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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Monday 7 March 2016

HER MAJESTY'S GOVERNMENT

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OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SIXTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 18 MAY 2015]

SIXTY-FIFTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES

VOLUME 607

TWELFTH VOLUME OF SESSION 2015-16

House of Commons

Monday 7 March 2016

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

TRANSPORT FOR LONDON BILL [LORDS]

*Consideration of Bill, as amended, opposed and deferred
until 14 March (Standing Order No. 20).*

Oral Answers to Questions

EDUCATION

The Secretary of State was asked—

Syrian Refugees

1. **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): What steps she is taking to provide additional educational support to young Syrian refugees resettled in the UK. [903895]

The Secretary of State for Education (Nicky Morgan): It is part of our moral responsibility to ensure that Syrian refugees who are resettled in the United Kingdom receive appropriate support, especially those young children who take refuge here. The International Organisation for Migration assesses the needs of each Syrian refugee to be resettled in the UK, including any educational support required by children. Those assessments help to ensure that the necessary arrangements are in place, and that the needs of these young Syrians are met.

Gavin Newlands: The Scottish Government currently fund a guardianship service that is unique to Scotland that offers specific support with welfare, education and the immigration process to local authorities and unaccompanied children. Will the UK Government follow in the Scottish Government's footsteps and increase support for young refugees in the UK?

Nicky Morgan: I think we all agree that those who are seeking refuge from war-torn areas and conflict zones where they have been in situations of immense stress and disruption need all the support they can get. We have a system of appointing caseworkers who work with each family or individual who comes here to seek refuge, to identify their needs. In particular, they ensure that children with special educational needs or mental health needs get support, as well as those who have additional educational issues such as needing extra language support.

Mr David Burrowes (Enfield, Southgate) (Con): Following the Government's welcome decision on 28 January to provide additional refuge for unaccompanied minors coming from conflict zones such as Syria, but also from Europe, what discussions have been held in the Department about providing additional support for those who reach these shores, and to provide them with the effective support they need?

Nicky Morgan: My hon. Friend recently visited the camp in Calais, and he will know that a cross-Government taskforce has been set up to ensure that all those who claim asylum or come to live in the United Kingdom under the resettlement programme get that support. In my previous answer I outlined the particular areas that my Department takes an interest in, and we must ensure that support is delivered for those with special educational needs, mental health needs, and those who require additional educational support such as language support.

Keith Vaz (Leicester East) (Lab): I welcome the steps taken so far. What we have learned from previous arrivals of refugees—for example the Ugandan Asians who

came to Leicester many years ago—is that the involvement of the diaspora community is extremely important to make people feel at home. What steps have been taken to ensure that the Syrian diaspora is involved in this process?

Nicky Morgan: The Government are extremely sensitive to working right the way across the United Kingdom, particularly with local authorities, and to consider the backgrounds of those coming here and their particular needs. Some will, of course, want to be near to those from their communities and the diaspora; for others there may be reasons why perhaps that is not right, given their particular needs. Great care is taken. People's needs are assessed and then they are given a guarantee that housing, education and other provision will be ready and waiting when they arrive here.

Andrew Gwynne (Denton and Reddish) (Lab): Given that so far the resettlement and asylum dispersal programmes have been pretty unevenly matched across the country, what extra support can be given to local authorities that are taking in a large number of people? That is often matched with challenging situations in schools, in terms of both school places and school standards, and those areas need extra support.

Nicky Morgan: We work right across the Government, and we have included powers in the Immigration Act 2014 to ensure that help is available to local authorities, particularly those that take in unaccompanied asylum-seeking children. Kent has taken many of those children, but they have also gone right across the country. Financial help is available through the budget of the Department for International Development, and we have committed £129 million to assist with local authority costs over years two to five of the resettlement scheme. There is additional help for children with special educational needs, and additional funding—including through the pupil premium—for those who have English as an additional language. It is, of course, right to highlight the problems, but the question from the right hon. Member for Leicester East (Keith Vaz), and my knowledge of the local area, show that those who come to this country can have huge success and make an enormous contribution to it. We must never forget that.

Free Childcare

2. **Karen Lumley (Redditch) (Con):** What progress the Government have made on implementing provision of 30 hours of free childcare for working parents. [903896]

4. **Julian Sturdy (York Outer) (Con):** What progress the Government have made on implementing provision of 30 hours of free childcare for working parents. [903898]

16. **Oliver Colvile (Plymouth, Sutton and Devonport) (Con):** What progress the Government have made on implementing provision of 30 hours of free childcare for working parents. [903911]

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): We are delivering on our commitment to provide working parents of three and four-year-olds with 30 hours of free childcare. To ensure providers can

deliver high quality childcare, we will increase funding for childcare by more than £1 billion by 2019. The Childcare Bill has cleared its parliamentary stages. Twenty five local authorities will be piloting the programme in the summer, ahead of full delivery in the summer of 2017.

Karen Lumley: Will my hon. Friend join me in congratulating St George's in Redditch for the fantastic work it already does? Does he agree that the 30 hours of free nursery education will make such a difference to one of the most deprived parts of my town?

Mr Gyimah: My hon. Friend is absolutely right. Families in deprived parts of Redditch will see £5,000 a year as a result of the 30 hours of free childcare. If they need further support, they can get it through the child tax credit system. The 30 hours of free childcare will help families with the cost of living, enable them to work more hours and give children the best start in life.

Julian Sturdy: I very much welcome the fact that one of the pilot schemes is in York. I congratulate the Minister on all his work on that. As the Minister knows, there is some concern among nursery providers over the future funding levels, driven by the disparity between the amount local authorities pay. Will the Minister consider future ring-fencing to avoid top-slicing by local authorities? Will he also consider visiting nurseries in my constituency to see how the pilot is working?

Mr Gyimah: I should like to reassure my hon. Friend that later this year we will be consulting on an early years national funding formula. As part of that, we will set a firm expectation on local authority top-slicing to ensure that the record investment being made in childcare is allocated fairly and reaches providers on the frontline. I am particularly impressed by the innovation in childcare brought about by the local authority in York, which is why we chose it as one of our early implementers. I would be delighted to visit again.

Oliver Colvile: Has my hon. Friend made an assessment of the number of nursery places in Plymouth, and of whether there is enough provision and capacity?

Mr Gyimah: My hon. Friend asks a very important question. The key point is that doubling the entitlement of free childcare is not the same as doubling the demand for childcare. Many parents already buy more than 15 hours and there is spare capacity in the system. The £6 billion funding going into childcare each year should incentivise more providers to enter the market. Where there are specific local difficulties, £50 million has been made available through the spending review to tackle capacity constraints.

Joan Ryan (Enfield North) (Lab): I have heard nothing today to assure me that when parents seek the 30 hours free childcare they will be able to find them. I do not know if the Minister is aware that in Enfield since 2010 482 early-years childcare places have been lost and 114 providers have disappeared. When parents are looking for those places, I would be very surprised if they are there on the ground. What will the Minister do to ensure that he can meet the promises his Government have made?

Mr Gyimah: I am afraid I have to disagree with the right hon. Lady. In the previous Parliament, the childcare sector created 230,000 new places. I am confident that with record investment the sector will rise to the challenge of delivering the 30 hours. It is about time that we stopped talking down the childcare sector and recognise the continued growth of the industry.

Wes Streeting (Ilford North) (Lab): At recent constituency surgeries, I have had representations from both private providers and state maintained nurseries telling me that the funding simply will not be there. It is no good blaming the sector or blaming local authorities for the fact that the Government have a model that is half-baked, underfunded and running behind time. What is the Minister going to do to make sure that the pledge the Conservatives made to parents at the general election is made real through the availability of places and, crucially, the funding to go with it?

Mr Gyimah: Let me puncture the hon. Gentleman's question with a dose of reality. The Government are investing more in childcare than any previous Government. At a time when other Departments are facing financial constraint, the Government have made childcare a strategic priority. That is why we undertook the first ever cost of childcare review to ensure that funding is fair to providers and sustainable for the taxpayer.

Carol Monaghan (Glasgow North West) (SNP): The National Audit Office report published last week raised concerns about how the 30 hours of childcare for some three and four-year-olds could impact on current provision for disadvantaged two-year-olds. What steps will be taken to ensure that increased provision for one group will not impact on the good work being done with disadvantaged two-year-olds?

Mr Gyimah: The hon. Lady asks a good question, and the answer is that there will be no adverse impact on the offer for two-year-olds. We were the first Government to introduce 15 hours of free childcare for disadvantaged two-year-olds, and that will carry on. We have increased the hourly rate for the funding for two-year-olds and ensured that the early-years pupil premium continues, so that two, three and four-year-olds who are particularly disadvantaged do not fall even further behind.

Chloe Smith (Norwich North) (Con): The Minister is right to talk about incentivising providers to come forward, and this is a big opportunity, but may I urge him to take into account the needs of different types of provider—childminders, as well as nurseries and all the other types of setting—all of which should be able to take part in this larger and exciting opportunity?

Mr Gyimah: I totally agree with my hon. Friend. One of the great things about the UK childcare market is the diversity of provision—childminders, nurseries, school nurseries—available to parents, as it means we can meet all parents' needs, especially when it comes to work. We will make sure that flexibility for parents is at the heart of how the 30 hours is delivered.

Jenny Chapman (Darlington) (Lab): It really is all about delivery. The Minister talks about meeting all parents' needs, but already 59 local authorities say

they do not have the places to meet current obligations to three-year-olds, never mind the additional hours. What is he going to do?

Mr Gyimah: Once again, I shall give a dose of reality: 99% of four-year-olds and 96% of three-year-olds are accessing the existing 15 hours of childcare. I am happy to compare our record with that of the previous Labour Government. After 13 years in office, it had provided 12.5 hours of free childcare. In half that time, the Conservative party has provided 30 hours of free childcare. Labour never offered anything for disadvantaged two-year-olds; we have a programme for disadvantaged two-year-olds. We are investing more than any previous Government. It might not like it, but it must accept it: the Conservatives are the party of childcare.

Jenny Chapman: My party introduced Sure Start. There was no Sure Start and there were no children's centres—no universal offer for any kind of childcare—prior to the Labour Government in 1997. The test of this will be how many families actually use the additional hours and who those families are. How has the Minister managed to concoct a system where a household with an income of £200,000 a year benefits from the additional hours, whereas 20,000 single parents on the minimum wage will not be eligible? How has he managed to come up with something so deeply unfair?

Mr Gyimah: Let me explain the policy to the hon. Lady. She should be familiar with it by now. Our eligibility criteria make absolute sense. To get 30 hours of free childcare, someone needs to be in work and earning more than £107 a week and not more than £100,000 a year—it does not matter if they are a lone parent. That means that if anybody in the family earns more than £100,000 a year, they will not be eligible. I know that Labour Members do not want to hear it, but Labour's childcare voucher scheme meant that parents earning more than £1 million could get childcare subsidies but the self-employed could not. We are not allowing that to happen in our childcare scheme.

STEM Subjects

3. **Derek Thomas** (St Ives) (Con): What steps her Department is taking to support provision of STEM subjects in schools. [903897]

The Minister for Schools (Mr Nick Gibb): The Government are determined to make Britain the best place in the world to study science, technology, engineering and maths. Our reforms to the curriculum and qualifications are designed to raise standards to match the best internationally. Our networks of maths hubs and science learning partnerships are supporting schools with the aim of improving the quality of maths and science teaching, and a £67 million package will train up to 17,500 maths and physics teachers by 2020.

Derek Thomas: In my constituency, there are a number of new skilled and well-paid jobs in engineering, space, renewable energy and other highly skilled, high-tech sectors, including the Navy. What further message can I take back to employers to assure them that schools have the resources and expertise to inspire and prepare our young people for these jobs in west Cornwall and the

Isles of Scilly, and what more can the Department do to ensure that we have the engineers we need as a nation for the future?

Mr Gibb: My hon. Friend, as a member of the Science and Technology Committee, is a keen advocate of the high-tech sector and particularly of the Goonhilly satellite earth station in Cornwall. He is right to share the Government's determination to improve STEM skills in this country. That is why the Government fund the Cornwall and West Devon maths hub and the Cornwall science learning partnership, which provide support to schools in west Cornwall and the Isles of Scilly to improve maths and scientific education. We are also reforming technical and professional education and taking steps to improve the quality of careers advice to young people.

8. [903903] **Kevin Hollinrake** (Thirsk and Malton) (Con): Families for schools does an excellent job arranging for business people to visit schools to inspire the next generation of entrepreneurs, including science and technology entrepreneurs. Will the Secretary of State outline plans to engage more business people with more schools to encourage more young people to help build our enterprise economy, particularly in science and technology?

Mr Gibb: That is precisely what is happening. The local enterprise partnerships are working closely with the careers and enterprise companies because we want to ensure that there is a connection between employers and schools so that a generation of young people inspired by technology can get to know what jobs are available in the technology sector, where, incidentally, earnings are on average 19% higher than for those not working in that sector.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Does the Minister agree that no Prime Minister was more passionate about science, technology and mathematics and their power to liberate individuals' potential than Harold Wilson? Does he further agree that Harold Wilson set up the Open University and all those polytechnics that became our new universities in order to help in that process of changing our culture? Can we not now liberate the universities to do more in partnership with schools to get this culture change that Harold Wilson worked so hard to achieve?

Mr Gibb: The hon. Gentleman seemed to get a bigger cheer for mentioning Harold Wilson than he would have done if he had mentioned the current leader of the Labour party. I absolutely agree with the hon. Gentleman, however, about the importance of inspiring young people. University technical colleges have been established to do precisely that, and we have seen a huge increase in the number of young people taking STEM A-levels, with the number taking maths A-level going up by 18% so that some 82,000 young people are now taking it. It has become the single most popular A-level choice, while both physics and chemistry A-level entries have increased by 15%.

Carol Monaghan (Glasgow North West) (SNP): We currently have a situation in which the income threshold for non-EU workers could be raised to £35,000, which

will cause issues for many STEM teachers currently working in UK schools, as well as for teachers that could be recruited from abroad. Will the Minister explain to schools that have gaping holes in STEM teaching positions how he is working with the Home Office to ensure that we can continue to recruit from abroad?

Mr Gibb: As the hon. Lady will know, there is a consultation taking place with the Home Office on these very issues, and it will report in due course.

Damian Green (Ashford) (Con): One of the traditional problems with getting more students to study STEM subjects has been the difficulty of persuading girls to take such subjects up to A-level and beyond. Does the Minister have any evidence to show that policies to encourage more girls to take up these very important subjects are working?

Mr Gibb: My right hon. Friend is absolutely right. The Government recently set out an ambition to see a 20% increase in the number of girls' entries to science and maths A-levels by 2020. We established, with industry, the Your Life campaign, which is designed to encourage young people, and especially girls, to choose maths and physics. We have seen a huge increase in the number of girls taking A-levels in physics, from 5,800 in 2010 to 6,800 this year, and in maths, from 28,000 in 2010 to 31,000 this year. However, there is still more to do.

Tristram Hunt (Stoke-on-Trent Central) (Lab): In Stoke-on-Trent, we have decided to do something about the crisis in maths teaching. Will the Minister congratulate inspiring head teachers Roisin Maguire and Mark Stanyer, along with the city council and the Denise Coates Foundation, on establishing the £1 million maths excellence partnership, which was opened by Sir Michael Wilshaw last week to attract maths graduates to Stoke and to support the continuing professional development of current classroom teachers?

Mr Gibb: I am delighted to join the hon. Gentleman in passing on my congratulations. It is good to see inspirational, imaginative and innovative programmes that are designed to encourage more young people with science backgrounds to come into teaching.

Careers Education

5. **Craig Tracey** (North Warwickshire) (Con): What progress the Careers & Enterprise Company has made on improving careers education and inspiring young people about the world of work. [903900]

10. **Rebecca Harris** (Castle Point) (Con): What progress the Careers & Enterprise Company has made on improving careers education and inspiring young people about the world of work. [903905]

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): The Careers & Enterprise Company has made excellent progress in its start-up year. It is opening up schools to the world of work and opening up the world of work to schools, which, as all experts agree, is a key ingredient of high-quality careers education and guidance.

Craig Tracey: I was delighted to meet representatives of the Careers & Enterprise Company recently in my role as chairman of the all-party women and enterprise group. What steps will be taken to ensure that great models and mentors are provided to supplement the company's work, and that students from all backgrounds are aware of the wealth of opportunities that are available to them once they have left education?

Mr Gyimah: That is an excellent question. In the past, too much emphasis has been placed on one-to-one careers advice, which is often provided too late and not delivered effectively. That is why £70 million has been made available over the current Parliament to fund careers services, including a new national mentoring scheme that will focus on the most disadvantaged. My hon. Friend is absolutely right about mentors, especially for young girls, and especially in relation to STEM subjects and professions.

Rebecca Harris: Does my hon. Friend agree that the old careers service is all too often regarded as a source of mild and gentle humour by people when they remember their schooldays, perhaps because they were approached too late? Is it not enormously important for businesses and, indeed, employers throughout all sectors to offer work experience—and not just to young people, to whom I know many Members offer that here in the House?

Mr Gyimah: My hon. Friend is absolutely right. Careers advice has long been the punchline for a joke, and many people found that the advice that they were given did not make sense to them at all. In our careers strategy, we are focusing on real, practical employer interactions so that the world of work can go into schools, and so that children can see what is out there, have their passions roused, and work out what is best for them.

Mr Gordon Marsden (Blackpool South) (Lab): The Minister will be delighted, because he has lost the punchline for his joke. He should go easy on the self-congratulation, given that the Government have presided over the disintegration of careers services for young people. Cuts have decimated council-led youth support and Connexions, and the Department has failed to include work experience in the curriculum. No wonder the CBI told it that the careers service was broken. Young people will need that help from the Careers & Enterprise Company to start repairing five years of damage. Will the Minister tell us what resources will be given to volunteer enterprise advisers—after all, only £17 million a year is going to the company—and just how many of them there will be for the thousands of schools and further education colleges that need them?

Mr Gyimah: The hon. Gentleman talks as though there had once been a golden age of careers advice and service, but anyone could tell him that there has never been such a golden age. The missing piece in careers advice and guidance was employer interaction, and that is what the excellent Careers & Enterprise Company is setting up. As part of its strategy, it is rolling out enterprise advisers, and 30 local enterprise partnerships have signed up to be part of that. Every school will have an enterprise co-ordinator to link it to the world of work.

University Technical Colleges

7. **Gareth Johnson (Dartford) (Con):** What progress the Government are making on supporting the establishment of university technical colleges. [903902]

The Minister for Skills (Nick Boles): With 59 university technical colleges open or in development, we are well on the way to meeting our manifesto commitment of opening a UTC within reach of every city.

Gareth Johnson: Will the Minister join me in welcoming the excellent work being carried out by the Leigh UTC in my constituency? UTCs play an increasingly vital role in ensuring that we have the engineering and scientific skills that are needed in the workplace. Will he do all that he can to ensure that the Leigh UTC is allowed to flourish?

Nick Boles: Yes, and I thank my hon. Friend for all the work that he is doing with the Leigh UTC. It is a particularly good example, not least because it is part of a very successful multi-academy trust, and that is a situation that we want replicated across the university technical college movement, because UTCs are stronger inside multi-academy trusts.

Priority School Building Programme

9. **Rachael Maskell (York Central) (Lab/Co-op):** What plans she has to expand the Priority School Building programme. [903904]

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): The Priority School Building programme was established to rebuild and refurbish those schools in the very worst condition across the country. The £4.4 billion programme is targeting funding to address urgent condition need at 357 schools. The Department has made no decision in relation to a third phase to the programme.

Rachael Maskell: The Priority School Building programme, which was downgraded in the last Major Projects Authority report, has resulted in just one school in York being earmarked for repairs, rather than addressing the urgent needs of 10 schools, including three overdue rebuilds. It is costing the local authority £1.23 million just to keep those schools open. Will the Minister meet me to discuss the urgent need for funding for school buildings in York? Will he also review the Education Funding Agency's condition survey, given that the data collected do not provide the comprehensive evidence base necessary to match local authority priorities?

Mr Gyimah: I would be delighted to meet the hon. Lady to discuss the issues in York. Just to give her an update, two schools are being rebuilt or refurbished in York Central under the Priority School Building programme. Carr Infants School is under construction as part of PSBP phase 1, and Badger Hill Primary School will have its condition need met under PSBP phase 2. A total of seven schools have applied for both phases and are being considered, but I would be happy to meet her to discuss these matters.

Kevin Foster (Torbay) (Con): I recently visited Paignton Academy, which serves my constituency and that of my hon. Friend the Member for Totnes (Dr Wollaston). Some of its buildings are in quite poor condition, with many of them dating from the 1930s. Will the Minister agree to meet me, my hon. Friend and a delegation from the school to assess what can be done to get a rebuild on track?

Mr Gyimah: I did not realise that this was going to be a diary session, but I am of course happy to meet the Minister and other members of his local authority to discuss their funding needs. As I have said, the Priority School Building programme is for schools in urgent condition, and schools in his area could also apply to the condition improvement fund.

Mr Speaker: The hon. Gentleman himself is the Minister. “Know thyself” is quite a useful principle in politics, as it is more widely in life.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): What steps is the Department taking to promote the installation of fire suppression systems while repair work is being done to schools as part of this programme?

Mr Gyimah: The hon. Lady has bowled me a googly. I shall have to look into this and write to her.

Ben Howlett (Bath) (Con): Will the Minister join me in welcoming the news that the Comenius Trust has just been selected to build a brand new primary school at Endsleigh in Bath? This will help to plug a growing hole in the primary school numbers in our city, which is ever popular with young families.

Mr Gyimah: I join my hon. Friend in welcoming that news. It is good to hear positive news about school places, because there is too often a lot of scaremongering about places and place need.

Disadvantaged Young People

11. **James Cartlidge** (South Suffolk) (Con): What steps the Government are taking to support the educational attainment of young people from disadvantaged backgrounds. [903906]

The Minister for Children and Families (Edward Timpson): We are determined to deliver educational excellence everywhere so that every child reaches their full potential regardless of their background. That is why we are protecting the pupil premium at current rates for the duration of this Parliament, giving schools billions of pounds in additional funding to improve disadvantaged pupils’ attainment.

James Cartlidge: I thank my hon. Friend for that answer, and I very much welcome today’s announcement on fairer funding in schools, which many of us have campaigned for since our election. Does he agree that the best way to support pupils from a disadvantaged background in rural areas is precisely by having a national funding formula that is based on need, irrespective of where that need arises?

Edward Timpson: My hon. Friend has, in many ways, highlighted the basic principle behind our consultation on a new national funding formula—it is simply about fairness. The old system has for decades been too complex, convoluted and unfair, with even disadvantaged children being disadvantaged by it. This change is long overdue, and it cannot be right to have anything other than a needs-based system. That is what we want to implement, and we want to work with everyone to make sure that we make it happen.

Fiona Mactaggart (Slough) (Lab): But the Minister will be aware that children in schools in which a high proportion of pupils are on free school meals are much less likely than they were five years ago to be able to be taught by a qualified teacher in art, dance, music or drama. Two thirds of professional parents pay for additional lessons in those subjects, but parents on lower wages are much less likely to be able to afford them. Are working-class kids going to be excluded from the creative subjects in our education system?

Edward Timpson: The right hon. Lady has an admirable track record of pursuing the more creative side of school life—I admire her persistence in doing so—but right across the country many schools with strong heads are recruiting heads of music, dance and drama, and providing many other extra-curricular activities. We have a basic strong curriculum, which all children need to be taught, and we are supporting disadvantaged children through the pupil premium, the pupil premium plus and special educational needs reforms to ensure that they get the support that they need, and the rounded and grounded education we want for all children. We need to make sure that schools are making such decisions and strong heads know exactly how to achieve that.

Martin Vickers (Cleethorpes) (Con): Coming from a disadvantaged background is just one reason for poor educational attainment, and in coastal communities such as my constituency, that is a particular issue. In addition to the national teaching service, what support is given to areas such as mine?

Edward Timpson: The national teaching service has been an important innovation in trying to ensure that we have a strong teaching workforce in all parts of the country, including my hon. Friend’s constituency. That is why we have made significant investment in those areas where recruitment has been more difficult in the past, such as in STEM subjects, among others. It is also why we continue to ensure that we pay the pupil premium to those schools so that, through the virtual school heads and other support, they are getting the standard of teaching they deserve.

John Pugh (Southport) (LD): Will the Minister explain further how the new proposed national curriculum will cater for the needs of disadvantaged pupils? In particular, can he explain the following sentence in today’s written statement:

“For pupils with high needs, the local authority remains the right level at which to distribute funding?”

Edward Timpson: That is correct.

Lucy Frazer (South East Cambridgeshire) (Con): On Friday, I had the opportunity to meet representatives of Blue Smile, a local charity in Cambridgeshire that makes provision for those suffering from mental health issues. I was told that many schools use their pupil premium for the services of Blue Smile to help to deal with mental health issues in their schools. Does the Minister agree that the provision of mental health services in schools to solve issues at a very early stage is crucial?

Edward Timpson: My hon. and learned Friend is right to highlight the importance of establishing as early as possible the underlying causes of a child's ability or inability to learn in school, which can be a result of emotional and mental health issues. That is why some schools are being extremely innovative about how they access pupil premium money to offer individual support to those children so that they are able to be in the best space possible to learn to the best of their ability.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): We know that summer schools address educational inequalities among some of our most disadvantaged pupils, as well as helping to tackle holiday hunger, yet recent surveys show that 64% of schools are worried they will not be able to offer this vital intervention because of a Government cut sneaked out just before Christmas—that was perhaps not the kind of Christmas present that vulnerable pupils were hoping to receive from the Minister. With the attainment gap now wider than it was when the Prime Minister came to office, summer schools have proven very effective in helping to give disadvantaged children a good start at secondary school. Why are Ministers ignoring this evidence and scrapping funding for summer schools?

Edward Timpson: The hon. Lady raises an area of education of which I have seen some excellent examples. However, she must remember the backdrop against which we are taking the education system forward. We have protected funding, with more money going into primary and secondary education than ever before, as well as a protected pupil premium of £2.5 billion over the next year. We have a strong curriculum for primary school children so that they learn the basics and have the building blocks to ensure that they have a brighter future. It is for schools to decide how they can achieve that, but they have the money to make it happen.

Schools Admissions Appeals Process

12. **Tulip Siddiq** (Hampstead and Kilburn) (Lab): What assessment she has made of the effectiveness of the schools admissions appeals process. [903907]

The Minister for Schools (Mr Nick Gibb): When parents are refused a place for their child at a school of their choice, it is important that they have the opportunity to appeal that decision. A robust system is in place for handling admissions appeals, including complaints about appeal maladministration. We are currently reviewing the admissions systems, including whether changes to the school admission appeals code are necessary. We will conduct a full public consultation on any changes in due course.

Tulip Siddiq: The Secretary of State recently stated her ambition for the Government potentially to ban civil society organisations from raising concerns about the admissions processes of schools. Those organisations perform an important public duty. Constituents have been in touch with me to say that they find the admissions process too complex and too lengthy to deal with by themselves. Does the Minister agree that banning civil society organisations from raising concerns will not only exacerbate the difficulties that parents already face, but further enable breaches of the admissions code?

Mr Gibb: The purpose of that announcement was to enable the chief schools adjudicator to focus on the concerns of parents and not to have the system absorbed by the need to handle multiple objections by campaigning organisations. That was a recommendation of the adjudicator as a consequence of her experiencing those issues in her term of office.

Mr James Gray (North Wiltshire) (Con): I think that the Minister is referring to secular organisations that have been trying to clog up faith school application and appeals processes. Will he confirm to the House that the code of practice brought in at the beginning of this year will specifically prevent that sort of thing from occurring?

Mr Gibb: Yes. The announcement made by my right hon. Friend the Secretary of State was to ensure that the school admissions process is fair, that parents—and only parents—can object to admission arrangements in their area if they regard them as unfair, and that it is not used as a campaigning tool.

Numeracy Standards

13. **Chris Green** (Bolton West) (Con): What steps the Government are taking to improve maths and numeracy standards in primary schools. [903908]

The Minister for Schools (Mr Nick Gibb): The Government are committed to raising standards in primary maths. We have introduced an ambitious new national curriculum that places greater focus on written and mental arithmetic. Long multiplication, long division and fractions are now compulsory for all pupils. We have strengthened primary mathematics assessment, removed the use of calculators from key stage 2 tests, and pledged to introduce a multiplication tables check for all pupils at the end of year 6.

Chris Green: I thank the Minister for his reply. Improving the standards of maths and numeracy in primary schools is crucial for children in later life, as they provide the foundation for more advanced learning. What are the Government doing to ensure that more children leave primary school with the expected levels of maths and numeracy?

Mr Gibb: We have launched a network of 35 maths hubs. These school-led centres of excellence are driving the transformation of teaching based on best practice internationally. Hubs have delivered a successful teacher exchange with Shanghai and have introduced high-quality Singapore textbooks to schools. Increasing numbers of primary school teachers are working with hubs to adopt effective south-east-Asian mastery approaches to teaching to ensure that every child leaves primary school with the expected levels of maths and numeracy.

Kelvin Hopkins (Luton North) (Lab): May I press the Minister a little further? I have experience of teaching statistics to A-level students, and I have observed that some of those students could not do simple arithmetic because they never learned multiplication tables in early primary education. I suspect that that is still a problem today. What are the Government doing to ensure that all our children are required specifically to learn multiplication tables in their early years at primary school?

Mr Gibb: We have introduced into the new primary curriculum a requirement that by the end of year 4 all children will know their multiplication tables to 12 times 12. We will introduce a multiplication check next year to ensure that every child knows their multiplication tables by heart. That is a wonderful achievement. If we can ensure that every child leaves primary school knowing their multiplication tables by heart, it will transform mathematics teaching in this country at secondary school and beyond.

Faith Schools

15. **Sir Edward Leigh** (Gainsborough) (Con): If she will make an assessment of the contribution of faith schools to society. [903910]

The Minister for Schools (Mr Nick Gibb): Church and faith schools have made a significant contribution in helping to shape our education system over many years. They are among our best performing schools in the country and parents of all faiths and of none value them for the quality of their education and their strong ethos. We continue to work closely with faith organisations to ensure that the religious character of their schools is maintained and developed.

Sir Edward Leigh: All that is undeniable: faith schools are extraordinarily popular, so why do the Government insist on the cap of 50% on people of a faith attending a new free school? We all know that the Government's hidden agenda is that they do not want 100% Muslim schools, but the fact is that few Muslim schools are oversubscribed anyway, so all this is doing is preventing the Catholic and Anglican new free schools from coming on stream. Why not abolish the cap and let freedom prevail?

Mr Gibb: The 50% limit on faith admissions to free schools ensures that the new high-quality school places that they provide are available to local children, not just those of a particular faith, and it helps to ensure that those pupils receive an inclusive and broad-based education. We are always happy to hear representations on how best to achieve those goals and I would certainly welcome applications to establish, for example, more Catholic free schools, but I understand why the Catholic Church in particular is reluctant to do so.

Topical Questions

T1. [903920] **Mr Gavin Shaker** (Luton South) (Lab/Co-op): If she will make a statement on her departmental responsibilities.

The Secretary of State for Education (Nicky Morgan): I hope that hon. Members will be glad to hear that today we have published proposals for consultation to start the process of introducing a national funding formula for schools from 2017-18. These plans will ensure that every school and local area, no matter where it is in the country, is funded fairly. It will ensure that pupils with similar needs attract the same level of funding and give headteachers far more certainty over future budgets. Areas with the highest need will attract the most funding, so pupils from disadvantaged backgrounds will continue to receive significant additional support. That is a key part of our core mission to have educational excellence everywhere.

Mr Shaker: Luton Girls' Academy was given £100,000 by the Secretary of State's Department but never opened. I have repeatedly asked the Department for Education to tell me whether that money has been paid back, yet neither written parliamentary questions nor freedom of information requests have garnered an answer. When will she tell me how much money was wasted on this free school project?

Nicky Morgan: The hon. Gentleman received a letter from the Under-Secretary of State, Lord Nash, on 29 January 2015 telling him why the project could not go ahead and that it had fallen short of the rigorous criteria we have set. Total pre-opening revenue costs for Luton Girls' Academy will be published by the end of March. In line with our transparency agenda, our policy is to publish expenditure data clearly, and that means that we publish the full pre-opening revenue cost of cancelled or withdrawn free school projects, once the amount of expenditure has been finalised and taking into account any repayments.

T2. [903921] **Michael Fabricant** (Lichfield) (Con): When I was sitting over there on the Opposition Benches I asked Prime Minister Tony Blair what he was going to do about Staffordshire, which was always in the bottom 20 for funding compared with other local education authorities. He agreed with me and said it was very unfair, and then he did nothing. May I commend the Secretary of State for getting on with this wonderful consultation? What recommendation would she give to my constituents, teachers and parents, to ensure that we get fairer funding for schools in Staffordshire?

Nicky Morgan: I thank my hon. Friend very much, and I am delighted that we are making progress on this important issue. Is it not typical that it takes a majority Conservative Government to do that? I urge my hon. Friend to encourage his constituents and schools in his constituency, such as John Taylor High School, which I recently had the pleasure of visiting, to ensure that they take part in this important consultation.

Lucy Powell (Manchester Central) (Lab/Co-op): As the MP for the home of British cycling, may I take this opportunity to pay tribute to the amazing success of the British cycling team in the track world championships last week? On the day before International Women's Day, the incredible Laura Trott should be singled out for her medal haul. Let us hope she is paid as much as her male colleagues, if not more—something that the Secretary of State does not seem very good at achieving for women in her own Department.

There will be 156 new GCSE and A-level specifications taught from September. With just 17 teaching weeks left of this school year, how many of those are ready?

Nicky Morgan: I thank the hon. Lady. Is it not typical that she identifies an issue—the gender pay gap—which her party did nothing to address when it was in power? It is this party that is publishing the regulations to make sure that public sector and private sector organisations will disclose that. The gap is not widening; it is narrowing. I join her in congratulating the cycling team, including Laura Trott, on their tremendous achievements. Ofqual is working with the exam boards to make sure that all the specifications are ready. I understand that more than 65 are now ready, but there is further information on that to be made public by Ofqual.

Lucy Powell: That is right: just 65 or 66 of the 156 specifications are ready—less than half. Core EBacc subjects, such as sciences and modern foreign languages, are still to be approved. The Government's own workload challenge promised teachers a lead-in time of one year for significant changes to qualifications, but as matters stand teachers will have just weeks or no time at all to prepare for these huge changes. Is not the truth that the Government's fixation with micromanaging every part of the curriculum—including, we hear this week, the use of exclamation marks—is causing the delay, and that they are way behind with these new exams? It is no wonder we have a teacher shortage.

Nicky Morgan: The exam boards have already published the specifications and assessment materials in draft. They are working their way through to make sure that the specifications are ready to be published. We want to give teachers as much notice as possible—*[Interruption.]* Is it not typical that the Opposition need to learn the lesson that the Vote Leave campaign needs to learn as well—that if they talk about the negatives all the time, they will find that those are self-fulfilling? If they want to set out an alternative, they need to do that with some policies. What we on the Government Benches are doing is raising the standards of our qualifications. I met Ofqual last week to talk about specifications. It is making progress. *[Interruption.]* Either the hon. Lady wants to raise standards in our education system or she does not. By the nature of her question, she clearly does not.

T4. [903923] **Mr Alan Mak** (Havant) (Con): Archie Hayward, a 15-year-old student from Warblington school in Havant, is the first British teenager to secure work experience at the CERN science laboratory in Switzerland. Will the Minister join me in congratulating Archie and confirm that the Government will continue to support careers in science and technology?

The Minister for Schools (Mr Nick Gibb): I join my hon. Friend in congratulating Archie Hayward on his significant achievement, which I am sure will provide him with the insight and inspiration to continue studying science and mathematics. We want to see more young people studying those subjects, which can lead to so many rewarding and interesting careers in science and engineering, which the Government are supporting through a more challenging curriculum and qualifications, better teaching and improved career advice in schools.

T3. [903922] **Bill Esterson** (Sefton Central) (Lab): A headteacher in my constituency showed me the sample paper for this year's key stage 2 SATs. The paper included questions about the subjunctive form, past progressive, subordinating, conjunction and many other such gems. I am tempted to ask how many Members here could answer questions on those topics, but the more important question is how many children could do so. Does the Minister understand the concerns put to me by head teachers that they want the very highest standards for the children they are looking after, but, far from helping to raise standards, such an approach runs the risk of setting 10 and 11-year-olds up for failure?

Mr Gibb: It is important to understand the scale of the reforms to the primary curriculum. In four or five years every child could be leaving primary school knowing their multiplication tables by heart and being a fluent reader because of our focus on phonics, eliminating illiteracy in this country, and for the first time in several generations primary schools are explicitly teaching English grammar. The hon. Gentleman should welcome these reforms.

T6. [903925] **Craig Tracey** (North Warwickshire) (Con): Virtual school heads are taking great steps in promoting the educational achievements of all children looked after by their local authority. Will the Minister join me in encouraging the progress of virtual school heads such as mine in North Warwickshire and ensure that they help to facilitate the entitlement to a good education for all children and young people in care?

Edward Timpson: I am more than happy to do so. The reason we put the role of virtual school heads on a statutory footing in the last Parliament is that they make a significant contribution, acting as the pushy parent promoting the educational progress and achievement of children in care by championing their needs and working closely with schools. Since March last year they have had responsibility for managing the pupil premium plus, which provides an extra £1,900 for every child in care to enable them to access the extra support that makes sure they can really fulfil their potential.

