect of tightening PIP eligibility will be severe, because it acts as a passport to other support—150,000 people are set to lose their carer's allowance if someone they care for no longer qualifies. That could mean a loss to a household of £10,000 a year.

We know that having a disability is expensive: on average, households that have someone with a disability need over £1,000 a month more to have the same standard of living as non-disabled households. The proposed changes to the health element of universal credit will freeze the benefits of over 2 million people, and an estimated 730,000 new claimants will get a lower rate of £50 a week.

Ayoub Khan (Birmingham Perry Barr) (Ind): Does the hon. Gentleman agree that the sensitivities involved in considering, discussing and voting on such a serious matter require, at the very minimum, an equality impact assessment? It is only through such assessments that we can understand the impact on residents up and down the country.

Neil Duncan-Jordan: I agree. I will come on to that later in my speech.

Those individuals I mentioned—the 730,000 new claimants who will get the lower rate of universal credit—will see an average loss of £3,000 a year. The health element of universal credit will also be cut for those aged under 22, removing vital support that helps young people into work, education and training. The Government cannot claim to want to help young people into work while taking away their safety net. People in all those groups are already struggling to make ends meet so, in reality, the figures are likely to be an underestimate of the scale of the pain being proposed.

A recent freedom of information request revealed that 1.3 million people who currently get the standard daily living award will no longer qualify, which is significantly higher than the Office for Budget Responsibility's estimated 800,000 people. As a result, 350,000 people will be pushed below the poverty line. In total, over 3 million households will lose out, with as many as 100,000 children being pushed into poverty.

I have heard Ministers repeat the claim that only one in 10 PIP recipients will be affected by the proposals, but that is based on the false assumption that people will get better at filling in the claim forms and that more people will be successful in scoring four points. There is absolutely no evidence to show that that will be the case. The one in 10 figure also does not take into account the potential new claimants who will lose out.

Neil Coyle (Bermondsey and Old Southwark) (Lab): On the suggestion that there is no evidence, does the evidence not come from when the National Audit Office and the Public Accounts Committee looked at previous assessment changes?

Neil Duncan-Jordan: I have not seen that evidence, but what I have seen points me in a different direction.

We already know that PIP is an underclaimed benefit, as I think my hon. Friend would acknowledge, and that fewer than half of the disabled people who are eligible to make a claim do so. I would therefore argue that the recent increase in the number of claims is largely the result of declining public health in this country combined with the increased financial hardship that disabled people are facing.

The Government have suggested there has been an unsustainable rise in the benefits bill, but as a percentage of GDP, we are spending the same amount on working-age benefits as we were in 2015. Cuts to social security are not an economic necessity; they are a political choice. It has been suggested in the media recently that the transitional arrangements for someone who loses their PIP will be extended from four to 13 weeks, but that only delays the fact that the Government will be making people permanently poorer.

It is right for Ministers to say that work can be a route out of poverty, and that disabled people should be supported to find a job, but the proposed £1 billion of support comes in only at the end of the Parliament—three years after the cuts have been introduced. The Learning and Work Institute estimates that only 45,000 to 90,000 people might find work through that proposed employment support, which cannot possibly offset the 3.2 million people who are having their benefits cut. It is a completely false equivalence.

As hon. Members know, PIP is not an out-of-work benefit, so cutting it is likely to undermine efforts to get people into employment, rather than supporting them into gainful work. Too often, the attitude of employers is the real barrier to disabled people finding a job. Reluctance to offer flexible working patterns, harsh sickness absence policies and disability discrimination are the blockers that many disabled people face. Tackling those would be an important place to start.

Several hon. Members rose—

Neil Duncan-Jordan: I will give way to somebody who has not already spoken.

Tom Gordon (Harrogate and Knaresborough) (LD): The hon. Member is talking about barriers to disabled people, particularly those in poverty. I am running a campaign calling on the Government to make sure that people with disabled bus passes can use them at any time of the day, rather than just after 9.30 am. Does he agree that that would be a great way to alleviate the poverty of disabled people?

Neil Duncan-Jordan: The hon. Member makes an excellent point, and it is certainly a campaign that I would put my weight behind.

Neil Coyle: On the hugely important issue of discrimination that my hon. Friend touched on, does he agree that it is completely unacceptable that the Government inherited a position where the Department for Work and Pensions was being investigated for unlawful discrimination against disabled people? That is another of the issues that the ministerial team and the Government are having to fix—issues that they inherited from the chaotic and incompetent Governments of the previous 14 years, five of which were in coalition with the Lib Dems.

Neil Duncan-Jordan: I absolutely agree with my hon. Friend. We make a mistake if we say that we can do only one thing and not the other. We can tackle discrimination in the way that he rightly argues, but we do not have to make people poorer in the process. A false argument is being put forward.

There is also a misguided view that cutting expenditure and tightening belts brings savings. We know that that approach shrinks the economy and leaves everybody worse off.

Rachel Gilmour (Tiverton and Minehead) (LD): Does the hon. Member agree that these proposed or suspected cuts to PIP and other benefits are a sword of Damocles hanging over disabled people in this country? Although the savings are expected to be about £4.5 billion across Britain by 2029-30, that does not factor in any of the broader systemic costs, especially those borne by the NHS and local authorities, which could well negate or even exceed that sum.

Neil Duncan-Jordan: The hon. Member has foreseen what I was about to say.

According to the New Economics Foundation, the Government's projected savings could be entirely wiped out due to depressed economic demand in local communities.

[Neil Duncan-Jordan]

Cutting disability benefits will also inevitably lead to increased costs elsewhere through rising pressure on the NHS and local authority social care.

Most of all, people who are already under financial pressure will be even worse off. That is why virtually all major disability organisations are critical of the Government's proposals. I am sure that I am not the only one who believes that the Government are rushing these proposals through, with MPs being asked to vote in a couple of weeks' time, before the OBR's estimates of the employment impact, the review of the PIP assessment, and the Keep Britain Working review into tackling health-related inactivity have been published.

Recognising that the benefits system needs to change, we should halt any proposals for cuts, redesign the system with disabled people and their organisations, and provide up-front investment to support those who can get into meaningful work.

Dr Al Pinkerton (Surrey Heath) (LD): My constituency is the home of the Royal Military Academy Sandhurst and the Army Training Centre Pirbright, and is just next door to Aldershot, so veterans, many of whom have career-acquired disabilities, are an integral part of our community. According to recent statistics, 16% of disabled veterans are unable to heat their own homes, and the Trussell Trust says that more than half are considered to be food insecure. Does the hon. Gentleman agree that it is vital that we offer disabled veterans bespoke support to compensate them for their careers and the lives they have given in the service of our country?

Neil Duncan-Jordan: Veterans, like every disabled individual, should get the support they deserve.

Labour created the modern welfare state, underpinned by universalist principles, to provide dignity and fairness to people when they need a helping hand. That, in my view, is what we should be doing now.

Several hon. Members rose—

Christine Jardine (in the Chair): Order. I remind Members that if they wish to speak in the debate, they should bob. We have only 20 minutes before we have to move to the Front Benchers at 6.6 pm, so please keep speeches very brief or go for an intervention instead.

5.46 pm

Edward Morello (West Dorset) (LD): It is a pleasure to serve under your chairship, Ms Jardine. I congratulate the hon. Member for Poole (Neil Duncan-Jordan), my colleague from Dorset, on securing this important debate. I will attempt to edit my speech as I go along to buy back some time.