T5. [903924] **Paul Blomfield** (Sheffield Central) (Lab): This morning I spoke to the headteacher of one of Sheffield's best-performing secondary schools, which is in my constituency. The Secretary of State talks about the need for certainty in the funding formula, but that headteacher is deeply concerned by the uncertainty created by the lack of detail in this morning's statement. Like all good heads, he plans in advance, and he is now recruiting for 2017, but he is unsure what his funding will be in that year. When can I tell him that he will know whether he is a winner or a loser as a result of the consultation?

Nicky Morgan: It is important that we understand the basic principles behind why we are having a consultation on the funding formula—that the same pupils, with the same characteristics, across the country need to attract the same amounts of money. There will obviously be another consultation on the details, but it is important that we know about the weightings behind the factors and that there is certainty and transparency for all schools going forward. We have said there will be a phased transition, and that we will be very mindful of

those schools where there is potential for there to be less funding, to make sure they are not destabilised. However, it is absolutely right that it is this Government who have grasped this nettle after many years of previous Governments absolutely flunking that test.

T9. [903928] **Michelle Donelan** (Chippenham) (Con): Will my hon. Friend please join me in recognising the vastly improved design and technology GCSE, which comes into play next year and which will help to inspire the next generation of technical and engineering professionals?

Mr Gibb: Yes, we have made some significant reforms to the D and T GCSE and A-level, working closely with the Design and Technology Association and the James Dyson Foundation to ensure we have high-quality D and T qualifications that lead on to higher education, apprenticeships and high-quality employment in the sector. I hope the qualification itself will lead to more young people taking it.

T7. [903926] **Tulip Siddiq** (Hampstead and Kilburn) (Lab): Last week I attended an event organised by Positively UK and the Royal Central School of Speech and Drama in my constituency to celebrate the lives of women living with HIV. Does the Minister agree that not enough is being done to educate children in schools about HIV and the support available to women living with it?

Mr Gibb: The hon. Lady raises a very important issue. It is one of the very few explicitly statutory requirements that young people in secondary school have to be taught about the dangers of HIV. I share her concern. We need to improve the quality of PSHE education throughout our system.

Andrew Rosindell (Romford) (Con): The Minister will be aware of the huge pressure on school places in the London borough of Havering and in all outer London boroughs at the moment, particularly with the new bulge classes being imposed on primary schools, such as Gidea Park primary school in my constituency. What extra funding and support will the Government give to schools that face such pressures at this time?

Nicky Morgan: Havering local authority received £23 million of basic need funding for places between 2011 and 2015, which helped to create nearly 3,000 new places. It has also been allocated a further £47 million to create the places needed by 2018. I should also say that we are pleased that a new free school is scheduled to open in Romford this September. Concordia Academy will provide 630 additional primary places in the area, and I hope my hon. Friend will work with other providers to encourage more free schools to be built in the local area.

T8. [903927] **Ann Coffey** (Stockport) (Lab): The recent, and latest, children's home data-pack shows that there has been little change in the numbers of children placed at some distance from their home areas since 2012, despite the introduction of welcome new regulations. The underlying problem continues to be the unequal distribution of children's homes across the country. What more can be done to support local authorities to work together and use their commissioning powers to ensure more local provision of children's homes?

Edward Timpson: I share the hon. Lady's concern that a large number of children are still being placed out of area in residential care—although of course there are always exceptions to the rule where it is better for them to be so. That is why we have commissioned the independent review from Sir Martin Narey to look at residential care in the round of all care options for children. The review will include how we can have a better spread of residential care in terms of geography and types of care on offer so that children who do see this as their best possible route through the care system have a better prospect than they do currently.

James Berry (Kingston and Surbiton) (Con): I welcome the consultation on a fairer funding formula, especially since it includes high-needs funding, which is underfunded in Kingston. What is my hon. Friend's Department doing to support families navigating the new system in place for special educational needs provision?

Edward Timpson: One of parents' biggest frustrations with the old SEN system was not knowing about, or finding it hard to access, the right support for their children. That is why I recently announced a further £80 million of support for the SEN reforms in 2016-17, including an additional £15 million for the independent supporters who act as catalysts for change in enabling families and young people better to navigate the system. Some 45,000 families have already benefited from that extra support.

T10. [903929] **Ian Lavery** (Wansbeck) (Lab): Free school meals are a lifeline for many vulnerable families in my constituency, yet there are still too few families getting the benefit. Does the Minister agree that local authorities that have the data required to identify these kids should have an automatic, perhaps a statutory, obligation to do so?

Nicky Morgan: I thank the hon. Gentleman. I know that his colleague, the hon. Member for, I think—*[Interruption.]* His colleague, Frank Field, is proposing a private Member's Bill on this issue. I agree that all families who are entitled to free school meals should be able to obtain them. There are issues to do with the collection of data and the sharing of information between different benefits, but I am keen, as I say, to make progress on this very important matter.

Mr Speaker: I think Birkenhead was the place the Secretary of State had in mind.

Mims Davies (Eastleigh) (Con): Given the strong link, in some cases, between early-age cannabis use and future mental health issues, what is the Minister's assessment of efforts by schools to tackle and deter illegal drug use?

The Parliamentary Under-Secretary of State for Education (Mr Sam Gyimah): The Government have taken steps to tackle behaviour and discipline in schools, and teachers' powers to search pupils for prohibited items, including illegal drugs, have been strengthened. They have the power to discipline pupils for misbehaviour and to confiscate, retain or dispose of a pupil's property as a disciplinary penalty where reasonable to do so. A school's behaviour policy should set out its approach to confiscating prohibited items.

Louise Haigh (Sheffield, Heeley) (Lab): Last week, Sir Michael Wilshaw warned of a brain drain due to the recruitment and retention crisis in teaching that the Minister is well aware of. I appreciate the Minister's earlier answer about the use of qualified teachers in classes being up to schools, but does he share my concern that teaching assistants are increasingly being used to teach SEN and low-attaining pupils?

Mr Gibb: I do not accept the comments of Her Majesty's chief inspector of schools. We are doing everything we can to recruit. Despite increasing pupil numbers, and the challenge of a strong economy and the strengthening graduate jobs market, we are ensuring that there are now record numbers of teachers in our classrooms. There are 13,000 more teachers in our classrooms today than in 2010. Recruitment in teaching

is a challenge. I use every platform I have to extol the virtues and rewards of teaching to help raise the status of the teaching profession. What does the hon. Lady do?

Mr Andrew Turner (Isle of Wight) (Con): Will the Minister join me in welcoming the development of high-quality curriculum materials under the banner of Education Destination, which uses the Isle of Wight's natural environment and attractions to teach outside the classroom?

Mr Gibb: Yes, of course. Field trips, and trips to the theatre and to museums and so on, are a very important part of education, and we would encourage more schools to organise as many such trips for young people as possible.

Royal Naval Deployment: Mediterranean

3.34 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): (*Urgent Question*): To ask the Secretary of State for Defence to make a statement on the announcement that the Royal Navy will join NATO forces in the interception and return of migrants and refugees in the Mediterranean.

The Secretary of State for Defence (Michael Fallon): The scale of the migration challenge requires NATO, the European Union and other countries across Europe to work together to address both its symptoms—the constant flow of migrants and the conditions we see them face—and the causes in Syria and beyond. We must also work with local civilian authorities to tackle the gangs that profit from smuggling migrants.

The United Kingdom has already been engaged for several months, with the Home Office ship VOS Grace deployed in the region since November with a detachment of Border Force officers.

On 11 February, NATO Defence Ministers took the decision to deploy NATO ships, better to enable Turkish and Greek coastguards to intercept the migrant boats and disrupt the smugglers' business model. Standing NATO maritime group 2 arrived in the region within 48 hours of that decision and has been conducting initial reconnaissance and surveillance of illegal crossings since then.

The NATO Secretary-General outlined in a statement yesterday evening that discussions between NATO, Turkey and Greece have agreed that NATO vessels can now operate in Greek and Turkish territorial waters.

We have, therefore, decided that the UK contribution is to send Royal Fleet Auxiliary Mounts Bay and a maritime Wildcat helicopter to the Aegean. Their roles will be to support the NATO monitoring and surveillance task. They will work alongside three Border Force boats: the VOS Grace, the cutter Protector, which is on its way to the region, and a further cutter, which is expected to start operations later this month. Together they will support the Turkish and Greek coastguards and the EU Frontex mission.

The Prime Minister is attending today's EU-Turkey summit on migration. Contributing to the EU and NATO missions to counter smuggling is only part of the Government's wider approach to tackling the root causes of irregular migration. The United Kingdom is leading the way in tackling those issues at their source, providing significant amounts of aid to assist in stabilising troubled regions and lessening the need for people to leave. In the meantime, the Royal Navy deployment is an important part of the international effort to assist the Turkish and Greek authorities in reducing this criminal and dangerous people trafficking.

Mr Carmichael: I thank the Secretary of State for that answer and, in particular, for coming to the Chamber to make the statement. He describes a series of tactics, many of which will find broad support in this House, but it seems to me that, taken together, they do not add up to a strategy. Today's press refers to a "war against people traffickers". If we are to win that war, we need to cut off from the people traffickers the supply of those who are desperate enough to pay to use them. Of course,

in the longer term that means getting peace in their countries of origin, but in the short to medium term, surely it means a series of safe and legal routes into Europe, the expansion of the refugee family scheme and the introduction of humanitarian visas.

What will happen to those seeking refuge who are intercepted in the Aegean? Will they be taken back to Turkey? Does that not run contrary to the principle of non-refoulement, which is at the centre of international refugee law?

What will be done to keep under review the widely questioned status of Turkey as a "safe country" to which people can be returned? Is the Defence Secretary aware of the reports from Human Rights Watch describing people being sent from Turkey back to Syria? What impact do the Government think that action will have on the flow of refugees elsewhere? The Secretary of State will, I am sure, be aware that last year 35,000 people came to Europe through Russia. What will be the impact on that land route if the sea route is to be closed down? What will that mean for the deployment of resources elsewhere in the Mediterranean, in particular assisting those travelling from Libya to Italy? The Secretary of State will be aware that the coastguard cutters were deployed on that route last year. Will they be available to help those who get into difficulty on that route, on which there have been many more deaths by drowning than there have been on the route through the Aegean sea?

If this is to be a war against people trafficking, I fear that, as with all wars, there will be innocent victims. The innocent victims, it seems to me, will be those who are desperate enough to undertake the journeys across the Aegean, across the land routes and across other parts of the Mediterranean. Will the Secretary of State assure me and the House that those people will be uppermost in the Government's consideration?

Michael Fallon: There are, of course, already innocent victims of that people trafficking. Several hundred have drowned this winter, and several thousand drowned last year. It is in all our interests to reduce the number of people who attempt the dangerous crossing. The right hon. Gentleman is right that we have to work at cutting off the supply much further back. We have done that through our contribution to the reconstruction of Syria and our aid programmes in Pakistan and Afghanistan, and much further south in east and west Africa. On the creation of safe routes, I am not convinced that establishing some routes as safer than others will do anything to reduce the flow. On the contrary, we need to increase the capacity of, in particular, the Turkish authorities and the Turkish coastguard to intercept the boats before they set off on that very dangerous crossing.

The right hon. Gentleman asked me specifically about interception. The position is that if a boat in distress can be intercepted in Turkish waters by the Turkish authorities—perhaps alerted by the helicopters that are now deploying from the international force—there is a greater chance that the Turkish coastguard will be able to return that boat to the Turkish side. If such a boat is intercepted in international or Greek waters, it is more likely to be taken to one of the Greek reception points. So far as the effect on the alternative route that opened up last summer from Libya to Italy is concerned, HMS Enterprise is

still on station in the Tyrrhenian sea and only yesterday rescued around 100 people. It is important to begin to establish a policy of return, so that there is less incentive for migrants to attempt those extremely dangerous crossings and less incentive for criminal gangs to make money out of their doing so.

John Redwood (Wokingham) (Con): If it is now established European Union and UK policy that illegal migrants should be returned, why are not the instructions to the personnel on our boats simply to take people back to where they have come from if they do not have legal papers or if they are not genuine asylum seekers?

Michael Fallon: My right hon. Friend the Prime Minister is in Brussels today discussing the entire issue of returns with European Union and other countries that are attending that meeting. It is unlikely that RFA Mounts Bay will be involved in rescuing people from boats in distress. Of course, the law of the sea places that obligation on her, but she will be further off the coast. It is more likely that a helicopter will be able to identify boats closer to shore in immediate distress that can be picked up by the Turkish or the Greek authorities and returned under their law.

Toby Perkins (Chesterfield) (Lab): I am sure that the thoughts and gratitude of the whole House are with the men and women aboard RFA Mounts Bay as they join the NATO deployment in the Aegean sea. Once again, the crisis demonstrates how the British armed forces play a crucial role, not only in securing our domestic security but in contributing to peace and stability across the world.

People trafficking is the world's second largest form of organised crime, generating billions from the misery and suffering of some of the planet's most desperate people. There is a real urgency not only to deterring and bringing to justice the people responsible, but also to deterring the victims from undertaking the perilous journey. Although we welcome the role that RFA Mounts Bay will play, it is a small contribution to a gigantic crisis. That may be a reminder of the fact that the Royal Navy's surface fleet has been reduced by a sixth since 2010.

Does the Secretary of State feel that our naval resources are too stretched to play a larger role in this operation? Does he believe that, rather than protecting UK seas, the three Border Force vessels are in the Aegean because of the reduction in naval capacity caused by the 2010 strategic defence and security review? To that end, what more can he tell us about when the national shipbuilding strategy will report, and how quickly does he think the new class of lighter frigates to replace the Type 23s will be available to the Navy?

The fact that NATO has joined what was previously an EU role further demonstrates the extent to which our role in the EU enhances our global security. Does the Secretary of State agree with the Prime Minister that leaving the EU may bring refugee camps to the streets of Britain, and what more can he tell us about the ways in which he believes the EU helps us to keep Britons safe?

Once again, we salute British servicemen and women who are making the world safer and fairer. The Government must make sure that we have a strategy in place to ensure that—in the air, at sea and on the land—Britain can always answer the call.

Michael Fallon: I am grateful to the hon. Gentleman for his comments. Let me reciprocate by sending our good wishes to Captain Taylor and the crew of Mounts Bay, the 200 Royal Marines embarked on her and the helicopter squadron accompanying her.

So far as sufficiency is concerned, there are five NATO ships on station at the moment—a German ship, which is the flagship of the group, a Greek ship, a Canadian ship, an Italian ship and a Turkish ship—and ours makes that six ships spread out across the Aegean. Of course, there are 22 other members of NATO, and I hope that they will consider what contribution they can make. Mounts Bay is a substantial ship and, with a helicopter platform, it can contribute significantly to the surveillance, particularly of the middle part of the Aegean. We envisage that Mounts Bay will operate mainly in waters just west of Chios.

In so far as the shipbuilding strategy is relevant, we are developing the strategy in the light of the SDSR, as the hon. Gentleman knows, and we hope to complete it later this year. On his attempt to bring NATO and European Union membership into this, let me make this clear to him: the mission in the sea between Libya and Italy is a European Union mission, because in dealing with the new Libyan Government, it may need the legal authorities that the European Union can add; the group deployed in the Aegean is a NATO mission, because it of course involves a ship of the Turkish navy and is largely dealing with migrants from Turkey, which is a member of NATO. That perfectly illustrates that we need to be members of both NATO and the European Union, and that being members of both gives us the best of both worlds.

Mr Bernard Jenkin (Harwich and North Essex) (Con): I thank my right hon. Friend for his statement and, indeed, the Royal Navy for its commitment to this mission, which demonstrates that we have an important role to play in European defence and security. By making it clear that this is a NATO mission, he underlines the point that NATO provides the security of our continent, not the European Union, as the Government seek to pretend.

Michael Fallon: This is a NATO mission—it was proposed by Germany, which is leading this particular standing maritime group—but the equally important mission in the Tyrrhenian sea, between Sicily and Libya, is a European Union mission. There are other examples of European Union missions—in Bosnia, and off the horn of Africa—that have been equally effective in saving lives.

Brendan O'Hara (Argyll and Bute) (SNP): We welcome the decision by the UK Government to join NATO in trying to tackle the truly awful levels of human trafficking in the Mediterranean. However, we believe that this has to be a two-pronged approach—one that involves stopping the trafficking, but also involves rescuing and resettling the refugees. May I put on the record my thanks to the people of Bute in my constituency, who have shown such support and compassion to the refugees who have arrived in their community, and may I pay tribute to the Scottish Government, who have given our refugees the best possible chance to integrate as fully as possible? As the crisis worsens, the need for the UK Government to commit to take 3,000 unaccompanied vulnerable and

[Brendan O'Hara]

displaced children becomes an ever more urgent priority. Further to that and looking at the bigger picture, when will the Secretary of State update the House, as he promised he would do, on the Government's military strategy in Syria?

Michael Fallon: On the first point, I welcome the contribution Scotland is making. I am sure that the hon. Gentleman will want to know that some of the Royal Marines on board Mounts Bay are from Arbroath on the east coast of Scotland. I am glad that he welcomes the mission.

On refugees, the hon. Gentleman will know that we have committed to take refugees from the camps in Syria and to take unaccompanied children that the United Nations High Commissioner for Refugees identifies further west in Europe. We have played a leading part in that, as we did in the reconstruction conference on the future of Syria.

So far as military operations in Syria are concerned, we regularly update the information on the Ministry of Defence website. I am very happy to answer any additional questions the hon. Gentleman has.¹

Heidi Allen (South Cambridgeshire) (Con): I welcome the Secretary of State's statement and the role of the Navy. Many hands do, indeed, make light work. Forgive me for being over-simplistic, but I would like to understand whether our latest offering is purely about moving bodies back to coastlines, or whether it integrates somehow with the resettlement of refugees and the chaos that our European neighbours find themselves in.

Michael Fallon: The primary purpose of the mission is to provide monitoring, surveillance and reconnaissance of the migration route across the Aegean, which will better enable the Turkish and Greek coastguards to intercept the boats and disrupt the business model of the criminal traffickers. When they can intercept the boats in either Turkish or Greek waters, they are better able to rescue those on board before they get too far out to sea in the more dangerous areas.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): Obviously, preventing people from risking their lives by making such a dangerous journey is the right thing for the EU and NATO to try to do. However, 13,000 people who have already arrived in Greece are at the Macedonian border in terrible wet, damp and cold conditions, including children with bronchitis. The Secretary of State has said that the British Government will not take any of them. Where does he think those 13,000 people should go?

Michael Fallon: The British Government are taking refugees from Syria, as we have made clear, and some of them have arrived here in the United Kingdom. My right hon. Friend the Prime Minister is urging his European counterparts to get to grips with the problem of those who have arrived inside the Schengen area and to take steps to ensure that they are not shuttled from one fence to the next. Europe has to adopt a more sensible policy.²

Bob Stewart (Beckenham) (Con): May I ask my right hon. Friend about the rules for interception? For instance, what would happen if the people on these makeshift craft refused to get on board a royal naval vessel or, indeed, if the people traffickers opened fire on our sailors or marines?

Michael Fallon: It was certainly our experience last year that migrants in boats that were sinking or in distress very much welcomed the presence of the Royal Navy and were very eager to get on board the ships that we had deployed, because they knew that they would be safe. The traffickers appear to take very great care not to be on the vessels and have them launched by those who are being smuggled. Where they can be identified—this is where the monitoring and surveillance can assist—they can be charged and prosecuted, as they are being in parts of Turkey.

Keith Vaz (Leicester East) (Lab): I welcome this deployment. As the Secretary of State knows, 1 million migrants entered the EU last year, 885,000 of them through Greece. Last week, Europol told us that 90% of those who have entered have come as a result of assistance from criminal gangs. We are in this place because of the failure of the EU, and in particular Frontex, to deal properly with those gangs, and there has been no alternative to the business model that the traffickers are adopting. Does he agree that Turkey is the critical country, and the issue is to stop the boats leaving in the first place? Key to that is giving Turkey the resources that the EU promised—€3 billion—to get it to assist with this difficult problem.

Michael Fallon: I agree with almost all that. It is important that the European Union follows through on its commitment of financial help for Turkey, and we must build up the capacity of the Turkish coastguard. I hope that this deployment will build up a picture of the information and intelligence that the Turkish coastguard needs, so that it can start to intercept vessels before they leave Turkish waters. Those vessels can then be returned to Turkey, and that will be the clearest possible signal to people who are paying large sums of money that the journey will be futile, and they will be discouraged from making it.

Mr Christopher Chope (Christchurch) (Con): Is my right hon. Friend satisfied that Turkey is doing enough at the moment to help? Tens of thousands of plastic dinghies are being imported by Turkey from China to allow this trade to continue, and similarly, phoney lifejackets are being sold in Izmir. Why are the Turkish Government not doing something about that?

Michael Fallon: Of course the Turkish Government can do more, but so can other Governments, such as the Greek Government. There is a lack of capacity in both Greece and Turkey to deal with what is now migration on a substantial scale. We all need to help, and the European Union must get a grip of its migration policy. Turkey will need help, but it must also be more robust in dealing with migration routes. This Government have decided that we too, with the largest Navy in Europe, ought to help where we can.

1. [Official Report, 9 March 2016, Vol. 607, c. 4MC.]

2. [Official Report, 9 March 2016, Vol. 607, c. 4MC.]

Mr Kevan Jones (North Durham) (Lab): I welcome this deployment and wish RFA Mounds Bay and her crew all the best. What is the legal status of immigrants if they are picked up by Mounds Bay, and particularly if they claim asylum? We faced that issue when we were in office and there were operations off the coast of Somalia.

Michael Fallon: The legal position is that people cannot claim asylum on board Mounds Bay if it is not in UK territorial waters, so that is not as easy as the hon. Gentleman might think. We are working with other Governments to develop a policy that will ensure that those who are picked up in international waters can be returned to Turkey. At present, those who are picked up in Turkish waters by the Turkish coastguard can be taken back to Turkey, but as I have said, if they are picked up in Greek or international waters—the boundary there is complex and indeed disputed around the islands of the eastern Aegean—at the moment they will be taken to a place of safety in Greece.

Mrs Anne Main (St Albans) (Con): Given that this is an extremely lucrative trade for people smugglers and that, as the Minister says, Turkey does not have the capacity to do this on its own, how can we be sure that this is not a revolving door involving migrants who are being taken back to Turkey, allowed to stay there a while, and then get back on boats again to try their luck several times?

Michael Fallon: The best assurance that I can give my hon. Friend is that we are determined to try to help Turkey to break that business model, by ensuring that those who smuggle and send women or unaccompanied children on insecure boats for what may be a short but still a very dangerous sea crossing, can be identified, charged and prosecuted through the Turkish courts, so that we eventually discourage the flow from the beginning.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): From Mare Nostrum in 2014, which we failed to finance properly, to the Frontex operations, there is a singular lack of strategy and sense of urgency. The deployment of Mounds Bay was actually announced two months ago, and I am not really clear on what it is doing that had not already been previously announced. On a very specific point, may I invite the Secretary of State to put in writing his understanding of the legal position of anybody picked up by Mounds Bay? Frankly, my understanding is closer to that of my hon. Friend the Member for North Durham (Mr Jones) than it is to the position the Secretary of State has just enunciated.

Michael Fallon: The deployment of Mounds Bay was announced late last night following the agreement reached between NATO, Greece and Turkey by the Secretary-General, so the right hon. Lady is not right on that. It is not the aim of Mounds Bay to pick up large numbers of migrants—she will be further offshore than that. As I say, the objective is for her to be able to deploy her helicopter, help the rest of the NATO standing group, the Turkish and Greek coastguards and the Frontex operation to build up a proper picture of where migrants are setting off from and to help them to be intercepted before they get into international waters. I am very happy to write to her about the legal point she raises.

Robert Jenrick (Newark) (Con): When I visited the points of embarkation and arrival, I spoke to migrants and refugees. I found them to be extremely well informed and responsive to clear signals when Governments actually give them. The migrants I spoke to were under the very strong impression that they were extremely unlikely to be turned around in the Mediterranean and returned to Turkey. On the experience of the migrants I spoke to, my right hon. Friend would surely agree it is essential that Europe is brave, intercepts as many crafts as possible and returns them to Turkey. News of that would be heard by migrants, refugees and the people smugglers, and they would take note of it. It is the only sure way to deter the trade.

Michael Fallon: I agree with my hon. Friend. Signals are picked up very quickly and very clearly by large numbers of young men further down the chain in Pakistan, Afghanistan, Iraq and, as we have seen on the Libyan coastline, further south in Africa itself. What has not happened so far is any policy of returns—nobody has actually been sent back. We need to start with those who are intercepted in Turkish waters and send them back to Turkey, so that we start to stem the flow.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): On Friday, I had the pleasure of meeting members of the Oasis Cardiff centre in my constituency and the Cardiff and Vale Sanctuary Support group. They do amazing work in supporting people who have made hazardous journeys in horrendous circumstances. I also met the UN humanitarian co-ordinator, the former Member for Eddisbury, who raised concerns about the widening instability in the Lake Chad region and across the Sahel, which is another driving factor in forcing people to make such hazardous journeys. Is the Secretary of State satisfied that enough global and regional attention is being applied to that instability and those conflicts, as well as to those in Syria and Iraq?

Michael Fallon: The hon. Gentleman is right. When I visited HMS Bulwark last summer just a few weeks after she had begun operations in the Mediterranean, she had already picked up some 20 to 25 different nationalities from east Africa and west Africa. That is why it is important to help to tackle this problem much further back at source, and to do what we can to stabilise the regions, grow their economies and give young men there every incentive to stay and build a life there rather than to set out on these very hazardous journeys. We are contributing substantially to development in Africa, both in the east and the west, and we have latterly announced new peacekeeping missions to South Sudan and to Somalia.

Antoinette Sandbach (Eddisbury) (Con): I welcome this deployment. Does capability exist on the Royal Navy ship to gather evidence—in particular, on the seaworthiness of the boats—and statements from people who are picked up, so they can be used in future prosecutions to tackle the criminal gangs who traffic them?

Michael Fallon: Yes, Mounds Bay and our other units deployed there are well able to gather the information to which my hon. Friend refers. The key is that it be brought together and to the attention of the Turkish authorities

[Michael Fallon]

so that they can start to bear down more heavily on these operations, nail the masterminds behind these criminal gangs, get them charged and prosecuted and start to reduce the flow.

Mrs Madeleine Moon (Bridgend) (Lab): I appreciate that Mounts Bay will be on an observation and deterrence mission, but the chances are it will be involved in picking up migrants. What personnel will be there from the Home Office and what training will be given to staff in working with vulnerable, isolated children and vulnerable adults who might well be picked up but whom we do not want returned into the hands of people traffickers?

Michael Fallon: Those deployed on the Border Force cutters have that kind of training, but Mounts Bay is a much larger ship—16,000 tonnes—and will be operating in deeper waters to the west of Chios, so it is less likely, although not impossible, that it will be picking up large numbers of migrants; it is its helicopter that we hope will be identifying boats in distress, much closer to the shore, and working closely with the two respective coastguards.

Mr Steve Baker (Wycombe) (Con): EU Navfor concentrates on Somalian piracy but claims in its mandate to provide support to other EU missions. Will the Secretary of State explain why it has not been able to meet this tasking without NATO support and when he expects EU Navfor to expand to the point where it is capable of deploying British naval power without NATO?

Michael Fallon: Maritime standing group 2 operates in the eastern Mediterranean, and so is the logical group to deploy to the Aegean, and happens also to comprise a Greek and a Turkish ship, which is equally important when operating in Aegean waters, as well as a Canadian, a German and an Italian vessel. In this instance, therefore, the NATO group was ideally placed. As my hon. Friend says, however, EU Navfor, commanded from Northwood, is bearing down on piracy in the horn of Africa. It has been a very successful mission, and it is an EU mission because if we are to enable the pirates to be prosecuted in third countries, we need the legal instruments available to the EU that would not, for example, be available to NATO. That is another illustration of how it is useful to be members of both the EU and the alliance.

Andrew Gwynne (Denton and Reddish) (Lab): I welcome the Defence Secretary's announcement. Does he foresee the need for an additional deployment of Royal Navy ships in the Mediterranean to assist those already there, including the two Border Force cutters? In respect of those two cutters, what assessment has been made of the impact on policing our own waters, which is obviously of equal importance to people living in the UK?

Michael Fallon: We will certainly keep our deployment under review. As I said, we have Mounts Bay now and the three Border Force cutters in the Aegean, as well as HMS Enterprise in the Tyrrhenian sea helping to police the route between Libya and Sicily. We can do that and still fulfil our other standing commitments, to which the

hon. Gentleman might be referring, in both the Gulf and home waters. The Border Force cutters have the assistance of military personnel on board, supplementing the Border Force, and Royal Marines to add force protection.

Andrew Bridgen (North West Leicestershire) (Con): Chancellor Merkel's unilateral and ill-advised announcement that Germany's borders were open and that everyone was welcome hugely compounded the migration problem by creating a huge pull factor. What assurances has my right hon. Friend had from the German Chancellor that she will not repeat that mistake, and what EU laws allowed her to make a decision in the first place that ultimately caused a lot of misery and cost an awful lot of lives?

Michael Fallon: The German Chancellor is in Brussels today, engaging with my right hon. Friend the Prime Minister in a search for better control of migration policy. So far as the legal basis for what is happening inside Europe at the moment is concerned, it is of course the Schengen area, of which we are not part. We still retain control of our own borders, but that does not absolve us of the humanitarian responsibility to help where we can, and it does not absolve us as one of the larger countries in Europe from continuing to call on European countries to get some grip on the migration crisis.

Tom Brake (Carshalton and Wallington) (LD): With more refugees being sent back to Turkey, I must ask the Secretary of State again the questions posed by my right hon. Friend the Member for Orkney and Shetland (Mr Carmichael): what protection is in place for the refugees going back to Turkey to ensure that they will not be sent back to Syria; and is the Secretary of State confident that Turkey is a country to which refugees can be safely returned?

Michael Fallon: We certainly abide by our international obligations under the refugee convention, which means that we could not return any individual to a country where they might be in danger of persecution or inhuman treatment. That is why, as I said, those picked up in international waters or in Greek waters will not be returned to Turkey in the first instance. There are discussions going on with the Turkish Government to be sure that anyone who is returned to Turkey from outside Turkish waters can be dealt with safely.

Mr Robin Walker (Worcester) (Con): In associating myself with the tributes paid to the Royal Navy, the Royal Marines and Border Force personnel, does the Secretary of State agree that it is not just they who we should thank, but their loved ones and families whom they leave at home and who want the separation to be as short as possible? What further support can we provide on the intelligence and policing front to go after the linchpins of these criminal gangs that prey on human weakness and people's desperation?

Michael Fallon: My hon. Friend is right to draw the House's attention to the hidden heroes—the families who stand behind our servicemen and women and who cannot know, of course, because it is the nature of service life, when unexpected deployments are likely to

arise. Quite often, they will not know just how long they are expected to last. On my hon. Friend's point about intelligence, there is increasing co-operation on counter-terrorism and intelligence-sharing with the authorities in Turkey. Turkey itself has been subject to terrorist attacks from Daesh, and has every interest in co-operating with us.

Christopher Pincher (Tamworth) (Con): My right hon. Friend has fielded many questions on the terrible situation off the coast of Turkey in the Aegean, but it has also been pointed out that there is a migration challenge from north Africa across the Mediterranean. Will he say what steps the Italian naval forces and coastguard are taking to enhance their ability to intercept refugee boats?

Michael Fallon: My hon. Friend is right to draw our attention to the other route, which opened up significantly last summer and is beginning to open up again as the seas moderate. It is a longer route and a much more dangerous one. In answer to his specific point, the Italians are bearing the brunt of the naval effort south of Sicily. They have the most ships there and they are committed to continuing to develop the reception centres and the processing of the migrants that are rescued and taken to Sicily.

Jason McCartney (Colne Valley) (Con): Does my right hon. Friend agree that this Royal Navy deployment shows the importance of the Type 26 global combat ship programme, not least because these frigates will have the flexibility to embark a Chinook, for example, and play a really important role in future humanitarian efforts—not least, of course, because David Brown Gear Systems in Lockwood in my constituency, which my right hon. Friend has visited, is in the supply chain?

Michael Fallon: I recall my visit to David Brown and seeing the gearing systems already being designed and produced. My hon. Friend is right about the usefulness of the forthcoming Type 26 frigates. What is important above all in this particular operation, of course, is the ability of the ship to carry a helicopter, and that is what Mounts Bay will bring. However, I note my hon. Friend's point about the future development of the Type 26 design.

Wendy Morton (Aldridge-Brownhills) (Con): I recently spent a day at sea with HMS Portland as part of the armed forces parliamentary scheme to learn more about the crucial work of the Royal Navy and the excellent work of our armed forces. Will my right hon. Friend outline the work and the role of the Royal Navy to date in helping to tackle the migration crisis?

Michael Fallon: The Royal Navy has been engaged in the Libyan route. Last summer, HMS Bulwark was first on the scene, and it has rescued several thousand migrants, whom it has helped to be resettled in Italy. HMS Enterprise is on station there now, continuing that task, and she rescued about 100 migrants yesterday. As I said earlier, Mounts Bay is on station west of Chios in the Aegean. I imagine that it will not be too long before her helicopter is involved in physically saving lives, as the Royal Navy has already done and has done down the centuries.

Alex Chalk (Cheltenham) (Con): The Royal Navy deployment that was announced today will turn up the heat on the traffickers and help to keep migrants and asylum seekers safe. Does not our ability to take these steps, alongside our other commitments, underscore why it is right to increase defence spending for each year of this Parliament?

Michael Fallon: Yes, it does. The Royal Navy itself is the biggest beneficiary of the increase in defence spending that my right hon. Friend the Chancellor announced in his July Budget, and of which we gave more details in the strategic defence review. Defence expenditure will start to rise again in three weeks, for the first time for six years, and will continue to rise in every year of the current Parliament. That is because we are putting the public finances that we inherited in order, and because we are running a strong economy.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Thousands of stranded refugees are currently in Idomeni, a small village on the Greek border with Macedonia, awaiting the decision at the EU summit that could determine their fate. It has just been reported that a young boy has been killed after being accidentally electrocuted at the camp. Does the Secretary of State accept that the human cost of this crisis is too high, and that it is clear that much more needs to be done to tackle the problem than simply deploying ships to the Aegean?

Michael Fallon: Lives have been lost already. Thousands drowned in the Mediterranean last year, and several hundred drowned this winter. However, I hope that the hon. Lady would not decry the contribution that we are making. The Royal Navy saved lives last year, and it will be saving lives this year through the operation that was announced today.

Mr Speaker: Let us hear from a cerebral inquisitor. Yes—Mr Jacob Rees-Mogg.

Mr Jacob Rees-Mogg (North East Somerset) (Con): I thank my right hon. Friend for his characteristic courtesy in coming to the House in person to answer the urgent question. Is this not a very interesting case study of the difference between the European Union and NATO? NATO manages to get on and save lives in a problematic situation for which the EU must take at least a large share of the blame, and which has been exacerbated by the consequences of Chancellor Merkel's decision. While NATO is there, actively doing things, the best—the most mealy-mouthed meeting of murmuring Ministers—that can be provided by the European Union does nothing.

Michael Fallon: My hon. Friend's views on this matter are fairly well known, and I have to tell him that, sadly, I do not entirely share them. To me it does not really matter, in the end, under whose auspices this mission is organised. The European Union mission is in the sea between Libya and Italy; this happens to be a NATO mission. What is most important, I think, is that the mission takes place and we become involved in saving lives, whatever the auspices under which the mission happens to be organised.

Mr David Nuttall (Bury North) (Con): Does my right hon. Friend agree that the fact that NATO has had to be called upon to protect the Greek border is further evidence that the European Union is incapable of securing its own borders? Does he also agree that people would be well advised to bear that in mind when they vote in the referendum on 23 June?

Michael Fallon: My hon. Friend and I might not agree on everything that people should have to bear in mind when it comes to the referendum. Both Greece and Turkey are members of NATO, and that is why I think that this mission has a greater chance of success under NATO's auspices. I hope that other countries will join the mission and, despite what my hon. Friend the Member for North West Leicestershire (Andrew Bridgen) said earlier, I hope that there will be a successful outcome to the discussions in Brussels today and that the European Union will rise to the challenge of coping with what is a quite extraordinary migration crisis.

Kevin Foster (Torbay) (Con): Over the past few months, I have met marines and servicemen and women on the ships that have been involved in these rescues, and some of their tales have been absolutely heartbreaking. It is welcome that they are bringing their professionalism to this deployment. Does the Secretary of State agree that if we are to smash the business model that these criminal gangs profit from, it is vital to break the link between being smuggled to Europe in dangerous unseaworthy boats and being resettled?

Michael Fallon: I absolutely agree with that. There are clearly people smugglers in Turkey who are making huge amounts of money from this operation and have no care at all about whether those whom they push off in those unstable boats will make it safely to the Greek islands. The sooner we can start to disrupt that evil trade, the better.

Point of Order

4.21 pm

Ian Austin (Dudley North) (Lab): On a point of order, Mr Speaker. Last week, NHS England announced its Healthy New Towns programme. I was interested in that because seven of the 10 towns involved are in the south, none is in the midlands and, despite the links between poverty and ill health, eight are in Conservative constituencies. I wanted to find out whether organisations in the west midlands had submitted bids, and if not, why not. I asked NHS England for that information, but it refused to give me a list of those who had submitted bids to the programme. It also refused to tell me the basis on which the bids had been allocated, saying that this contained commercially sensitive information, even though all I wanted to know was the geographical areas from which bids had been received, rather than the names of the bidders themselves. I tabled four named-day parliamentary questions to the Department of Health and got the same ridiculous, contemptuous reply to each of them:

"The Department does not hold information on the applications to the Healthy New Towns programme."