Ensuring fairness starts with recognising those who need support the most. The foundation of real support is ensuring that help reaches those who face the greatest challenges. The additional costs of disability—mobility aids, home adaptations, specialist care, heating and travel—add up and are all substantial. Scope estimates that disabled households need an extra £1,010 per month to achieve the same standard of living as a non-disabled household. Nearly 4,800 people in my constituency receive personal independence payments, of whom 40% receive the highest level of support.

Adam Dance (Yeovil) (LD): One of the most common reasons why people claim PIP in Yeovil is poor mental health. Does my hon. Friend agree that to support vulnerable people's mental wellbeing, the Government must urgently change course on the proposed cuts to PIP and introduce proper staff and accessible mental health hubs in every rural community?

Edward Morello: I absolutely agree. The costs for disabled people who live in rural areas include more expensive journeys to access healthcare, unreliable and sparse public transport, and higher energy bills for heating homes that are often older and less efficient.

Hundreds of my constituents have expressed their concerns to me over the last few months, and I have retold some of their stories in this Chamber. Each one represents a wider failure. The Government's own analysis shows that the proposed changes to PIP will push 300,000 people into poverty. About 150,000 carers stand to lose carers allowance due to the knock-on effect of losing PIP eligibility, harming those who care for the most vulnerable. I urge the Government to change course.

Several hon. Members rose—

Christine Jardine (in the Chair): Order. I urge Members to keep as close to a minute as they can.

5.48 pm

Richard Burgon (Leeds East) (Lab): It is extremely disappointing that the Government are pressing ahead with the cuts. They should have learned the lesson from the winter fuel payment debacle. Ahead of the coming votes, we will hear a lot of Government spin about how it is really about helping disabled people, but it is not. Labour colleagues should remember one key thing: the Government plan to slash £7 billion from support for disabled people. They cannot cut £7 billion from disabled people and then credibly claim to be helping them.

The devastating consequences for our communities are clear: 300,000 to 400,000 more disabled people will be pushed into poverty, 700,000 disabled families who are already in poverty will be pushed deeper into it, and at least 800,000 disabled people will lose PIP—the support they rely on to eat, wash, dress and use the toilet. It is immoral and I will vote against it.

In conclusion, I say to Labour colleagues: this change will become a millstone around the necks of not just the Labour Government but every MP who fails to vote against it. In the coming days, Ministers will call in MPs, and there will be the carrot and the stick. They will be urged not to vote against the cuts, and all sorts of promises will be made. But the minute the vote has taken place, MPs will be dropped and their phone calls will stop being answered. From the day of that vote up to and including the day of the next general election, they will be left to face their constituents alone—left to pick up the pieces in their constituency as thousands are thrown into hardship.

I urge MPs not to sit on their hands but to vote against this change. It is immoral. But the Government should save us from that choice by thinking again and dropping these cruel cuts.

5.50 pm

Ann Davies (Caerfyrddin) (PC): Diolch yn fawr iawn. Analysis from Policy in Practice has found that four of the 10 UK local authority areas worst hit by the welfare cuts are in Wales—and we only have 22 local authorities—impacting 6.1% of our population at a cost of £470 million.

The Joseph Rowntree Foundation's "Poverty in Wales" report, which was published last week, found that 37% of disabled working-age adults in Wales are already in poverty, compared with 19% of non-disabled working-age people. According to the report, relative poverty increases by 219% among households affected by the loss of both personal independence payments and the healthcare element of universal credit in Wales, with the average depth of poverty among affected households increasing by 65% to £538 per month.

If the administration of the social security system were devolved to Wales, the needs and experiences of disabled people in Wales, rather than cost savings, could be placed at the root of welfare provision. More than four in 10 PIP claimants are already in the bottom fifth of the income distribution; the removal of this lifeline, at an average financial cost of £4,500 a year, will inevitably increase the rate of poverty in Wales and across the UK. The UK Government must urgently stop their welfare plans and instead listen and work with disabled people to address the challenges they face, rather than exacerbate them.

5.52 pm

Brian Leishman (Alloa and Grangemouth) (Lab): It is an honour to serve under you in the Chair, Ms Jardine. I thank my hon. Friend the Member for Poole (Neil Duncan-Jordan) for securing the debate.

Fourteen years of austerity, followed by a global pandemic and then a cost of living crisis, has led to out-of-control inequality in Britain. People and communities have been hammered by austerity cuts to welfare, the NHS and the public services that bind us together and are the civilising force in our society. There is no doubt about it: cuts cost lives.

Last July, people voted for all that suffering to end. They were offered change by Labour. No one from any part of the country thought that, after 14 years of Tory austerity and welfare policies that robbed people of their dignity, the change they voted for would be billions of pounds in cuts from the welfare budget. People voted for something else, and I will be voting for something else.

Iqbal Mohamed (Dewsbury and Batley) (Ind): Talking of austerity, Kirklees council has been devastated by the cuts imposed on it by the previous Government. Some 18.9% of people in Kirklees are recorded as disabled. Does the hon. Member agree that taking away PIP from nearly 4,200 residents in my constituency will put an even greater burden on council services that are ill-equipped to bear it?

Brian Leishman: I completely agree. I am glad the hon. Gentleman brought up the subject of local authorities and the added burden on them of picking up the pieces from this horrendous proposal.

As I said, I will be voting for something else. I will be voting against the cruel welfare reforms that the Government have put forward. A Labour Government should always lift people out of poverty, not put people in it.

5.54 pm

David Pinto-Duschinsky (Hendon) (Lab): It is a pleasure to serve under your chairship, Ms Jardine.

If we are to be serious about tackling poverty among disabled people, we need to be honest and focused on tackling its root causes and on making sure that the system is sustainable. The overwhelming driver of poverty among disabled people is low levels of employment. Only 54% of disabled people are in work; that is 30% lower than the average for people without disabilities. Shockingly, 43% of disabled people are economically inactive, and our employment rates lag far behind those of other countries, such as Canada's at 62%. We cannot just ignore worklessness as the driver of poverty. The JRF says that people in full-time work are five times less likely to be poor than those in no work.

Ian Byrne (Liverpool West Derby) (Lab): Will my hon. Friend give way?

David Pinto-Duschinsky: No thank you; I have very little time.

We have to deal with the root causes, so we have to focus on work. We also have to deal with the sustainability of the system, which is currently unsustainable. PIP claimant levels have risen at twice the level of underlying ill health. The rise since 2016 alone is equivalent to the entire police grant for England and Wales. If we are to sustain the system for the long term, we must make it sustainable. The proposed changes will not affect 90% of people. They will protect the most vulnerable and make the system fit for the future. That is why we should support them.

5.56 pm

Bell Ribeiro-Addy (Clapham and Brixton Hill) (Lab): I thank my hon. Friend the Member for Poole (Neil Duncan-Jordan) for securing the debate.

Of the 13,132 disabled people who live in my constituency, 5,110 claim PIP. Cutting benefits without tackling the sky-high extra costs that disabled people face is unconscionable. Scope's research shows that the monthly extra cost incurred by disabled people living in London is currently £1,469, which is notably higher than the UK-wide figure.

The Government's claim that the cuts will increase employment is not backed by any assessment. Their own impact assessment found that the cuts will result in 250,000 more people in relative poverty, of whom 50,000 will be children. Disability benefit cuts will affect 3.2 million current or future claimant families. What I heard recently about the proposed cuts to disability benefit from disabled constituents at an event organised by the Disability Advice Service in Lambeth only deepened my conviction that the cuts are wrong and deeply damaging. Sadly, the Government are not listening.