Frankly, that is unbelievable; I do not think that any sensible person could believe that answer for a minute.

First, Mr Speaker, is it in order for the Department to provide such incredible answers? Secondly, why are the Department of Health and its Ministers now routinely refusing to answer questions about lots of different NHS issues, claiming that they are the responsibility of NHS England and nothing to do with the Department itself? Is it in order for Ministers to provide such utterly contemptuous responses to Members' questions, and for Government Departments and public bodies to refuse to provide this basic information?

Mr Speaker: Order. I am grateful to the hon. Gentleman for his point of order. As he knows, the Chair is not responsible for the content of ministerial answers, although there is a general understanding in this place that Ministers' answers should be both timely and substantive. If he is dissatisfied with the paucity or the emptiness of the replies that he receives, or if he judges, simply as a matter of fact, that he has received no answer at all, the best recourse available to him is to approach the Procedure Committee, of which, as Chairman, the hon. Member for Broxbourne (Mr Walker) is a distinguished ornament, and who, happily, whether by serendipity or contrivance, is present in the Chamber to hear that point of order. I trust that any exchange between them, whether in conversation or correspondence, will be fruitful.

The only other observation that I would make to the hon. Member for Dudley North (Ian Austin) is that he and I were at university together more than 30 years ago and he was a very persistent woodpecker then. Nothing that has happened in the intervening three decades has caused me to revise my opinion on that, so if people feel that they can just go on ignoring him, they are probably in for something of a rude shock, because he does not give up—he tends to go on and on and, if necessary, on. I hope that the hon. Gentleman's palate has been satisfied, at least for today.

Policing and Crime Bill

Second Reading

4.25 pm

The Secretary of State for the Home Department (Mrs Theresa May): I beg to move, That the Bill be now read a Second time.

As hon. Members of this House are aware, since 2010 the Government have implemented the most radical programme of police reform in decades. That programme is bringing about real and substantial change, and has made policing more accountable, more efficient and more effective. At the same time, we have ensured that policing plays its part in helping to get this country's finances back on track. We reduced police budgets, saving £1.5 billion in cash terms from 2010-11 to 2015-16, and crime has fallen. Today, crime is down by more than a quarter since 2010, according to the independent crime survey for England and Wales.

However, the task of police reform is not yet finished. Last autumn, through the spending review, we protected police spending in real terms over the course of this Parliament, once the local precept is taken into account. But no one should be under the illusion that this settlement allows police forces to ease off on the throttle of reform. Over the course of this Parliament we must continue to apply the lessons of the past five and a half years and ensure that policing can respond not just to the challenges of today, but to the challenges of tomorrow, too.

Crime has fallen, but it is still too high. The public rightly expect the highest standards of integrity and professionalism from the police. The challenges ahead are complex and difficult: the growing threat from terrorism; the changing menace of serious and organised crime, fraud and cybercrime; and the increasing role technology plays in crime. We are also seeing increasing numbers of people having the confidence to come forward to report child sexual abuse and other crimes such as domestic abuse and sexual violence.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The Home Secretary was talking a moment ago about cybercrime and the changing nature of crime. She makes claims about crime numbers falling, but does she not accept that in fact crime is changing? I have here answers from the Home Office stating that it is dealing with 1,000 cases a week of terrorism-related material, 70% of which is from Daesh. There are huge changes in the types of extremist activities online. Does she accept that crime is changing and might not be falling?

Mrs May: I say to the hon. Gentleman that the figures from the independent crime survey show that crime has fallen by more than a quarter since 2010. Crime is indeed changing. That is precisely why we have set up the National Cyber Crime Unit inside the new National Crime Agency, which was formed over the past five and a half years. He cites a figure of 1,000 pieces of internet material, but that is a slightly different issue; it refers to the number of pieces of material on the internet that are now being taken down on average every week by the counter-terrorism internet referral unit. Members of the public and others are able to refer pieces of material to the police, and we have a very good relationship there, with the police working with the companies to take that material down. He rightly says that the quantity

of the material that is being taken down, a lot of which will relate to Daesh, is significant. That is one of the reasons why we have not only worked to have the CTIRU here in the UK, but have worked with our European partners to ensure that at Europol a comparable European body has been set up, and it is also working to take down terrorist and extremist material from the internet.

Huw Irranca-Davies (Ogmore) (Lab): The Secretary of State mentioned the exploitation of teenagers, and I am sure she is aware of the Children's Society's "Seriously Awkward" campaign. Several constituents have written to me about this asking whether I could raise the issue of whether there is scope within this Bill to address teenage sexual exploitation, particularly that of 16 and 17-year-olds, and the use of drugs and alcohol. They specifically ask for more powers for the police to intervene to stop the sexual exploitation of vulnerable 16 and 17-year-olds through drugs, through drink, and through coercion and grooming, and for a new offence to be brought forward to deal with those who use drugs and alcohol. Does she think that is a possibility?

Mrs May: The hon. Gentleman mentions the serious matter of the exploitation of those who are perhaps above the age of consent, which therefore raises different issues for the police and for the policing of those crimes. However, the police do have the powers to deal with that today, but I am sure that the issue will be raised during the course of debate on this Bill. It is right to point out that, when we talk about sexual exploitation, it is not just younger children who are potentially subject to it, but teenagers of the age to which he refers.

If policing is successfully to meet the challenges that it faces over the next five years, we must continue to reform it to drive efficiency, new capability, and higher levels of professionalism and integrity. This Bill is directed towards those ends.

Let me turn now to the provisions in the Bill. Many in this House will know of excellent examples of collaboration between the emergency services in different parts of the country. Although each of the emergency services has its own primary set of responsibilities, there is clearly scope to unlock the benefits that can be derived from closer working, including reducing costs. For example, in Cheshire, the police and the fire and rescue service are integrating most of their back-office functions and establishing a single, shared headquarters by April 2018, delivering estimated savings of nearly £1.5 million a year and improving the quality of service to the public.

Andrew Gwynne (Denton and Reddish) (Lab): Will the Home Secretary also urge some joined-up thinking on her ministerial colleagues, because there are some huge opportunities as a result of the devolution agenda? In places such as Greater Manchester, for example, where the boundaries of the police and crime commissioner, the mayor and the fire authority are coterminous, there is an opportunity to join up the services as a single unit. In other devolved areas, there is not that coterminosity, which then deprives them of the same type of shared services.

Mrs May: First, the hon. Gentleman is right about Greater Manchester. Obviously, it has taken a number of steps in that direction. The fire and rescue service has signed an agreement to work with North West Ambulance Service so that it can respond to cardiac arrest cases in

[Mrs May]

the region. The critical risk intervention team in Greater Manchester brings police, fire and rescue and ambulance services together, showing in a very real sense how, on the ground, this collaboration can be very effective and bring a better service for people.

The hon. Gentleman is right that the coterminosity issue is a factor in some of these devolution deals. I am very clear that police and crime commissioners should be involved in discussions about devolution deals as they go ahead, but what we are doing in the Bill is enabling police and crime commissioners to have that collaboration with fire and rescue services—but bottom up, so that local areas will determine what suits them in their local area. The benefits that we have seen in areas such as Great Manchester can be brought to other parts of the country. There are other examples. Hampshire, Northamptonshire and many other places are also looking to put that collaboration into practice under the leadership of police and crime commissioners.

Steve Brine (Winchester) (Con): I am grateful to the Home Secretary for mentioning Hampshire before I did. I know that she is looking for reform to continue and for collaboration between the emergency services. I am sure that she is aware of the H3 project in Hampshire between the county council, the constabulary and the fire and rescue service, which is a genuine trailblazer in this area. The partners in that collaboration are already delivering savings of 20%, so is Hampshire not the apple of her eye as she embarks on this Bill?

James Cleverly (Braintree) (Con): Go on, make his day.

Mrs May: I am tempted to do that. I should perhaps respond that my hon. Friend the Member for Winchester (Steve Brine) is the apple of my eye when he stands up and makes such a point about Hampshire. [Interruption.] Well, I have to say to my hon. Friend the Member for Braintree (James Cleverly) that he has not yet put into practice what he said he wished to do.

Hampshire is a very good example of the collaboration that can work. The Minister for Policing, Crime and Criminal Justice has visited Hampshire. He has seen Winchester fire and rescue service and the police station. These are all innovative ideas that provide a better service to people. I commend Hampshire and other parts of the country where they are putting this collaboration into practice.

David Warburton (Somerton and Frome) (Con): Does my right hon. Friend agree that collaboration and co-operation are very important when an incident occurs? During and after the Somerset floods, many of my constituents wrote to me and spoke to me about the importance of the emergency services working in tandem. That is the best way to ensure that the most vulnerable in each community get the help they need.

Mrs May: My hon. Friend makes a very important point. When an incident takes place, the three emergency services will often be called and will have to work together. That is why the Government did a great deal of work under JESIP, the joint emergency services interoperability programme, to look at improving how the three services work together—the protocols, the

language that is used and the command structures that can be put in place—so that, as my hon. Friend says, they also work together on their emergency response.

The national picture remains patchy. Collaboration should be the rule, not the exception. That is why, as I have said, part 1 of the Bill places an overarching duty on the three emergency services to collaborate. It will help to drive close working across the country when that would improve efficiency or effectiveness. In the case of police forces and fire and rescue services in particular, I believe that there is a compelling case for taking such collaboration agreements a step further. To facilitate enhanced collaboration and strengthen democratic oversight, part 1 provides a framework for police and crime commissioners to take responsibility for delivering foreign rescue services by local agreement.

Jake Berry (Rossendale and Darwen) (Con): I am sure that my right hon. Friend would accept that one of the most challenging parts of our country in which to deliver police services is, of course, Northern Ireland. I am sure that she is aware of the fantastic steps that have been taken in Northern Ireland to share training for the police and the fire authority and the huge savings that that has delivered. Could we not learn something in this House from Northern Ireland's contribution to training?

Mrs May: My hon. Friend makes an important point. Of course, we must recognise that there are particular policing challenges for the Police Service of Northern Ireland, but it is right that the police and the fire and rescue service train together there, and that is a very good example.

To return to the intervention made by my hon. Friend the Member for Somerton and Frome (David Warburton) about the emergency services coming together to deal with the flooding in Somerset, training together can help that emergency collaboration when an incident takes place. Over the past three and a half years PCCs have proved the value of having a single democratically elected figure by providing visible leadership, proper local accountability and real local scrutiny of how chief constables and their forces perform while driving reform and innovation and finding efficiencies to ensure value for money for the taxpayer. In nine weeks' time, voters up and down the country will be able to hold PCCs to account for their performance and judge new candidates on their proposals in the most powerful way possible, through the ballot box. I believe that it is now time to extend the benefits of the PCC model of governance to the fire service when it would be in the interests of economy, efficiency and effectiveness, or public safety to do so.

Keith Vaz (Leicester East) (Lab): There is no doubt that as Home Secretary, the right hon. Lady has altered for ever the landscape of policing in our country. PCCs are an example of that. Does she share my concern about the number of candidates applying for jobs as chief constables? In the case of half of the chief constable posts advertised in the country in the past couple of years, only one candidate has come forward for each job. In the West Midlands, Cambridgeshire and the Home Secretary's own area of Thames Valley, the deputy has got the top job. They are all excellent candidates, but is it not a worry that so few people are applying at that very high level?

Mrs May: The right hon. Gentleman is right to raise that issue. It is a matter that I have discussed with the College of Policing in the context of its leadership work and with Sara Thornton of the National Police Chiefs' Council. It is not new to have a small number of people applying for chief constable posts. That is one of the things that happens in policing; people tend to work out who they think will get a job and often do not apply if they think that somebody else will almost certainly get it. That has been the practice over the years, but we have seen a number of cases in which there have been single applicants, which is a cause for concern. That is why I have been discussing the matter with bodies responsible for considering leadership in policing to see whether steps can be taken to change that.

Ian Austin (Dudley North) (Lab): Will the Home Secretary give way?

Mrs May: I will give way one further time, then I will make some progress.

Ian Austin: We in the West Midlands are delighted with the appointment of our new chief constable, Dave Thompson, who we think will do a remarkable job, but can the Home Secretary explain to me why he and his colleagues have had to deal with that police force losing 25% of its budget, compared to Surrey, which has lost just 10% or 12%?

Mrs May: May I, too, commend Chief Constable Dave Thompson in the West Midlands? I and the Under-Secretary of State for the Home Department, my hon. Friend the Member for Staffordshire Moorlands (Karen Bradley), were aware of the work that he did in relation to gangs, which he was doing with the Home Office for a number of years. Once again, the Labour party seems incapable of recognising the settlement that has been given for policing over the next four years, and the fact that we have given that stability to police financing over the next few years.

I return to the topic of collaboration between the emergency services. Where a local case is made, the Bill will enable a PCC to take this one step further by integrating the senior management teams of the police force and the fire and rescue service under a single chief officer. This single employer model will allow the rapid consolidation of back-office functions without the complexities of negotiating collaboration agreements between the PCC, the chief constable and one or more fire and rescue authorities. I should stress that under these reforms police officers and firefighters will remain distinct and separate, as set out in law, albeit supported by increasingly integrated HR, ICT, finance, procurement, fleet management and other support services.

In London, we intend to strengthen democratic accountability by abolishing the London Fire and Emergency Planning Authority and bringing the London fire brigade, managed by the London fire commissioner, under the direct responsibility of the Mayor.

Kit Malthouse (North West Hampshire) (Con): Hear, hear.

Mrs May: These reforms to the arrangements in London are supported by all the key bodies, including the authority itself.

The vast majority of police officers and police staff discharge their duties with integrity and professionalism, upholding the best traditions of policing in this country. But where the actions of a minority fall short of the high standards that the public are entitled to expect, there need to be arrangements in place so that the conduct in question can be properly looked into and the matter resolved in a timely and proportionate manner.

In the previous Parliament we took steps to improve standards of police integrity and to strengthen the police disciplinary system. Disciplinary hearings are now held in public and overseen by an independent legally qualified chair. Police officers who are dismissed now have their name held on a "struck off" register so that they cannot join another force. Where corruption is involved, officers can for the first time be prosecuted for a specific offence of police corruption, and the Independent Police Complaints Commission is being beefed up to take on all serious and sensitive cases.

However, there are still significant shortcomings in the current system: indeed, almost three quarters of people complaining to the police are not satisfied with how their complaint is handled. The current arrangements are seen by the police and the public alike as being too complex, too adversarial, too drawn out and lacking sufficient independence from the police. So the provisions in part 2 will build on the reforms that we have already introduced and make the police complaints and discipline systems simpler, more transparent and more robust.

John Woodcock (Barrow and Furness) (Lab/Co-op): I appreciate the Home Secretary giving way. Is she as concerned as I am about the length of delay in the disciplinary process and transparency about the failings in relation to Poppi Worthington's death in Cumbria? What will the Bill do to speed up the process and increase transparency in such circumstances?

Mrs May: The hon. Gentleman is right to raise a case about which many people were deeply concerned to see what had happened and how it was handled. I understand that there is an issue for the IPCC in relation to a possible inquest, and the interaction between the IPCC and the inquest. These are challenges that we need to consider very carefully to ensure that the proper process can take place in a timely fashion, and that people do not find that these processes appear to be dragged out for a significant time. There are genuine issues sometimes in relation to inquests and IPCC investigations that have to be properly dealt with and addressed, but I know that everybody was concerned about the appalling case that the hon. Gentleman referred to, and he is right to raise it, as I know he has done previously in this House.

Part 2 builds on the reforms in relation to police complaints and disciplinary systems, and the changes will ensure we can strip away much of the system's restrictive bureaucracy, remove the opaque categorisation for handling complaints and streamline the complex appeals process by replacing the existing five avenues of appeal with a single review of the outcome of the complaint.

The police will be given a new duty to resolve complaints in a reasonable and proportionate manner, while also having greater flexibility in how they meet that duty. We are also injecting greater independence into the system

[Mrs May]

by strengthening PCCs' oversight role and making them the appellate body for those appeals currently heard by chief constables. It will also be open to PCCs to take on responsibility for other aspects of the complaints-handling process, including the recording of complaints and keeping complainants informed of progress.

The Bill will create a system of "super-complaints". These are complaints that can be brought by a designated organisation, such as a charity or advocacy body, on a particular issue, which might relate, for example, to a pattern of policing that could undermine legitimacy. This will enable national or cross-force issues to be examined by the inspectorate, the IPCC or the College of Policing, as appropriate.

Part 2 strengthens the protections for police whistleblowers by enabling their concerns to be investigated by the IPCC, while protecting their identity so that they have the confidence to come forward without fear of jeopardising their own careers. It also enhances public confidence in the police disciplinary system, including by ensuring that disciplinary action can continue against officers after they have resigned or retired, and by placing the police "struck off" list on a statutory footing to ensure that no one dismissed from one police force can be re-employed by another. Taken together, these reforms represent a fundamental overhaul of the police complaints and disciplinary systems.

In addition, part 2 includes provisions to increase the powers and independence of the IPCC. However, we also need to ensure that the body charged with overseeing the system as a whole is itself organised in such a way as to best equip it to efficiently and effectively discharge its enhanced role.

Following an independent review by Sheila Drew Smith and our recent consultation on changes to the governance of the IPCC, I have concluded that the existing commission model, with commissioners having operational responsibilities, is no longer suitable to oversee the expanding organisation in the new system. At a time when the IPCC is growing as an organisation to take on all serious and sensitive cases, it needs to be more streamlined, more responsive to the public and better able to cope with the cases it is taking on. I therefore intend to bring forward amendments to the Bill to provide for a new governance model.

The reformed organisation will be headed by a director general, appointed by Her Majesty the Queen. The director general will have ultimate responsibility for individual case working decisions, including in respect of the investigation of the most serious and sensitive allegations involving the police. Corporate governance will be provided by a board comprising a majority of non-executive directors, appointed by the Home Secretary, which will have oversight of the overall running of the organisation. It follows that as, under the new governance model, there will be no commissioners, we cannot continue with the name "Independent Police Complaints Commission". The reformed organisation will instead be known as the Office for Police Conduct.

I should add that the IPCC is supportive of the need for reform, and I am grateful for the input and co-operation of the current chair and chief executive during the development of these proposals.

Mr Kevan Jones (North Durham) (Lab): I broadly welcome what the Home Secretary is outlining in terms of the IPCC, but one complaint I have from constituents is about the time the IPCC takes to deal with some very simple cases. Constituents would rather know that there was no case to answer than see things being dragged out. Are there any proposals to have different tracks for more complex cases and simple cases?

Mrs May: Yes. It is important that all cases are dealt with in as timely a fashion as possible. Beefing up the ability of local complaints procedures to deal with what we might see as simpler local complaints may very well enable people to get a better response from that local complaints process, rather than feeling that things then have to be put through to the IPCC, which will have a focus on serious and sensitive cases. Also, the restructuring will help to smooth the process by which cases are looked at by what will be the OPC.

Sir Peter Bottomley (Worthing West) (Con): This Second Reading debate is not the time to go into the details of the case of former sergeant Gurpal Viridi, but will the Home Secretary ask her advisers to talk to the IPCC about why it is saying that his complaint should be referred back to the Met's department of professional standards, given that the complaint was about its behaviour in the first place, in the incomprehensible prosecution that he had to endure last year?

Mrs May: My hon. Friend raises a case that, as I know from our discussions and correspondence, he has taken very seriously and acted on for some time now. I recognise the issue that he has raised. There are questions around this case that relate not just to the IPCC and the police but to the Crown Prosecution Service, and I know that he has taken those up. I will reflect on the point that he made.

In part 3, for the first time, we will create a list of core police powers that may be exercised only by warranted officers, such as powers of arrest and stop and search. Police powers that do not form part of this reserved list can be conferred by a chief officer on a member of police staff or a volunteer, provided that they are suitable and capable of carrying out the relevant role and have received the appropriate training. This will ensure that chief officers have the flexibility and freedoms to make best use of the skills, experience and training of their workforce, whether they are warranted officers, police staff or volunteers.

As Members of this House are aware, volunteers have much to offer policing. Over 16,000 special constables regularly give up their time to help keep our communities safe. However, forces are missing out on opportunities to use those with specialist skills, for example in IT or forensic accountancy, who would be prepared to volunteer their time but do not want to become a special constable. It makes no sense that a chief officer can vest all the powers of a constable in a volunteer, but lacks the ability to confer on a volunteer a narrower set of powers relevant to a particular role. The existing law also puts unnecessary constraints on a chief officer who wishes to maximise the operational effectiveness of police staff. The Bill removes these barriers while strengthening the role of warranted officers. It confers on chief officers the ability to designate police staff and volunteers with those policing powers appropriate to their role.

I am committed to ensuring that the police have the powers they need to protect the public and to prevent, detect and investigate criminal offences, but we should continue to keep the coercive powers of the state under regular review to ensure that the rights of the individual are properly balanced against the need to keep our communities safe.

Ian Austin *rose*—

Mrs May: If I may, I will make a little more progress on this issue. In two instances—pre-charge bail and detention under the Mental Health Act 1983—we need to take action to ensure we get the balance right. Part 4 therefore contains a number of important reforms to police powers. In the case of pre-charge bail, it is apparent that a significant number of individuals have spent an inordinate amount of time on bail only to end up not being charged or, if charged, found not guilty. Of course, the police and prosecution need time to assemble and test the evidence, particularly in complex cases, before coming to a charging decision, but we need to recognise the stress caused when people are under investigation for prolonged periods, and the disruption to their lives where they are subject to onerous bail conditions.

Ann Coffey (Stockport) (Lab): I welcome the provision in clause 53 to increase safeguards for 17-year-olds, in recognition of the fact that they need to be treated as children when in police detention. However, there is also a strong argument for heavier sentences for adults who have been convicted of sexual assaults against 16 and 17-year-olds who, although over the age of consent, are still children in law. Will the Home Secretary consider that proposal?

Mrs May: The hon. Lady raises an interesting point. However, it is possible that the age of the individual can be used as an aggravating factor in relation to dealing with the offence, so it can be taken into account in the case of somebody who is 16 or 17.

Before coming specifically to the issue of mental health, I will deal with the bail proposals. To address the legitimate concerns that have been raised about the current arrangements, the Bill introduces a number of safeguards. First, it creates a presumption that a suspect will be released without bail conditions attached. Secondly, where it is necessary and proportionate to release on bail, this would normally last no longer than 28 days. Thirdly, if this initial period needs to be extended, it can be extended only up to three months on the authority of a superintendent, and any subsequent extension, for a maximum of three months at a time, must be authorised by a magistrates court. The Bill provides for a special procedure in complex cases, such as those investigated by the Serious Fraud Office, but the requirement that prolonged periods of pre-charge bail, and any conditions attached to that bail, are subject to judicial approval is clearly established in primary legislation.

The Government are committed to ensuring better outcomes for people with mental health problems. Those experiencing a mental health crisis and who present a danger to themselves or to others need rapid support and care from mental health professionals. They do not need locking up in a police cell for up to 72 hours.

Over the past couple of years, significant strides have been made in reducing the instances where police cells are used as places of safety, but we must do more. The amendments to the Mental Health Act 1983 will ensure that police cells can never be used as a place of safety for children and young people under 18, and that they are used only in genuinely exceptional circumstances in the case of adults.

Mr Charles Walker (Broxbourne) (Con): I thank my right hon. Friend for all the work she has done with Black Mental Health UK in previous years. Will she meet Black Mental Health UK, Rethink Mental Illness, Mind and other interested parties to discuss their continuing concerns about sections 135 and 136 of the Mental Health Act? They all accept that the Home Secretary has made some fantastic strides in the Bill.

Mrs May: My hon. Friend, who has a fine record of campaigning on these issues, is right to raise that point. The organisations he mentions meet Ministers regularly through the crisis care concordat, but I am happy to look at their concerns. I hope that the Bill will go some way to dealing with some of the continuing concerns, notwithstanding the work we have done over the past few years in improving the police response to people who are at a point of mental health crisis.

Mr Kevan Jones: I welcome some of the mental health changes being outlined by the Home Secretary, but there is an omission in relation to advocacy. Those individuals detained under sections 135 and 136 are not automatically allowed to have advocates. Will she look at that, because I think it would certainly strengthen some of the Bill's reforms?

Mrs May: The hon. Gentleman makes an interesting point. Obviously, what we are trying to do through the Bill, the street triage pilots and the extra mental health provision in various parts of the country is to reduce the need for advocacy by reducing the amount of time people can spend in a police cell. Indeed, the Bill also reduces the maximum period of detention for the purposes of mental health assessment under sections 135 or 136 from 72 hours to 24 hours, with the possibility of an extension to 36 hours if a medical practitioner decides that it is clinically necessary. In parallel with those legislative changes, the Department of Health is making up to £15 million available in the coming year to improve the provision of health-based places of safety.

Dr Sarah Wollaston (Totnes) (Con): Will the Home Secretary join me in commending Devon and Cornwall police, who, through careful joint working, have made great strides in reducing the use of cells under section 136 over the past year? Does she agree that police forces also need to collect data on how long people are being detained in police vans? We do not want police cells to be substituted by police vans.

Mrs May: My hon. Friend raises an important point. Whenever we legislate, we have to consider the possible unintended consequences. Of course, the whole point of the street triage pilots and the availability of advice from mental healthcare professionals to the police is to ensure that somebody can be taken to a place of safety, not a police cell. A van is not an appropriate place to

[Mrs May]

hold people, either. My hon. Friend is certainly right that we should look at the issues to make sure that we are not inadvertently creating another problem.

Steve Brine: Will the Home Secretary give way?

Mrs May: Despite what I said earlier, I apologise to my hon. Friend, but I need to make some progress. [Interruption.] The fickleness of woman!

Let me turn to the question of firearms. This coming Sunday will mark 20 years since the appalling murder of 16 children and a teacher at Dunblane Primary School. I am sure the whole House will want to join me in sending our deepest sympathies to those who lost loved ones and to the survivors of that terrible day. We are also reminded of the importance of firearms legislation in helping to prevent such events from happening again.

In this country, we have some of the toughest firearms controls in the world. It is no coincidence that the number of homicides and other crimes involving firearms is relatively low, but we must remain vigilant. Where there is clear evidence of loopholes in the law that can be exploited by terrorists and criminals, we must act to plug the gaps. The provisions in part 6 are directed towards that end.

After extensive consultation, the Law Commission has made a number of carefully considered recommendations for tightening up the firearms Acts. It is simply no longer sustainable, for example, to have uncertainty around what constitutes an antique firearm. The Bill therefore defines that and other terms so that it is clear when firearms, and their component parts, are subject to the controls under the firearms Acts. We are also introducing statutory guidance for police forces on the exercise of their licensing functions under the firearms Acts. That will ensure that the law is consistently applied and all appropriate checks are undertaken when considering someone's suitability to hold a firearm or shotgun certificate.

Finally, part 8 strengthens the enforcement of financial sanctions, which are important foreign policy and national security tools. The effective implementation and enforcement of financial sanctions are vital to their success. To this end, the Bill increases from two to seven years' imprisonment the maximum sentence that can be imposed following a criminal conviction for a breach offence, introduces new civil monetary penalties and extends the availability of deferred prosecution agreements and serious crime prevention orders.

Ann Coffey: Will the Secretary of State give way?

Mrs May: If the hon. Lady will excuse me, I am virtually at the end of my speech, and I wish to finish.

Part 8 also introduces a mechanism to ensure that UN-mandated sanctions can be implemented without delay to minimise the opportunities for the dissipation of assets before new sanctions regimes come into force, and to help the UK comply with its international obligations.

Andy Burnham (Leigh) (Lab): Will the Secretary of State give way?

Mrs May: I have just indicated to the right hon. Gentleman's colleague that I would not give way. However, he is the shadow Home Secretary.

Andy Burnham: I am grateful to the Secretary of State for giving way, and I appreciate that she is coming to a close. She began her speech by saying that crime had fallen, and it is important that we have clarity on that point. I draw her attention to an exchange between the Policing Minister and my hon. Friend the Member for Rotherham (Sarah Champion) last week. My hon. Friend asked the Minister whether crime would spike when online crime was added to the statistics. The Minister said:

"The National Audit Office suggested that that would be the case, and we have to accept that."—[Official Report, 1 March 2016; Vol. 606, c. 917.]

Was the Minister right to say that, and will crime go up when those figures are added?

Mrs May: The statement that I made about crime falling is based on the independent crime survey of England and Wales. That shows clearly that crime has fallen since 2010 by more than a quarter. What we are now doing is recognising that certain types of crime have not been fully recorded in the past. Cybercrime did not suddenly start in May 2015. Cybercrime and fraud took place under the last Labour Government as well as under subsequent Governments. We are now recording those figures and ensuring that they are available to the public. I welcome the fact that we are being open with people about different sorts of crimes that have been committed in the past but were hidden under the last Labour Government.

Ann Coffey: Will the Secretary of State give way?

Mrs May: I am virtually on my last sentence. The Bill will continue the Government's commitment to reform public services, not for the sake of it but to deliver more responsive, accountable police forces that continue to cut crime and keep our communities safe. I commend the Bill to the House.

5.3 pm

Andy Burnham (Leigh) (Lab): The Opposition welcome most of the measures in the Bill. Indeed, we have led calls for some of them over many years. In the last Parliament, I am proud to say that the shadow Health team, and in particular my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger), raised public awareness of the growing practice of holding in police cells people who are in mental health crisis. We congratulate the Home Secretary on acting to outlaw that practice, and she will have our full support in doing so.

The Home Secretary will also have our full support on measures in the Bill to do with firearms, as she has just explained, alcohol licensing and child sexual exploitation. However, I urge the Government to read what my hon. Friend the Member for Rotherham (Sarah Champion) has said about the action plan that was published a year ago. She pointed out that there has not been sufficient progress on a number of points within it. I encourage the Government to take action quickly. In other areas, such as the reform of police complaints, accountability and police bail, we have long called for change and, encouragingly, there now appears to be consensus for it. However, we do not think that the Government have gone far enough. As I will come on to explain, we will press for changes in those areas to strengthen the Bill.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): On the theme of changes, Labour's First Minister of Wales has today aligned with Plaid Cymru in calling for policing to be devolved, so will the right hon. Gentleman assure me that his party will support Carwyn Jones and will table amendments to devolve policing to Wales?

Andy Burnham: That is an interesting proposal, but it is the view of the Labour party in Wales. It is not yet the view of the party at UK level, but we will give it serious consideration.

Let me be clear: welcome as many of the measures are, the Bill falls short of providing what our emergency services need. It does not add up to a convincing vision for the reform of emergency services that is equal to the scale of future challenges or the threat we face as a country. Right now, our police and fire services are halfway through a decade of real-terms cuts. The Home Secretary began by claiming that her record was one of reform. The reform we are seeing is in fact the demise of the successful neighbourhood policing model that she inherited from the previous Government. She has presided over worryingly low morale across police and fire services, as is also the case—on the Health Secretary's part—in the ambulance service. That low morale needs to be addressed.

Ian Austin: We all know that savings have to be made, but no one will be impressed by the Home Secretary's complacent answers when such points were made earlier. Is my right hon. Friend aware that West Midlands police has lost 1,538 officers or 18% of the total, compared with Thames Valley police—her area—which has lost just 90 officers or 2% of the total? Is he aware that West Midlands police is set to lose another £10 million of funding, the biggest cut for any force outside London?

Andy Burnham: My hon. Friend makes precisely the point I was coming on to make. Whatever Ministers claim, 36 of the 43 police forces face cash cuts in the coming year, while all of them face real-terms cuts. As he has said, West Midlands police will lose £10 million in real terms—the precept does not cover that—and my own Greater Manchester police will lose £8 million. At the same time, he needs to consider the cuts to fire services, because West Midlands fire service will have a cut of 45% in its budget over the decade. In effect, the budget will halve, and the same is also true for Greater Manchester. [*Interruption.*] It is true. Ministers seem not to know that fire services are being cut in half. I put it to the Home Secretary and her police and fire services Minister that that prompts this question: can they be sure that their cuts to police and fire services are not exposing our big cities to unacceptable levels of risk? What assessment have they made of their capability to deal with a major incident or a Paris-style attack? Experts in the fire and rescue service would argue that their cuts have already gone too far.

Jake Berry: Surely the question that really prompts is: why does crime continue to come down? Why does the right hon. Gentleman believe it is coming down?

Andy Burnham: I do not think that the hon. Gentleman can have been paying attention. We have just had an exchange in which the Home Secretary acknowledged that online crime is about to be added to the crime

figures. As he may know from his constituency postbag, crime has changed in recent years. We have seen reductions in traditional volume crime—burglary, car crime—and crime has moved online. When Ministers stand at the Dispatch Box and complacently say that crime has fallen, I am afraid that they are not representing the real picture. The real picture will look very different when the figures are published in a couple of months' time.

Mrs May: Will the right hon. Gentleman tell us why he did not advocate adding the figures for fraud and cybercrime to the crime figures and ensure that they were added when he was a Minister in the Home Office?

Andy Burnham: There is a simple answer: because the current practice was recommended by the independent Office for National Statistics. The Home Secretary may want to take credit for everything, but I am afraid that she cannot do so. It was independently recommended, and just as the previous Labour Government accepted statisticians' independent recommendations, so must she. The picture will soon look very different, and I caution her against the complacent statement, which she made again today, that crime has fallen. Crime has changed, and the figures will soon show that crime has in fact doubled.

Kit Malthouse: I believe we would all accept that the right hon. Gentleman is right that crime is changing, but does he accept that crime fighting should also change and that one decent, talented computer programmer can achieve more against cybercrime than 1,000 uniformed police officers?

Andy Burnham: I agree with the hon. Gentleman that cybercrime or online crime is one of the biggest challenges that we face, but there would probably be agreement across the Floor of the House that, among the 43 police forces in England and Wales, there is not yet the capability to investigate cybercrime. That is an issue for everybody. My question is how those forces will develop that capability if they face year upon year of real-terms cuts? I just do not think that that is sustainable.

The hon. Gentleman must also think about public safety and the cuts to fire services. There are cuts to the fire service in London and thousands of the number of firefighters, pumps and stations is being cut all over the country. Thousands more are set to go following a local government settlement that has inflicted the biggest cuts on urban areas. The embarrassing truth for Ministers is that if their northern powerhouse catches fire, there will be no one there to put it out.

James Cleverly: As a former chairman of the London Fire and Emergency Planning Authority, I ask the right hon. Gentleman whether he will concede that at the same time as the reductions that he has spoken of, the London fire brigade had the best performance year in its recent history.

Andy Burnham: Again, I urge Government Members not to be so complacent. The hon. Gentleman may have seen that there was a fire in north London, around Euston, in the last couple of weeks where the London fire brigade missed its response target and, sadly, there was a fatality. I would not be so complacent if I were him, because fire services up and down the country are

[*Andy Burnham*]

missing their recommended response times. If he believes that the cuts to London's fire brigade and to fire and rescue services around the country can carry on in the way that his party proposes, I think he is putting public safety at serious risk.

The Government's answer to the funding challenges is to have greater collaboration and greater use of volunteers. Neither is wrong in principle; the question is how they will be implemented. There are risks inherent in both policies if they are done in the wrong way. Together, they do not add up to a convincing solution for the future of emergency services. Patching two leaky buckets together does not make one that works. As the police and crime commissioner for Northumbria, Vera Baird, said today, the Bill looks suspiciously like a plan for "policing on the cheap".

Alex Cunningham (Stockton North) (Lab): My right hon. Friend talked about leaky buckets a few seconds ago. This country has faced tremendous floods over the past few months, and fire and police services have been stretched to the limit and have drawn in resources from all over the country. What will happen if there is a much more widespread flooding problem in the future? We will not have the resources, will we?

Andy Burnham: What I have heard from my fire services in the north-west is that they did not have enough resources to cope. Greater Manchester fire services were drawn up to Cumbria when the bad weather hit, but when the flooding came down to Greater Manchester, they did not have enough resources to cover it. We heard at Christmas about a hastily concocted plan to cut the incident response units, which are there to deal with a dirty bomb. These cuts are going too far. The question the Government have to answer is simple: can they give us a guarantee that there are enough fire and police resources in place to ensure that if a major incident or Paris-style attack were to happen in one of our big cities, public safety would not be compromised? I do not believe that they have answered that question and, until they do, I will keep on asking it.

As I was saying, the Bill looks like a plan for policing on the cheap. I will come back to part 1 later, but first I will go through the measures that we support.

Part 2 deals with police accountability. Although there has been progress in that area, I think it would be accepted on both sides of the House that there is much further to go. Ongoing historical cases such as Hillsborough, Orgreave, and the Daniel Morgan murder, stand as testimony to the uphill struggle that ordinary people face in holding the police to account, even when there is clear evidence of wrongdoing. As the Home Secretary said, there is no sign that public confidence has improved, given that so many people who are dissatisfied choose not to pursue their complaint.

There is also evidence that the current system is not as fair as it should be to police officers who face disciplinary charges, with professional standards branches encouraged to adopt a heavy-handed approach. We agree with the Government that the system for handling complaints is in need of serious reform, and we welcome clarification that all complaints should be recorded, ending the confusion that comes with leaving that decision

up to police officers. I give a cautious welcome to the new role for police and crime commissioners in that area, but it is still early days for PCCs, and many have yet to show that they can effectively hold a whole police force to account. An individual who is close to the force on operational matters may struggle to hold it to account on disciplinary matters. That is an open question, and the Government should not have too much trust that that will materialise.