Ian Byrne: The Government got it completely wrong when they cut winter fuel payments last year, forcing them into a damaging U-turn this month. Does my hon. Friend agree that, rather than make another gross error by pushing through brutal cuts to disability support, the Government should admit their mistake, withdraw the plans and introduce a wealth tax instead?

Bell Ribeiro-Addy: I absolutely agree with my hon. Friend. A wealth tax would be a start, and there are other ways in which the Government could look for savings on disability benefits. They could start with the US multinationals that make a profit off the humiliating PIP assessments. Maximus, the US firm that tests eligibility for UK disability benefits, recently reported a 23% rise in profits, making £29.1 million in the year ending September 2024. That is yet another example of a private company profiting while people are forced into financial vulnerability.

In last month's PIP debate secured by my right hon. Friend the Member for Hackney North and Stoke Newington (Ms Abbott), I reiterated her point that it is never too late for the Government to change course, as my hon. Friend the Member for Liverpool West Derby (Ian Byrne) just pointed out. The Prime Minister recently doubled down on plans to proceed with the cuts, but it is not too late. There can be a change of course, and I urge the Government to reconsider this very cruel group of cuts.

Christine Jardine (in the Chair): I am sorry, but as we are now very short of time, I have to ask everybody to keep to a minute.

5.58 pm

Cat Eccles (Stourbridge) (Lab): It is a pleasure to see you in the chair, Ms Jardine. I thank my hon. Friend the Member for Poole (Neil Duncan-Jordan) for securing this timely and important debate.

More than 6,000 people in my constituency claim personal independence payments. Hundreds of them have written to me and I have met many of them and their families at listening events I have held across the constituency. One clear thing they all say to me is that being disabled is already a full-time job. Of the 6,000 people who claim PIP in my constituency, 40% will never work; 30% are in work; and approximately 30% are awaiting some form of treatment.

I have been seeking assurances from Ministers on behalf of those constituents who are in work thanks to their PIP, and the answer I keep getting is that they may score differently next time around. If those people lose their payments, they will not be able to afford to pay their bills, and they could lose their jobs and their homes. How are we to get people into work when we are pushing others out of it?

PIP has never worked for disabled people and the Government should work with the disabled to design a positive vision for PIP. The Green Paper is not a meaningful reform; it is tweaking the same bad policies.

5.59 pm

Rachael Maskell (York Central) (Lab/Co-op): The diagnosis is wrong and the treatment is no cure; all these cuts will do is to displace the cost and displace the problem. It was not disabled people who broke the NHS waiting lists. It was not disabled people who removed the access to mental health services. It is not disabled people who are experiencing a healthier life expectancy. It is the system, which has failed them for 14 years, that has done that to them—which is why we must change direction and not progress with these cuts.

Above all, employers have a major responsibility. Of course Access to Work is not working when people have to wait 85 days to get the support they need. When life spirals out of control, people need a state behind them. The sequencing is wrong, the proposals are wrong and ultimately the outcomes will be devastating.

6 pm

Olivia Blake (Sheffield Hallam) (Lab): It is a pleasure to serve under your chairship, Ms Jardine, and I thank my hon. Friend the Member for Poole (Neil Duncan-Jordan) for securing this debate.

It is clear from some of my colleagues' comments and from some of the discourse on this topic that many politicians do not understand the lives of disabled people. In the UK, disabled people face an extra average cost of nearly £1,000 a month. That is not optional spending; it is the unavoidable price of navigating a society that was never built with disabled people in mind.

A persistent and damaging myth is that the personal independence payment is a benefit for those out of work. It is not a benefit. PIP is not income replacement; it exists to help to cover the extra costs of disability, whether someone is in employment or not. In fact, many recipients rely on it to stay in work, using it to overcome the additional barriers that working life presents.

There are significant and deeply concerning disparities between disabled and non-disabled people in employment opportunities and fair pay—17%, according to the TUC. That is really unfortunate, but I fear that we are focusing on the wrong things. This system should not be about punitive measures; it should be about encouraging employers to do the right thing, including making reasonable adjustments.

6.2 pm

Chris Hinchliff (North East Hertfordshire) (Lab): The level of destitution among disabled people in England is not just a problem—it is a national disgrace. Three quarters of adults receiving health-related universal credit are experiencing material deprivation.

Poverty among the disabled is the deliberate outcome of an economic model and a style of governance designed to serve the interests of ultra-wealthy individuals and corporations. Under this Labour Government, there can be no moral or fiscal justification—none at all—for maintaining the lowest corporation tax in the G7 alongside a social security net so threadbare that hundreds of thousands of disabled people have already fallen into poverty, let alone cutting back further the support that it provides, which would result in even more widespread destitution.

6.3 pm

Rebecca Long Bailey (Salford) (Lab): In my constituency, 10,000 people are in receipt of PIP or the health element of universal credit, and they are frankly terrified. Already more than 6.3 million people with a disabled family member live in poverty, and the Joseph Rowntree Foundation estimates that the full impact of the Government's measures could push an extra 400,000 people into poverty.

It is also important to stress that, although the Government's package of employment support is welcome, the number of people back in work will be nominal.

The Learning and Work Institute estimates that only 1% to 3% of people who have their benefits cut will be helped back into work.

While I recognise the dire financial situation that the Government inherited, balancing the books on the backs of the most vulnerable is not morally right when options such as taxing wealth more fairly are available. I should stress that that particular option has widespread public support, and indeed support from many millionaires themselves. I ask the Government to please do the right thing and scrap these cuts.

6.4 pm

Gill German (Clwyd North) (Lab): It is a pleasure, Ms Jardine, to serve under your chairship.

From discussions I have had in Clwyd North, it is clear that our systems need urgent reform. I have heard too many stories from PIP claimants of unacceptable obfuscation and delay that have led to both mental anguish and financial hardship. That has to stop.

I welcome the measures already being taken, but we urgently need to do more. We must waste no time at all in the review of the PIP assessment to make sure that it is fit for purpose, including the assessment criteria and the descriptors. We must also be more ambitious and far-reaching with employment support, both for those seeking and those already in work. I know it can be done. In Clwyd North, local authority partners work with DWP colleagues, the third sector and local employers to create bespoke pathways into work from any starting point. I am pleased that their work is now a Wales inactivity trailblazer, but that kind of support must not be the exception; it needs to be the norm.

6.5 pm

Terry Jermy (South West Norfolk) (Lab): There is a clear link between disability and poverty, particularly in rural communities such as mine, where poor public transport adds to difficulties accessing basic medical appointments and makes it either really difficult or really expensive.

I wanted to ask the Minister about the PIP process. It is a horrible process—I know it painfully well. Residents are having to wait for up to a year to receive a decision and money. There is no financial benefit to the Government, because the money is backdated, but all the while that people are waiting they are presenting in crisis at the jobcentre, the hospital and the GP service, which is costing an absolute fortune and ruining lives. Will the Government look at the PIP process and aim to speed it up, so that we can help more people and save costs in the system?

6.6 pm

Oliver Ryan (Burnley) (Ind): Let us say it straight: disabled people have been let down by 14 years of Tory Government. The number of disabled people in working households living in poverty doubled under the Tories' watch, to 1.3 million people last year and the pay gap for disabled people is higher now at 13% than it was a decade ago.

I will touch briefly on the upcoming PIP reforms—I did have a bigger speech planned, but we are short on time. An unsustainable welfare system, one that does not

enjoy public support or give disabled people enough good support, does disabled people no favours. What does do them a favour is scrapping the work capability assessment and providing extra funding to get people into to work. To have no answer to the additional 1,000 people a day who are currently going into the PIP system is to keep one's head in the sand and to provide no real answers to the failure of the current system, which is not flexible or supportive enough.

Ellie Chowns (North Herefordshire) (Green): Will the hon. Gentleman give way?

Oliver Ryan: I will not give way. The principle of the social contract of the welfare state is at stake, and this Government are defending it.

6.7 pm

Steve Darling (Torbay) (LD): It is a pleasure to serve under your chairmanship, Ms Jardine. I congratulate the hon. Member for Poole (Neil Duncan-Jordan) on securing this extremely important debate. PIP is not an out-of-work benefit, as many Members have alluded to, or a benefit that gives people their best lives; it helps them to live lives that are bearable—that is the reality of it. It allows people to get through what many of us in the Chamber would think of as a challenging life, rather than actually living their best life.

Sarah Dyke (Glastonbury and Somerton) (LD): I spoke to Jacqueline from Street, who is unable to work and is absolutely desperate. Heartbreakingly, she told me that if her PIP is removed, she is prepared to take her own life. Does my hon. Friend recognise that the vital support that PIP payments provide to the most vulnerable in society is not a luxury, but a lifeline?

Steve Darling: My hon. Friend is right to highlight that. I have received, as I am sure many colleagues have, disturbing commentary from constituents, where people are already desperately worried, 18 months ahead of any reductions.

The Joseph Rowntree Foundation highlighted some key barriers around poverty. Members have already alluded to the extra cost of living, but one barrier that I am particularly alive to, as a disabled person who went to a special educational needs school myself, is the lack of ambition for youngsters. It was an exception in my school if someone did an O-level; the highest we were expected to do was CSEs. There is a significantly lower level of educational attainment for people with disabilities.

Hon. Members have already alluded to the barriers to getting into work. Those may be simple misunderstandings, because people with disabilities can do things; they may just have to do them a little differently. It was with great pleasure that I met earlier this week with Turning Heads, a community interest company run by Alan Tilley for people with learning disabilities—appropriately, since it is Learning Disability Week. Alan shared with us that 75% of people with learning disabilities are out of work and that 86% of those people want to work.

Rachel Gilmour: My hon. Friend reminds me of a remarkable institution in my Tiverton and Minehead constituency called Foxes Hotel, which trains people with mental disabilities to become employed in hotels

[Rachel Gilmour]

and hospitality centres across the country. In fact, one young lady from Foxes works in our kitchens in the House of Commons. It is not all doom and gloom, but suffice it to say that Foxes is known within the disabled community as the Oxbridge of training—it is unique, and is not the norm. Did my hon. Friend know that?

Steve Darling: I am reminded of the gentleman who won “Strictly Come Dancing” last year, who said that what people with disability need is “opportunity, support and determination”. My hon. Friend’s example demonstrates that in spades.

I will not spend too much time discussing Access to Work, but it is a broken system. It should be there to support people, but it undermines them through massive delays in assessments. In south Devon, businesses that support people have closed down because they are owed so much money. The No Limits café in Newton Abbot closed because of a lack of money, due to the arrears owed to it by Access to Work.

I am concerned that Ministers are getting confused—I will be extremely upset if they do so today—about employment and PIP. They should not be confused. PIP is purely about ensuring that people can live what many of us would see as normal lives. I represent the most deprived community with a Liberal Democrat representative, Torbay, and I am concerned that the cuts to PIP will see cash sucked out of some of our most deprived communities across the country. That is money that would go to people doing support work such as cleaning, helping people to go shopping, taxis and so on being sucked out of what are already our most impoverished communities. There are some real challenges there. The real killer is that 150,000 carers could lose support funding—£12,000 per household. That will push people deeper into poverty and further into destitution.

Neil Coyle: Can the hon. Gentleman remind us whether the disability employment gap and the disability poverty gap rose or fell when his party was in government?

Steve Darling: I thank the hon. Gentleman for that intervention—I always look forward with great relish to his interventions.

I am concerned at the lack of consultation around the cuts. That is perverse. I am also concerned that the Government may be rushing the proposals through, perhaps even without a Bill Committee, but rather a Committee of the whole House. Will the Minister assure us that the Bill will receive appropriate scrutiny?

6.13 pm

Danny Kruger (East Wiltshire) (Con): I shall be as quick as I can. I am grateful to hon. Members for their contributions. I fully recognise and share all the concerns that people have raised on behalf of constituents facing the cuts that are coming down the line.

Nevertheless, the Government are right in their overall objective of trying to tackle the challenges in our welfare system, which traps too many people in economic inactivity and presents an unsustainable cost to taxpayers. We have seen an onflow to both PIP and the UC health element, which doubled in the last Parliament. The PIP

budget alone will rise by 50% in this Parliament, to £35 billion. Those figures are not affordable over the long term.

Nevertheless, the Government’s plans are crude and cruel. The Government are effectively proposing to scrap the standard rate of PIP altogether. Some 87% of people on the standard rate of PIP will fail the four-point test, so we are effectively doing away with that benefit altogether.

Mention has been made of the 14 years of the last Government. The fact is that this Government had 14 years to prepare for government, and—in response to a fiscal crisis that they created—they are having to rush through these crude and cruel benefit plans.

Johanna Baxter (Paisley and Renfrewshire South) (Lab): Will the hon. Gentleman give way?

Neil Coyle: Will the hon. Gentleman give way?

Danny Kruger: I will give way to the hon. Lady.

Johanna Baxter: Talking of cruelty, does the hon. Gentleman agree that it is cruel that the number of people from working households living in poverty more than doubled under the Conservatives’ watch, from 600,000 to 1.3 million? Is that not cruel?

Danny Kruger: There were significant issues presented by the benefit reforms that the last Government introduced—again, in response to the fiscal crisis that they inherited. Many of those reforms were very positive in terms of getting people into work. However, I recognise that the axe fell disproportionately on certain members of the community, and I recognise many of the challenges faced by our constituents over the years.

Nevertheless, I insist that the benefit changes introduced some important reforms to help people get into work, as well as significant increases in support for disabled people. Carer’s allowance and disability living allowance increased significantly, and the WorkWell programme introduced at the end of the last Government helped disabled people into work. Some genuinely positive measures were introduced.

Neil Coyle: The hon. Gentleman’s point about DLA is interesting, given that his Government and the Lib Dems abolished it. My question is this: has the £12 billion that the Conservatives said they would cut from the Department for Work and Pensions budget during the last election been identified or outlined? What would his party have done and where would those cuts have fallen?

Danny Kruger: Let me come on to where I think the Government could be doing a better job.

To conclude my concern with the current plans, we will not see significant savings, as hon. Members have said, because the costs will be shunted elsewhere in the system. We should be very concerned about what will happen to local authority budgets and the NHS. The cause is the Government’s failure to introduce the substantial reforms needed to the way our benefit system, and in fact our wider economy, works.

The solution needs to be a much better assessment system. I am glad that the Government are proposing to review the assessment process for PIP and UC; I think

they should be doing that before they introduce these significant cuts to benefits. We need assessments that recognise the fluctuating nature of many of the conditions that people experience. That is particularly the case with mental health, but there are also increasing numbers of young people who come forward with claims and the assessments do not take account of their conditions. We need a more human system, which is why it is important to introduce more face-to-face assessments.