John Woodcock: I am sure my right hon. Friend welcomes the fact that the Independent Police Complaints Commission will be able to bring misconduct charges for officers who have retired. Does it seem strange, however, that the only penalty that seems to have been proposed for a retired officer who is found guilty of misconduct is to say to them, "You can't come back and work in the police force"? That is no penalty at all if they have already retired.

Andy Burnham: I will come to that point in a moment, but I agree with my hon. Friend and I will demonstrate why his point is entirely valid.

We support measures in the Bill to refocus and rename the IPCC, and to strengthen its independence by allowing it to initiate its own investigations and carry them out directly, rather than relying on police forces. We also support protections for whistleblowers, and potentially the most powerful proposal in the Bill is the power to bring super-complaints.

I recently held a seminar with Baroness Doreen Lawrence, which brought together groups that are still campaigning for justice, such as the Shrewsbury 24 campaign, the Orgreave Truth and Justice campaign, and Justice 4 Daniel. There are common threads between them all, but the way the system works currently forces them all to plough their own furrow individually, and it does not allow them to join forces. The super-complaint proposal could rebalance the system in their favour, which is why I welcome it so strongly.

I know that the Home Secretary has still to publish details on how that proposal will work, but I offer to work with her and I encourage her to allow a number of often small campaign groups to bring a complaint together. For instance, if the Stephen Lawrence campaign had been able to join forces with the Daniel Morgan campaign, or if the Orgreave campaign had been able to join forces with the Hillsborough families, history could have been very different. At our seminar we heard from all campaigns about something that they hold in common: the unacceptable levels of collusion between the police and the press. If the Government fail to honour the police's promise to victims of phone hacking and to set up the second Leveson inquiry—as we have been led to believe from reports—I hope that the route of the super-complaint will open up another avenue for campaigners.

Steve Brine: The right hon. Gentleman said that it is still early days for police and crime commissioners, but less than a year ago the Labour party was arguing for their abolition. People will soon go to the polls to elect new PCCs in Hampshire and around the country. Could we have clarity: will PCCs exist under a future Labour Government, or will they be abolished?

Andy Burnham: I have been very clear about that. With the election things have changed, and we do not oppose police and crime commissioners. I am prepared to give them a chance and I believe in stronger accountability for the police. I did say—I stand by this—that it is hard for one individual, albeit an elected individual, to hold the weight and might of an entire police force to account, particularly when that person is also dealing with operational matters. That is a stretch, and I do not think that the office of PCC has yet shown itself able to do that. I would prefer to build on the model of the PCC and broaden it out, perhaps more to a London-style model where a broader range of people hold the police force to account.

James Berry (Kingston and Surbiton) (Con): Is the right hon. Gentleman aware that: police and crime commissioners do not have operational responsibilities; this measure would transfer powers away from the chief constable to the PCC, thereby adding a layer of independence; and that if a complaint was serious, the IPCC is there to deal with it independently?

Andy Burnham: Of course the PCC works with the chief constable to set budgets and priorities, and of course that has an impact on the priorities of the police—the relationship is complicated. I am not setting my face against it, but I say to the Government that, as I will come on to explain, just throwing fire services in with PCCs has not been thought through adequately.

One of the most welcome proposals in the Bill, as my hon. Friend the Member for Barrow and Furness (John Woodcock) said a moment ago, is the closing of the loophole whereby officers can escape disciplinary proceedings by resigning or retiring. Clause 22 stipulates that disciplinary proceedings may be initiated up to 12 months after somebody has left the force. I welcome the intention, but the 12-month period could, as my hon. Friend said, be unduly restrictive. We know from recent experience that it may take many more years for campaigners to uncover wrongdoing. Many of the Hillsborough families feel very strongly indeed about this, yet the measure would not have helped them. Why is there any time limit at all? Wrongdoing, whenever it occurred, needs to be corrected and people need to be held to account. Will the full range of disciplinary sanctions be applied, including reductions to pension entitlement in the most serious cases? That is what campaigners want to see.

Reform of police bail is also overdue. The current system has been criticised from both sides: that it unfairly leaves people languishing for long periods; and that, for those who pose more of a risk to the public, it is toothless. What is therefore needed is a more targeted approach that does not place unfair restrictions on the liberty of people who are low-risk or whose guilt is far from proven, but is much tougher where it needs to be, in particular in cases of serious crime or terrorism. I have to say, however, that on this the Bill does only half a job. It relaxes police bail requirements for the majority of people, but it fails to bring in tougher conditions for those who pose a greater risk. We welcome the new presumption against bail and the time limits, but it has been suggested that because the threshold for extension is so low it simply requires an officer to have acted diligently the proposals may make little difference in practice. I hope that is not the case.

The big problem is that the Government have failed to act on toughening up the police bail regime. The case of Siddhartha Dhar, who absconded while on police bail and went to Syria via Dover, is a prime example of the unacceptable loophole in the current system. People will find it truly shocking that terror suspects can waltz out of the country without any real difficulty. I find it astounding that the Government have not moved to close the loophole.

Keith Vaz: The shadow Home Secretary is right to raise this important point and case, which the Select Committee considered and took evidence on. One issue is the ability of agencies to communicate immediately when passports are to be surrendered. Does not my right hon. Friend agree that as well as changing the law, we need to change practice so that the police immediately inform the Passport Office, which then informs Border Force? That all needs to be done immediately when there is a terror suspect.

Andy Burnham: Absolutely. People would expect that terror suspects would be placed on watch lists immediately—the minute they are placed on police bail—but it appears that that did not happen in this case.

The Prime Minister told the Liaison Committee in January that he would look carefully at stronger police bail powers, but the Bill does not deliver them and nor does it close the loophole. The basic problem is that police bail conditions are not enforceable. As such, the Bill misses a major opportunity, so we will press the Government hard in Committee to correct the situation. We need a tougher and targeted police bail regime that, when dealing with more serious offences, can impose enforceable sanctions, such as the confiscation of passports and travel documents in terrorism-related cases.

The proposed reforms on mental health are timely and much needed. Given the levels of stress and insecurity inherent in 21st-century living, mental health will be one of the greatest—if not the greatest—health challenges of this century, so it is essential that the police and the criminal justice system develop basic standards to deal with it. We therefore strongly welcome moves to ban the use of police cells for children in crisis and to introduce limits on their use for adults, and we also support limiting the time for which people can be held. Our concern is not with the measures themselves, but whether they can be delivered in practice.

As shadow Health Secretary, I revealed in the previous Parliament how the Government had not honoured their commitment to parity between physical and mental health, but instead cut mental health more deeply than other parts of the NHS. As a consequence, mental health services in many parts of the country are today in crisis. Only last week, Richard Barber, a councillor from Golborne in my constituency, contacted me to say that he had worked with professionals for two days to help to find a tier 4 bed for a highly vulnerable young man who was close to suicide. Shockingly, no beds were available anywhere in the country. As the Royal College of Psychiatrists has pointed out, banning the use of cells, as welcome as that is, does not solve the problem of why those cells are used in the first place. Similarly, reducing the time limit for assessment does not itself guarantee enough trained professionals to deliver the new standard.

[*Andy Burnham*]

The combination of the changes could put professionals in a difficult position. Assessments to detain under the Mental Health Act 1983 cannot be completed until a bed has been identified, so the Bill could put professionals in the invidious position of having to choose between breaking the law, by going over the 24-hour period if a bed cannot be identified, and not breaking the law but releasing someone who should be detained. It is therefore essential that, alongside the Bill, the Home Secretary and the Health Secretary issue new instructions to health service commissioners to open sufficient beds and train sufficient professionals to deliver these welcome new commitments.

Mr Kevan Jones: Does my right hon. Friend agree that one omission is that this information is not kept nationally? If we are to monitor whether what is proposed is being put into practice, we will need that information, but at the moment it is not available. Without it, we will never determine whether we are meeting the targets.

Andy Burnham: That is the problem. Professionals searching for a bed are in a desperate position because of the lack of information. The risk is that if the new requirements come into law without a plan to commission the extra beds and professionals needed, that could have perverse consequences by putting professionals in a difficult position. I hope that that does not happen, but I say to the Home Secretary that much more than £15 million will be needed to create adequate bed capacity to deal with the problem.

Finally, I come to the proposals that give us the greatest concern, the first of which is for a major expansion in the number of volunteers. The Home Secretary was right to praise the role of specials, but we argue that volunteers should add value, rather than replace core police provision. As we have revealed, police forces in England are facing a decade of real-terms cuts. We lost 18,000 officers in the last Parliament, and many more are set to go in this one. That is the context in which the House must consider the proposal in the Bill to extend the use of volunteers.

The House should not endorse the principle that volunteers can safely backfill the gaps left by cuts to policing. As has been pointed out, the Bill in effect gives police volunteers the ability to use CS gas and PAVA spray, but most people would argue that those functions should be restricted to full-time officers. We are not opposed to the greater use of volunteers, but they should come on top of a protected core of police officers to add value, rather than being replacements.

Kit Malthouse: Would the right hon. Gentleman apply the same rules to volunteer firefighters, who operate with almost exactly the same equipment as others within the fire service, as he does to volunteer police officers?

Andy Burnham: I say to all Government Members that an increased reliance on volunteers is no way to backfill cuts to core provision. Volunteers can add value—they can extend the reach of emergency services—but they are no substitute when filling the gaps left by cuts to front-line services that potentially leave the public at risk. The hon. Gentleman might be happy with a part-time police force or a part-time fire service, but I can tell him that most of my constituents would

argue that that is not acceptable and that we need sufficient full-time resources on the front line to keep people safe.

James Cleverly: Will the right hon. Gentleman take this opportunity to correct what I can only assume to be an inadvertent slur on the many thousands of people in the part-time police force, the part-time fire service and the part-time armed forces who put their lives at risk, and do so because they are driven by a sense of public duty? Will he take this opportunity to remove that slur on the professionalism of all those individuals?

Andy Burnham: Clearly the hon. Gentleman was not listening because I praised the role of police specials and said that there was a role for volunteers. I happen to believe, however, that it is not fair to put those volunteers in dangerous positions without the powers, without the training and without the resources to do the job properly. If he thinks that emergency services that are increasingly run by volunteers represents the right way for us to go, I can inform him that Opposition Members seriously disagree with him.

The most worrying part of the Bill is part 1, given its implications for the future of fire and rescue services. Fire services have already faced severe cuts over the past five years, and they face another five years of deep cuts to front-line services. Our worry is that the Bill could make them even more vulnerable and could lead to fire and rescue services disappearing altogether as separate services. There is a real concern that the proposals to put fire under the control of police and crime commissioners has simply not been thought through. I am sure that the Home Secretary agrees that this is a major change, so will she answer this question: where is the Green Paper or the White Paper examining the pros and cons for such a change to the governance of our emergency services?

Mrs May: Putting aside the fact that we consulted on collaboration between the police and fire services, the right hon. Gentleman says that he does not think that those services should come together, so perhaps he will explain why his colleague, the hon. Member for Birmingham, Erdington (Jack Dromey), said last October: "I think that police and fire services logically sit within the context of a combined authority."—[*Official Report*, 14 October 2015; Vol. 600, c. 376.]

Andy Burnham: I am afraid that the Home Secretary needs to be corrected on a lot of that. First, although, yes, she did consult, she consulted purely on the process by which a PCC would take over fire, not the principle of whether they should do so. I stand entirely by the comments of my hon. Friend the Member for Birmingham, Erdington (Jack Dromey). A combined authority is not a police and crime commissioner; it is a very different thing altogether. Such a structure keeps fire within local government, which is where it has been for some time.

There is another reason why independence is important. The Home Secretary proposes a single-employer model, which could lead to the end of a separate fire service, but there are good reasons why the fire service has traditionally been separate from the police. In some inner-city areas with a history of tension with the police, the independence of the fire service is important because that means that the service can continue to operate even if there are difficulties or a stand-off with the police.

The Knight review considered the possible benefits of greater collaboration, which we support, and an expanded role for PCCs, but it also advised the Government to pilot the proposal carefully, given the complexity of governance. However, the Bill goes much further than that and, most worryingly of all, it takes away any say for local people. It effectively allows a PCC to make a case to the Home Secretary and then gives her full power to decide, thus completely cutting out the role of local elected representatives, not to mention the public. What on earth happened to the Government's commitment to devolution? Just as with metro mayors, it looks like these expanded PCCs will be mandated from the centre. The Government have not made the case for changing the fire service in this way, and nor have they shown how the independence and funding of the fire service will be protected under the new system. The fire service, as the junior partner in the arrangement, will be more vulnerable to cuts.

I know that the concerns I have outlined are held by not only Labour councillors, but Conservative councillors, as the nods that I see from Government Members appear to indicate. I give notice tonight that unless the Government can show how fire services will be protected, with local people given the final say, Labour will vote on Report to oppose this ill-thought proposal. Our fire services have been chopped and changed enough. It is time to make a stand for the fire service and to show the thousands of dedicated firefighters that we recognise their important separate role. Rather than letting the service end up as a division of the police, which is what the Government seem to want, Labour will propose an alternative future for the fire and rescue service and how it responds to future challenges, which will include a statutory responsibility to deal with flooding.

I am sure that I have heard the Policing Minister say more than once that he used to be a fireman. Well, it seems that this former fireman has been given a mission—perhaps to lull people into a sense of false security—of overseeing the demise of the fire service as a separate entity. I can tell him tonight that we are not going to let it go without a fight.

Steve Brine: Will the right hon. Gentleman give way?

Andy Burnham: I give way one last time.

Steve Brine: As the right hon. Gentleman knows, we have worked together on many matters. I respect his opinion and I have listened to what he has said. However, notwithstanding the Fire Brigades Union bluster, he must understand one thing. He has said that crime is changing, although he refuses to accept that it is falling, but it is a fact that demand on the fire and rescue service has been on a downward trend for the past 10 years—it has fallen by about 42% in England during that time. Does he not accept that, and does he not accept that that is the reason for part of the change that the Bill is delivering?

Andy Burnham: Crime has fallen—that is absolutely correct—but the risk of a major incident has risen lately, and the recent floods have shown that the emergency services can face considerable pressures. It is not for me to set out the right level of provision; it is for the Government to say how far the fire cuts can go before

we expose the public to unacceptable risk. Does the hon. Gentleman think it is acceptable for the fire service in Greater Manchester to be effectively cut in half? Many experts in my area do not consider that that is acceptable and believe that the cuts have already gone too far. It is for the Government to prove that they will guarantee public safety.

The back-of-an-envelope plans for police volunteers and merged emergency services spoil what would otherwise be a good Bill. The Home Secretary and I have worked constructively together in the past, so I hope that she may be prepared to work with me to address some of the concerns that I have outlined. In that spirit, Labour will not vote against the Bill, but unless there are real moves towards a tougher police bail regime, more accountability for retired police officers and better protection for the fire service, we will seek Divisions in the House on Report. Come what may, we will continue to argue that our emergency services cannot keep us safe in a changing world when we have year-on-year cuts such as these. What the services need is a convincing, funded plan for the future that they can get behind and that can keep the public safe, and if the Government will not provide that, Labour will.

5.38 pm

Mr Charles Walker (Broxbourne) (Con): I am aware that some Bills are driven by the civil service and some are driven by No. 10, but this Bill is driven by the Home Secretary, and I congratulate her on that. I have worked closely with her over the past few years in many of the areas covered by the Bill, and I know that she has held meetings at the Home Office with a variety of interested parties who, in the past, may not have had access to the Home Office. I also know that she has hosted conferences, including, in 2013, a conference with Black Mental Health UK at the QEII Centre to discuss policing in respect of, in particular, African-Caribbean people with mental health problems. Once again—and I am not ashamed to say it—I congratulate the Home Secretary on bringing the Bill to the House.

I also congratulate my hon. Friend the Member for Halesowen and Rowley Regis (James Morris). He is the unsung hero of the debate on mental health, both in the context of the Bill and when the Secretary of State for Health is addressing the House. He is chairman of the all-party parliamentary group on mental health, a job he has done for more than two years, and he has been dogged and determined in pursuit of many of the reforms that are contained in the Bill. He is a great man, and we are all lucky to have him here today.

We need to be clear that we cannot simply will places of safety into being. I know that the Home Secretary understands that. We cannot just shut our eyes and think really hard and hope that it is all going to be all right. There is a need for the political drive and determination to provide them, so that people can be looked after and treated with respect during their time of crisis.

The Home Secretary is absolutely right to say that a police cell is no place for an ill person. Being ill is not a criminal offence. Being ill and black is not a criminal offence, but we know that people of African Caribbean descent who are suffering a mental health crisis are more likely to be subjected to force, to be detained or to

[Mr Charles Walker]

be subjected to a community treatment order. That is not right. We need to address these unfairnesses in the system, because they are ensuring that a large number of people who need our help are frightened to engage with those who are able to offer it, because their experience up to this point has been so unsatisfactory. That is one of my pleas today.

We cannot make demands on the police to change the way they do things in providing places of safety unless we actually provide places of safety. My experience of the police is that, in most cases, they want to do the right and proper thing by the people they are protecting and looking after. Most police officers are left distraught at the idea of having to take an ill person or a young person to a police cell as opposed to putting them into the care of healthcare professionals in a hospital or a place of safety that has a bed to offer them.

This is not in the Home Secretary's gift, but the truth is that there are not enough beds in this country for mentally ill people who are suffering a real crisis. There is nothing more boring than Members of Parliament standing up in this place and saying, "Well, I've been warning about this for years", but I am going to be boring because I and others have been warning about this for the past 10 years. My right hon. Friend the Member for New Forest East (Dr Lewis) and I were warning about it before being joined by my hon. Friend the Member for Halesowen and Rowley Regis in this place six years ago. We need more beds, and I hope that the Home Secretary will be uncompromising in her discussions with colleagues in the Department of Health to ensure that they are in a position to support our police officers in doing the right thing and the best thing.

Bob Stewart (Beckenham) (Con): My hon. Friend is making a great speech. Would he advocate the introduction of interim places of safety in some police stations, so that people can be put somewhere that is not a cell while they are on their way to hospital?

Mr Walker: My hon. Friend is genuinely trying to be constructive and to find a way forward, but I just do not think that police stations are the right place to take ill people. It might be unavoidable in some circumstances, but we need to minimise those circumstances. All too often a police cell is used as a place of safety, but that is not right. However, I entirely accept the spirit in which he made his intervention.

Mr Kevan Jones: Does the hon. Gentleman agree that someone having a heart attack is in crisis and in a life-threatening situation, and that, likewise, someone who is in severe mental torture is experiencing a crisis and in a potentially life-threatening situation as well? Why does he think the two should be treated differently?

Mr Walker: My hon. Friend—for that is what I call him—knows that I do not think that the two should be treated differently, which is why he and I have joined forces on so many occasions in the past and will do so in the future to make sure that the reality changes. There is slow progress, but it is progress none the less. My hon. Friend the Member for Halesowen and Rowley Regis is helping us to make progress, but I do not disagree with my hon. Friend the Member for North Durham (Mr Jones).

As well as a lack of acute beds, the choice of health-based places of safety for an assessment in many places is incredibly limited. I will now draw on the excellent and concise briefing provided by the Royal College of Psychiatrists. According to the Care Quality Commission map, there are no health-based places of safety for under-16-year-olds in many local authority areas, including Devon, Norfolk, Lincolnshire, Bristol or Bath. That is not good and it is not sustainable.

It is not all doom and gloom. There is clear evidence that, where local areas have emphasised long-term preventive measures and put in place crisis outreach and triage teams, they have already improved their services, so they would easily be able to provide the care set out in the Bill. We have heard from the Home Secretary—it is worth repeating—that the crisis care concordat has been a great driver. She also knows that most Department of Health-funded schemes have managed to reduce significantly the number of people being detained under section 136 of the Mental Health Act 1983. For example, in areas where street triage is operating—this is not in the whole force area, but specific parts of a force's area—pilots have delivered massive reductions in the use of section 136. I recall my hon. Friend the Member for Halesowen and Rowley Regis having an Adjournment debate on that very subject a year ago.

Andy Burnham: I have huge respect for the hon. Gentleman and for his campaigning on these issues over many years. I am listening to his speech carefully. Does he agree with the point that I made that £15 million is not enough, as there is a huge shortage of crisis beds across the country? Does he think that there may be risks in enacting these proposals before major investment is put into mental health crisis services?

Mr Walker: I do agree that we need more beds. It cannot be right that children and adults at a point of crisis are sometimes driven hundreds of miles from their homes to receive treatment. The right hon. Gentleman may recall that one of his predecessors, the right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson), had an Adjournment debate a few months ago on how we treat children who are in mental health crisis, and he pointed out that one of his constituents was being treated 200 miles from his family home. That is not acceptable. The right hon. Member for Leigh (Andy Burnham) did say that, outside the cut and thrust of this place, he had a good working relationship with the Home Secretary. It would be fantastic if, on this matter, the two Front-Bench teams could work closely together, along with the Secretary of State for Health, to make sure we get this right.

Let me look briefly at the successes of triage, of which my hon. Friend the Member for Halesowen and Rowley Regis will be aware. There has been a 20% reduction in Derbyshire; 13% in Devon and Cornwall; 39% in Thames Valley; 31% in Sussex; 27% in the west midlands; and 26% in West Yorkshire. The reductions in the number of people being put under police custody under section 136 in these areas were greater still. For example, there was a 50% reduction in Derbyshire; 85% in Thames Valley; 11% in Devon and Cornwall; and 44% in West Yorkshire. Those are real numbers that have real meaning and that are making a real difference to many people's lives.

The Royal College of Psychiatrists and other interested parties are calling for the Bill to be amended so that the Secretary of State for Health is obliged to report back

to Parliament on the range of crisis responses in each area. That could include street triage teams, availability of acute psychiatric care beds, and health-based places of safety. That sort of information would help the Home Secretary and her team to deliver on their worthwhile pledge, and that pledge needs the support of the Department of Health.

I have spoken for longer than I wanted to, but, in conclusion, I point out that a mental health event is not a criminal event. It is a health crisis. We need to look after people with care and compassion and commitment. It is no good just talking about things. It is no good looking good, as some woman once said to me—it is important that we spend more time being good. We need to be good, not to look good.

5.50 pm

Angela Crawley (Lanark and Hamilton East) (SNP): I welcome the opportunity to speak in today's debate and share the sentiments of the Secretary of State in recognising the 10-year anniversary of the events in Dunblane.

In Scotland, we have seen a record reduction in the number of crimes committed in the past 40 years, and violent crime is down by almost 50%. Crime risk is lower in Scotland than in the rest of the UK and the police budget will be protected in real terms, despite a 9% cut to Scotland's budget. That has allowed additional support for a wide range of services, including community policing, specialist support for forensics services, tackling serious and organised crime, drug enforcement and counter-terrorism work. I will not be able to vote on much of what is contained in the Bill, yet it will have some impact on my constituents. In those parts that affect Scotland, the Government must do all they can to provide assurances and clarity.

Specifically, concerns have been raised about the immigration powers in the Bill. Article 33 of the refugee convention states:

"No Contracting State shall expel or return...a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened".

That fundamental duty is one of the central pillars, if not the central pillar, of the refugee convention and the Government are bound by that duty as a matter of domestic and international law. It is therefore concerning that clauses 62 and 66 appear to give the Secretary of State power to require ships intercepted in UK water to be detained and sent to a port outside the UK. The charity Liberty is worried that that purports to give the Secretary of State powers to refoule refugees on any such boats by returning them to foreign ports.

Nothing in the proposals requires the Secretary of State or her enforcement officers to use those powers in a way that is compatible with the refugee convention and the work of the European Court of Human Rights. They must lawfully process and assess those people's claims to asylum and determine whether they can be lawfully removed according to the Dublin regime. Nor can the Government use their enforcement powers to identify alleged breaches of the UK's immigration law to impose penalties or bar refugees from making asylum claims on that basis. I therefore ask the Minister to say unambiguously today that he intends to comply with the refugee convention and the European Court of Human Rights.

The SNP is supportive of the provisions in the Bill on firearms, but a number of elements may extend the competences of the Scottish Parliament and I ask the Minister to assure the House that he will work closely with the Scottish Government to ensure the problems do not arise and that consent motions are sought when required. In particular, I seek assurances from the Government that the provisions about lethal barrelled weapons do not impact on the Air Weapons and Licensing (Scotland) Act 2015. On that note, the provision in the Bill on fees could potentially extend the executive competence of Scottish Ministers and would therefore require a legislative consent motion.

Giving police the power to require arrested persons to state their nationality, applying to arrests for all offences, seems to go beyond the purpose of immigration. It will affect devolved powers on policing and the investigation of crime and therefore the UK Government must continue to engage with the Scottish Government on those powers. In Scotland, our police forces can already ask any person who is detained to provide details of their nationality, and those powers will be replicated in the Criminal Justice (Scotland) Act 2016.

If passed, the Bill would represent a real change to the law in Scotland on police questioning on arrest and in custody. Currently, those arrested or detained must, when required, provide information about their nationality. Failure to do so constitutes an offence, the maximum penalty for which, as the law stands, is a fine. The Bill, however, would increase the maximum sentence in Scotland for failure to state nationality on arrest to both a 12-month term of imprisonment and a fine. It also introduces, again in Scotland, a power to require such a person to produce a nationality document, with the failure to do so constituted a new offence with the same maximum sentence. Such changes represent an important increase in the significance of such powers to any individual whose nationality is called into question on arrest. They could also implicate the devolution settlement and the Sewel convention since they concern devolved matters. I therefore urge the UK Government to engage with the Scottish Government on these provisions and to ensure that the powers will not undermine the wider police powers to ask questions on nationality.

Finally, it is imperative that any implications for Scotland of this legislation are scrutinised closely. Again, I urge the Minister to work closely with the Scottish Government to monitor any impact the Bill could have on the devolved Parliament.

Mr Deputy Speaker (Mr Lindsay Hoyle): I call James Morris.

5.55 pm

James Morris (Halesowen and Rowley Regis) (Con): Thank you, Madam—[*Interruption.*] I mean Mr Deputy Speaker; I am sorry. All the flattery from my hon. Friend the Member for Broxbourne (Mr Walker) has befuddled my brain.

Mr Deputy Speaker: What did he say to you?

James Morris: We have a very close relationship.

As my hon. Friend the Member for Broxbourne has pointed out, in my role as chair of the all-party parliamentary group on mental health I very much welcome the parts of the Bill that relate to sections 135

[James Morris]

and 136 of the Mental Health Act 1983. It is an issue in which I have long taken an interest in this House, and I had an Adjournment debate on it in Westminster Hall in 2013.

A number of people have influenced my thinking about the importance of the changes in the Bill, particularly as regards some of the work that has been done by West Midlands police. In particular, I want to mention Inspector Michael Brown, who has an interesting blog that other hon. Members might wish to look at. He is a mental health blogger and came to see me in my constituency office four or five years ago to talk about how the nature of policing was changing in society, the importance of dealing with mental health on the ground, and how the nature of policing meant that police officers were putting themselves in situations in which they were essentially having to make decisions about whether or not to use the powers under the Mental Health Act, as well as about whether they had the ability, knowledge and training to make such decisions.

If we look at the history of the Mental Health Act, we can see that it was initially conceived to cope with people who were absconding from asylums. It was updated in 1983, including through the section 135 and 136 provisions, and today's changes are very important as the Mental Health Act needs to reflect the more modern experience of policing and of working with health professionals. Sometimes, we need to question whether we should go further in changing the Mental Health Act, because one downside of police officers specifically being given powers to detain people is that that raises issues to do with liberty and whether somebody is capable of making their own decisions, even when they are in mental health crisis. The fundamental point, which my hon. Friend also made, is that I do not think that any civilised person would say that there should be any circumstances in which a child suffering a mental health crisis ends up in a police cell. I welcome the changes to section 136.

The Bill also confers regulation-making powers on the Secretary of State to define when an adult should legitimately be placed in a police cell.

The Minister for Policing, Crime and Criminal Justice (Mike Penning): I thank my hon. Friend for giving way, and particularly commend the speech by my hon. Friend the Member for Broxbourne (Mr Walker). Through the Bill we are trying to say—including to the other agencies to which the shadow Home Secretary referred—that a police cell or a police vehicle is not the place for someone in a mental health crisis. As the Ministers responsible for policing, we have to say that we are the port of last resort, not the port of first resort, which, I am afraid, is a situation that the section 135 and 136 legislation has got us into in some parts of the country. We need to get away from that.

James Morris: I thank the Minister for that intervention. He makes a powerful point. I have been a strong advocate of the street triage schemes that have been rolled out across the country. I was taken out by the street triage team in Birmingham and sped on a blue light to the centre of Birmingham, where a man was threatening to throw himself off the new Birmingham library. As the

Minister knows, street triage is an effective combination of a police officer and a trained psychiatric nurse, both of whom present themselves at the point of crisis. That is the way we need to go, where we do more to get the police working with health professionals.

Mike Penning: I apologise for further delaying the House. Where it has not been possible for whatever reason to get the street triage team to the scene, we can have mental health professionals in custody suites. That point of entry gets around the data protection issues and people, who often know the mental health professionals, can be treated in a completely different, more civilised way, as we would expect our constituents to be treated.

James Morris: The Minister makes an excellent point. We need greater integration between policing and health. It should not be part of policing for police officers to make crucial decisions about an individual's psychiatric state.

Bob Stewart: Street triage sounds ideal and superb. Am I correct in assuming that the psychiatric nurse and the police officer both have negotiator training? My hon. Friend mentioned an incident in which someone was threatening to throw himself off a roof. Is negotiation part of the training of the street triage team?

James Morris: Such teams find themselves in extremely difficult and often dangerous situations, in which they have to deploy negotiation skills, as well as assessing the condition of an individual. That is vital work being done at street level.

I very much welcome the changes and the reduction in the time that somebody can be detained under the Mental Health Act but, as my hon. Friend the Member for Broxbourne and others said, we should aspire to reduce it further to less than 24 hours. We should seek an appropriate length of time for somebody to be assessed psychiatrically for the nature of their condition. The reforms in the Bill should be considered as part of a cross-government approach to dealing with people with mental health problems.

The changes that the Bill introduces should be seen not in isolation, but in the context of the availability of places of safety, which my hon. Friend talked about. The £12 million or £14 million identified by the Home Office in conjunction with the Department of Health is a start, but we need much more emphasis on further funding to provide acute psychiatric places, including the roll-out of liaison psychiatry in accident and emergency departments.

The crisis care concordat introduced by the previous Government has been an effective mechanism for bringing together various partners to improve crisis care. Much more work across government is needed to increase its effectiveness.

Although the number of deaths in custody has not been high, some of those have been of people detained under section 136 of the Mental Health Act. We should be mindful of the issues raised by the use of restraint by police officers in such cases. I highlight that to the Minister as an issue that needs to be considered. There is some evidence that in certain circumstances the police have used excessive restraining powers when dealing with people under sections 135 and 136 of the Act.

I welcome the broadening of the definition of a place of safety under section 135, which can mean somebody being kept in their own home, or in close proximity to where the crisis incident took place in order for them to be assessed appropriately.

These are changes which many people have called for over many years. I am very pleased that the Home Secretary and the Front-Bench team have listened to the representations made by police officers on the ground and by health care professionals. The way we treat people in a state of mental health crisis says much about the sort of society we want to build. These are significant steps in improving our approach to dealing with people in mental health crisis, but they are only one part of the story.

We need to do more work to achieve parity of esteem between mental and physical health, and we are some way along the route. The Government have made a series of welcome announcements on mental health in the past few weeks, particularly on crisis care and community care, but we must go further. People in mental health crisis should receive compassionate care. They should be taken to an appropriate place and dealt with with dignity and humanity, which is very important to the way that we treat mental health in Britain today.

6.7 pm

Keith Vaz (Leicester East) (Lab): This has been an interesting and encouraging debate where there seems to be camaraderie across the Chamber. We have seen the hon. Members for Winchester (Steve Brine) and for Braintree (James Cleverly) flirting with the Home Secretary. Two of them have now disappeared from the Chamber. The hon. Member for Halesowen and Rowley Regis (James Morris) has been lavishly praised by the hon. Member for Broxbourne (Mr Walker), and I shall lavish praise on the hon. Member for Broxbourne. This is a very odd debate, and it is still only seven minutes past six.

I congratulate the hon. Member for Broxbourne on an excellent speech. He underplayed his own contribution to what the Government have done in respect of the Bill. He has been a great campaigner on mental health issues, and we are extremely grateful to him for all that he has done, as we are to the hon. Member for Halesowen and Rowley Regis in his capacity as chairman of the all-party group. The Government are right to introduce those clauses that respond to concerns raised by Members over a number of years. Finally, we have something in legislation.

In the spirit of praising those on the Government Benches, I thank the Minister for Policing, Crime and Criminal Justice for writing to me on 11 February, telling me, and asking me to pass on to members of the Home Affairs Committee, that the Bill gives effect to five separate recommendations made by the Committee in reports published in the previous Parliament. I do not know whether it is because one of our former members is now the Parliamentary Private Secretary to the Home Secretary and while he was in Marsham Street he slipped a number of those recommendations into the Bill, but whatever the reason, we are most grateful. The Minister's letter is a courtesy that I cannot remember being extended to me and the Committee by any previous Minister under successive Governments, and we are extremely grateful. We always like to know that Ministers at the Home Office read our reports, and we like it even better when Ministers write back to say that they will implement some of the recommendations.

Mike Penning: When I took over the policing responsibility 18 months ago, I asked for the previous reports by the Home Affairs Committee—they had been gathering dust because there were quite a few. What has really and truly happened is that we have cherry-picked what was feasible and what we could deliver, and we have placed it in the Bill—with the help of the Home Secretary's PPS.

Keith Vaz: I thank the Minister, and I say to him that he should carry on cherry-picking if that results in changes that find favour with both sides of the House.

On mental health, the Bill will ban the use of police cells as places of safety for under-18s, and the Committee has never believed that they are the right place for such people. I acknowledge the work done by my hon. Friend the Member for North Durham (Mr Jones), who has also campaigned on these issues over a number of years. He is one of those who have always said that people with such illnesses should be in police cells only in exceptional cases. That applies, of course, to children, but also to adults.

The Committee likes the idea of police officers consulting members of the medical profession before removing a person to a place of safety, and we think it is right that there should be a maximum period of detention.

Mr Kevan Jones: My right hon. Friend is right that the intention is, quite rightly, not to have under-18s in police cells, but to go back to the point made by the hon. Member for Broxbourne (Mr Walker) and others, that will happen whether we like it or not, unfortunately, if the beds are not available locally.

Keith Vaz: My hon. Friend is absolutely right. That is why these things have to be done in partnership with the local health authority and the local authority. If there is no provision, police officers are left in the position of having to make decisions about people with mental illnesses, and we do not want them to be in that position, because they are not qualified to make such decisions. The Police Federation, too, needs to be thanked for its work on this issue, because it was the first to point out that many people in custody suites should not be there, because of their mental health conditions, and it would prefer them to be in another place. My hon. Friend is therefore right: these issues are all part of providing even better support for such people.

The Committee welcomes what has been said about police bail, which of course reflects one of our recommendations. We published our report on the issue on 20 March 2015. We were moved to do so because of the evidence given to us by a number of individuals, and particularly by Paul Gambaccini, who made the powerful point that the continuous extension of bail caused individuals huge distress.

Paul Gambaccini also said, and we agreed with him, although this is not part of the Bill, that when the police finish an investigation and find that there is no evidence, they should say not that people are not being prosecuted because there is insufficient evidence, but simply that they could not proceed because there was no evidence, which was the situation we found in the Paul Gambaccini case. It is important that that happens.

Mike Penning: I wonder whether the Home Affairs Committee Chairman would agree that that does not need to be in statute. Surely it is simply common sense for the investigating officers to do such a thing, because this is not just about Paul Gambaccini—there were lots of others. The reason we have not put that in the Bill is that neither I nor the Home Secretary see the need for it to be on the statute book—it is just the common-decency way to treat people.

Keith Vaz: What the Minister has said today is extremely powerful and important, and it will give great comfort to people such as Paul Gambaccini. That is a common-sense approach to the cases of people have been on bail continuously but where no evidence is then found. People should conduct these investigations in a timely fashion. What the Minister has said will be something we can use as an example of good practice.

The shadow Home Secretary, who is not in his place at the moment, mentioned the case of Siddhartha Dhar, whose sister came to give evidence to the Committee—it was an emotional time, but it was important evidence. We were concerned that his passport was not handed over when he became a suspect. The police actually sent him a letter asking him to come along and surrender it; of course, by then, he had left the country—he had booked his departure, got on a coach with his family and crossed the border, and he was gone. He is probably still in Syria, although we do not know for sure.

The Minister may think this is also a matter of common sense rather than statute, but it is important, where we have terrorist suspects, as the shadow Home Secretary said, that we insist on their passports being handed over when they are in the custody suite; we should not wait to write to them and say, “Please will you hand over your passport?” because they will have used the opportunity to leave the country, as Mr Dhar did.

This may be a matter of common sense rather than statute—this is not a criticism of individuals, but us looking at a system—but many years ago we said to the Justice Department, “Wouldn’t it be a good idea to ask a foreign national prisoner to surrender their passport to the court at the time of sentence?” The Prime Minister has now said that that is a very good idea and we must ensure that it happens.

Those are common-sense suggestions. I know it requires a whole inquiry by the Home Affairs Committee to come up with them, but why have they not been implemented before? That is my concern. I welcome absolutely what is being done on police bail—it is the right course of action—but the handover of passports is very important. The Committee has been trying for some time to get the new director general of the Passport Office in. He has so far eluded us, but we will write to him again and remind him that he needs to come in; otherwise, we will be writing a very stern letter. He has an important contribution to make to this debate. When the Prime Minister appeared before the Liaison Committee, he also said he would look at these issues.