Most importantly, we need more support for people who are far from the labour market. I echo the point made by the hon. Member for Clwyd North (Gill German); we need a process led by civil society. That was a key part of the reforms introduced under the last Government, but I do not think they went nearly far enough. A whole system of universal support, alongside universal credit, is the way to support people who are far away from the labour market. It is about not just the benefit levels, but the support that is given.

We need to listen to disabled people, and I am grateful for the input that I have had from disabled people's groups as we look forward to the coming changes. We also need to listen to employers and put them in the driving seat with the reforms. We have a real problem in this country: in the UK, only 12% of employers offer phased return to work support, whereas in Germany that figure is 34%. We could do so much better at helping employers to provide support for people who are trying to get back into work.

I will conclude by stressing that Access to Work needs to be improved. We doubled spending on that in the last Parliament, but more needs to be done. Finally, and most of all, we need a growing economy. With unemployment up, inflation up, debt up and taxes up, we have a disjointed approach. Unless we get properly well-paid jobs, we will always struggle with the welfare bill.

6.18 pm

The Minister for Employment (Alison McGovern): It is a pleasure, as ever, to serve under your chairship, Ms Jardine.

I thank my hon. Friend the Member for Poole (Neil Duncan-Jordan) for securing this important debate. It has been a good debate. I would normally run through all the people who have spoken, but there have been so many—I will try to cover some of the points that have been raised. However, I begin by saying that the level of poverty among disabled people demands our attention and action, and it is right that we discuss it today.

Disabled people, like everybody else, have the right to dignity, the right to work and the right to have power, choice and control over their lives. When someone is in poverty, regardless of whether they are disabled, they are robbed of the opportunity to choose how to live their own life, which is why the situation we face today is so very shameful. When the Tories left office, 14 million people were in poverty, including 6.3 million people living in households in which someone is disabled—enough to fill Wembley stadium 70 times over, and more than the population of Scotland. That is a moral, social and economic failure on a colossal scale, and this Government have already taken urgent action to tackle it by delivering our plan for change, putting more money in people's pockets and raising living standards.

Some of the specific anti-poverty measures in last week's spending review are really important. For the first time, we have taken a long-term approach to the household support fund so that local authorities can properly plan, and we are turning the fund into a crisis and resilience fund so that we can properly deal with the issues that come up from time to time when a crisis tips somebody into long-term poverty.

Last autumn, we introduced a fair repayment rate for universal credit by reducing the maximum amount that can be taken from people's benefits to pay for what they owe from 25% to 15%, meaning that 1.2 million of the poorest households will keep an average of £420 more in universal credit. As my dad used to say, "Out of debt, out of danger."

Ellie Chowns: Today the Minister has heard many MPs, representing their constituents, express their huge concern about the effects of the PIP cuts on disabled members of our communities. She says that she cares about disabled people in poverty and about dignity. Why are her Government refusing to raise funds through a wealth tax so that our disabled constituents can have the support they need to live full and supported lives?

Alison McGovern: I thank the hon. Lady for her comment. I do not just say that I care about poverty; I have spent nearly a year working on a child poverty strategy to repair the damage the Tory Government did to this country. We will bring forward proposals as soon as we can to deal with the poverty crisis—I have mentioned several of them already.

The hon. Lady asks about a wealth tax. We have put VAT on private schools and private jets. We have removed exemptions from inheritance tax, which is a wealth tax. We have doubled stamp duty, which is a wealth tax. We are increasing capital gains tax and abolishing non-dom status, which meant that wealthy people could escape the taxes they owe. I do not accept that we have not taken steps to raise money through taxes so that we can pay for the public services this country needs so that working-class people can escape poverty. That is what this Government have done. *[Interruption.]* I will continue before I lose my temper.

We are expanding free school meals in England to all children with a parent receiving universal credit, lifting 100,000 children out of poverty by the end of the Parliament, and that is on top of our roll-out of free breakfast clubs. As I just mentioned, our child poverty strategy, on which Ministers right across Government have been working extremely hard, will reduce costs, support families with better local services and increase incomes, because we know that is the best way to tackle poverty.

As I mentioned, the extra money we are collecting through taxation will help to rebuild our NHS, with an extra £29 billion a year for the day-to-day running of our health service, so that disabled people can get the healthcare they need. We are also extending the £3 national bus fare cap, helping people to maintain their independence.

I want to respond to some of the points that Members have raised, particularly on the PIP review, which is already under way. I know that Members will be involved in that work but, just to be clear, it is already happening.

Johanna Baxter: The Government's consultation on mandatory ethnicity and disability pay gap reporting, led by the Office for Equality and Opportunity, recently closed. Can the Minister update the House on the findings of that consultation and when we might expect a formal Government response?

Alison McGovern: My hon. Friend raises an important manifesto commitment. I will relay her request to the Minister for Disability, who I am sure will update her.

We are anxious to get on with it. As many Members have said, it is important to reset some of the assumptions that employers have about the capabilities of disabled people, and the assumptions about whether disabled people should be included in our economy like everybody else.

On how many people will be affected by this, I point out that all the numbers that have been mentioned, including the numbers we have published on the poverty impact of the policy change, are static. They assume that nothing else changes by 2030.

While I understand the very correct concern that the employment support system this Government inherited was nowhere near what it should be, I can reassure Members that change is already happening. We are already getting on with Connect to Work and building a new jobs and careers service. I currently spend half my life with frontline work coaches in jobcentres, including disability employment advisers who are anxious to do better and are moving forward with a changed system. We are not waiting to get on with the change; the change is already happening.

Ayoub Khan: On the £5 billion cut to PIP, does the Minister agree that it is not just a lifeline for the most vulnerable in our society but is £5 billion that ends up in the economy? For that reason, does she not agree that a holistic impact assessment needs to be done? It ought not to be rushed, so that Members can review it and come to a sensible conclusion.

Alison McGovern: I thank the hon. Member for his point, because it is one of the other things I wanted to clarify. A number of Members have mentioned money being taken out of communities. Having been a Member of Parliament during the actual austerity years under the Conservatives, I can say that the benefit and other changes made under austerity clearly had a huge impact on certain parts of the country.

That is why the spending review set out our investment plans. I have already mentioned the funding for the NHS and other areas through which we will be supporting the very communities that need to be lifted. I refer the hon. Member to the distributional analysis published alongside the documents last week, where he will see that this Government are prioritising lifting the communities that really need to be lifted.

The hon. Member for Surrey Heath (Dr Pinkerton) has gone now, but I want to say that veterans can be supported through the armed forces independence payment, whether in work or not. That is separate from PIP, and no changes are proposed to it.

Mary Kelly Foy (City of Durham) (Lab): Will the Minister give way?

Alison McGovern: I will wind up, because we are out of time. I have no doubt that these discussions will continue over the coming weeks, and I look forward to engaging with everybody here on them. *[Interruption.]*

Christine Jardine (in the Chair): I am sorry, but we have to put the Question quickly.

Question put and agreed to.

Resolved,

That this House has considered Government support for disabled people in poverty.

6.28 pm

Sitting adjourned.