I welcome what is being suggested with regard to the reform of the Police Federation. Its new management, if I can call them that, have made substantial changes. It is right that the federation’s core purpose should be amended to include a commitment to acting in the public interest. However, a recent letter from the chief executive and the chairman touched on some of the promises made about returning subscriptions to police

officers because the federation had amassed huge reserves. I know the Policing Minister loves talking about reserves, and the federation had amassed quite a lot of reserves, so the Committee suggested that it hand some of them back to PCs, rather than collecting more subs. We also suggested that a smaller amount be spent on legal action, because the federation is spending quite a lot on supporting legal action. The Bill helps us along that road, and I hope that the other issues—the Bill does not mention reserves—will also be looked at.

The fifth area where the Bill implements recommendations by the Select Committee is police integrity. We are pleased that there will be a new statutory police barred list for officers and staff who have been dismissed, and that a police advisory list of those who are under investigation for matters amounting to gross misconduct is also included in the Bill. The Bill also places a duty on senior officers and policing bodies to check job applicants against the list before employing them and to report to the College of Policing.

Shortly the Committee will open up a review of the work of the College of Policing, and Alex Marshall will be coming before us. The Home Secretary talked about the massive changes she has made, and no Home Secretary has ever made such dramatic changes to the landscape of policing. However, I think we have neglected the College of Policing. I rate it very highly, and I think Alex Marshall is an excellent chief executive. We need to call it the Royal College of Policing. We need to make sure it stands on a par with some of the other royal colleges, such as the Royal College of Nursing, and with the British Medical Association and other organisations. I think we are getting there.

Mike Penning: Because the college was absolutely brand new, we first had to get it established, bedded down and gaining the confidence that the Chair of the Select Committee has referred to. There are more powers for the college in the Bill, and it will evolve, but it was brand new and it had to have confidence of people across the country, particularly that of the police.

Keith Vaz: I hope that we will look at some of these issues when we come to review the work of the college in the next Session.

I support what is being done on police complaints. As I have sometimes said to my hon. Friend the Member for North Durham, perhaps the police at a local level could adopt the John Lewis approach—“If there is a complaint, try and sort it out.” When members of the public complain about us, as I am sure they do very rarely [*Interruption*]*—yes, it does happen—we take that more seriously than we do letters of praise, because we want to get the system right. If somebody complains that we did not spend enough time with them at a surgery or they are unhappy with a letter that we have sent, we spend a disproportionate amount of time on that—more than we do on other members of the public. Sometimes it is better to say, “Sorry, we got it wrong”, at a local level. Not everyone can have the privilege of coming before the House and saying sorry in such a public way, as the Minister did on the police funding formula, but he did it and he survived, and he has grown stronger as a result. The police should do this at a local level. I have a bit of an open mind about some of the suggestions, but a time limit is absolutely vital: we cannot have things going on for ever and ever.*

I fully support what the Government are doing on firearms, although, to reiterate the Committee's previous recommendations, we think that there are too many pieces of legislation relating to firearms and they should be consolidated in one Act of Parliament rather than be found in different places. I think that Opposition Front Benchers will be very open to a suggestion of consolidation, because it is quite difficult to find every single piece of information.

On collaboration with the fire service, I take a different view from the shadow Home Secretary. I have an open mind about this. Better collaboration between the emergency services might help local people. I suppose I am driven by the fact that, on 14 January, 10 ambulances were parked outside Leicester Royal Infirmary delivering patients and not collecting them. We have only 25 ambulances in the whole of Leicestershire, so to find 10 outside the infirmary made me worry about our emergency services system. I am open to persuasion. I am happy to look at this carefully, and I am sure the Committee will also want to look at it to see whether it will work. The hon. Member for Braintree (James Cleverly), who is here, is the former chairman of the fire authority for London, and perhaps we will call on him to give evidence, if he is free. We want a system that is going to work; we do not want to amalgamate and collaborate and then the whole thing collapses. We want the system to be better rather than worse.

I also have a bit of an open mind about volunteers. We do need a professional police service. We need to be careful about using volunteers, because there are issues of vetting and of who should be accepted. Of course, the idea that the public should be part of policing is very important—it is all about Neighbourhood Watch. I do not see as many of those signs in Leicester these days. There are lots of photographs of Vardy and Mahrez on lamp-posts, but not many signs about neighbourhood policing—I had to get that in somewhere, Mr Deputy Speaker. We need to tread carefully with regard to volunteers. If we do that, we can get a better police service.

I do not want to open up a new debate on the police funding formula, because that will only encourage the Minister to mention it again when he winds up, but we do need a timetable on police funding. The Minister said that he was waiting for the review from the National Police Chiefs Council. I have written to Sara Thornton to ask her whether she thinks her review will somehow stall what the Minister proposes to do. I will await her response and we will of course publish that letter. All this has to be paid for. We have new legislation—those of us who have been in this House for a number of years will have seen policing Bills before—but in the end it all costs. We need to sort out the issue of funding, because we do not want to end up being bitten by having good legislation that is supported by the whole House and being unable to pay for it. I hope that we will look at that in future.

6.25 pm

Jake Berry (Rossendale and Darwen) (Con): It is a pleasure to have the opportunity, relatively quickly, to speak again in a debate about policing. It shows how important we in this House consider policing to be that we have a good attendance today, with so many colleagues from across the House, on a cross-party basis, welcoming

this wide-ranging Bill, which is evolutionary rather than revolutionary, and which moves policing on in our country.

Some of us who stand up in this place to talk about policing have direct experience of it, but for the majority of us, our most direct experience—apart from family connections, which I have—is of our local force. I put on record my thanks to the Lancashire constabulary, which does a fantastic job. It has had some tough funding settlements over the past five years, but has nevertheless continued to prioritise fighting crime on the frontline. Crime has continued to come down on the streets of Lancashire, which I welcome. The shadow Home Secretary and I had a lively debate earlier about whether crime is in fact coming down, but we have to acknowledge that while the face of crime is changing and online crime forms a larger part of the crimes committed today, we can only use the measure that we have now. We will all watch with interest what happens to crime numbers when online crime is included.

It would be churlish to say that police funding has not been under pressure—as I said, we have felt that pressure in Lancashire, as it has been felt throughout the country. However, I welcome the commitment of my right hon. Friend the Chancellor of the Exchequer to protect police funding in real terms in this spending review period, with the proviso that police and crime commissioners across the country will increase the precept. Lancashire's PCC has a bit of form on this, because he has increased it in every single year when he has had the opportunity, and I do not doubt that he will do so again. It is important that we protect police funding in real terms, because police forces face a big challenge in keeping us safe.

I particularly support the changes in the Bill in relation to police volunteers and police community support officers, who are now such an important part of policing. When they were first introduced, they were referred to as “Blunkett's bobbies” and were not hugely popular. I remember speaking to people in the police force who said, “Having these PCSOs is undermining policing.” However, only this week I was driving along Grane road, between Rossendale and Darwen, and there was a major road traffic accident at which the first person on the scene was a PCSO, who was doing a fantastic job of directing traffic. PCSOs are a really important part of policing both nationally and in my constituency.

Clause 28 extends chief officers' powers to use PCSOs and police volunteers more effectively. I particularly support giving PCSOs additional duties and extended powers. Given that policing is changing, as we have all acknowledged, it is right that we give chief officers the freedom to utilise fully all the resources that they have available. I echo the comments of the right hon. Member for Leicester East (Keith Vaz) about having an open mind to the use of police volunteers. As we have heard, one person who volunteers as a computer programmer might be able to do as much to tackle cybercrime as 1,000 police officers. Clause 28 and other measures that cover the role of PCSOs show how policing has changed. We have moved on from the days when Blunkett's bobbies were slightly unpopular and viewed with suspicion by other officers. PCSOs are now valued not only by the communities they serve, but by fellow officers, chief officers and civilian staff in the police force.

[Jake Berry]

PCSOs are important in the provision of community policing. In our previous debate about policing, Members on both sides of the House said that the first thing to go when police forces come under pressure—I do not recognise this in Lancashire, however—is the community police who talk at events and meet young people. PCSOs and police volunteers can fulfil that role.

Clause 29 gives the College of Policing a greater role in designating the training of police volunteers, which will ensure that, even though someone is a volunteer, they will be trained to a rigorous high standard similarly to their colleagues. As more volunteers carry out roles on the street that might traditionally have been fulfilled by warranted officers, members of the public will expect them to have received high-quality training so that we have a good experience when we interact with them. That is important, so I hugely support clause 29.

Clause 30, which is also part of the short set of provisions in the Bill relating to PCSOs and police volunteers, extends the police complaints system to cover police volunteers, which will ensure that there is fairness and consistency when people complain about the police. We the public demand that high standards of discipline are maintained whether we are dealing with a PCSO, a police volunteer or a warranted officer.

The Home Secretary said that 16,000 special constables—specials—currently serve shoulder to shoulder with police officers. Any Member who interacts with a special constable will probably not realise that that is what they are, because they look like every other type of police officer. They are warranted officers who work shoulder to shoulder, as volunteers, with paid police officers. One of the great benefits of special constables is that they are drawn from all walks of life. They represent policing by the people, for the people.

The Met has done some fantastic work in supporting specials in London. It gives them a council tax reduction and travel concessions are available. Other forces throughout the country also provide such perks, for want of a better word, and I hope that they will continue to do so.

While many of us can stand here and say that special constables do fantastic work, the case of Andrew Blades, one of my constituents, gives us a cautionary tale. He volunteered as a special constable for 2,500 hours over six years, but at the end of that period, he lost his job. He might also lose his home and he is going to lose his future career. In the course of his work as a special constable, he did what I think was a tremendously brave thing: he moved an unmarked police car, which he had the authority to drive, across the street to block the path of a scrambler motorcycle, which was uninsured, had no MOT and was non-road legal, in order to stop the crime of that motorcycle terrorising the community and to protect a fellow officer. The thanks he received was a prosecution for dangerous driving. The Policing Minister helped at the time and we put Mr Blades in touch with the special constables' legal advice service but, frankly, I do not think he received adequate advice. He chose to plead guilty, so he now has a conviction for dangerous driving, meaning that he is unable to continue his business as a driving instructor.

Things could have been different if, as a special constable, Mr Blades had had the protection of the Police Federation, which is the subject of clauses 37 and 38. I support the

extension of the Freedom of Information Act to cover the Police Federation and the way in which the Bill will make it more transparent and open to its members. However, the Bill misses the opportunity to extend the protection provided by the Police Federation to cover special constables. Before the debate, I spoke to Police Federation representatives. They are in advanced talks with the Home Office about whether room can be found in the legislative programme to pass primary legislation that would enable the federation to protect special constables, but I hope that there will be an opportunity in Committee, on Report or in the other place to make the changes required through the Bill.

That point is particularly important because the Police Federation for many years regarded special constables with some suspicion. In fact, it took the view some years ago that the role of a special constable undermined both the federation's role and that of the warranted officers with whom specials stand policing our streets. At the Police Federation's 2014 conference, however, its members unanimously passed a resolution calling for protection to be extended to cover specials. That should not surprise us, because day after day they stand shoulder to shoulder with paid, warranted officers, working the same beats, hours and shifts, to protect the public and keep us safe. I hope that the Minister will look at this missed opportunity and work with the Police Federation to address it.

When that legislative opportunity arises, the Government should also look at Police Federation subs for special constables. I have mentioned the Met's superb work in providing a council tax reduction for specials. Police Federation subs are not insignificant and a volunteer special constable might query whether they should pay about £30 a month for the privilege of being a member. When we make the legislative change that I set out, I hope that we will be able to find the money—from central Government funds, rather than from those of individual forces—to pay the subs of special constables on their behalf.

The shadow Home Secretary made a good point about when officers choose to retire. There was previously clearly a loophole whereby officers could avoid an investigation by retiring or resigning from their post. As someone who was born and brought up in Liverpool, I, like the shadow Home Secretary, was well aware of the allegations relating to Hillsborough and the ongoing investigations into them. A 12-month arbitrary cap on the period for which officers can be pursued is probably not correct, so I hope that we will be able to look at that again. The situation could be treated similarly to the statute of limitations in tort law, whereby the limitation starts to run only from the date on which the tort—the wrong, in this case—is known about. That would be a reasonable adjustment for the Government to make, because there was clearly a police cover-up regarding Hillsborough and the extent to which serving police officers might have been implicated could not have been known within 12 months of the incident. The Government have an opportunity to look at that, so I hope that we will be able to explore it further as the Bill goes through the House.

6.38 pm

John Woodcock (Barrow and Furness) (Lab/Co-op): It is an honour to follow the considered speech of the hon. Member for Rossendale and Darwen (Jake Berry).

He was brave and absolutely right to add to the calls to extend the 12-month period. I sincerely hope that the Government will agree to do that on Report.

The public put a huge amount of trust in the integrity and professionalism of the police, and rightly so, but nobody is infallible. When the police mess up, the public want to know that they will be held properly to account. Public confidence is vital for effective policing, and police accountability has come a long way in a relatively short space of time. It is easy to forget that it was only in 2002 that the last Labour Government set up the IPCC in response to the Stephen Lawrence case. That was a huge step forward, but compared with other public services the police remain under-scrutinised. Too many investigations are carried out behind closed doors. Too many reports are suppressed. Too many officers take retirement rather than taking the rap for their mistakes.

Some clauses in the Bill will make real progress on a lot of those issues, and that is welcome. The widening of the definition of a complaint in clause 11 is sensible, and will, I hope, allow greater scrutiny. It is good to see that officers will no longer be able to dismiss complaints as fanciful without recording them. Most welcome is the beefed-up role of the IPCC in investigating complaints. The fact that it had to wait for a referral before acting was always perverse, and I am glad that it will now be able to act with greater freedom when it thinks that wrongdoing has occurred. The move from managed to directed investigations with more IPCC oversight is also a step in the right direction for transparency and accountability. It is right that the IPCC will now be required to investigate all cases that involve chief officers.

The House will be aware of the tragic case of Poppi Worthington in my constituency. I have raised it a number of times on the Floor of the House, and I know that the Ministers on the Front Bench are well aware of it. The failings of the police in Cumbria in the aftermath of Poppi's death are deeply troubling. Not only has the case raised questions about the conduct of my local force, but it prompts wider questions about the overall system and structure by which the police are held to account. I am concerned that for all the positive steps they contain, the proposals represent a missed opportunity to deal with those issues.

I want to raise three specific issues: first, the information that is available to police and crime commissioners to allow them to perform their roles effectively; secondly, the disciplinary processes and the role of the IPCC; and, thirdly, new rules for officers who leave the force. In Cumbria, we have just welcomed back Jerry Graham as our chief constable following a leave of absence for ill health. In his absence, the deputy chief constable, Michelle Skeer, acted up in his position. That is normal procedure, and it meant that Ms Skeer was at the helm in recent months, during the revelations about Poppi's death. The problem is that she was also one of the officers criticised by the IPCC in its report into police failures in the Poppi case. That report has still not been published, and I maintain that it should be made public immediately.

Not only was Ms Skeer criticised, but the police and crime commissioner was not made aware of the IPCC's findings when he confirmed her appointment as the acting chief constable. I understand that it is often a formality for the deputy to act up when the chief constable is laid low, and in the vast majority of cases that will make sense, but it requires oversight and

confirmation by the police and crime commissioner. Otherwise, what are they there for? Surely the Government must agree that in that case, it was inappropriate for Ms Skeer to act up without the commissioner being apprised of the findings of the case against her. It must be possible to address that problem in the Bill. That has not happened yet, but there is a clear opportunity to do so on Report if the Government have the will to act.

For an officer to head a force, and to have oversight of all disciplinary matters, when she has been heavily criticised by the IPCC is highly problematic. It looks wrong to the public, and it damages trust. That situation should never be allowed to occur again, but I see nothing in the Bill to correct that flaw in the original procedures. Should not police and crime commissioners be provided, as a matter of routine, with draft IPCC reports, even when the reports cannot be published for legal reasons? When the decision is made to appoint a chief constable or a deputy, or to allow people to act up in those roles, the IPCC ought to give the police and crime commissioner all the relevant information about as yet unpublished investigations into that individual, even if that information is available only in draft form. If commissioners are to be more than simply window dressing, sustained at considerable expense to the taxpayer, they need to be able to access the information that allows them to do their jobs properly.

On discipline, the Bill is surely an opportunity to improve the current processes.

Mike Penning: I thought it might be useful to say at this point that the Under-Secretary of State and I, having listened to the hon. Gentleman's speech and the other contributions, will look carefully to see whether we can address in Committee or on Report the concerns that he has sensibly raised around that issue. One way or another, we will try as best we possibly can to address the matter in the Bill.

John Woodcock: I thank the Minister for intervening now, rather than waiting until his summation. What he has said is really welcome.

If I can find my place, I will continue what I was saying about discipline. One reason that I have been given for the continued suppression of the report in the Poppi case is that disciplinary action is still ongoing against two officers. However, the draft report was available to Cumbria constabulary exactly a year ago. The IPCC has said that it is "extremely surprised" at the delay, but it appears to have no ability to compel the force to get on with the process. We are left with a situation in which a force is in control of the disciplinary process, but by delaying that process it can hold up the publication of a report that is critical of that force. I am not saying necessarily that Cumbria constabulary is deliberately doing so, but that is clearly the effect. That cannot be right. Surely, the IPCC could appropriately be given more power to compel a force to complete disciplinary action in good time, rather than ending up with a situation such as we have in Cumbria.

Finally, I want to address what happens when officers retire or resign from the force when they are facing disciplinary action, as several hon. Members have mentioned. There has rightly been focus on the length of time for which a former officer can still face disciplinary proceedings after leaving, and whether 12 months is sufficient. The shadow Home Secretary has compellingly

[John Woodcock]

set out why it is not, and he has already been joined in expressing that view by one Conservative Member. I also want to focus on the suggested sanctions. Someone will correct me if I am wrong, but I have raised the matter with the shadow Home Secretary.

My clear reading of the legislation is that where an officer retires before disciplinary proceedings against them can be triggered, within the 12 months or whatever period is set out—they can now, for the first time, be found guilty of misconduct, which is a real step forward and should be welcomed—the only sanction currently proposed is to put them on a list that will prevent them from working in the police force again. However, as they have just retired, which was how they have sought to escape justice in relation to any misconduct, telling them that they cannot come out of retirement is surely no kind of deterrent whatever. I very much hope that can be reconsidered in Committee.

James Berry: I am sure that the hon. Gentleman has consulted the police conduct regulations and will know that sanctions under the police disciplinary regime are intended not to punish officers but to maintain public confidence in the profession. The worst that can happen to a serving police officer is to be dismissed without notice, so it would be rather perverse if there was a more extreme sanction for someone who had retired.

John Woodcock: The sanction would not be more extreme because there is no chance of any workplace sanction after that. In the hon. Gentleman's speech, he can tell me what he thinks the effect on public confidence in the police would be if someone guilty of misconduct—at Hillsborough, Orgreave or in one of the many other cases—was merely put on a list preventing them from serving again, rather than having any other sanction imposed on them. My right hon. Friend the shadow Home Secretary mentioned the prospect of being able to reduce the pension entitlement of retired officers in certain circumstances, which I hope the Minister will consider carefully.

Mike Penning: One of my very sad but important duties is to remove a pension from an officer because they have committed certain types of offence. Sadly, I have to do that weekly. There is already such a sanction, and others, including criminal sanctions, can also be taken. The ability to remove a pension is already in statute.

John Woodcock: But what if they have retired?

I am getting into the rather unusual situation of wanting to ask questions of the Minister who has intervened on me. If my understanding is wrong, I hope he will point that out now or in his summation, but I understood that the only sanction available for an officer who had already retired was not to reduce their pension further, but simply to put them on a list to prevent them from going back to the job from which they had retired to escape accountability.

James Cleverly: I hope I can clarify the situation. I have served on the professional standards sub-committee of the Metropolitan Police Authority, so I can tell the hon. Gentleman that we are discussing the difference between a conduct sanction, for which the maximum

penalty is dismissal from the force, and a criminal offence, for which pension forfeiture is one of the options. We must not confuse the two elements.

John Woodcock: That is helpful. I must say that I was not confusing the two of them, but I am grateful to the Minister for attempting to provide clarification.

I think we are clear that, at the moment, there is no such sanction for a finding of misconduct against an officer who has already retired. That is surely still a gap because it seems palpably absurd to suggest that some sort of blacklist would be a sufficient deterrent or, if that is not what the sanction is for, to give a sense of confidence and justice. I really hope that the Government will think again about this issue. They should also consider whether community work could be mandated in certain appropriate circumstances in certain fields for officers who have subsequently been found guilty of misconduct. I suggest that what is being proposed will simply not be enough to meet the real need for people to have greater confidence that retired officers can be sanctioned.

Mr Kevan Jones: I am listening very carefully to my hon. Friend's speech and I understand his frustration, but does he not realise that it would be very difficult to take someone's pension off them? For someone who has retired and been paid a pension for 10 years, it would be difficult to take their future pension payments off them, but how does he envisage recouping the money that they had received for the previous 10 years? I understand his frustration, but that might be very difficult to do in practice.

John Woodcock: I understand that there are clearly practical difficulties. At the moment, there would not be such a 10-year situation, because the Government suggest that it would happen within one year. We must, however, balance any logistical difficulties with the fact that it would be the exception rather than the norm. To take the example of the appalling conduct of certain senior officers at Hillsborough, the idea that they could escape with no sanction whatsoever is galling. We have a chance to change the system and to tighten it up further than by the welcome steps that the Government have already set out, and I really hope we can do so.

Labour Members who have been pushing for all of this should give credit to the Government because, at least in this respect, they want to make genuine progress. For all the valid criticisms that we make of many aspects of her role, the Home Secretary genuinely wants to increase the level of accountability and transparency in any area of public service that, for too many years—through generations—has avoided the kind of scrutiny given to other areas of the public sector. However, I think we can do significantly better than the proposals currently on the table, and I hope the Government will now consider that.

6.57 pm

Amanda Milling (Cannock Chase) (Con): It is a real pleasure to take part in today's debate, and I am incredibly grateful for the opportunity to speak. I welcome the Bill. I will focus on part 1, which outlines the measures to encourage greater collaboration between the emergency services. I have spoken about that several times in this place.

Encouraging greater collaboration between the blue light services makes perfect sense. Across those services, there is a common and joint purpose, and they have significant synergies. They serve and protect our communities, ensuring we are safe and secure, often in the most difficult of circumstances. For that, we must be incredibly grateful, because they often put their own lives at risk to protect us.

As several hon. Members have said, each service faces change in terms of demand and new challenges. Crime is falling, but the nature of crimes is changing. The number of incidents that fire and rescue services attend is falling, thanks in part to the fire prevention work that they undertake, but there is increased demand for the ambulance service. It is therefore right to review the way in which the services operate.

There are some excellent examples of collaboration between blue light services across the country, such as co-location of offices, shared training, joint communication centres and joint operations and fleets. The common benefit of such collaborative models is that they deliver savings and, more importantly, better outcomes for the public. The issue, I am afraid, is the lack of consistency across the country in collaboration. The overall picture can best be described as patchy.

While I am pleased to report that in December, Staffordshire fire and rescue authority agreed to undertake a review of the ways in which it could work more closely and collaboratively with Staffordshire police, I am disappointed that it took so long—about six months—to get to that position. In the meantime, fire engines were removed from both my local fire stations in Cannock and Rugeley, as well as from other stations across the county. I therefore welcome the statutory duty for blue light services to keep collaboration opportunities under review, as is set out in clauses 1 to 5.

The Bill goes a step further on collaboration between police and fire services, which I welcome. Clauses 6 and 7 extend the remit of police and crime commissioners to include responsibility for fire and rescue services. I have called for that provision and secured a Westminster Hall debate on the topic last November. It will therefore come as no surprise that I am particularly pleased to see it in the Bill.

The introduction of police and crime commissioners has created greater transparency and democratic accountability in policing by replacing the unelected and unaccountable police authorities. The public can exercise their approval or, equally, their disapproval of a PCC's guardianship at elections, judging them on both the police precept and the local policing and crime performance. PCCs have the opportunity to review and set strategic priorities to respond and adapt to local needs, and must manage that within a challenging financial landscape.

PCCs have had to reform and look at ways to innovate and create efficiencies to protect and enhance front-line policing. For instance, the police and crime commissioner in Staffordshire, Matthew Ellis, has not increased the police precept, but has created savings and better outcomes for the public by introducing technology so that police officers can spend more time out on the streets, rather than behind a desk. The performance of PCCs has depended on reform. With more transparency in terms of data, such as crime trends, their performance is open to public scrutiny.

There is now only one exception in respect of local direct accountability: fire and rescue authorities. Although the authorities are made up of elected councillors, they are not directly elected to their positions by the public, but simply appointed. It is important that that is not confused with democratic accountability. To take Staffordshire as an example again, the fire and rescue authority has increased the precept, even though, as I understand it, it has significant reserves. It is time for change. That is why I welcome the extension of the remit of police and crime commissioners to include the responsibilities of fire and rescue authorities. Extending the transparency and accountability of fire and rescue services, and applying the same principles that have been applied to the police, will rightly enable the public to scrutinise their performance too.

The governance and single employer models will take collaboration to another level and, in essence, will see the integration of the management and back-office functions of the two services. However, it is important to note that they will remain operationally distinct. No one is suggesting that police officers should fight fires or that fire officers should arrest criminals. The integration that will come about through PCCs taking responsibility for fire and rescue services will improve the efficiency and effectiveness of the services.

Bob Stewart: Forgive me, Madam Deputy Speaker, but I had to leave the Chamber for 30 minutes earlier. Does my hon. Friend agree that although the services will be distinct operationally—policemen don't do fires and firemen don't do policing—it would be good sometimes if they were on the same radio network, particularly when an incident is called in?

Amanda Milling: My hon. Friend is absolutely right. Co-responding would bring better responses to certain incidents, particularly emergencies.

The efficiency and effectiveness of the services will be improved by cutting out the duplication in back-office functions, procurement, management and offices. Significant savings could be made from integration. Our PCC estimates that in Staffordshire alone, about £4 million of savings could be made by integrating management and back-office functions.

Lyn Brown (West Ham) (Lab): Does the hon. Lady not recognise that many of those savings have already been made through collaboration inside councils or with the NHS? Where does she think the extra money will come from? It will have to come from the local council.

Amanda Milling: Although I recognise that there is some collaboration within services, I believe we could go an awful lot further.

This is not just about saving money. Effective integration will create better outcomes for the public as resources are focused on the frontline, creating more viable and visible services. It will be possible to take a more holistic view of the way in which incidents are responded to by both services. Again, that will create better outcomes for the public and lead to a more efficient use of resources.

Under the Bill, a PCC will take on the new responsibilities only where the case is made locally. Although I have raised concerns about the changes being voluntary rather

[Amanda Milling]

than mandatory, I understand why this is the case in an era of devolution and localism. I am reassured to some extent by the statutory duty for fire and rescue authorities to co-operate with PCCs as they develop a business case and by the ability to escalate the decision to the Secretary of State if there is disagreement, with an independent review panel assessing the business case. When the Minister winds up, I would be interested to hear in more detail how those two processes will work in practice. Although I accept that there is a need to co-operate, the processes need to be genuinely robust to address the underlying resistance to change. I would also be interested to know how frequently the reviews could be undertaken, should there be a need to revisit a business case.

I have talked about public accountability. If we are genuinely to ensure that PCCs are clearly and directly accountable to the public for both police and fire services, I feel that their title needs to change. What plans does the Minister have to change the title of PCCs to reflect their new responsibilities? The suggestions have included public safety commissioners and community safety commissioners. A title with a broader scope could open up the opportunity for the role to be expanded further to include other blue light services over time, such as the ambulance service. After all, there are many incidents in which all three services are involved and to which they all respond.

As I see it, the Bill is the beginning, rather than the end, of the blue light services' collaboration journey. I urge the Government to create a strategic road map towards further integration to create consistent, connected and co-ordinated front-line services that are more resilient and more responsive to the changing needs of the public and our communities.

7.9 pm

Mr Kevan Jones (North Durham) (Lab): I broadly welcome this Bill, and I will touch first on its proposals for mental health services and then on some broader issues, including those raised by the hon. Member for Cannock Chase (Amanda Milling). Credit must go to the Government for addressing police interaction with those who suffer from mental health conditions. Is this issue the fault of the police? No, it is not. In many cases, they are picking up the failure of the rest of society, but they have specific powers that the Bill proposes to change with regard to sections 135 and 136 of the Mental Health Act 1983.

Sections 135 and 136 are unique because they give the police powers to remove the liberty of somebody who has not committed an offence or been suspected of doing so. Section 135 is used if someone is suspected of a mental disorder that could lead to them becoming a danger to themselves, not being kept under control, or being unable to care for themselves. A magistrate can authorise a warrant for police officers, with a doctor or another mental health care professional, to carry out an assessment and enter someone's property, and to evaluate them and section them for up to 72 hours.

Section 136 refers to people in a public place and states that a person who is "suffering from mental disorder and to be in immediate need of care or control" can be taken to a "place of safety" if it is felt that they or others need to be protected. There are clear reasons

for such provisions, but I think they have been made worse by the non-joined up approach to dealing with people who have mental health issues. Is that the fault of the police? No, it is not. The steps taken in the Bill will help, but will they solve the problems? No they will not, because until we hard-wire mental wellbeing and mental health into public policy, these problems will continue to exist.

Under the 1983 Act, a "place of safety" includes a hospital, a police station, an independent hospital, a care home, or any other suitable place. Clauses 59(2) and 60 move away from the practice of taking people to police stations. For example, clause 59 will allow someone to be kept at home, although I understand from talking to mental health professionals that that already happens in some cases, which I welcome. Not using the default position of taking someone to a police cell must be welcomed. Clause 60 states that a suitable place of safety could be someone's house or flat, or another place that a responsible management deems suitable. I have some problems with that because it puts the onus on the police to decide what is a safe place, and I do not think that is fair on the police officers in attendance.

Bob Stewart: I thank the hon. Gentleman, who is a friend, for giving way. Not only does the police officer have to consider what is a safe place, they probably also have to decide how ill the person is with whom they have come into contact. That must be very difficult at times.

Mr Jones: I agree, and as has been mentioned, there is good practice in co-locating police officers and other emergency services with mental health professionals.

My other problem is with who takes such a decision. Clearly, if someone is in crisis and faced with a choice of being taken to a police cell or being allowed to stay at home, most people will stay at home even if that is not the safest place for them. Likewise, their relatives or carers may feel that they have no choice but to take the default position of keeping somebody at home. Perhaps when the Bill goes to Committee we should examine exactly how the measure would work in practice, because it could also lead to the problem being masked. Like the hon. Member for Broxbourne (Mr Walker), I think that we need a place of safety. That does not necessarily have to be a bed—I will come to that issue in a minute—but we need places where people can be taken and properly assessed. These statistics may suddenly disappear, and people might not be placed in that position—the local health commissioners might suddenly say that we do not need a place of safety, but that is not currently the case. We need clarification on what is deemed a place of safety.

Clause 59(5) states that the police must consult a health professional before using section 136 of the 1983 Act. It requires a police officer, where practicable, to consult a doctor, nurse, approved medical professional or another person as specified in the regulations—we have not seen those yet—before using their section powers. Again, I have some problem with that provision. I can see it working in practice in a situation such as those outlined where there is good triaging work, but it is a big call on a police officer in a difficult situation when somebody is in crisis—especially if they are threatening to take their own life—if practical steps have to been taken to consult a mental health professional. The thrust of the provision is right, but I am not sure

how it would work in practice without a clear indication that local police forces have ready access to mental health professionals. I accept, however, that in some places great work is being done on that with joint working.

Clause 60 refers to the place of safety and police cells. Should a police cell be a place of safety for somebody with a mental health issue? It certainly should not. Subsection (6) prohibits the use of cells for those under 18, and I completely agree with that. The only problem is that if there are alternatives to the police cell, what will be the default position? People say that more beds are needed, and in some areas that is a problem. In other areas, however, we need places of safety to take people to. We cannot separate the crisis that faces housing in London, for example, and mental health issues. If we have proper supported housing and other projects for people to go to, that is the alternative. A bed is not always the answer to these problems. The Crisp report demonstrated that 500 people had to travel 50 km to access a mental health bed. However, because such statistics are not kept nationally, how will we know whether the targets are being met? At the moment, statistics are kept sporadically, and perhaps in Committee we should insert some provision for them to be kept nationally.

The thrust of the Bill is right, and clause 60 provides regulatory powers to the Secretary of State on the use of police cells as a place of safety for those aged 18 or over. The regulations will set out the circumstances in which a police cell may be appropriate for someone waiting for an assessment. I do not question for one minute the Government's direction of travel in not wanting to place people with mental health issues in police cells, but some examination of what those regulations would mean is important. Clearly, if beds or places of safety are not available locally, people will wait a long time. I have spoken to police officers in my area and a police cell is the last place they want such people to be in.

Measures to reduce the maximum detention time from 72 hours to 24 hours are welcome. However, I would even question the 24-hour limit, which I think is linked to Police and Criminal Evidence Act 1984 regulations. These people are not criminals, so why do we have to use the same time limit? Guidance for commissioners from the Royal College of Psychiatrists on section 136 says an assessment should be made within three hours. In Committee, we should try to reduce the time limit down to a maximum of three hours. I am not criticising civil servants for drafting the provisions thinking they would fit in with the PACE regulations, but the inference of criminality stigmatises people who are clearly not criminals.

The chair of the Health Committee, the hon. Member for Totnes (Dr Wollaston) raised the issue of when the 24-hour period starts. Does it start from when the person is detained in a police van or police car, or does it start when they arrive at the place of safety? This could make a big difference if people are being transported long distances to a place of safety. These issues need to be considered.

The issue of health service advocacy is completely missing in the Bill and needs to be addressed. Under the Mental Health Act 1983, there is provision for independent advocates for people with mental health issues. There are some exceptions, however, one of which happens to be the place of safety under sections 135 and 136 of the

1983 Act. People need advocacy and I would like some provision in the Bill to allow access to it. People in crisis will not be in a position to argue for their rights or to ensure they make the right decisions. The idea that advocacy is an exception rather than mandatory under the Act again puts pressure on statutory services to take it seriously.

I do not want to be churlish. I recognise that the Government are trying to move forward and I welcome what is being proposed, but the practical implications perhaps need to be considered in Committee. Alongside that consideration, we need a debate about what is a place of safety. In some cases it will be a bed, but the hon. Member for Broxbourne has other examples of places of safety run by charities and others. Unless the provisions in the Bill are implemented alongside changes to the health service and the voluntary sector, the issue, which is perceived to be a problem, will be placed unfairly back on to the police. We need to ensure the two are linked up. I hear what the Government say about £15 million being made available, but that is a drop in the ocean compared with the problems we face. We need to ensure that local commissioners work with the emergency services and others when commissioning local services. This is not just about beds. I am coming around to what the hon. Member for Broxbourne said as perhaps more appropriate.

Mr Charles Walker: The hon. Gentleman is talking about short-term crisis houses, which tend to be run by the third sector. They are community based and people can go to them for between three and five days at that moment of crisis to be sorted out before they go back home or back into the community to stay with friends or relatives.

Mr Jones: Yes. It is time to consider that proposal irrespective of whether such houses are provided by the voluntary sector or the statutory sector. A network of that type of provision across the country would get away from the use of police cells. As the hon. Gentleman knows, they could be commissioned at a local level, and third sector development could provide very good value for money. I welcome the proposed changes, but they need to be amended in Committee.

I broadly welcome the Bill, but my right hon. Friend the Member for Leigh (Andy Burnham) is right to say that we cannot consider it in isolation away from the funding of our police forces or of our fire and rescue services. The hon. Member for Cannock Chase gave the impression that this is all about driving through efficiency locally, forgetting that more than £2 billion has been taken out of policing by her Government in the past six years. In addition, money has been taken out of local fire and rescue services. Before she claims that I am arguing for inefficiency, I stand proud to be the Member of Parliament for the most efficient police force in the UK—Durham. However, efficiency has been achieved at a cost. The central Government grant has been cut and 350 officers have had to go. She talks about precepts and making local government accountable. That is fine, but the system needs to change. An increase in the precept in Durham, on both the fire service and the police, will not fill the gap created by central Government cuts. In a perverse way, the Government seem to be moving money away from more deprived areas to the more affluent areas of the south.

[Mr Kevan Jones]

On the relationship between the fire services and the police, I am not opposed to efficiencies relating to the back office or anything else, but the hon. Lady did say she did not want the police fighting fires and firefighters catching criminals. I agree. We need to be clear that there will be no merging of the frontline. I will support anything that can make the service better for people and more efficient. The firefighters and police officers that I know want that, too.

Kit Malthouse: I understand the sentiment the hon. Gentleman expresses, but does he agree that there are circumstances in which police officers and firefighters may want to stray over the line into each other's areas of responsibility? There was a famous case not very long ago where police officers stood back and watched somebody floundering in a pond almost drowning, because it was not their job and they did not feel trained enough to go in and save that person. They had to wait for the fire service to arrive. Surely there are circumstances where having complementary skills can be beneficial to the safety of the public.

Mr Jones: Yes, but the hon. Gentleman does the police and firefighters a disservice by giving an anecdotal example. There are many occasions when serving police officers have rescued people from fires.

Kit Malthouse: That is the point I am making.

Mr Jones: Well, yes, but that is not about blurring their roles. I do not think that that is what the public want. They want their police officers to protect them and their streets, and they want their firefighters to respond to house fires and other types of emergencies—road traffic accidents and so on. The public want specialist skills and I would be totally opposed to any blurring of the lines.