Written Statements

Tuesday 17 June 2025

CABINET OFFICE

Census 2021: General Report for England and Wales

The Parliamentary Secretary, Cabinet Office (Georgia Gould): The UK Statistics Authority has published the general report of census 2021 in England and Wales. The general report is the official and comprehensive account of the 2021 census in England and Wales, which was delivered against the backdrop of the covid pandemic.

The general report is being laid before both Houses of Parliament pursuant to the Census Act 1920. It covers the whole operation of the census, from the 2014 recommendation to hold a digital-first census, through the preparation and delivery of the data-collection operation in 2021, to the publication of census data in 2022-23. The general report is also available on the Office for National Statistics' website.

[HCWS702]

DEFENCE

Army Commonwealth Cap

The Minister for the Armed Forces (Luke Pollard): Commonwealth citizens^[1] have a long and distinguished history of service to this country, including during the second world war, which helped us to secure victory in Europe and victory over Japan, the 80th anniversaries of which we are commemorating this year. Today, citizens of over 40 Commonwealth countries are serving in our armed forces and play a vital role in the defence of the UK both here and overseas, bringing with them a diverse range of skills and different perspectives to planning and decision making. We hope they will continue to do so in the future, and we will continue to welcome Commonwealth personnel to join the armed forces.

As we set out in the strategic defence review, we are in a new era of threat, which demands a new era for UK defence that will make Britain safer—secure at home and strong abroad. It signifies a landmark shift in our deterrence and defence, in which we move to warfighting readiness to deter threats and strengthen security in the Euro Atlantic. As the UK steps up to take on more responsibility for European security, we must have a “NATO first” defence policy and lead within the alliance. The UK will become the leading edge of innovation in NATO.

The operational effectiveness of our armed forces is central to this. We must therefore continue to bear in mind the importance of ensuring that the armed forces continue to be representative of the UK. We also need to ensure that we do not become overly reliant on personnel whose country of origin (citizenship) may object to where we need to deploy them.

As a result, in November 2018^[2], the MOD set a maximum limit of up to 1,350 Commonwealth citizens who can be recruited each year into our armed forces, and since February 2009^[3], the Army has had an upper limit of 15% on the number of Commonwealth personnel

serving in each of its cap badges. That applied originally to just three (the Royal Logistic Corps, the Queen Alexandra's Royal Army Nursing Corps and the Royal Army Dental Corps), but this was extended to all remaining cap badges from November 2018. Until now, this has been applied to the trained strength—those who have completed basic training.

However, we need to balance this approach against the need to maximise opportunities to serve for those Commonwealth citizens who wish to do so. I would therefore like to inform the House of an amendment to the way in which the 15% will be applied. Going forward, the upper limit of 15% will be determined by reference to the structure of the cap badge, and not the trained strength. Changing the way the 15% limit is applied will ensure that more roles will be available for Commonwealth personnel, including those who wish to transfer from one cap badge to another, thus helping to support efforts to retain additional people in our armed forces, while remaining within the overall annual limit of 1,000 new Commonwealth entrants in the Army.

^[1] “Commonwealth citizen” means anyone who is a Commonwealth citizen within the meaning of section 37(1)(b) of the British Nationality Act 1981; a Commonwealth citizen is defined in section 37(1)(b) of the British Nationality Act 1981 as including every person who under any enactment for the time being in force in any country mentioned in schedule 3 is a citizen of that country. Schedule 3 to the 1981 Act lists the current member countries of the Commonwealth other than the UK.

^[2] <https://hansard.parliament.uk/Commons/2018-11-05/debates/1811051000007/ArmedForcesCommonwealthRecruitment>

^[3] <https://hansard.parliament.uk/Lords/2009-02-02/debates/0902029000080/ArmyNationalityPolicy>

[HCWS707]

FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE

Afghanistan

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Mr Hamish Falconer): Today I am updating the House on UK efforts to support those most in need in Afghanistan. The situation continues to matter to the UK due to both the terrible humanitarian and human rights situation, in particular its impact on women and girls, and national security concerns, given risks related to terrorism and irregular migration.

Afghanistan remains one of the world's largest humanitarian crises, with 23 million people in need of humanitarian assistance in 2025. Women and girls continue to bear the brunt of this crisis due to systematic Taliban oppression. The challenging global context for aid financing means that the most vulnerable people in Afghanistan risk not receiving assistance that they desperately need. Over 298 nutrition centres and 420 health facilities have closed this year, jeopardising access to lifesaving assistance for over 3 million people, including pregnant mothers, infants and young children. The World Food Programme currently projects having enough funding to cover just 10% of the 12.6 million people assessed to be food insecure this year. Hundreds of thousands of vulnerable Afghans

continue to return from Iran and Pakistan into a context where the economy remains stagnant and access to essential services and jobs is limited.

The UK Government continue to play a leading role in supporting the people of Afghanistan in this challenging context. Afghanistan remains one of the FCDO's largest bilateral aid programmes. In financial year 2024-25, we allocated £171 million to provide vital support for vulnerable people. In 2023-24 we reached 2.7 million people with humanitarian assistance, including over 1.3 million women.

Despite an increasingly complex operating context, our independent monitoring shows that our assistance continues to reach vulnerable people, including women and girls. The UK Government remain committed to ensuring that at least 50% of people reached by UK aid are women and girls. Our results for financial year 2024-25 will be published in the summer.

We have adapted how we work to ensure we are providing early, flexible funding to partners to sustain lifesaving activities, while moving to an approach that can also support essential services and livelihoods for the Afghan people in the medium term. We have pivoted our portfolio towards lifesaving health services and malnutrition treatment and prevention for mothers and their young children. We are engaging with other donors and the World Bank and Asian Development Bank to protect health system capacity, including routine childhood immunisation and surveillance systems. As Afghanistan is the sixth most vulnerable country to the impacts of climate change, climate adaptation will be critical to addressing Afghanistan's food crisis. We are launching new programming supporting Afghans to grow their own food, strengthen their resilience to climate shocks and water stress, improve their livelihoods, and reduce dependence on emergency aid.

Alongside our funding, we are using our technical and diplomatic capacity to shape and strengthen the international response and protect operating space for partners. We are leading a dialogue, bringing together key partners and donors to strengthen our collective approach to tackling food insecurity and malnutrition in Afghanistan. We lobby the Taliban on aid and human rights issues and speak directly with Afghans and civil society to inform our policy and programming. We also carry out visits to Afghanistan to see UK-funded projects at first hand. We continue to use our representation to the World Bank and Asian Development Bank to lobby for increased coherence and prioritisation of these essential funding streams.

We have repeatedly condemned the Taliban's abhorrent policies towards women and girls, and remain united with the international community in our firm opposition to continued restrictions. Upholding human rights and gender equality is not only a moral imperative, but essential for building a stable, inclusive and prosperous country for all Afghans.

On 20 January, I convened a meeting in New York with senior representatives from the UN and influential countries to underline the importance of collectively addressing Afghanistan's challenges. On 28 January, I hosted a roundtable with country representatives from WFP and the United Nations Population Fund to discuss the gendered impacts of the crisis in Afghanistan. At the UN in New York on 12 March, the UK's special envoy for women and girls, Baroness Harriet Harman,

jointly hosted an event reiterating support for girls' education in Afghanistan with the United Arab Emirates, Norway, and UN Women.

In a renewed commitment to the people of Afghanistan, Mr Richard Lindsay has today been appointed special envoy to Afghanistan. Mr Lindsay will lead a new Afghanistan department from the UK, taking on the duties of the current chargé d'affaires, whose assignment concludes at the end of this month. The UK mission to Afghanistan in Doha will close on 30 June 2025. This new model will allow the UK to actively engage with a broader range of Afghans beyond Doha, particularly those calling for peaceful political change towards a more inclusive political settlement. Our resolve to support the people of Afghanistan for the long term is unwavering.

[HCWS703]

Women, Peace and Security: Annual Report

The Minister of State, Foreign, Commonwealth and Development Office (Stephen Doughty): The Parliamentary Under-Secretary of State at the Foreign, Commonwealth and Development Office, my noble Friend Lord Collins of Highbury, has today made the following statement:

I wish to inform the House that the Foreign, Commonwealth and Development Office, together with the Ministry of Defence, is today publishing the 2024 annual report on progress against the UK's fifth women, peace and security national action plan. The report published today demonstrates the Government's commitment to transparency and accountability on the women, peace and security agenda, outlining progress since February 2024, and against the NAP's five strategic objectives. The report also provides case studies on the NAP's implementation objectives, and has included case studies from Afghanistan, Democratic Republic of Congo, Ethiopia, Syria, Ukraine, Israel and the Occupied Palestinian Territories, and Sudan.

The Government have committed to build on the approach and ambition of the UK's current and fifth NAP, published under the previous Government in February 2023, advancing implementation and updating priorities. As part of the Government's commitment to transparency, we will engage with civil society, and the all-party parliamentary group on women, peace and security, as we refresh the NAP and prior to publication.

The recently published strategic defence review makes it clear that the threats we now face are more serious and less predictable than at any time since the end of the cold war. The SDR sets out a vision to make Britain safer, secure at home and strong abroad. As we invest in defence, we must recognise that the women, peace and security agenda is critical to our success. This means strengthening women's representation in security and defence, as well as ensuring that gender dynamics are fully considered in our approach to national security, transnational threats and operational effectiveness.

In this 25th anniversary year of the WPS agenda, I want to reiterate the Government's commitment to advancing women's full, equal, meaningful and safe participation in political, security and peace processes. This Government will continue to advance gender equality and empower women and girls through our international action.

[HCWS706]

HOME DEPARTMENT

Firearms Licensing: Sound Moderators

The Minister for Policing and Crime Prevention (Dame Diana Johnson): The Government are today publishing their response to the public consultation that

was undertaken by the previous Government on a proposal to remove the firearms accessory known as a sound moderator from firearms licensing controls. The consultation ran between 21 February and 2 April 2024.

A sound moderator can be attached to a rifle barrel to reduce the sound and flash when the rifle is fired. It reduces the sound of the shot by around three quarters, and accordingly these accessories are used to protect shooters' hearing, to reduce the disturbance to others in the vicinity of shoots, and to stop shooters being temporarily blinded by the muzzle flash of a shot. They are entirely inert objects containing no moving parts and do not of themselves create a risk to public safety. They are, however, currently defined as a firearm in the Firearms Act 1968, and therefore they are subject to the requirement to be licensed by the police.

The Government have decided to remove sound moderators from the requirement to be licensed, and that doing so will not create any public safety risk or impact in any way the strength of our existing firearms controls. We do, however, see merit in making it a requirement for a person to be in possession of a valid firearms certificate, issued by the police, in order to lawfully possess a sound moderator. This will ensure that these accessories are held lawfully only by those with a legitimate purpose.

The public consultation also sought views on whether it would be appropriate to use a legislative reform order, made under section 1 of the Legislative and Regulatory Reform Act 2006, if it were decided to deregulate sound moderators. Having given careful consideration to this, the Government's view is that it would not be appropriate to use such an order, given that this will require a change to the legal definition of a firearm set out in the Firearms Act 1968. The Government are therefore of the view that this change should be made through primary legislation, and we will therefore seek to make this change when parliamentary time allows.

A copy of the Government response will be placed in the Libraries of both Houses and published on www.gov.uk.

[HCWS705]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Local Government Reorganisation

The Minister for Local Government and English Devolution (Jim McMahon): As I told the House on 5 February, I have issued invitations under the Local Government and Public Involvement in Health Act 2007 to all councils in two-tier areas and their small neighbouring unitary authorities to work together to develop proposals for unitary local government. This reform will mean more accountable structures, making it much clearer who residents should look to on local issues. It will also mean fewer, but more empowered, local political leaders, who can focus on delivering for residents. I told the House on 3 June that I had received proposals from Surrey councils by the deadline specified in their invitation of 9 May. I will now provide an update on local government reorganisation in Surrey.

I received two proposals—one from Elmbridge borough council, Mole Valley district council and Surrey county council for two unitary councils, and one from the borough councils of Epsom and Ewell, Guildford, Reigate

and Banstead, Runnymede, Spelthorne, Surrey Heath, and Waverley and Woking, and Tandridge district council, for three unitary councils. I also received a joint submission from the borough councils of Reigate and Banstead and Crawley, in West Sussex, which I have decided does not meet the statutory requirements for a proposal, or the terms of the invitation, and is accompanied by insufficient information to enable a decision to be taken to implement it.

Today I have launched a consultation on the two proposals from Surrey councils. This is available at <https://www.gov.uk/government/collections/surrey-local-government-reorganisation> and I will deposit a copy of the consultation in the Library of the House. I would welcome views from any interested people, including residents, and I am consulting the councils that made the proposals, other councils affected by the proposals, and councils in neighbouring areas. I am also consulting public service providers, including health providers, the police and fire services, and certain other business and voluntary sector bodies.

The consultation period will run for seven weeks until Tuesday 5 August. The consultation document is available, and those responding may do so on the Department's online platform, "Citizen Space", or by email or post. The consultation will provide information to help my assessment of the merits of each proposal, and I will carefully consider all the representations I receive, along with all other relevant information available to me.

The context of this consultation is that the 2007 Act provides that before any proposal is implemented, I must consult any council affected by the proposal that did not make it, and any other persons I consider appropriate. Once the consultation is concluded, I will decide, subject to parliamentary approval, which, if any, proposals are to be implemented, with or without modification. In taking these decisions, I will have regard to all the representations I have received, including those from the consultation, and all other relevant information available to me, and will reach a judgement in the round, assessing the proposals against the criteria in the invitation—whether they achieve for the whole area concerned the establishment of a single tier of local government; whether the councils are the right size to achieve efficiencies, improve capacity and withstand financial shocks; whether the unitary structures prioritise the delivery of high-quality and sustainable public services to citizens; whether councils in the area have sought to work together to come to a view that meets local needs and is informed by local views; whether new unitary structures support devolution arrangements; and whether new unitary structures enable stronger community engagement and deliver genuine opportunity for neighbourhood empowerment.

With regard to the submission from the borough councils of Reigate and Banstead and Crawley, my view is that it does not meet the statutory requirements, as the 2007 Act specifies that a council can only make one proposal, and that a proposal must specify the area that it covers. For the same reasons, and because the submission does not cover the whole of the invitation area, the submission does not meet the terms of the invitation. Further, it does not provide enough information for an assessment to be made as to whether all criteria would be met, and it would require significant work to enable

it to be resubmitted, causing delay in what was intended to be an accelerated process. It would mean essentially drafting a new timetable, which would have the potential to see elections to the new unitary authorities delayed.