There are some positive measures in the Bill that are a step forward. I caution my right hon. Friend the Member for Leigh that, while we need to table many amendments, voting against the Bill on Report would not be understood by the public. It would give the impression that we did not care about the things in the Bill that should be welcomed. Instead, we should be highlighting the things that are ideologically driven.

Andy Burnham: Just to clarify, I was talking not about voting against the Bill *per se*—as I said, it is a good Bill, and we like many of the measures in it—but about voting on Report against the proposals on fire, police bail, which, if not strong enough, we will want to strengthen, and police accountability, where we believe that retirement should not free police officers from having to facing up to past wrongdoing.

Mr Jones: I apologise to my right hon. Friend for the misunderstanding. I thought he told the House he would oppose the Bill on Report, which I would not, but I look forward to his amendments because there are clear ways that the Bill could be improved and strengthened, as he said.

In closing, I broadly welcome the Bill. I hope that in Committee we can address the issues around mental health so that the Bill can do what the Government want it to do, which is to improve the situation. I suggest that they work with the charities sector and others who have

raised some of the concerns that I have mentioned tonight. I hope that we can get to where the Government want to go and avoid the situation of people with a mental illness ending up in police cells. It could also take the burden from front-line police officers, who, although they try hard, are not qualified to deal with such situations.

7.31 pm

James Cleverly (Braintree) (Con): I will limit my speech to part 1 of the Bill, which deals with collaborative working, and specifically to the provisions to bring fire authorities under the umbrella of police and crime commissioners, and the changes to the London Fire and Emergency Planning Authority. I served for many years on the Metropolitan Police Authority, and I was, until just prior to my election to this place, the chairman of the LFEP, so I have seen at first hand the police authority structure, the current fire authority structure and now the workings of the Mayor's Office for Policing and Crime in London. I have also seen at first hand the confusion sown by the existing structures, particularly within the London fire authority. That confusion exists in the minds of voters and firefighters, and it also sits in the minds of the members of the fire authority itself.

Since the introduction of PCCs, we have seen a clear line of accountability from the electorate, through the PCCs, to chief constables and ultimately police officers themselves. There is no ambiguity about where the buck stops, and that is absolutely how a democracy should work. The people who hold and deploy budgets, and who set agendas and priorities, should be accountable to people at the ballot box, and that is what we see with PCCs. I therefore welcome the shadow Home Secretary's statement that the Labour party's position on PCCs has evolved. That is a mature position. I would like to see it evolve further and for him to embrace the model, but we will take one win at a time.

In comparison with the PCC system, the LFEP, when I chaired it, had a mixed fleet of members: some were borough councillors; some were London Assembly members; and some were direct appointees of the Mayor of London. None—myself included—were elected to sit on the London fire authority, as every single member was appointed by the Mayor. The local government appointees were appointed on a proportional system, based on the local government elections, which created the perverse situation that the Mayor, as the only one of us elected with an explicit fire and rescue mandate, did not have a majority on his own functional body.

I referred to the confusion among members. We had Labour and Liberal Democrat members describing themselves as “the opposition” on the London fire authority, despite the authority as a whole being the executive body. We also had the ridiculous situation where I, as the chair of the authority, had almost a Prime Minister's Question Time-style monthly grilling by other executive members, of whom I was no more than the chair. If members of the fire authority do not understand its function—if they believe they are the scrutineers of the executive, rather than part of it—and misunderstand its scrutiny role, how on earth are members of the general public, or firefighters themselves, expected to understand it?

Chapter 3 of part 1 of the Bill remedies that situation by introducing a much clearer line of accountability so that the Mayor can take a direct role in the governance

of the London fire brigade, rather than acting via the rather cumbersome mayoral direction process, as set out in primary legislation, which is what currently happens. The Bill provides for a much clearer golden thread from the Mayor, through the deputy mayor for fire and emergency, the London fire commissioner and the London fire brigade, to the voters, as should be the case.

I would like that model replicated around the country so that people can understand how the system works. We currently have a weird mixed fleet with fire authorities. Some are nothing more than a committee of a county council, while others have mixed systems with some councillors and some direct appointees. This incredibly cluttered system is past its sell-by date, if it were ever within it—I am not sure it was ever the right structure for fire and rescue.

There are also far too many fire authorities in the country. Fire authorities and brigades do a good job, but I struggle to comprehend how the fire and rescue requirements of east Sussex can be so fundamentally different from those of west Sussex.

Andy Burnham: I am listening carefully to what the hon. Gentleman is saying, but will not the Bill make things even more complicated by providing for local authority control, traditional fire authority control, potential elected mayoral control and then another model of PCC control—even within that, as the Bill states, there are three models of PCC oversight? Will that not be even more complicated?

James Cleverly: I do not believe that it will be. Ultimately, the Bill will result in a gravitational pull to clear, clean lines of accountability. I foresee that the elements in the Bill that facilitate but do not mandate will prove to be a more effective model. I predict—I would be willing to be pulled up on this in the future—such a gravitational pull. It is what firefighters, police officers and the general public want, and it is what the House should also want.

Although I have been very supportive, I shall be a critical friend on one particular issue, for which I apologise to my right hon. Friend the Home Secretary. I was quietly critical of a measure in the primary legislation that created the Mayor's Office for Policing and Crime in London that introduced an explicit requirement for a scrutiny committee on the London Assembly. I cannot imagine any circumstance in which the London Assembly would not have a scrutiny committee for either its policing function or its fire function. In my mind, the explicit provisions in schedule 2—proposed new sections 327H and 327I of the Greater London Authority Act 1999, if my memory serves me right—are superfluous. I will not die in a ditch over this, because I think that the function is necessary, but I am not sure that an explicit requirement in the Bill is needed. Having worked in the old cluttered universe in both policing and fire in London, and having seen how much clearer the lines of accountability are now that we have a Mayor's Office for Policing and Crime—the functions have been very ably discharged by my long-standing good friend and colleague, my hon. Friend the Member for North West Hampshire (Kit Malthouse)—I cannot wait until we have an equal amount of clarity in the fire service.

The shadow Home Secretary raised several concerns about whether the Bill would lead to cheap policing by the back door and the convergence of roles. I remind

him that the fire department in New York conducts both the fire and emergency response that one would expect from a normal fire brigade and also runs the ambulance service in New York. There is no blurring of roles. The ambulance crews are explicitly ambulance crews and the fire crews are explicitly fire crews. It is only at the top of the organisation, with emergency call handling, mobilising, deployment, finance procurement and so forth, that there is convergence. I hope that such a model will be replicated here.

The Bill represents absolutely the right direction of travel. I have seen how cluttered and ungainly the current system is. It is absolutely right that we move to much clearer, cleaner lines of accountability, and I commend the Bill to the House.

7.41 pm

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Bill legislates to deliver some of the Tory manifesto's policing commitments. The people of England voted for that manifesto, and the people of England are within their rights to expect to see those commitments delivered. The people of Scotland did not vote for those commitments, and the people of Scotland will rightly not be subject to the greater part of these reforms, because policing is devolved to the Scottish Parliament. The people of Wales did not vote for the Tory manifesto either, but they will have no choice but to accept what London tells us to do in the greatest part of our policing.

Plaid Cymru sees no reason whatsoever why police priorities should be dictated by the UK Parliament and not the Welsh Parliament—the National Assembly. Given that policing is devolved to Scotland and Northern Ireland, we see no reason why it cannot be devolved to Wales. What is it that makes Wales an exception? The four Welsh police forces are unique within the UK. They are non-devolved bodies operating within a largely devolved public services landscape. They are thus required to follow the dual and diverging agenda of two Governments. Additionally, all four forces in Wales reflect the need to provide a service in Welsh and English. North Wales police does this with great effectiveness and is held up as a model among public sector organisations in Wales for its language training support and initiatives.

Transferring responsibility to the Welsh Government would not be the tectonic shift that many in this House claim it would be. Relationships between the Welsh forces and UK services such as the police national computer and the Serious Organised Crime Agency would continue as at present, as is the case in Scotland. Why should not the people of Wales be given the same democratic freedom enjoyed by the people of Scotland? Doing so would lead to greater clarity and efficiency by uniting devolved responsibilities, such as community services, drugs prevention and safety partnerships, with those currently held by the UK Government.

It is not just Plaid Cymru saying this. The Silk commission was established by the Tories and comprised all four main political parties in Wales, including the Conservative party. Its members spent two years consulting the public, civil society, academia and industry experts on the powers necessary to empower and strengthen Wales. It received written evidence, heard oral evidence and visited every corner of Wales. It heard evidence

[Liz Saville Roberts]

from the police themselves and from the Police Federation calling for the devolution of policing, and the report recommended accordingly.

I note that the Labour party in Cardiff has today published an alternative Wales Bill calling for the devolution of policing. I welcome the Welsh Labour party's U-turn, although it appears to have been immediately flushed down the U-bend by the Westminster party. That is hardly surprising, and today's response will serve to remind people in Wales only that Labour vetoed the devolution of policing last year. Indeed, it is evidence that Labour says one thing in Wales and is not listened to by the party here in Westminster.

The Bill provides an opportunity to bring Wales into line with the rest of the UK. Had that been done before the 2010 election, Wales, like Scotland, would have been spared the unnecessary imposition of elected police and crime commissioners. The people of Wales did not want them and only 14.9% of us voted in those elections.

That said, I would like to take this opportunity to raise the significance of how we equip the police to deal with another issue, which a number of Members raised earlier: the growing threat of cybercrime, which affects every police force. Indeed, the College of Policing estimates that half of all crimes reported to front-line police staff now have a digital element. I hope to present a ten-minute rule Bill on Wednesday that would simplify the present complexity of statute, as well as showing the need to improve the training of criminal justice professionals in matters relating to digital crime. Given that only 7,500 police officers out of a total of 100,000 in England and Wales have yet received such training, I am disappointed that the Government's Bill has not yet been used as an opportunity to remedy a lack of understanding and an ambiguous interpretation of existing laws to protect the public against cyber-abuse and fraud.

7.46 pm

Kit Malthouse (North West Hampshire) (Con): It is a great pleasure to come so far down the batting order because we get to hear what everyone else has to say, and I was particularly pleased to hear the right hon. Member for Leigh (Andy Burnham). He and I were brought up in the same city at the same time, although we obviously had different reactions to the years of Militant and Derek Hatton, with me being radicalised in one way and he, unfortunately, the wrong way.

It is a great pleasure to support this Bill because it finishes the job of policing reform. When I was deputy Mayor for policing in London I was, of course, in the thick of it during the great years of policing reform that saw the creation of police and crime commissioners. In many ways, I am the Home Secretary's very own Frankenstein's monster because I was the first creation of the Bill that reformed the governance of policing to produce the statutory deputy Mayor for policing in London.

One thing that frustrated me immensely in doing that job was my inability to compel, cajole or encourage some of the other people who were sitting in the same control room, rushing to the same emergencies, flashing the same blue lights—effectively doing broadly the same job—to collaborate. It seems extraordinary, does it not, when those people seem to work so closely together,

that we have to legislate here to compel exactly that collaboration between forces that are in the broadest sense doing the same things.

I therefore believe that the Bill provides a big opportunity to establish and embed among the security forces the idea that they should all work together much more closely. I shall go through some aspects of the Bill and I shall add some tweaks and nuances along the way, in the hope that Ministers might consider what I have to say later in the Bill's progress. Collaboration is one important element in that context.

One service in particular—it is not an emergency service—gives us an opportunity to include it in the family of collaborative services dealing with emergencies and crime in their widest sense. I am talking about probation. It is often the case that police officers deal with exactly the same human beings as does the probation service, yet at the moment the collaboration between the two is broadly voluntary. I would like the Minister to consider the idea that probation should be included in this compulsion for collaboration, alongside some of the other emergency services, because I think it could have a big impact on criminal justice generally.

Bob Stewart: As I listen to my hon. Friend's description, I am thinking of an incident on the ground. I am reflecting on the fact that without proper co-ordination, there might not be anyone in charge. I assume that SOPs—standard operational procedures—will automatically appoint someone in charge. That will be decided very quickly at a major incident.

Kit Malthouse: My hon. Friend is exactly right. As he knows, a gold commander will be appointed, and more often than not it is the senior police officer in charge of the incident. Control is taken, certainly in London, through the control room, in tandem with the fire office and other emergency services required. The system already operates in emergencies, and the fact that we are having to outline that in legislation seems extraordinary, although nevertheless necessary.

When I was chairman of the Metropolitan Police Authority, I was astonished by the sheer time involved in dealing with complaints. There were reams of paper and endless committee meetings. My hon. Friend the Member for Braintree (James Cleverly) sat through hours and hours of many of those complaints hearings, some of which were frivolous and some not, but all of which, hopefully, were taken seriously. Any measure that streamlines the complaints system should be welcomed by all, police officers included.

I think that the idea of super-complaints is a knockout. As chairman of the Metropolitan Police Authority and deputy Mayor for policing, I would receive, endlessly, what were essentially super-complaints from charities and other organisations claiming that systematic problems involving the police needed to be addressed. If we could find a way of organising mini-inquiries into some of those issues—which is, essentially, what super-complaints would be—we might secure quicker resolutions.

One of the big issues, which the police themselves resolved in the end, was the investigation of rape. It became clear that the way in which the police investigated rape was seriously deficient, and that rape victims were not being dealt with properly at the front end—the inquiry desk at the police station. Once the mounting

voices of complaints became so loud that the police had to do something, strangely enough, we secured change straight away. I think that if a charity involved in women's welfare, or indeed men's welfare, were able to lodge a super-complaint—rather like the Office of Fair Trading, or the Competition and Markets Authority—the issues could be resolved much more swiftly.

There is no doubt that one of the things that have undermined confidence in the police is the idea that someone can resign just before being subject to disciplinary action. We have seen police officers do that time and again, and they are often in collusion with a leadership that does not want to become involved in a significant inquiry into someone's conduct. The extension by 12 months seems about right to me. There might be a case for 24 or 36 months, although I think that a lifetime might make matters more rather than less complicated. The extension beyond retirement is certainly welcome.

There will be rejoicing across the land at the final abolition of the Association of Chief Police Officers, in word if not in deed. It is great to see ACPO finally erased from the statute book, for all sorts of reasons. However, there is one small tweak that I would quite like the Minister to consider. One of the duties that are to be transferred to the new Chief Officers Council, or whatever it is called, is the requirement to co-ordinate the national police response to national emergencies. I was on the eighth floor of Scotland Yard on the Monday night of the 2011 riots, listening to the present Metropolitan Police Commissioner—who was then acting Deputy Commissioner—ringing all his mates in the police forces and asking whether they had any spare coppers to deal with the riot as 22 of London's 23 boroughs went up in flames. It became clear to me that the idea of voluntary co-ordination was never going to be entirely seamless. I think that devising some method of compelling police forces, in extremis, to send officers to the aid of cities, or other areas, that needed them—rather than that being done on the basis of an understanding between police forces—would be useful for future resilience.

I welcome the proposed changes in the treatment of 17-year-olds in police custody. I think we are slowly beginning to realise that 16 and 17-year-olds are in a particular position of vulnerability: that they are still children in the eyes of the law, but are being treated inconsistently with that. The changes in the Police and Criminal Evidence Act 1984 that will allow them to be treated as children, and given the protections that are afforded to children, are extremely welcome. They weave into a general theme, which is building up in the House and which has been mentioned earlier in the debate, concerning the status of 16 and 17-year-olds in the law generally. Like the Children's Society, I believe that we should extend protections to that group.

I also think that we should consider extending child abduction warning notices to 17-year-olds, because they are often useful in that context. Either during the later stages of this Bill or during the stages of a sentencing Bill, if one is forthcoming, I shall be looking into the possibility of protecting those children through a general aggravated sentencing framework relating to offences against children, as well as the possibility of extending sentencing for child cruelty.

I greatly welcome the extension and strengthening of licensing conditions. I think that it is a fantastic move. As we all know, alcohol is an enormous driver of

offending, and an enormous absorber of police time. The recent pilot trialling the alcohol abstinence monitoring orders in Croydon was so successful that the Minister has extended it to the whole of London, and we hope that it will subsequently be extended to the rest of the United Kingdom. However, there are a couple of tweaks that I would like the Minister to consider, because I think that they could make this tool really effective.

The first of those tweaks relates to police bail. Conditions apply to it, but, at present, none of them is a requirement to abstain from alcohol. I think that a huge volume of work that is currently dealt with in magistrates courts and beyond could be removed if the police could offer offenders the option of police bail on condition that they wore an alcohol monitoring bracelet for one, two or three months. If offenders breached that requirement, they would effectively be breaking the terms of their bail, and could end up in the criminal justice system as they did before. Vast swathes of paperwork in the magistrates courts would be reduced at a stroke. The police would have the power to manage alcohol on a real-time basis in their own communities.

Mike Penning: One of the privileges of being the Minister for Policing, Crime and Criminal Justice is being part of the Ministry of Justice as well as the Home Office. What my hon. Friend is talking about, essentially, are out-of-court disposals, and I think that we are moving in that direction rather than in the direction of police bail when it comes to such matters as sobriety bracelets.

Kit Malthouse: I welcome the Minister's support. He has been a great proponent of the use of such bracelets, and I think that one of his first acts in office was to extend their use. I do not really mind how the bracelets get on to a person's ankle. We know from the Croydon pilot that they are 92% effective. I do not mind whether this is done by means of out-of-court disposal or police bail, as long as it is done swiftly. We know that the best kind of criminal justice is swift and certain, and the bracelets are exactly that.

In the context of alcohol abstinence monitoring orders, there is another tweak that I should like the Minister to consider. In the United States, a system has been highly successful, and is spreading across the whole country like a virus. Authorities are allowed to charge for physical testing. People turn up twice a day to blow into bags to prove that they have not been drinking, and they pay a buck a test, which finances the whole project. It is self-financing: the polluter pays. That is a brilliant principle. We do not have such a power in this country, but it would be wonderful if we could insert it in the Bill. In the case of the pilot in London, the Mayor had to put in half a million quid and the Secretary of State for Justice had to put in another half a million. Instead, we could start this project and charge the criminals for their own disposal. Surely that makes sense. The money is money that those people would be spending on alcohol anyway, and they would be saving it because they would not be drinking: they would be wearing the bracelets. We know that the model works in the United States.

I am a great supporter of the Bill. I shall be monitoring its progress during all its stages over the next few weeks, and I hope that the small and helpful tweaks that I have suggested will somehow make it into a Bill which, as a result, would go from being good to being great.

7.58 pm

James Berry (Kingston and Surbiton) (Con): The Conservative Government were elected on a manifesto commitment to finish the job of police reform. Having worked for the last eight years or so primarily in police law—and I should declare that I have represented many police forces, and lecture at the College of Policing—I have some knowledge of the subjects that we are discussing. I was pleased to be elected on the basis of that manifesto.

Let me recap what has been achieved by the Conservative Government, and, previously, the coalition, over the last five years. Police and crime commissioners have brought local democracy and accountability to policing. A police misconduct system has meant that, for the first time, hearings have been open to the public, there have been independent legal chairs, and there is a disapproved register of officers who have been dismissed and cannot seek re-admittance. A National Crime Agency has been established to tackle organised crime, and is now headed by the excellent Lynne Owens. A College of Policing has been established to improve police training and guidance, beefing up Her Majesty's inspectorate of constabulary, and the Association of Chief Police Officers has been reformed to become the National Police Chiefs Council, led by the excellent Sara Thornton.

Our manifesto, however, included a promise to finish that job of police reform, to overhaul the police complaints system, to develop the role of police and crime commissioners, and to encourage closer collaboration between the police and other blue light services. And, as I said in my own election literature, we need to ensure that we give the police the tools they need to do their job, because crime and criminals are always changing and we must do what we can to minimise legislative drag. The amount of police-related legislation that has come through this House in the past five years shows that this Home Secretary is very much committed to doing that. I want to speak to those four key themes briefly if I may.

My first point relates to the police complaints system. The whole purpose of the system is to increase public confidence in the honourable profession of policing. The Chapman review found that the system was complex and lacking in transparency, but it did not need a retired major general to work that out. If the system cannot be understood by the public, let alone by police professional standards departments, it will not command their confidence.

There is a clear case for simplification, and I am pleased to say that that is being realised in at least six areas of the Bill. Replacing the dichotomy between a complaint and a direction and control matter with a mere expression of dissatisfaction will remove a misunderstanding that has resulted in many appeals and legal challenges. The confusion over whether a complaint should be recorded at all has led to a number of appeals and legal challenges, but now, virtually every complaint will be recorded. The introduction of a single route of appeal, with the appellate body having to decide whether a complaint has been handled in a reasonable and proportionate way, will remove the five avenues of appeal which were confusing to individuals without legal representation.

Furthermore, having all complaints against chief officers dealt with by the Independent Police Complaints Commission will resolve the need to refer matters to

other police forces and ensure that when the most senior officers are the subject of a complaint, those complaints are dealt with entirely independently. Additionally, there will be a presumption in all kinds of complaints being investigated by the IPCC that the investigation will be an independent one rather than a directed one. It is important, however, that where the IPCC takes control of an investigation and has the power to decide whether a matter should be referred to a misconduct panel, the appropriate authority—the chief constable—should be consulted and the consultation should be genuine. There are cases in which the IPCC might say that the officer does not need to be referred to a misconduct panel but the appropriate authority thinks that the officer should be so referred. In such cases, the appropriate authority in the force is far better placed to know what the local standards and priorities are.

I am also pleased to see the beefing up of protection for police whistleblowers. The police conduct regulations include a duty on police officers to report misconduct by their colleagues, but this is obviously a difficult standard to follow where there is a threat or perceived threat of reprisals. This beefing up of protection is very important in that regard.

Another important feature of the Bill is the extension of Her Majesty's inspectorate of constabulary's powers to non-police organisations that perform what were traditionally police roles. The public have a right to expect that where public functions are outsourced, a service that receives taxpayers' money to perform those services will do so no less professionally and will be monitored no less rigorously than before. HMIC having the power to extend its investigations to private companies is therefore very welcome indeed.

I must respond to a point made by the hon. Member for Barrow and Furness (John Woodcock). I am sure that it was well intended, but I think he perhaps misunderstood my intervention and that of my hon. Friend the Member for Braintree (James Cleverly). Case law relating to professional regulation across all fields—doctors, dentists, nurses, barristers, solicitors, police officers—makes it quite clear that the purpose of sanctions in professional regulation is to maintain the reputation of and public confidence in the profession, not to punish the registrant. In my view, therefore, it would be wrong to suggest that a sanction that was not available when someone was serving in office when disciplinary proceedings took effect should be greater than that for someone who is still in office.

The hon. Member for Barrow and Furness went on to talk about the docking of pensions. The police have the power to do that when an officer is convicted of a criminal offence. There may well be a case for extending that power and adding it has a power at first instance, but I do not see how such a power could be used differently depending on whether an officer had retired at the time the misconduct came before the panel. *[Interruption.]* The hon. Gentleman says that he did understand my point but did not agree with it. Fair enough. His point is certainly worth exploring, but I think that it would cut against the nature of the police conduct regulations, which in respect of sanctions have remained unchanged for a very long time, and against the whole thrust of case law in the field of professional discipline.

Jake Berry: On this specific issue, does my hon. Friend think it is worth exploring extending the slightly arbitrary 12-month period after retirement during which someone can be pursued? Should the fact that someone has been retired for 12 months mean that they can escape punishment?

James Berry: On this issue, the Berrys are *ad idem*.

My second point relates to developing the role of police and crime commissioners. I entirely agree that PCCs should have a greater role in the complaints system. That will add a level of independence to it, and they, rather than the chief constable under whom the officer complained about serves, will become the appellate body with respect to complaints. They will also have the power to deal with local resolution. I personally would have gone further by introducing a power of recall for PCCs, but perhaps that is a matter for another day.

My third point relates to encouraging collaboration between blue light services. This is probably the most far-reaching aspect of the Bill. I ask the House to consider what would happen, knowing the cost of public services and of the estate and knowing the amount of co-working that blue light services do, if we were to step back and start from scratch. I suggest that for reasons of efficiency and effectiveness we would choose to have shared premises, shared control rooms, shared back-office staff, shared first responder services for incidents such as crashes and explosions, and shared local accountability. There is a strong case to be made for that to be the direction of travel for blue light services across the UK.

However, the Bill does not mandate collaboration. It introduces a duty on the police and the fire service to consider, and keep under consideration, whether blue light collaboration would increase the efficiency and effectiveness of the services. So this is not collaboration for the sake of it; it would involve collaboration where efficiency and effectiveness would be improved. I believe that that is what local residents and taxpayers would demand of their blue light services. Nor is the Bill prescriptive about how collaboration should take place. It can be done to suit local needs.

My fourth point relates to giving the police the tools they need to do their job. This is very much how the House should approach legislation relating to the police, with officers on the ground telling us what powers and resources they need to tackle the changing nature of crime. When they tell us that legislation passed by this House is not working in the way that we intended, we should do all we can to put that right. In Kingston, which is covered by my constituency and that of my hon. Friend the Member for Richmond Park (Zac Goldsmith), we have done just that by encouraging the council to purchase extra police officers to police the town centre as a result of problems created by the night-time economy. Also, the local council and the local police force have set up a Korean information centre with a specific police and community support officer employed to help the Korean community with the issues that it is facing.

The House has responded in a similar way in the Psychoactive Substances Act 2016, which bans the supply of psychoactive substances and their possession in prison, and in the Investigatory Powers Bill, which will ensure that the police's current powers are brought up to date to deal with the challenges that we face from the new technologies that criminals are using. In this Bill, Parliament

will provide powers of entry and arrest to deal with suspects who have breached bail, and there will be new provisions with respect to sexual offences relating to live streaming on the internet. There will also be provisions on the use of decommissioned and antique firearms, and a new offence of being in possession of the tools to convert an imitation firearm. All these powers are important for the police in their day-to-day fight against crime.

The Bill contains a smorgasbord of provisions, all of which will improve policing on a day-to-day basis and complete the job of police reform on which this Home Secretary and her team have worked so hard for the past five years. I do not have time to touch on the important provisions on the treatment of 16 and 17-year-olds in custody, on the reduction of pre-charge bail, and on the reduction of the use of police cells for people detained for reasons connected to their mental health. None the less, I welcome this Bill because it enhances the transparency of the complaints system, it puts together a framework for bottom-up collaboration between our blue light services, and it provides very important updates on the police's powers. For those reasons, this Bill is worthy of the support of the whole House.

8.9 pm

Byron Davies (Gower) (Con): I have had the privilege of hearing everybody speak in this debate, and I am delighted that I, too, now have the opportunity to participate. As a former Metropolitan police officer, I speak with some pride on this issue. I wish to make some brief observations, but, like my hon. Friend the Member for North West Hampshire (Kit Malthouse), I will start by saying that the Government are of course committed to finishing the job of reforming the police. It is not an easy task, but a very necessary one, and I broadly welcome the Bill.

The Bill is the cornerstone of police reform, which has now been going on for the past five years. It is the last part of the solid foundations that have been laid for the future of policing in the UK. It will help to build up public confidence in policing at a time when policing is becoming ever more complex.

I am pleased that the Government are committed to improving the efficiency of the police force. It is about not just numbers, as we hear so often, but efficiency. It is something about which I feel quite passionate. Enhancing the democratic accountability of the police is crucial. The public must have confidence in those who serve them, and ensuring that there is a direct democratic link to their police forces only serves to enhance that confidence.

This Bill will not only provide justice for the victims of crime, but ensure that those who have come into contact with the police have the correct protections in place. Recently, we have seen that we cannot allow confidence in the police to be undermined by what has now become a media frenzy surrounding many high-profile cases. We must guarantee that, if there is evidence to take a case forward, the correct safeguards are in place to ensure that all those involved in any police investigation are tried not by public opinion, but in the courts.

Briefly, let me make a number of points about this Bill. First, I am pleased that the police complaints and disciplinary systems will be altered and that there is greater protection for police whistleblowers. It is crucial that people feel enabled and protected if they bring forward a serious complaint or issue.

[Byron Davies]

I have to admit that, when police and crime commissioners were first mooted, I did not particularly agree with them, but after seeing them in operation over the past three and a half years, I have changed my mind. I now fully support them and think that they are one of the best things to happen in the police service. None the less, I do have concerns about them becoming the appellate body for appeals—currently, that is the job of the chief constable. I look at that measure with a deal of trepidation as there could well be political connotations to such a move. I ask the Minister this: can we have full confidence that dealing with complaints will be both fair and impartial? It is such a crucial part of policing, that we must ensure that public confidence in policing is not subject to any level of doubt. I need absolute assurance from the Minister that there will be no unfair element to this process. As a police officer, I spent a number of years investigating complaints against fellow officers. Although it is often said that police should not investigate the police, I have to say that a more rigorous method and form of investigation would be hard to find. I say that as the standards that we expect of each other are so high. When an officer transgresses criminal law or indeed the disciplinary code, the investigations are ruthless.

Let me move on now to the concerns surrounding the extension of powers to police and community support officers and other staff. Although I am not against chief officers having greater control and powers over volunteers, I believe that there is no substitute for a fully trained, warranted police officer. It is important that there will be a list of core powers available only to police officers, and it is crucial that volunteers are not supplementing roles and duties that should be undertaken by officers who are thoroughly trained and who have experience of the duties of policing day after day. That said, the special constabulary has an important role to play, and its contribution should not be underestimated.

Although I appreciate that the initiative of using volunteer police officers in Lincolnshire has been seen as a success, the proposal requires greater scrutiny and discussion before any major changes to the structure of policing is made. This Bill, as I have mentioned, is crucial in ensuring public confidence in the police, and supplementing police duties with people who are not adequately trained could possibly undermine that confidence. I look forward to hearing the Minister address those points, as I know that he has given this Bill a huge amount of thought.

I do have concerns about collaboration between the emergency services, but, as much has been said on that subject in this debate, I will not dwell on it too much, except to say that success of such collaboration will be very much down to whether local police and fire chiefs can make the arrangements work. Indeed there is some intrigue over the single employer model, which could be fraught with problems. I am unsure how chief officers from very different services who have to tackle their own distinct problems can oversee the duties of another agency of which they have very little experience. I know that the Bill mentions training, but I would like to hear what training will be given to prepare them for such a role.

Importantly, I also have concerns about transferring the power to appoint assistant inspectors of constabulary from the Home Secretary to Her Majesty's Chief Inspector

of Constabulary. I believe that the Home Secretary, as an informed and impartial judge on matters to do with policing, is best placed to ensure that these crucial roles are filled with people who are robust, experienced, independent and up to the task of the vital role of inspecting how the police operate and whether they are up to standard. The current system has worked admirably, and I am, as yet, not convinced of the need to change it. Sir Tom Winsor, Her Majesty's chief inspector of constabulary, is a competent leader of the organisation, but, as this is all about independence, the Home Secretary is best placed to do the job.

May I move on to the amendment of police powers under sections 135 and 136 of the Mental Health Act 1983? I have heard what has been said by my hon. Friends the Member for Halesowen and Rowley Regis (James Morris) and for Broxbourne (Mr Walker). The review of the Department of Health and the Home Office was right to highlight the overuse of police cells as places of safety, especially for children and young people. Will the Minister tell us what locations will be used as places of safety given the reduction in the use of police cells, and how will the definition of places of safety be drafted correctly to ensure that it reflects local capacity and is flexible enough to ensure that different police forces with diverse capacity issues can respond to local needs?

There is some difficulty around understanding the practical role of police officers in the situations in which they find themselves. It could be the middle of a wet, windy night, under Archway bridge in Holloway, or it could be on a railway track between Euston and Scotland. It is very difficult. It could be a domestic scene, with somebody who has gone absolutely berserk and wrecked the house, and now holds his or her family with a knife. It is about getting in there, getting hold of that person and ensuring the safety of others, as well as their safety. Sometimes, the police station is the only place or the most immediate place that somebody can be taken to. It does not necessarily need to mean a police cell, of course. It could be a detention room or a surgeon's room. I believe that there is further discussion to be had about that.

I strongly support the changes that will be made to arrangements for how the National Crime Agency enters into collaborative agreements with other law enforcement agencies to enable the quick identification of foreign national offenders. The Bill will supplement powers to give the police and immigration officers more opportunities to establish identity and nationality on arrest and obtain documents from foreign nationals when they cannot use existing search powers, which has always been a stumbling block in the past.

There will be a statutory requirement on all defendants, regardless of their nationality, to state their name, date of birth and nationality in court. These are strong measures that will enable the police and immigration officers to identify and detain foreign national offenders. Like probably most Members, I received an email from Liberty talking about the dangers of this provision for foreign nationals, but if we travel abroad to eastern Europe, to places such as Romania where they carry ID cards, as a visiting foreign national we have to carry our passports—it is the law. I see nothing wrong in having to state where one comes from.

Generally speaking, this is a strong Bill that is crucial to reforming the police service in England and Wales. I look forward to scrutinising it and discussing it with Members from all parties as it makes its passage through the House. I commend the Home Secretary and the Policing Minister, as well as their support staff who work so diligently, on this key plank of police reform. As a parting shot, I would say that there is only one thing missing for me, and that is the regionalisation of police forces, but perhaps that is for another day and another Bill.

8.20 pm

Jack Dromey (Birmingham, Erdington) (Lab): From the start, I want to make it clear that we welcome many of the proposals in the Bill. There are many constructive and positive proposals on which we will seek to build in Committee. We welcome, for example, the improvements to—nay, the fundamental reform of—the IPCC, an organisation that is badly in need of that.

In a very good debate, both the shadow Home Secretary and the hon. Member for Rossendale and Darwen (Jake Berry) made a powerful case for the fact that Hillsborough demands that those who covered up are called to account. We therefore hope that the Government will think again about the 12-month limit. We also welcome what was said by my hon. Friend the Member for Barrow and Furness (John Woodcock), and the constructive response of the Government, about having to learn lessons from the very sad case of Poppi Worthington.

We welcome the additional steps to protect police whistleblowers and the updates to the firearms and alcohol licensing legislation. The Chair of the Home Affairs Committee, my right hon. Friend the Member for Leicester East (Keith Vaz), made a powerful case for the more general consolidation of firearms legislation, but the steps contained in the Bill are a welcome step in the right direction. On alcohol licensing, I hope that the Policing Minister listened to the rather intelligent contribution made by the hon. Member for North West Hampshire (Kit Malthouse) about appropriate changes that might be made during the passage of the Bill.

We welcome the improvements to how the police deal with people suffering from mental health crises and the fact that police cells will no longer be considered a mental health safe place. To this end, there were some first-class contributions from the hon. Member for Broxbourne (Mr Walker), my hon. Friend the Member for North Durham (Mr Jones) and the hon. Member for Halesowen and Rowley Regis (James Morris). We will certainly seek to work together across the House on the legitimate issues of concern that have been raised.

We welcome the measures to ensure that 17-year-olds detained in police custody are treated as children, and at this point I pay tribute to the hard campaigning work done by my hon. Friends the Members for Rotherham (Sarah Champion) and for Kingston upon Hull North (Diana Johnson) on this issue over many years.

We also welcome the proposals on police bail, but my right hon. Friend the Chair of the Home Affairs Committee was right to point out that the case of Paul Gambaccini underlined that we have a system open to abuse, with protracted uncertainty. On the other hand, however, the shadow Home Secretary was absolutely right robustly to argue that there are also dangerous loopholes and that the Dhar case shows that further steps need to be taken to ensure that terrorist suspects do not flee our shores.

It is often at the most difficult, traumatic and devastating times in a person's life that they come into contact with the emergency services. The police, fire and ambulance services are the final safety net in the most difficult situations. That is why at the heart of this issue is the fact that the British public want to know that if they dial 999 in the most desperate times, there will be a police officer, firefighter or a paramedic ready to come to their assistance. They want to know that the officer, firefighter or paramedic who comes will not take too long, is properly trained and has the right equipment. Providing such a service and, crucially, ensuring that it is well resourced and adequately funded and staffed, is surely one of the most important duties of any Government.

Equally, at the other end of the spectrum, it is the Government's duty to do their utmost to ensure that citizens do not get into that critical situation to begin with. This can involve preventive work, whether that is good neighbourhood policing or the fire service's excellent work on fire prevention such as that at the ground-breaking Safeside facility in Birmingham, close to my constituency. Crucial, too, are good community relations, education work, preventing harm and risk, and stopping people from getting to that critical desperate stage. Achieving that is the crucial duty of any Government, but it is those duties that I have described that Ministers all too often fail to honour.

The Home Secretary once again asserted today that police reform is working and crime is falling. In the debate, we heard some good examples of progressive police reform over the past five years that we support, such as the establishment of the College of Policing, which the hon. Member for Kingston and Surbiton (James Berry) referred to in his contribution. Nevertheless, for all the talk of reform, the Bill cannot cover up the fact that the Government have failed to protect the police. Some 18,000 police officers have gone—12,000 from the frontline and 1,300 in the past six months alone. Nearly 5,000 police community support officers have gone. Community policing has been increasingly hollowed out, putting the community at risk. There is increasing evidence of growing concerns among the public about the visibility of their police service on the one hand and, on the other, a crisis of morale in the police service, whose members serve this country so well.

In the previous Parliament there were cuts of 25%. In this Parliament, we have already had the broken promise from the Government that they will protect budgets, as £160 million in real terms will be cut in the next year. The public are being asked to pay more for less. The hon. Member for North West Hampshire was right to talk about resilience, but there must be growing uncertainty about the capacity of our police service to respond at a time of a crisis such as that in 2011.

The Government have also failed to protect the fire service from the sharp knife of austerity, as they cut it by 23% in the previous Parliament. When that is taken with the cuts in this Parliament, the fire service is being cut nearly in half. According to the National Audit Office:

“Savings have come predominantly from reducing staff costs.”

Thousands of firefighters have gone and response times are getting longer. In the west midlands alone, 294 full-time fire personnel have gone.

Not only have the Government failed to protect funding for our crucial emergency services, but they

[Jack Dromey]

have slashed funding in the most unfair way possible. The Policing Minister waxes lyrical about being a former firefighter, and I pay tribute to his origins. We have much in common, but my understanding of firefighters is that normally they put fires out. On this occasion, the Minister started a fire with the omnishambles of the review of the police funding formula, for which he was good enough to apologise on the Floor of the House. That Home Office blunder means that high-need, high-crime areas such as Northumbria and the West Midlands have seen cuts that are twice as big as those in Surrey.

Similarly, the Government have failed to address a fire funding formula that, in the words of the National Audit Office, means that

“the Department has reduced funding most to fire and rescue authorities with the highest levels of need.”

Time and again we have seen this unfairness of approach and broken promises to the public.

As for the protestation that crime is falling, it is certainly true, as we have said repeatedly, that volume crime is falling—for example, cars are now much more difficult to steal. However, crime is not falling; it is changing. Only six days ago in this Chamber the Policing Minister acknowledged in answer to a question that as people are now more likely to be mugged online than in the street, when at last the truth is told on crime and those 6 million crimes are included in the crime survey of England and Wales, the survey will show a very substantial increase in crime. May we have an end to the protestation of that which is plainly wrong?

Melanie Onn (Great Grimsby) (Lab): I am a little concerned that we seem to be going down the route of accepting that physical crime is no longer happening. In my constituency, violent crime is up by 24%, and it is worth acknowledging—[*Interruption.*] It is worth acknowledging on both sides of the House—Government Members should stop pointing their fingers at the Opposition—that there is still a significant issue around physical crime. People are worried about the lack of a police presence on the street and about everything being moved online, and such a focus could really undermine that police presence.

Jack Dromey: My hon. Friend is absolutely right. If one looks at the profoundly worrying trends in violent crime and sexual crime, it is clear that, after a generation of progress, we are now seeing, in the words of Sir Hugh Orde, a tipping point being reached, with worrying signs of some of the most serious crimes going up. Let us have an end to the protestation that crime is falling when it is doing nothing of the kind.

The sensible measures in the Bill—there are many—cannot hide the fact that the Government are failing to protect the emergency services and the public in the way they should. On the fire service, they talk of collaboration. The Opposition understand the power of collaboration. I have seen it first hand, and the Policing Minister will have seen it as a result of his previous experience, as well as now as a Member of Parliament and Minister. The Opposition absolutely understand the importance of greater collaboration and integration, not just between police and fire, but with the national health service, local government and a range of statutory agencies.

There are already some innovative and effective examples of blue-light collaboration across the country, many of which were initiated by Labour police and crime commissioners. One that I saw first hand in Coventry was led by the fire service and involved excellent joint working on getting vulnerable people and taking pre-emptive action to protect them. In Greater Manchester, local authority leaders have worked with fire, ambulance and health services to oversee excellent examples of joint working and more meaningful integration. Irlam fire station in Salford is one of the first in the country to host fire services, police and paramedics under one roof, which means that front-line officers are working together every day to improve the service to the public. The station also provides vital community health services.

Those are some of the excellent examples of the best practice in collaboration that we very much want to encourage, but there is a real risk under the Government's proposals that the fire service will become a poor relation to the other emergency services, disappearing as a statutory service in its own right—the notion of a single employer being profoundly suspect—and potentially being taken over by a police and crime commissioner, whatever local people and locally elected representatives have to say. I was surprised, in what was a good contribution, that the hon. Member for Braintree (James Cleverly) downplayed the importance of the voice of locally elected representatives being heard. The Opposition say yes to greater collaboration, but it must be led by local need and with local agreement from all parties concerned. That was why the shadow Home Secretary was absolutely right to say that a simple takeover by a PCC, supported by the Home Secretary, regardless of what local people want, cannot be right.

On volunteers, there is a long and honourable tradition—several Members on both sides of the House spoke to this—of specials on the one hand and neighbourhood watch on the other. I made a presentation on Friday to Maureen Meehan from the neighbourhood watch scheme in Stockland Green. She is an outstanding woman who has helped to run that scheme for 29 years in her local community, so there is a long and honourable tradition of voluntary contribution. However, as our brilliant police and crime commissioner for Northumbria, Vera Baird, has rightly said:

“Volunteers have a very important role to play in supporting policing, but not to place themselves in potentially dangerous situations... When the Home Secretary consulted on her proposals to increase volunteers' powers, I said at the time she was trying to provide policing on the cheap.”

Moreover, the public demand it as absolutely vital that essential police functions are discharged by police officers. That point was made by the hon. Member for Gower (Byron Davies), speaking from his experience as a former police officer. Many volunteers want to support the work of police officers, but do not want to do their jobs for them. As Vera Baird has said, the use of CS and pepper spray should be undertaken only by full-time officers who are regularly trained in their usage and, importantly, in the law surrounding their use. As such, we will probe the Government's proposals rigorously. We will oppose plugging gaping holes in the police workforce with volunteers, as well as any further moves to privatise essential police functions.

Let me return to the positive, but stake out where we hope to go during the passage of the Bill. We genuinely welcome measures to change the police's treatment of

those with mental health problems, but mental health care still does not have the parity of esteem that the Prime Minister recently spoke about. My hon. Friend the Member for North Durham made a powerful contribution in that regard. As other services contend with funding reductions, there is a growing crisis in our mental health system, and progress on the concordat has been painfully slow. As a consequence, sadly, the police are still all too often the service of last resort. In January, *The Guardian* revealed that they are spending up to 40% of their time on mental health-related incidents. We are glad that the Government recognise, as we do, that police cells are no place for those suffering from a mental health crisis. However, as the shadow Home Secretary said, banning inappropriate places of safety alone will not solve the problem of why police cells are used in the first place—a lack of beds and alternative places of safety.

There is a great national will to tackle the evil of child sex exploitation. The one measure in the Bill on that is a welcome step in the right direction, but it is not, in itself, enough. The most recent data from the NSPCC, which have been brought to the attention of us all, estimate that half a million children are being abused. Yet, as my hon. Friend the Member for Rotherham has worked so hard to expose, and as the shadow Home Secretary said, one year on from the landmark summit held by the Prime Minister to determine a response to child sex exploitation, which was a very welcome initiative, many of the Government's key pledges remain unfulfilled. The national child abuse taskforce still has not been established. As a result, the whistleblowing portal has no taskforce to report to if more large-scale child abuse cases arise.

On firearms, as the Chair of the Home Affairs Committee said, we welcome the Government's proposals updating the existing law in line with the recommendations of the Law Commission. We are keen to work with the Government on the next stages, including on explicitly outlawing new threats such as the printing of firearms by 3D printing machines. The Home Office recognised that as a problem three years ago, but has failed to act thus far, so we hope that we can make progress in the context of the Bill. We will seek to amend the Bill to stop the sale of not only firearms, but something equally injurious to health and safety: zombie knives, which are terrible weapons that can have only one purpose—to inflict grievous harm on the individual.

I am pleased that we see in the Bill welcome progress that has been argued for on both sides of the House, as has been reflected in the debate. There is much common ground—of that there is no doubt—but, as the shadow Home Secretary said, we will try to improve the Bill, and there are fundamental issues in relation to fire, tougher police bail and more accountability in the complaints arrangements that we will seek to reach agreement on. Sadly, if that proves not to be possible, we will divide the House.

We cannot let the debate conclude without paying tribute to the people about whom we have been talking all day. We agree that the brave men and women in our emergency services are ordinary people doing often extraordinary things in the most difficult circumstances. They deserve nothing but the best from this House of Commons, and that is precisely what we intend to stand up for.

8.40 pm

The Minister for Policing, Crime and Criminal Justice (Mike Penning): I say genuinely that this has been a really good and sensible debate, and it has been conducted in the correct tone, apart from some of the bits in the speech of the shadow Policing Minister, the hon. Member for Birmingham, Erdington (Jack Dromey). Let us take the bits we agree on and work from there.

I was slightly surprised to hear the shadow Home Secretary say that we should do more. Anybody would think that this Government had been in power for 20 years—they probably will be—but his party had 13 years to modernise the police force and the other emergency services.

I thought there was a slightly critical tone about the fact that I used to be a firefighter. I am very proud of that and it is an obvious thing for me to mention, just as colleagues across the House mention specialist roles that they have held. When I was in the fire service, I wanted to protect the public better and to have the same skills, equipment and emergency services as other countries. This Bill will help address that. It will not be done on the cheap. We need to ask whether we need two chief executive officers, two finance directors and two health and safety officers. Do we need so much bureaucracy at the top of our emergency services taking money away from the frontline? We see examples around the country of collaboration taking place, but there are also examples of collaboration not taking place. That is why the Bill is very important.

The Chair of the Home Affairs Committee apologised to me for the fact that he would not be back for the wind-ups, but he said some very important things about the need for public confidence in the Independent Police Complaints Commission. Common sense is needed. It is clear that more complaints could be dealt with at constabulary level. That will often mean just saying, "Sorry, we got it wrong. We didn't intend to get it wrong—that's the last thing in the world we wanted to do." It is important to say very early on that only serious offences should get to the IPCC. The Home Secretary and I were just telling each other that we will need to table a lot of amendments in Committee to remove the word "commission". Further amendments will also be tabled.

The Bill is not perfect. I could accuse Labour Front Benchers of moaning, but I will not—I am trying to work collaboratively. The fire service needs to work more closely with the police, the ambulance service, the coastguard and other emergency services. We need to make sure that we get more for the taxpayers' buck. *[Interruption.]* That is enough chuntering from Labour Front Benchers. Let us see what we can get.

Rather than address what is coming from Labour Front Benchers at the moment, I will address some of the points that were made during the sensible part of the debate. Mental illness is no different from any other illness, and it must be treated as such. For too many years, the police force has been used as the first, rather than last, point of call. Even though police officers are well trained and do good work on our behalf, they are not mental health professionals. They are also not experts on many other conditions, including learning difficulties. Sometimes we have to use them to provide a place of safety, but that should not be the case. Unless we actually put a stop to that and say, "Enough is enough,"

[Mike Penning]

we will not get the provision we need from other agencies. That is a really important part of the changes. The firearms changes have been needed for some considerable time, and we can work together on those.

I say to the Scottish National party that we will work closely with the Scottish Parliament. There was no consensus at all among political parties on the Silk commission, which is why we are in the position we are in. There was no consensus on the Silk commission between the Labour party in Wales and the Labour party in this House, so how could we have got consensus on the matter? As we go into Committee, let us work on what we can work on to try to make the Bill better. Let us not decry our emergency services and say that they cannot work together, because they can.

Andy Burnham: Will the Minister give way?

Mike Penning: No; I am going to conclude. On that point, in a debate that has been particularly important, let us make sure that we deliver what the public sent us to do, rather than sitting here and moaning at each other.

Question put and agreed to.

Bill accordingly read a Second time.

POLICING AND CRIME BILL (PROGRAMME)

Motion made, and Question put forthwith (Standing Order No. 83A(7)),

That the following provisions shall apply to the Policing and Crime Bill:

Committal

- (1) The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

- (2) Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 14 April.

- (3) The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading

- (4) Proceedings on Consideration and proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.

- (5) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

- (6) Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and up to and including Third Reading.

Other proceedings

- (7) Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—(*Jackie Doyle-Price.*)

Question agreed to.

POLICING AND CRIME BILL (MONEY)

Queen's recommendation signified.

Motion made, and Question put forthwith (Standing Order No. 52(1)(a)),

That, for the purposes of any Act resulting from the Policing and Crime Bill, it is expedient to authorise:

- (1) the payment out of money provided by Parliament of:
 - (a) any expenditure incurred under or by virtue of the Act by the Secretary of State; and
 - (b) any increase attributable to the Act in the sums payable under any other Act out of money so provided;
- (2) the payment of sums into the Consolidated Fund.—(*Jackie Doyle-Price.*)

Question agreed to.

POLICING AND CRIME BILL (CARRY-OVER)

Motion made, and Question put forthwith (Standing Order No. 80A(1)(a)),

That if, at the conclusion of this Session of Parliament, proceedings on the Policing and Crime Bill have not been completed, they shall be resumed in the next Session.—(*Jackie Doyle-Price.*)

Question agreed to.

Business without Debate

DELEGATED LEGISLATION

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

PENSIONS

That the draft Occupational Pensions (Scheme Administration) (Amendment) Regulations 2016, which were laid before this House on 1 February, be approved.—(*Jackie Doyle-Price.*)

Question agreed to.

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

LOCAL GOVERNMENT

That the draft Greater Manchester Combined Authority (Election of Mayor with Police and Crime Commissioner Functions) Order 2016, which was laid before this House on 1 February, be approved.—(*Jackie Doyle-Price.*)

Question agreed to.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Ordered,

That Valerie Vaz be added to the Environment, Food and Rural Affairs Committee.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

COMMUNITIES AND LOCAL GOVERNMENT

Ordered,

That Jo Cox be discharged from the Communities and Local Government Committee and Jim McMahon be added.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

Medical Centre (Brownsover)

Motion made, and Question proposed, That this House do now adjourn.—(Jackie Doyle-Price.)

8.47 pm

Mark Pawsey (Rugby) (Con): I am grateful to have secured the debate, which gives me the opportunity to raise an important issue in my constituency. I will speak about the delays that have occurred, over several years, in the provision of a new medical facility in the area of Brownsover, in the town of Rugby.

Rugby is one of the fastest growing towns in the country, and we have a positive attitude towards new development. There has been a great deal of new housing development in recent years, mostly in the north of the borough in and around the area known as Brownsover. Historically, Brownsover has faced a number of complex challenges, which the community and the local authority, Rugby Borough Council, have not shied away from. A lot of investment has been put into overcoming those challenges. The area comprises a mix of social, sheltered and affordable housing as well as privately owned homes, with a population made up of a broad range of different age groups. A large number of young families live in the area, as well as a substantial elderly population. Despite the much-welcomed investment in Brownsover, with additional retail outlets and new housing, and the significant increase in population that has come with it, we have yet to see significant investment in the vital area of local health provision.

The original doctors' surgery, which dates back 50 years or so, was established as the area developed. Despite the growth of the area and of the population, there is no evidence that the surgery was extended or that there was any recognition of the need for a bigger surgery. Plans for a new medical facility in Brownsover were first proposed back in 2002. The local authority, conscious of the specific needs of the area, began working on plans, under which it would supply land it owned, free of charge, to a developer willing to provide a community centre, alongside an all-encompassing modern medical facility, as part of the wider plan to revitalise the area.

The years passed, and for many years there was no progress, but plans for a new medical centre resurfaced in 2011. A planning application was submitted to the local authority and was approved that year. At the time, there was a real expectation that work would begin the following year, but, once again, local residents were left exasperated as the months and years passed and no works were begun. The community, which had been so optimistic when plans were first revealed in 2002, was once more left angry and frustrated—even more so when they were forced to watch from the sidelines as plans for new medical facilities elsewhere in our growing town were approved, particularly a very smart new development on the old cattle market site.

I hope the picture I am painting shows that, for many years, my constituents in Brownsover have suffered disappointment after disappointment, and false promises and false dawns about getting their new medical centre. I must say that the anger in the community reached a tipping point in February 2015, when the news broke that NHS England had withdrawn the contract for the existing local GP practice in Brownsover and that the

practice was to close in April—just three months later—which left little time to arrange alternative facilities within the community. The announcement was met with considerable fury within the community, which, as I have said, has complex needs and challenges.

The news of the closure of the GP surgery caused real disquiet within the community. A GP, who was held in high regard, had practised there for 30 years, and this much-valued and much-needed facility—as I have said, the only one in the urban area in the north of Rugby—was serving over 6,600 patients in partnership with its sister surgery in the town centre. Residents felt at ease with the local GPs, who in turn knew the residents' medical history. There was real concern at the sudden nature of the news. I will come on to the actions taken by NHS England to deal with that concern.

To its credit, one of the first things NHS England did was to provide an opportunity for local residents to pose questions in a series of public meetings. The community expressed real anger at those meetings. They took place on 2 and 9 March, while Parliament was sitting, and on Friday 13 March 2015, when, as I was in my constituency, I was able to attend the one in Brownsover scout hut. The concerns of some pretty angry residents revolved around three issues: first, the lack of notice they had received; secondly, the interim arrangements that would be made; and, thirdly, whether the new surgery they had been promised would actually be delivered, given that they had been given such promises many times before. At the meeting I attended, residents were assured that the new surgery would be provided, and that it would open in the late summer or autumn of 2016.

The news that the new surgery was coming was intended to be the light at the end of the tunnel to appease an incensed community, but there was concern over whether the assurances would be fulfilled. When I attended the meetings, it seemed to me that a delivery time of 18 months was rather optimistic. It seems that that caution was justified, because we are yet to see evidence of any activity to supply the new surgery. There is absolutely no evidence of a spade getting anywhere near the ground. I have recently described the delays in delivering this provision as completely unacceptable. The original opening date of autumn 2016, which was promised by NHS England in the public meetings and to me in meetings in my office, will definitely not be realised.

It is a matter of regret that NHS England has not covered itself in glory in this matter. The news of the closure first came out in February 2015 and patients were informed by letter that the practice would close its doors on 17 April that year. I was notified by NHS England by email on 16 February. That led to a flurry—an avalanche, in fact—of emails from concerned constituents. There was concern about the method by which the news was communicated. One resident showed me a two-page letter that had details on only one side of the piece of paper, leaving them to guess what the other information might be.

The intention was that the surgery would close within three months and that residents would be able to register at a new temporary surgery some 2 miles away in Rugby town centre while the new surgery was built. The distance of 2 miles to the site in Lower Hillmorton Road was a concern for many of the residents for whom it would cause difficulties. Many of those with young children or

[Mark Pawsey]

with particular health needs felt that travelling to the temporary practice would be too much to bear, despite an offer from NHS England to provide transport for residents.

It is easy to understand why people were concerned when the facility in their community had been taken away and a new one had been promised for a number of years. Within the community, we managed to convey the message that there would be some temporary pain in order to achieve a long-term gain. Regrettably, that long-term gain seems to be some distance away.

Jim Shannon (Strangford) (DUP): This debate is not about my area, but I am curious to know whether any consideration has been given to the increasing population? In Belfast, the population will double in the next 20 years, so Northern Ireland has to look forward strategically and have a long-term vision. Has consideration been given to population growth in planning the new surgery? Is it not time for the Government to look to the long term and create the provision for the next 20 or 30 years?

Mark Pawsey: The hon. Gentleman raises an interesting point. To a certain extent, that involves chasing a moving target. The surgery that was in the community was completely inadequate for the needs and size of the population. I fear that some of the delays in the delivery of the new surgery are happening because we are trying to anticipate what will be needed in the future. The sense in my community is that we do not have anything now, so let us get on with delivering what has been promised for many years.

I met NHS England in February last year and learned about the temporary arrangements for transferring patients to Lower Hillmorton Road and the cost involved in modifying those premises, which had been deemed inadequate for use as a surgery. Money was therefore spent on that building. I also heard about the plans for delivering the new surgery. Again, I was told that it would be delivered in the late summer or autumn of 2016. I was keen to do all that I could to ensure that those commitments were met. I kept in contact with NHS England and representatives of the Brownsover patients action group, which came together under the capable leadership of Jake Stevenson.

In the second half of 2015, some of us perhaps took our eye off the ball and thought that plans were being worked up and that work would start imminently—we simply waited for things to happen. Things came to a head in early 2016 when, after visit after visit to the site, nothing seemed to be happening and I thought that it was probably time to arrange a further meeting with NHS England, and to invite representatives from the Brownsover patients action group. We also invited NHS Property Services, which had come to take over the project. At that meeting in January or February this year I became increasingly concerned about the lack of progress, and it became clear that the opening of the surgery would be put back for one, two or three years—it was not clear exactly when it would be, because a new business plan needed to be put in place and that was still being worked on, despite previous assurances that the work was going out to tender.

It was equally alarming when we were told at that meeting that it was now possible for a practice to be put into the original buildings on the Brownsover site, which we had originally been told was unsuitable. We learned that that site was to be brought back into operation on a temporary basis, having closed for a year and with 6,600 patients relocated to new practices in the town. For many of my constituents, being told that the old site would once again be available might have been good news, but it meant that the new surgery that the community had been waiting for would be delayed. We now hear that the old site will be made available as a temporary site for three to five years, and we do not believe that that is temporary—it is getting close to being permanent once again.

There are no issues with the availability of land because the local authority will make the land available, and no issues of planning consent because that has already been granted. It seemed that bureaucracy and red tape within the system was going to cause a significant and unacceptable delay, and the light at the end of the tunnel that was promised to my constituents was fading fast. At that point I contacted the Minister, who I am delighted is in his place, and I alerted him to the situation. I am grateful to him for meeting me so swiftly after we made contact.

A couple of weeks ago on 22 February, I and Jake Stevenson from the Brownsover patients action group met the Minister, together with representatives from NHS England and the Department of Health, to outline our concerns. One outcome of that meeting has been that NHS England has become a lot more communicative. It was kind enough to email me on 1 March to update me and advise me that it has awarded a contract to a company to assist it with the business case for the medical centre. That is not a contract for building or delivering the surgery, just to assist with the business case. It is disappointing that in the past 12 months we have got absolutely nowhere. We are no further forward than we were this time last year, and clearly the promises that were made will not be realised.

One key reason why I have brought this matter to the attention of the House is the long history of disappointments that my constituents in Brownsover have gone through over the years. We are now looking for firm assurances that whatever date we are given for the delivery of the new service, it will finally be delivered.

I am very grateful to the Minister for the attention he has given to this matter so far, for the understanding he displayed to members of the patients action group when he met them, and for his sympathy. It is clear that the Minister gets it. He understands why the delivery of the surgery is so important. I was very impressed by his willingness to bring parties together, to talk around the table and to bring about a solution to the challenges in getting this very important provision delivered at the earliest opportunity. I very much hope that in his response to my remarks he will be able to provide the assurances my constituents in Brownsover are looking for.

9.5 pm

The Minister for Community and Social Care (Alistair Burt): I thank my hon. Friend the Member for Rugby (Mark Pawsey) for bringing the debate to the House, and for the courtesy and kindness with which he has

described my role. I certainly get it. I certainly get the frustrations involved in dealing with property matters in relation to the NHS, matters to which I have become more accustomed in the past nine months or so. I wish I was able, at the conclusion of my remarks, to give him all the assurances he wants, but as the NHS is an independent body I cannot quite do that. However, we can, perhaps, get somewhere towards it, because of how he has brought the case and defended his constituents' interests.

My hon. Friend has fairly described the issues in his community of Brownsover, with its mix of peoples and complex needs. The medical centre is a matter of extreme concern to his constituency. The uncertainty over the future provision of GP services in Brownsover has continued for more than a year, and that is only the latest chapter in the catalogue of events that he described. It is clearly unacceptable to him and his constituents. I am fully aware that local people and patients have expressed their frustration in a number of ways. I know he shares that feeling, and so do I. I will say a little about the general position of our GPs, their premises and the pressures they are under, and then turn to the particular.

Like every other part of the country, Brownsover needs good local health services, in particular its local GPs. General practice is the bedrock of the NHS and it is at the heart of this vision. It reflects the GP's key role in providing continuity of care, which is especially important to people with long-term health conditions; the importance of expert generalists, doctors and wider practice teams who look at the whole person, including their medical, social and psychological needs in the round; the fact that general practice is rooted in local communities; and the key role of general practice in public health in immunisation and screening programmes. We ask our GPs to look after people from cradle to grave, and to know when and where to refer patients when specialist care is needed. We also expect them to commission much of the specialist care provided in hospitals.

The key factors affecting the environment within which general practice works, and the challenges and the opportunities they present, include: an ageing population, with increasing numbers of people living with multiple health conditions; higher public expectations, linked to the role of digital technology; a very constrained financial position over the past five years, with general practice seeing a steady decline in its share of the overall NHS budget, albeit after a rapid growth in resources after the 2004 GP contract; and a change in the structure of practice, including a struggle to maintain partners, a growing proportion of salaried GPs, a growing number of GPs wanting to work part time—not just women, but men—and a rise in portfolio careers.

There has been an increase of about 25% in GP consultations since 1998—an estimated 340 million consultations every year. That is the work we expect our GPs to do and which they perform extraordinarily. Within five years, we will be looking after 1 million more people over the age of 70. Quite simply, if we do not find better and smarter ways to help our growing elderly population to remain healthy and independent, our hospitals will be overwhelmed. That is why we need effective, strong and expanding general practice more than ever before in the history of the NHS—an NHS committed

both through its premises and through its commissioning to respond to the sorts of pressures my hon. Friend rightly described in relation to Brownsover.

At last year's election, we committed ourselves to the challenging objective of increasing the primary and community care workforce by at least 10,000 and ensuring that 5,000 more doctors work in general practice, as well as more practice nurses, district nurses, physicians, associates and pharmacists. We will focus recruitment on the most under-doctored areas, where the problems are most acute. Since 2010, the GP workforce has already increased by 5%, with an additional 1,700 GPs working or in training. Over 90% of all NHS patient contact happens in general practice. The average person in England sees their GP six times a year.

All that has profound implications for how general practice works—for the clinical model, the business model and the career model—but, under all that pressure, the profession is rising to the challenge. Practices are increasingly coming together in federations or networks to build on all the traditional strengths of general practice, working at a greater scale to improve efficiency and spread innovation to offer a range of services they struggle to provide individually. There is a strong push towards greater integration with community health services, mental health services, social care and some specialist services, and there is increasing use of the wider primary care team, including nurses and particularly pharmacists.

That is the background to the work, the concerns about general practice and how the Government intend to meet the challenges by delivering pilot projects and vanguards and by looking at different ways of providing GP services. However, people need premises to work out of, so I will now turn to the circumstances that my hon. Friend described. This matter goes back some time, but I can deal in detail only with the events since the notice of closure last year. I am grateful to him and representatives from NHS England and NHS Property Services for meeting me recently to discuss the matter in the round.

The Albert Street medical practice in Rugby and its branch surgery in Bow Fell, Brownsover, closed in April 2015, and Rugby Town medical practice took over the provision of GP services for the patients affected, with the expectation, at the time, that a new practice in Brownsover would open in 2016. In November 2015, representatives of NHS Property Services met NHS England and the Coventry and Rugby clinical commissioning group, and subsequently the Department of Health, and it was agreed that NHS Property Services would be the lead property company supporting NHS England on the development of the new Brownsover facility. NHS England is the lead organisation for the new development.

At a meeting with members of the Brownsover patient action group and my hon. Friend, NHS England explained that the business case previously approved for the development required reviewing because of the change in the size of the development and the change to the lead organisation. A project team, which included members from NHS Property Services and NHS England, was set up to determine the most appropriate method for delivering the scheme. Additional information required for the development of a new business case is now in

[Alistair Burt]

place. At a meeting with me and my hon. Friend on 22 February, NHS England in the west midlands confirmed that a decision to award a contract would be made that week, and the partner has now started work. This included an initial meeting, on 29 February, with NHS England, the community health partnership and a representative of the Brownsover patient action group.

As I indicated to my hon. Friend, the provision of premises in the NHS is not always straightforward. Ownership of existing premises tends not to be in the same hands—they might be owned by a former GP, a property company or the NHS itself—and all the issues connected with the division of proceeds of land and the need to move carefully on planning come into play even for GP premises and services. Add to that the uncertainty around new developments and the like, and the difficulties, although frustrating, can mount, and that has been the situation here.

Some questions and answers might help my hon. Friend and his constituents. Patients in Brownsover were told that their facility would open this year. When can they now expect it? I understand that NHS England has updated him, as he said, and he is now aware that a contract was awarded on 24 February, but a full business case needs to be developed, which NHS Property Services estimates will take nine months to produce. There will then be a two-month period in which to reach financial close, and around a year for construction and commissioning.

I will say a little about that because it is complex and it might help my hon. Friend's constituents and others if I put it on the record. It may also help me, in dealing with NHS Property Services, to see how we might streamline the processes rather more than they are streamlined at the moment.

The outline business case and full business case process is an NHS England requirement for commissioners to progress where public capital funds are being invested. Commissioners are required to develop and update an estate strategy that aligns with their commissioning strategy. For very large investments, it might be expected that a strategic outline case is produced. This aims to ensure that all relevant parties are signed up to the associated expenditure.

The clinical commissioning group has included the proposed new Brownsover surgery in its strategic estates plan. This is fundamental if NHS England and the CCG apply for primary care transformation funds or customer capital investment moneys. Once the capital investment has been approved in the estates strategy, the scheme moves forward to an outline business case, and demonstrates the options, costs and benefits. There may be some preliminary design work to establish that planning consent will be achievable. The outline business case also sets out the preferred option and confirms affordability. Because there are different methods of procurement, the outline business case will establish the preferred procurement route and identify the source of funding.

Once the preferred option is identified and approved as being value for money and affordable, the case moves on to the more detailed design and costing to confirm that it meets all requirements and that the budget is set. Again, this detailed work is used to confirm value for

money and affordability. The timescales for each stage tend to vary depending on the complexity and scale of the business case.

The Brownsover case is relatively small and less complex than some, but it still involves an option appraisal, land acquisition, design and costing, planning application, procurement tendering processes, agreements for lease and then construction. The House will be glad to know that NHS Property Services advises that it has streamlined its approvals requirement so that investment capital or lease acquisition requires executive approval by two directors and does not need to go before a committee.

That outlines some of the issues pertaining to the background and the agreements that need to be put in place before planning permission can be approved and the matter can move forward. The timetable will be determined partly by the commissioners' approval process and partly by NHS Property Services procurement route.

“Why so long?”, patients will ask, and they will say that it is a bureaucratic mess. Well, it perhaps sounds more complex than it might be, but this is a public scheme with public value for money, and detailed work is needed to confirm that value for money and affordability. While the Brownsover case is relatively small and less complex, it still involves, as I said, an option appraisal, acquisition, design and costing, planning application, tendering, agreements for lease and then construction.

It must be frustrating for patients and for my hon. Friend to hear all that set out, but in all honesty, I felt that I had to do so. It is not all the fault of those handling property services. They know that if there is a flaw in their process and something goes wrong, they will be hauled over the coals. However, the mere recitation of the process—to you, Madam Deputy Speaker, and to the House—gives rise to the thought that perhaps somewhere, something might be telescoped to give patients the hope that an element of urgency might be produced, particularly where a closure has been in place and it was anticipated for some time before that that new premises might be available. In those circumstances, it is perhaps the Minister's job to stay on hand with my hon. Friend to make sure that any such urgency flows into the system.

In conclusion, I can confirm that NHS England now believes that the previously approved business case had to be reviewed because of the changes in the size of the development, but it is working on amending the business case and I am told that it will be completed shortly. Once that has been done, NHS Property Services will be in a position to decide how the Brownsover scheme is to be delivered. Although it seems it will not be built in 2016, the fact that progress has been made—in no small measure due to my hon. Friend's activity—means, I hope, that there will be good news in the future. The closure was not of NHS England's own choosing, and it has had to respond to that fact. The difficulties outlined by my hon. Friend, together with the frustrations involved in dealing with the complexity of the building processes, have combined to make the situation for patients sadly more difficult than it should be, but there have been reasons for that.

I hope that we can now move on, given the determination of NHS Property Services to fulfil the commitment that it has given to me, and to my hon. Friend, to do all that

it can to work with him and with the patients. It is working very hard in that regard, and I pay tribute to those who are now involved in the process of moving that work forward. I pay tribute to the patients for their own patience. Perhaps in due course, they will have the new facility that they so richly deserve.

Question put and agreed to.

9.20 pm

House adjourned.

Westminster Hall

Monday 7 March 2016

[VALERIE VAZ in the Chair]

Non-EU Citizens: Income Threshold

4.30 pm

Paul Scully (Sutton and Cheam) (Con): I beg to move,

That this House has considered e-petition 118060 relating to the income threshold for non-EU citizens settling in the UK.

It is a pleasure to serve under your chairmanship, Ms Vaz. I want first to read out the petition so that people who read the debate in *Hansard* later can see what we are talking about. It is entitled “Scrap the £35k threshold for non-EU citizens settling in the UK”. It goes on:

“In April (2016) the Home Office and Theresa May are introducing a pay threshold for people to remain here, after already working here for 5 years. This only affects non-EU citizens that earn under £35,000 a year, which unfairly discriminates against charity workers, nurses, students and others.

This ridiculous measure is only going to affect 40,000 people who have already been living and working in the UK for 5 years, contributing to our culture and economy. It will drive more workers from the NHS and people from their families. This empty gesture will barely affect the immigration statistics. It’s a waste of time, money and lives.

This is the first time the UK has discriminated against low-earners. £35k is an unreasonably high threshold. The UK will lose thousands of skilled workers.”

I will now return to using my own words; my own views may be slightly different. I should add that the Select Committee on Home Affairs has considered the issue as part of a wider report on skills, and on how the tier 2 and other visa categories affect skilled workers coming into the country, to which the Government responded in February.

I have been a member of the Petitions Committee since it was set up in May, and the petition before the House is one of a number that have hit the public’s imagination since the e-petition system began. However, from memory, I think this is the first pro-immigration petition to be debated. I have led on one that wanted a stop to all immigration now; and we had a quite interesting discussion about a certain Mr Trump, relating largely to his comments about immigration in the US. This is the first to look at immigration from a positive point of view, and to deal with a specific part of immigration policy. I hope that we will have an interesting debate on how the policy affects people, the contribution that people make when they come to this country and bring their skills here, including economically and culturally, and what we need to do to control mass uncontrolled immigration. I think that there is, largely, consensus that we always need to do more to address that.

I have a few general concerns about the wording of the petition, which are the sort of thing I would say to anyone considering putting something on the e-petition website. Some of the wording was not what I would have chosen—such as referring to a “ridiculous measure” and saying that it

“is only going to affect 40,000 people”.

I think a lot of people who are concerned about immigration will say that 40,000 is effectively just over 10%—about 15%—of the current net migration figure, which is quite a lot. It is quite a high percentage that the Government are looking at, when we are talking about trying to control immigration as a whole.

Mr Steve Baker (Wycombe) (Con): Will my hon. Friend confirm that the Government cannot apply such a measure to European Union citizens precisely because we are European Union citizens and are consequently prevented from discriminating in the matter of free movement of EU citizens? Does he agree that it would be better, fairer and more just to everyone if we operated migration on the basis of British citizenship, so that we could treat people fairly, wherever they came from?

Paul Scully: I very much agree and will speak about that later. I think we are acting with one arm tied behind our back within the structures of our immigration policy.

The petition also calls the policy an “empty gesture”, which

“will barely affect the immigration statistics.”

However, if we are talking about 40,000 people, it will do more than that. I do not think it is a waste of time. The petition says:

“This is the first time the UK has discriminated against low-earners. £35k is an unreasonably high threshold.”

I suspect that the debate will tease out the various types of occupations that may or may not be affected.

Carol Monaghan (Glasgow North West) (SNP): Of course, the occupations that will be affected are key to the debate. It will not be possible to recruit nurses, or teachers of science, technology, engineering and maths, from abroad. Gaping holes in those areas will not be filled.

Paul Scully: The hon. Lady is second-guessing what I was going to say, because I contend that the shortage occupation list, which is the second part of the tier 2 visa rules, takes that into account. Although the petition goes on about nurses, they are on the shortage occupation list. It also mentions charity workers, who tend to be dealt with on tier 5 visas, for temporary workers; and students, who tend to have tier 4 international student visas. Therefore there are a few factual inaccuracies in the petition, but none the less there are some real concerns within various occupations, and it is right that the people in question should make representations so that we can consider them. We should bear it in mind that the Migration Advisory Committee regularly looks at the list, and it is important that it should continue to do so.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): The economy relies on a wide variety of skills, and not all are paid at similar rates. Does the hon. Gentleman agree that a banker in the City will earn much more than, say, a classical musician? The blanket application of one threshold for all industries is inherently unfair.

Paul Scully: If that were the case, then yes, it would be, but I think that is where the shortage occupation list comes in. For example, a classical ballet dancer has an exemption of £20,800 and so will not be affected by the £35,000 limit. The threshold is far lower. I cannot say

[*Paul Scully*]

what the market rate is for a classical ballet dancer, but there are such exemptions. That is why it is very important that the Migration Advisory Committee should keep the list under regular close inspection and review, covering such examples as the hon. Lady has mentioned.

Tier 2 is intended for skilled workers. The majority of reasonable people—if we can get past the people who say we should stop all immigration now—would consider immigration to play a positive economic and cultural role in the country. We bring in some fantastic migrant entrepreneurs and, as has been said, nurses, as well as pharmacists and people who work in the cultural industries such as music, dance and the arts. Those people contribute to the UK and the fabric of the country. In some cases they do jobs for which we cannot find the skills in this country, and they can help to train and upskill our own citizens.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): In response to an intervention by the hon. Member for Wycombe (Mr Baker), the hon. Gentleman talked about extending the policy to European Union citizens. Would he allow other European Union member states, where 1.26 million UK citizens live, to do the exact same to UK citizens?

Paul Scully: At the end of the day, when we talk about the European Union, we are talking about being able to control our own borders. We are talking about the skilled people we want in this country. My personal view is that I would like the UK to leave the EU, in order to get skilled people from other countries across the world. However, in the context of our debate, the best we can do is look at tackling immigration from outside the EU, work out the skills we need and the various industries that need particular help from outside, and work through the tier 2 visa rules in terms of the threshold and the various exemptions we have talked about.