As I have received two proposals that meet the statutory requirements and the terms of the invitation, I have decided to take these to consultation. It is of course open to the borough councils of Reigate and Banstead and Crawley to respond to the consultation. With reference to their desire for the Gatwick Diamond economic area to be within the area of one strategic authority so as to best provide for economic growth, I would like to provide reassurance that local government reorganisation in Surrey does not mean that this is not an option to be considered in the future, and I encourage councils in Surrey to continue to engage with their neighbours as they consider options in the short and medium term to secure devolution and the advantages it brings.

[HCWS704]

TRANSPORT

Dartford Crossing Charges

The Parliamentary Under-Secretary of State for Transport (Lilian Greenwood): The Dartford crossing is the only fixed road crossing of the river Thames east of London, and one of the most important links in the strategic road network.

To manage demand and protect the crossing's role as a vital component of the nation's economic infrastructure, a user charge has been collected at the crossing since 2003. In 2014, the tollbooths were removed to help make journeys smoother, and the charge was increased to help manage increased demand. That was the last time that charges were increased for all vehicles.

In the 11 years since, demand at the crossing has grown by 7.5%, with the crossing now used by, on average, over 150,000 vehicles every day, and up to 180,000 vehicles on the busiest days. These traffic levels are well in excess of the crossing's design capacity, causing delays for drivers using the crossing, congestion and journey disruption for drivers on the M25, and a range of knock-on impacts for local communities.

Current charging levels are no longer sufficient to achieve their stated aim of managing demand so that the crossing works well for users and local people. The

need to increase the charges in order to manage traffic highlights the need for the additional capacity that the lower Thames crossing, for which the Government confirmed new funding yesterday, will provide.

To secure the effective operation of the crossing, I have therefore decided to increase the charges for all vehicle types that currently pay to use the crossing from 1 September 2025. The new tariff is given below.

<i>Class</i>	<i>Vehicles</i>	<i>One-off payment</i>	<i>Pre-pay account holders</i>
A	Motorcycles, mopeds and quad bikes	Free	Free
B	Cars (including trailers), motorhomes, and any minibuses that have nine seats or fewer (including the driver's seat)	£3.50	£2.80
C	Buses, coaches, vans and other goods vehicles with two axles	£4.20	£3.60
D	Buses, coaches, vans and other goods vehicles with more than two axles	£8.40	£7.20

The increase in charges for car drivers will be a maximum of £1, with significant discounts for local residents and account holders. The new charges will be significantly lower than if they had increased in line with inflation since the tariff was last fully revised in 2014.

I am aware that these necessary changes to the charges will be unwelcome news for users of the crossing. However, we will continue to support local people through the local resident discount scheme, and I have been determined to keep the nominal fee paid by local people as low as possible, as many rely on the crossing to get around their local area. Drivers who live in Dartford or Thurrock and who have signed up to the scheme will pay £25 for unlimited annual crossings from 1 September—a small increase from the current annual fee.

There are no other changes to the charging scheme. Journeys made between the hours of 10 pm and 6 am will continue to be free, when there is no need to manage demand, as will those made by motorcycles at any time and the bicycle pick-up service.

[HCWS708]

Petition

Tuesday 17 June 2025

OBSERVATIONS

BUSINESS AND TRADE

Permanent Post Office in Fakenham

The petition of residents of the constituency of Broadland and Fakenham,

Declares that residents of Fakenham and the surrounding villages need access to a permanent Post Office to service the needs of our community; asks that the Chief Executive and the Government listen to our voices and work with the banks to provide a long term solution to access to cash and postal services through a Post Office in the heart of our town; and notes that an online petition on the same issue has collected 1,223 signatures.

The petitioners therefore request that the House of Commons urge the Government to take into account the concerns of the petitioners and take immediate action to ensure that a permanent Post Office is delivered to serve the needs of the Fakenham and the surrounding villages.

And the petitioners remain, etc.—[Presented by Jerome Mayhew, *Official Report*, 14 May 2025; Vol. 767, c. 458.]

[P003068]

Observations from the Parliamentary Under-Secretary of State for Business and Trade (Gareth Thomas):

I thank the petitioners for raising the issue regarding a permanent post office in Fakenham.

The Government provide an annual network subsidy to support the delivery of a minimum number of branches and a geographical spread of branches in line with the Government-set access criteria. This financial year we are providing £83 million of subsidy to support post office provision in communities across the UK. That is up from the £50 million previously provided and is in addition to the uplift that we provided in the last financial year. The access criteria ensure that however the network changes, across the country, 99% of the population live within three miles of their nearest post office.

While the potential location of a post office outlet remains an operational matter for the Post Office, we understand that there is an application in progress for a permanent branch in Fakenham. As soon as the Post Office has a proposal confirmed for the new post office in Fakenham, it will update the local community.

In the meantime, local residents can continue to access post office services at the temporary managed branch at Millers Walk in Fakenham, and via the nearest alternative branches located at Little Snoring and Great Ryburgh. Both branches are approximately four miles from Millers Walk.

ORAL ANSWERS

Tuesday 17 June 2025

	<i>Col. No.</i>		<i>Col. No.</i>
HEALTH AND SOCIAL CARE	135	HEALTH AND SOCIAL CARE—continued	
A&E Waiting Times	146	Mental Health Services: Staffing in Rural Areas ...	141
Access to GPs.....	139	NHS Buildings: Maintenance Backlogs.....	135
Biopsy Waiting Times.....	148	NHS: Wasteful Spending.....	144
Cancer Diagnoses	148	Pharmacies.....	136
Care in the Community	150	Topical Questions	152
Health of the Elderly	142	Under-18s Sunbed Ban.....	147
Medicine Supply Chain: Community Pharmacies .	138		

WRITTEN STATEMENTS

Tuesday 17 June 2025

	<i>Col. No.</i>		<i>Col. No.</i>
CABINET OFFICE	3WS	HOME DEPARTMENT	6WS
Census 2021: General Report for England and Wales	3WS	Firearms Licensing: Sound Moderators	6WS
DEFENCE	3WS	HOUSING, COMMUNITIES AND LOCAL GOVERNMENT	7WS
Army Commonwealth Cap.....	3WS	Local Government Reorganisation.....	7WS
FOREIGN, COMMONWEALTH AND DEVELOPMENT OFFICE	4WS	TRANSPORT	9WS
Afghanistan	4WS	Dartford Crossing Charges.....	9WS
Women, Peace and Security: Annual Report.....	6WS		

PETITION

Tuesday 17 June 2025

	<i>Col. No.</i>
BUSINESS AND TRADE	1P
Permanent Post Office in Fakenham	1P

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons*,

**not later than
Tuesday 24 June 2025**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

CONTENTS

Tuesday 17 June 2025

Oral Answers to Questions [Col. 135] [see index inside back page]
Secretary of State for Health and Social Care

Multi-Storey Car Parks (Safety) [Col. 164]
Bill presented, and read the First time

Registration of Births (Inclusion of Deceased Parents) [Col. 165]
Motion for leave to bring in Bill—(Jen Craft)—agreed to

Crime and Policing Bill [Col. 169]
Programme motion (No. 2)—(Dame Diana Johnson)—agreed to
As amended, considered

Prostate Cancer Treatment [Col. 348]
Debate on motion for Adjournment

Westminster Hall
Hydrogen-powered Aviation [Col. 33WH]
Transport Infrastructure: Cramlington and Killingworth [Col. 49WH]
Genocide Convention: UK Compliance [Col. 58WH]
Disabled People in Poverty [Col. 67WH]
General debates

Written Statements [Col. 3WS]

Petition [Col. 1P]
Observations