Mr Baker: Does my hon. Friend agree that the key point is that the burden of proof lies with those who wish to continue to discriminate against people who are from outside the European Union, in favour of people from the European Union? That is the crucial point. The EU puts us in a position where we are discriminating against non-EU citizens; that should end.

Paul Scully: Yes. I have dealt with the curry industry—this may sound slightly random, but bear with me for a second. A lot of people representing that industry complain of the fact that two curry restaurants a week are closing down, out of the 10,000 or so around the country. There are lots of different reasons for that, one of which is that the restaurants are failing to attract skilled chefs. The associations and the trade bodies tell me that the restaurants can hire an unskilled person from another European country; that person can therefore come over here and get a job at the expense of a skilled chef with experience from, say, Bangladesh.

Carol Monaghan: In what way would raising the pay threshold to £35,000 alleviate that problem?

Paul Scully: Frankly, it would not, which is why I am not going to make that case. Leaving the EU would mean that we did not have to pinpoint all our immigration policy on tackling immigration from outside the EU, which at the moment is the only lever we have to pull. We cannot do anything about immigration from within the EU because of rules on the free movement of people. People from, say, Bangladesh or India—countries that are going to dominate the world economy for the next few decades—are therefore at an unfair disadvantage to unskilled people from within the EU. I was therefore not going to make that case.

The threshold will apply only to workers in graduate occupations. Given the way our skills and skills agenda have changed over the past few years, more and more occupations are falling into that category. Years ago, nurses did not need a degree, but now they do, as nurses are taking on more and more responsibilities—responsibilities akin to those of doctors, in many cases. They are highly qualified and highly skilled, and rightly so. We certainly need to ensure that we can attract the very best nurses to this country.

Any employer that wants to take someone on under the skilled work category needs to carry out a resident labour market test, in order to prove that the job cannot be filled from within our domestic market. PhD-level jobs are exempt, and as I said, shortage occupation list workers are also exempt.

Martin Docherty-Hughes: The hon. Gentleman mentioned the domestic market. Would that exclude Ireland, with which we have had a free movement agreement since the early 1920s, and every Irish citizen?

Paul Scully: That is an interesting point. All I was saying about leaving the EU is that we would have control of what we do. We have had control of what we do with Ireland for a number of years, well before we were members of the European Union.

The Migration Advisory Committee looked at this issue in December 2015 and recommended a salary cap of about £30,000. It acknowledged:

“The Government’s core objective is to significantly reduce the level of economic migration from outside the EEA.”

The Prime Minister has made it clear that the Government’s focus is on training domestic workers. That is the right long-term plan. I talked about curry chefs earlier. I know that the Government have talked about setting up training colleges, apprenticeships and that sort of thing. In the long term, that is absolutely the way to go. The curry industry and a number of other industries have struggled to get to grips with and adapt to the change in Government policy over the past few years. Those industries have been trying to push against the changes, but now that the rules are starting to come in and bite, they have realised that it is too late to make changes that they could have made over a number of years.

Even if the Government do not reverse their policy, I hope that they will be understanding and sympathetic to these industries, working with industry leaders and trade bodies to ensure that, where possible, compromises can be made to help the industries cope. The curry industry that I keep talking about is worth £3.5 billion to the UK economy and employs around 100,000 people. It would be a tragedy to see a UK industry of that level wither on the vine.

Tier 2 has a role to play. When I was campaigning, immigration was certainly the No. 1 issue on the doorstep. It came up time and again. Everybody was saying to me, “You know what? We need a points-based system.” Well, we have one; we have had one since 2008, and the tier 2 visa system forms part of that process. To work out whether someone can get a tier 2 visa, they need to be able to show their income, and information in a number of other categories, and they then get points on the basis of that information.

Several Members here will have received the briefing from the Royal College of Nursing. I know that the threshold is of concern to the RCN, and nurses have already been mentioned today. I am glad that nurses are on the shortage occupation list; that is important, especially when we are trying to recruit more nurses and bring more of them into the national health service. Obviously, it takes time to train nurses, so we have to find them from somewhere. According to the RCN, 3,365 nurses would have been affected if they had not been on that list. The shortage occupation list has to iron out unintended consequences, but it still provides the default position that the UK should supply its own workforce wherever possible. That is the right thing to do.

We must bear in mind that the tier 2 visa system is only one tool in controlling immigration. The Government have done a number of very good things on immigration, such as closing down 920 bogus colleges, slashing 45,000 visas from the further education route, cutting family visas by a third, restricting access to public services through the Immigration Act 2014 and cutting abuses of those services. All those measures have had an effect, but there is still more we can do, and we must do so for the reasons I have given.

There are only a certain number of avenues that the Government can control. The issue of unskilled labour from the EU is not one of them, unfortunately. The UK economy is the biggest pull factor for migration. We have talked a lot in debates in the main Chamber about welfare changes, but ultimately the biggest pull factor for migration is the state of the UK economy—it is the fact that we have had the fastest-growing economy in the western world and have been creating more jobs in the UK than the rest of Europe put together. When there is double-digit unemployment in parts of southern Europe, of course the UK will be an attractive place to come, so we need to do more on immigration.

It is important that we have a good debate. We have to keep on controlling mass immigration, which affects infrastructure and can often affect social cohesion. I hope that the Minister will look kindly on some of the industries and occupations that are struggling to keep up with the pace of change, and at least acknowledge that they need comfort, support and the right words, so that they realise that they are valued in the UK economy and throughout our public services. I look forward to a vibrant debate.

4.49 pm

Kirsten Oswald (East Renfrewshire) (SNP): It is a pleasure to serve under your chairship, Ms Vaz. I congratulate the organisers of the petition on their achievement in getting 100,000 signatures from all across the UK. I note that more than 100 people in my constituency have signed it.

I believe that the petition has got one thing wrong: the Government have form when it comes to discriminating against low earners. For instance, such discrimination is part and parcel of the restriction on the right of people earning less than £18,600 a year to bring a non-EU spouse into this country. That not only restricts the right to family life of many people on low incomes but disproportionately affects women, young people, those from more deprived areas of the UK and workers in lower-waged sectors of the economy.

I am sure I will be echoing the concerns of other Members in saying that we need to keep driving home the message that the Government’s attitude towards the management of immigration is wrong-headed. The measure that we are debating today will do yet more damage to their reputation and that of the UK. Its message was well summarised in an online headline, which said: “Britain To Foreign Workers: If You Don’t Make \$50,000 A Year, Please Leave”.

The Government’s response to the petition illustrates their attitude and the tone in which they conduct this debate. They talk of “uncontrolled mass immigration” making it difficult to maintain social cohesion, putting pressure on public services and driving down wages for people on low incomes, yet this measure deals only with people entering the UK to take up a graduate-level job, many of whom come here to work in vital public services in which there are considerable skills shortages. Despite the fact that some of those services are on shortage occupation lists and will not be affected in the short term, it is concerning to see what a high proportion of them attract salaries of less than £35,000. That suggests that the bar is set too high.

Margaret Ferrier: The National Union of Journalists has concerns that the income threshold will have a huge impact on media workers, including people employed at the BBC World Service. Does my hon. Friend share those concerns?

Kirsten Oswald: I do. The measures could cause difficulties in many sectors, including the one that my hon. Friend mentions.

This policy seems to be more about portraying an image than the effect that it will have. Even its proponents admit that it will have little, if any, effect on the actual level of immigration to the UK. In its initial report on this topic, the Migration Advisory Committee said that “it is likely that, to some extent, migrants prevented from staying beyond five years will be replaced by new migrants.”

Paul Scully: Does the hon. Lady not consider 40,000 fewer people coming to the UK to be a reasonably significant reduction?

Kirsten Oswald: I point the hon. Gentleman to what I said before; there will be churn, with people coming in and out of the UK.

The Migration Advisory Committee went on to say that

“the impact on the UK migrant stock of applying a pay criterion will probably be lower than...estimates suggest.”

Indeed, the Home Office’s own impact assessment talks of the policy potentially leading to a “churn of migrant inflows”.

[Kirsten Oswald]

Many commentators have expressed reservations about applying such a simplistic measure as a single pay benchmark to the granting of settlement. Many of the consultees see the need for greater flexibility than is reflected in the Government's policy. Perhaps not surprisingly, I find myself in agreement with the Scottish Government, who, as my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) said, have criticised the crude use of wage levels, because many essential occupations are not necessarily well paid. In addition, as the Scottish Government and others have pointed out, there are significantly different wage levels across the UK. In most cases, people with the same occupation and the same skill level are paid different amounts in London, for instance, compared with other parts of the UK.

The Migration Advisory Committee report on the impact of the policy highlights the fact that only London has a mean wage for graduate occupations that is higher than the UK average. All other nations and regions are below the average—in some cases considerably so. The spread from the mean graduate wage in London to that in Wales is more than £15,000, and it is difficult to see how a standard wage requirement of £35,000 for tier 2 applicants for residence can meet the needs of all areas. The notion that there is a single UK economy and demography, which can be managed by one-size-fits-all policies, is a fiction that should have been abandoned long ago. Of course, it is possible to construct models and reports that treat the UK as a single economic entity, but that does not make the whole UK the appropriate level at which to apply policy change. It is a long hard struggle to get this House to recognise that.

Since devolution, Scottish Administrations, regardless of party, have highlighted that our demographic experience does not match that of the rest of the UK. No country with which Scotland shares either a land or sea border has seen such low population growth, but as with other issues of particular interest to Scotland, this place has shown a long-term lack of interest in the causes of that relative decline. In 2000, Scotland's population was lower than it had been in 1970. By contrast, the rest of the UK, Ireland, Norway and Iceland had all experienced significant population growth over that period. The coincidence of a booming oil industry off Scotland's shores with population stagnation represented gross mismanagement of Scotland's economic potential. Other parts of the UK, outwith London and the south-east, have experienced similar problems.

It was disappointing to see just how little consideration the Migration Advisory Committee gave to the regional impact of the policy. When we see that the committee contains seven members, none of whom are based north of Birmingham, we perhaps get some idea of their perspective. With three of the committee members either currently working at the London School of Economics or having studied there, it begins to look like a committee with a particular outlook and remit. With the growing level of devolution of economic decision making across the nations, regions and even the cities of the UK, there is no justification for such an influential committee reflecting so narrow a perspective on such a vital topic as immigration policy.

Given the importance of demography, and particularly the impact of work-related migration on the economic future of all parts of the UK, it is vital that a wider perspective is brought to bear on this issue. Perhaps the UK Government will live up to their promise of treating devolved Administrations with respect and put the question of immigration rules and the make-up of the Migration Advisory Committee on the agenda of the Joint Ministerial Committee. I would welcome confirmation from the Minister that he and his colleagues in the Department will consider that.

4.57 pm

Patrick Grady (Glasgow North) (SNP): It is a pleasure to serve under your chairmanship, Ms Vaz. I think this is the first time that I have spoken in a Westminster Hall debate under the Petitions Committee system. I tried to squeeze into the debate on the Women Against State Pension Inequality petition, but I arrived about two minutes too late to get a seat, so I ended up sitting in what I believe is grandly called the "Press Gallery"—that little bench over at the side of the room—much to the chagrin of some members of the press. However, the fact that the Petitions Committee allows such debates to be triggered is a welcome development in this Parliament.

I note from the information provided by the Committee that 551 of my constituents have signed this petition—the 32nd highest number in the country—out of the 102,748 people who had signed the petition when I checked earlier this afternoon. I noticed that some of the constituencies with the highest number of signatories were held by Labour Members, so it is rather disappointing to see the paucity of Back Benchers from what is supposed to be the official Opposition party at such an important debate.

In opening the debate, the hon. Member for Sutton and Cheam (Paul Scully) noted that there had been a variety of immigration-based petitions, some of them pro-immigration and some less keen on various aspects of immigration. That demonstrates a disconnect across the country on the issues. There is certainly not any consensus behind the Government's position, which seems to me to be driven by ideology and an obsession with the net migration target. It does not reflect any kind of consensus among the population at large, and certainly not among political parties or the different regions and nations of the United Kingdom.

We in the Scottish National party recognise that effective immigration controls are important, but the £35,000 threshold that we are discussing is just another poorly thought out, unfair immigration policy from the Government. I want briefly to look at the principles behind the policy and the complexity of it, and I will raise a couple of specific concerns and the need for a fairer approach.

As I said, it is pretty clear to SNP Members that the UK Government's immigration policy comes from a certain kind of ideology and a determination to pander to some of the more unpleasant elements of the support for the Conservative party and some other parties. The 100,000 net migration target does not seem to be based on any needs analysis of what might be good for this society's economy. Rather, it is a nice round number that sounds quite big, and the Government hope that it will placate certain Back Benchers and UK Independence

party voters. Incidentally, and interestingly, UKIP voters seem to be concentrated in constituencies that do not have much immigration or many asylum seekers.

The effect of the target has been a whole series of unintended consequences and ever more tortuous mechanisms to try to reach the target, focusing on smaller and smaller sub-groups of immigrants. That is having a disproportionate impact on the economy, society, communities and, most importantly, the lives of individuals.

Despite all that, there have been reports that net migration is beginning to fall, even if, at 323,000, it is much higher than the Government's arbitrary target. Such an arbitrary target is almost impossible to reach, because so many factors that affect it are outwith the Government's control. For a start, they cannot change the number of UK citizens who, rightly and legitimately, might want to leave the United Kingdom to live and work in other parts of the world, whether in the European Union, as my hon. Friend the Member for West Dunbartonshire (Martin Docherty-Hughes) said, or in other parts of the world. Nowhere in UK policy does there seem to be any consideration of how other countries might react to people from this part of the world who want to leave to work overseas.

That brings me to some of the failings of the proposal. A disappointing lack of parliamentary scrutiny has preceded its introduction, as is true of many aspects of immigration reform. This debate should be the beginning of a scrutiny process rather than, as is more likely, the end, after which the reforms will be introduced. As far as I am aware, there has never been a vote in the House on the matter, nor is there likely to be one.

Our approach is at odds with that of many other countries that are trying to attract and retain expertise and skilled workers. In 2011, the Institute for Public Policy Research said in response to the original proposal:

"It is significant that no other major country is moving in this direction. Indeed, countries whose skilled migration policies are widely praised, such as Canada or New Zealand, are taking precisely the opposite approach: they may be fairly selective about who is allowed to enter, but they assume that those who do enter will settle, and have integration policies designed to make that work."

Martin Docherty-Hughes: Does my hon. Friend recognise that one reason why Canada and other nations are going in the opposite direction is the ageing population in the northern hemisphere and the limitations on the ability to deal with it?

Patrick Grady: Absolutely. An ageing population and a declining birth rate have disproportionately affected Scotland and various regions of the United Kingdom. That goes back to my point about immigration policy being designed to placate voters and political parties in parts of the country that do not have such a situation.

Bodies in a number of sectors have expressed a wide range of concerns about the policy. The Government have responded to some extent to the concerns expressed by the Royal College of Nursing and others about the impact on the health service, but my understanding is that the proposal to put nursing into a skills shortage category will be temporary, with no guarantees about what might happen in future.

We have heard about the impact on other sectors that rely on special skills but do not necessarily pay above the £35,000 threshold. My background is in the international

development charitable sector. People come to that sector with a whole range of skills and experiences, but £35,000 is a pretty high salary in such a field.

We have heard quite a bit about the catering industry. I was reminded of a video that was doing the rounds on social media at the weekend: the famous Rowan Atkinson sketch from the 1980s in which he speaks as a Conservative politician saying, "Well, you know, we welcome these people from different parts of the world, and they brought us exotic cuisine such as curry, but now that we've learnt the recipe, there is no real need for any more of them." That was supposed to be satire, yet here we are hearing exactly that sort of sentiment expressed by today's Tory Government.

I have just come from the all-party group on music's live music briefing. Our creative sectors benefit hugely from people being able to come into the country to share their expertise, drawing on our rich cultural heritage and bringing their own. Again, £35,000 is a significant salary in those sectors, especially in the early years of work. My hon. Friend the Member for East Renfrewshire (Kirsten Oswald) made a point about churn in such sectors. As a result of the policy, people might come for five or six years and then have to leave, only to try to come back 12 or 18 months down the line.

Paul Scully: Does the hon. Gentleman agree that whether it is in the catering industry, the music industry or any other industry, the Government's default position on lower-paid jobs should be to train our own people first, and then to attract the skills we need beyond that?

Patrick Grady: Yes, but those things need not be contradictory. People can come here with specific skills, and learn, develop and share their skills in different ways. The system will allow people to be here for five or six years precisely to develop professional skills and, hopefully, work their way up the ladder, but if they do not meet the arbitrary threshold they will face having to leave the country, forcing potential employers to start again, ultimately with more cost. The Government's paper on the issue, signed on 14 March 2012 by the Minister who was responsible at the time, states that there will be a reduction

"in economic output—estimated at £181m to £575m over 10 years". Even the Government's own estimate is that the policy will have a negative impact on the economy, but clearly they believe it is a price worth paying to hit their arbitrary target.

The impact on the economy, society and culture as a whole is important, but so is the impact on individuals. I suspect that all of us—certainly all SNP Members—have had constituents in similar circumstances. If they are not directly affected by the income threshold, they are certainly victims of other pernicious aspects of the UK Government's immigration policy.

The first time I was drawn to ask a question in Prime Minister's questions—in fact, the only time—I raised the case of my constituent Steve Forman. I do not expect the Minister to have the details in front of him, but Dr Forman is a highly skilled musician, percussionist and teacher at the Royal Conservatoire of Scotland. He did not meet a particular income threshold, so he was being forced out of the country. He was not costing the taxpayer a penny. He was earning an income on which he was paying tax. He has access to a private income

[Patrick Grady]

from his considerable years of work and experience around the world. He was a musician for David Bowie, among many of his contributions, yet the Home Office saw fit to try to deport him. That is what is costing the taxpayer money. A fortune is being spent on appeals, tribunals and further legal processes. My constituent could have been allowed to stay in the country. He is still here, but with a massive question mark over his appeal, which seems to be snarled up. I do not expect an immediate response from the Minister, but a letter telling us where we are with his case would be much appreciated. That is but one of the many examples that come to our surgeries daily.

Immigration is essential to the strength of our economy and greatly adds to the social and cultural fabric of the country. This proposal is, sadly, one more aspect of an ideologically driven Tory policy that is all about pulling up the drawbridge irrespective of the needs of the economy and society across the United Kingdom. When I raised the case of my constituent at Prime Minister's questions, I said that if the UK Government did not want to introduce an immigration policy suitable to Scotland's needs, they could devolve immigration powers to Scotland and let us develop a policy that would work in Scotland's interests.

Our vision is of a fair and sensible system of managed migration, with a measured strategy to make the most of the huge benefits that immigration can bring to the UK and Scotland. That stands in stark contrast with the Conservative approach. I have no doubt that we on the SNP Benches will continue to stand up for that, whether in Westminster Hall or during discussion of legislation on the Floor of the House.

5.9 pm

Tommy Sheppard (Edinburgh East) (SNP): I am delighted to speak in this debate, but like my hon. Friend the Member for Glasgow North (Patrick Grady), I wish the attendance was rather better. I do not want to score any political points, but I do think that a fairly nasty and pernicious little proposal is being put forward and it is incumbent on us all to encourage our colleagues to take this a little more seriously and show more interest in it.

Keir Starmer (Holborn and St Pancras) (Lab): Will the hon. Gentleman give way?

Tommy Sheppard: I will of course. Perhaps a meeting is going on that I do not know about.

Keir Starmer: I let that comment go the first time, but hon. Members will see on the screen that in the main Chamber at the moment there is a debate on a Home Office Bill, in which very many of my colleagues are down to speak. It is unfortunate that there is a clash, but it is not fair to read into that a lack of interest in this debate. I do not know whether the hon. Member for Edinburgh East (Tommy Sheppard) has seen the screen and realised that that Bill is now being debated in the main Chamber.

Tommy Sheppard: I thank the hon. and learned Gentleman for his point. As I said, I am genuinely not trying to score a political point. I am simply saying

that we need to encourage colleagues to take more interest in this debate, this subject and this proposal in particular.

Since my election to the House, I have discovered that this is a place rich in irony, and I have been overloaded with it today. I have come to this debate from Portcullis House, where I was at an exhibition of scientists, engineers and technologists, who are trying to show Parliament pioneering work in which they are involved. I met three young people working at Edinburgh University on doctorates. One was from England, one from Italy and one from the United States of America. I am fairly confident that if this little proposal goes through, we will have to say to Laura Underwood, who is pioneering clean water technology at the University of Edinburgh, that if she is successful in discovering something new in that technology, she will not be welcome to stay in this country and realise that and get a job to develop it unless she is earning more than £35,000 a year, which in a first-time job, when someone has just graduated, is pretty near impossible. If some people in the House get their way and we manage to pull out of and turn our backs on the European Union, down the line we would have to say something similar to Enrico Anderlini, who is working on developing new forms of wave technology—that he would not be welcome here as an Italian unless he was earning £35,000 a year, which for a young 20-something is pretty hard to do. It is very ironic indeed that I should come from that gathering to discuss a policy that seems to be set up to put a major hurdle in front of such people.

I am here today because more than 1,000 of my constituents have signed this petition and because many people have written to me, giving examples of what the proposal will mean for them as individuals. I think—I welcome some of the comments so far—that we need to change the whole way in which we debate immigration in this country and we need to start in this Chamber by setting the pace and setting an example of how that should be done. Immigration is undeniably a good thing for our economy; it is a good thing for our communities, and it is a good thing for humanity and the individuals who are involved in that process. If we had not had immigration or migration over the centuries, this world would be a much more miserable and unliveable place than it is today, so I would be glad if we could at least try to couch the debate in positive terms.

I note the statistic that has been thrown up in the debate that net migration—this is seen as a horrible thing—was about one third of a million people last year. I thought to myself on the train down this morning, “Well, how much is that really?” It is about one in every 200 people in the United Kingdom, so in a town of, say, 20,000 people, it would mean that 100 people have come over the last year to live in that place. I cannot square that statistic with the thoughts in some people's minds about our being overrun by alien hordes or alien cultures and the country's being swamped by migrants. That is clearly ludicrous, so we could at least get a sense of perspective.

I understand that in some communities, among some of our citizens, there is deep apprehension about migration. I understand in particular that many of the people who are living at the margins of society and who feel themselves to have very little are susceptible to the argument that says, “You can't afford to be generous to people from

elsewhere in the world. You need to be hard-faced about this and turn your backs on these people.” I do not agree with that approach, but I can understand why some people will develop it. It concerns me that we have politicians who want to manipulate that prejudice and who, rather than confronting with evidence the assumptions on which it is based, pander to it and try to use it for political capital. That is all of us going to hell in a handcart if we do not pull back from that general direction.

Although I can understand that type of feeling when it comes to whether we should take tens of thousands of refugees fleeing warzones in the third world, I cannot for one minute understand that when it comes to the question of tier 2 visas. Tier 2 visas, let us remind ourselves, are given to people who are coming to work here in a job that has already been advertised locally and that no one living in the area wants to take, so how that can be described as anything other than a positive benefit and contribution to our economy and our community, I do not know.

I want to question—the Minister will perhaps answer this—the rationale, the logic, behind saying that people have to earn a certain amount of money, a certain salary, to be able to come here, but a different amount of money, a different salary, to be able to stay here. That seems ludicrous; and the £35,000 a year figure is arbitrary. I need to hear the justification for it, because it certainly does not work in my constituency—in my city. It takes no account whatever of regional variations within the United Kingdom in employment and in salaries. Whereas there might be places in the middle of London where £35,000 is regarded as some sort of miserly salary, I can tell hon. Members that it is regarded as a very good salary indeed in my constituency. If we set that as the limit, all that will do is further imbalance the UK economy towards London and the south-east and those areas that are already sucking the lifeblood out of it, so I would caution people when thinking about trying to manipulate migration to this country so that it favours London and the south-east rather than the rest of the country.

The proposal also demonstrates no recognition of different industries. A constituent wrote to me and said, “This seems to indicate that the Secretary of State has a value system behind this—that they view some jobs as more important than others and that if someone is working in banking or finance and earning a good salary, they are regarded as inherently more valuable and someone we would want more than someone who is working in a lower-paid job in our public services or in the arts and creative industries.”

I want to make the point in particular about the arts and creative industries. This issue is particularly relevant to a city such as Edinburgh, a metropolitan, bustling city with people from all over the world, doing all sorts of exciting things and fuelling our great festivals. Many people in this Chamber will have attended those festivals and enjoyed them. That is partly because it is a welcoming place to come and we do not say to people, “To practise the arts here, you have to be in a job earning £35,000 a year, or you can’t do it.” As soon as we begin to do that, not only will that culture begin to ebb away and things will get that much duller, less creative and less exciting as a result, but other cities, in other countries, will directly benefit from that because people will go elsewhere.

Of all the petitions that I have ever seen come to this House, this one is the most eminently reasonable. If we read what the petitioners want, we see that they are not saying, “Oh, throw out the Government’s immigration policy.” They are not even saying, “Overturn and throw out the concept of having to reach a salary threshold before people can get indefinite leave to remain.” They are saying, “Press the pause button. Take a look at this again, and wait to get some evidence in particular about whether a different limit should apply to different industries.” I cannot for the life of me see anything more reasonable than that, and I think that not only should we consider it, as we do in these debates in Westminster Hall; I hope that the Minister will say that the Government will consider it to the extent that they will think again and go away and amend this policy.

5.18 pm

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to serve under your chairship, Ms Vaz. I, too, welcome the debate and am genuinely pleased to see the degree of engagement on this issue that use of the petitions facility has generated, not just in terms of numbers, although they are at first glance pretty remarkable, but in terms of the quality of submissions made possible through Parliament’s Facebook account. I also welcome the contribution of the campaign group Stop35k in engaging with those affected and making their voices heard.

We have heard some excellent speeches this afternoon, and I am pleased to see so many of my hon. Friends present. A lot of good points have been made. As my hon. Friends the Members for Glasgow North (Patrick Grady) and for Edinburgh East (Tommy Sheppard) pointed out, it is important to focus on the specific issue we are debating. It is not yet—thankfully—about raising the threshold for people who are coming here. People are being allowed to come here and take up jobs at a certain salary level that no resident could be recruited to do, but when those people put down roots, a huge extra salary hurdle is put in their way before they are able to gain settlement.

There are so many strong arguments in support of the petition and they broadly fall into two categories. The first is that the introduction of the new £35,000 salary requirement will cause a hell of a lot of pain. As some of my hon. Friends have argued, the second is the question of why we would want to inflict that pain. What is it all for? The answer seems to be that it is not for very much at all. I will take those two sides of the coin in turn.

The threshold will cause pain and, most importantly, distress and upheaval for so many people who have made their homes and built their careers in the UK over several years. My hon. Friend the Member for Glasgow North mentioned a powerful constituency case. Indeed, so many individuals will have their lives, plans and dreams turned upside down by the new provisions. Parliament’s Facebook page and case studies provided by Stop35k have allowed those individuals to explain their personal experiences. I will add another two or three examples that I spotted when looking at Parliament’s Facebook page this afternoon.

A typical example is Shannon, who has been here for more than seven years and who, but for the changes, would be eligible for indefinite leave to remain in a year.

[*Stuart C. McDonald*]

She studied at Imperial College London and has worked ever since on a tier 2 visa, doing very good work for a charity based in central London that communicates original science and development news and analysis aimed at helping the global south. She says,

“I don’t have anything anywhere else. I hope you can help skilled people like us stay in our homes and continue contributing making the UK as unique as it is.”

Megan has three university degrees and works in the international development sector, in which, as my hon. Friend the Member for Glasgow North mentioned, very few jobs pay more than £35,000. She supports herself comfortably and presents no burden whatever to the UK system, but the rule means that she could be forced to leave. She argues:

“This £35k threshold determines the worth of an individual based solely on income rather than contribution to society, which is not just inhumane—it’s shortsighted. The UK will lose essential staff like nurses, teachers, and care workers, and for what?... I sincerely hope that Parliament will think better of this foolish, knee-jerk policy.”

Those case studies point out that people put down roots over time so the UK becomes home, and they illustrate the excellent contribution that those people make to our economy and society. Some might argue that people should have known that this was coming, but it is clear that many just simply did not know. One contributor to the Facebook page was pretty typical in saying:

“When I immigrated to the UK almost five years ago, there was no £35,000 rule...So the ‘deal’ I signed up for has been RADICALLY changed, but only after I uprooted my family and committed to this country...It’s iniquitous, in my opinion, to entice an immigrant with one set of rules, and then rip the rug out from under them like this.”

That point was also eloquently made by my hon. Friend the Member for Edinburgh East.

Even if people were aware of the rule changes that were provisionally announced in 2011, they cannot refrain from getting on with life and they cannot make a conscious choice to not put down roots, make friends, or build up a home and private life here. Nor can we stop folk having the ambition of meeting the £35,000 threshold by the end of their visas.

First and foremost, the Scottish National party condemns the impact that the provision will have on the individuals who are directly affected. Beyond that, we need to consider the impact it will have on the businesses and public services that employ those people. We are talking about teachers, classical musicians, IT workers, software engineers, professional ballet dancers, chefs and cooks, carers, media workers, biomedical and technological researchers, and many people with jobs in science and research, including in the NHS. We are talking about start-ups, employees of which will often earn less than £35,000 but will make a significant contribution to innovation and economic growth.

We are still concerned about nurses, as my hon. Friend the Member for Glasgow North West (Carol Monaghan) pointed out, despite the Government’s temporary sticking plaster of using the shortage occupation list. Prior to that move, 3,365 nurses working in the UK potentially would have had to leave the country, with a recruitment cost implication of £20 million for the

NHS. The Royal College of Nursing pointed out that there was a steep percentage rise in non-EU admissions to the Nursing and Midwifery Council register in 2015. If nursing is removed from the shortage occupation list again, the figures for future years are potentially even more worrying, particularly if overseas recruitment continues to rise as a result of a shortage of home-grown nurses and a crackdown on agency nurse spending. A stopgap answer for the NHS is not sufficient, but at least it has a stopgap measure—the other industries mentioned cannot rely on any such measure.

As several of my hon. Friends have argued, a one-size-fits-all policy is being used where, yet again, it is entirely inappropriate. As my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) said, one size is being designed to fit all industries and jobs. The Government are also trying to make one size fit all nations and regions—a point made well by my hon. Friend the Member for Edinburgh East. One size simply does not fit all.

My hon. Friend the Member for Glasgow North highlighted the UK Government’s estimate of the damage to the UK economy of several hundred million pounds. Of course, the Migration Advisory Committee estimated that the cost to the UK economy would, in fact, be not far short of £800 million. The word “bonkers” springs to mind.

There will be personal pain, pain for business and public services, and economic pain, and for what? It is hard to find an up-to-date assessment of the numbers of people who will be affected but we are talking about comparatively small numbers in the grand scheme of things, particularly after various exceptions and exemptions are considered. Even the Government’s defence and response to the petition appears half-hearted, saying that the move

“is intended to make a modest contribution to the Government’s target of reducing net migration to sustainable levels.”

If the so-called gain is accepted, even by the Government, to be a modest one, why on earth inflict so much pain?

Patrick Grady: Is not the point that it is not really a modest measure, but a desperate one? The Government are so hidebound by this arbitrary target they have no chance of meeting that they will stop at nothing, even if it is at a cost to the economy and to people’s personal lives.

Stuart C. McDonald: I absolutely agree. One word that could be used is “tokenism”. Someone described the measure to me as “immigration theatre”; it is all in pretend pursuit of the so-called target that my hon. Friends the Members for Glasgow North and for Edinburgh East ripped to pieces. No one believes that the target is a genuine one. I think the Government recognise, to some extent, the ridiculousness of the move—hence the creation of an exemption for those whose job has been on the shortage occupation list at any time in the six years prior to a settlement application. There is an exemption for migrants who work in a PhD-level occupation, and for those who have a tier 2 minister of religion visa or a tier 2 intra-company transfer visa. With so many large exemptions and exceptions, should not the rule that we are creating those exceptions for be considered absolutely absurd?

As my hon. Friend the Member for East Renfrewshire (Kirsten Oswald) rightly asked, what assessment has been done of the displacement effect of the change? Will not the lives of thousands of non-EU citizens be disrupted, only for so many of them to be replaced with fresh migrant employees? If so, what on earth is the point?

The Home Office's 2012 impact assessment states:

"The goal is a smarter, more selective, more responsive system that commands public confidence and serves the UK's economic interests."

In fact, all the signs are that the measure will have a negative economic impact and will undermine, yet further, any confidence that the public has in what the UK Government are doing on immigration.

I know that the policy was inherited by the Minister for Immigration and I know that his hon. Friend, the Under-Secretary of State for Refugees, who is responding for the Government today, has had nothing to do with it either. I wish that they would ditch it not only as singularly unhelpful, but as harmful and hurtful for all concerned.

5.28 pm

Keir Starmer (Holborn and St Pancras) (Lab): It is a pleasure to serve under your chairmanship, Ms Vaz. Like others, I welcome the debate and the valuable contributions made by hon. Members. Clearly, there is public concern about this policy, which has not been debated in the House. It was introduced by statutory instrument, albeit followed by a consultation. I, too, pay tribute to the Stop35k campaign that has helped to raise awareness and highlighted a number of consequences that could stem from the Government's policy.

This afternoon, we have heard about the concerns from businesses and employers who recognise the potential economic consequences of the policy, as well as from teachers, nurses and trade unions who are rightly concerned about the impact it could have on key public services. Labour supports an immigration system that has control and fairness at its heart, but we also recognise that, as businesses across the country have told me, there are very serious skills shortages in our economy that we increasingly rely on skilled migrants to fill. We would like the need for skilled migration to be reduced, but the policy's focus should be to upskill local workforces to reduce the long-term need for skilled migration. That is the best way to reduce immigration in the long term.

Carol Monaghan: To upskill the local population we need workers in key areas who will now be excluded, such as in teaching science, technology, engineering and maths and in lectureship positions. It will be almost impossible to upskill people who are living here without immigration for those key positions.

Keir Starmer: I accept the thrust of the hon. Lady's point, and I will point out why the current policy is neither sensible nor sustainable, but the upskilling of the local workforce is much needed in the long term. Wherever I go across the country, I see a yawning gap between the skills that are needed in our businesses and our industry and the skills that are available locally, which points to a much wider issue than the narrow issue, framed in immigration terms, that we are addressing

today. Labour's position is that we should focus on upskilling the local workforce rather than relying on such a policy.

We recognise the concerns of the public, businesses, universities and, frankly, pretty well everyone else about the Government's current approach to immigration. I remind Members that the Government's net migration cap, which has already been mentioned—in fact, the primary aim of the Government's immigration policy—is now in tatters. The latest figures show net migration at 323,000, which is more than three times the Prime Minister's "no ifs, no buts" target. That is embarrassing for him but, more importantly, it is eroding public trust and is resulting in perverse consequences—this policy would be one of those perverse consequences—that are affecting British businesses and the British economy.

As we have heard today, the cap is leading the Government to clamp down even on those areas of migration that they acknowledge are likely to boost gross domestic product, fill skills gaps and support public services, which is a perverse consequence of the policy. The groups affected by the policy are those in work who have an approved visa sponsor and who have contributed to the UK economy and society over a number of years. Analysis of the group of individuals who currently would not meet the £35,000 threshold, the group most affected by the policy, shows that their mean income is £27,300. On any estimate, they are net contributors to the UK economy. They are the very people we should be welcoming to the UK, and they are filling skills gaps on which businesses and public services rely.

The Migration Advisory Committee's assessment estimates that the threshold

"will reduce the numbers qualifying by around 16% per annum".

That is the overall number, but the threshold will have a disproportionate impact on certain groups. The committee estimates that, as has already been mentioned, 48% of migrant nurses will be affected. Some 37% of migrant primary school teachers, 35% of migrant IT and software professionals and 9% of migrant secondary school teachers will also be excluded by the policy. The Department for Education made a critical submission to the Migration Advisory Committee's call for evidence on the policy in 2011, warning that:

"If migrant teachers are required to leave the country after five years, this will present risks to the quality of teaching and incur further public expenditure on the training and recruitment of new teachers."

That is the perverse impact.

Regional issues have also been mentioned, and I will stay with teaching. In London, there is a fair chance of a teacher reaching the £35,000 threshold in five years, but that is much less likely outside London, but the contribution and quality of input could be precisely the same in both cases. Obviously, like others, Labour welcomes the fact that nursing is currently on the shortage occupation list. Will the Government confirm that that will remain the case? We need to know, and it is a real concern for the national health service and the nursing professions. Nothing has been said to provide reassurance to the teaching profession, which will be affected in the way I have set out.

We recognise that there are strong arguments for addressing skills gaps in our economy, but the Government have failed to do so, and much more needs to be done.

[*Keir Starmer*]

That is why we believe that the Government should urgently focus on improving skills training and vocational education to address those skills gaps, but businesses and unions have made it clear that an arbitrary limit that cuts off skilled migrant workers is a form of economic vandalism. I remind Members of the Government's impact assessment, which states that the impact will be a loss to the UK economy, on the figures I have seen, of £288 million over 10 years—that is the adverse impact on business. I checked with the Library, which confirmed that that is the Government's most up-to-date estimate. The independent Migration Advisory Committee also warned in 2012:

“As skilled migrant workers are expected to have a positive dynamic impact on growth over the long-run, we would expect reductions in skilled Tier 2 migrants to have a negative dynamic impact on per capita growth.”

Does the Minister accept those figures and the Government's own figure that the policy will cost the economy £288 million over 10 years?

Patrick Grady: The hon. and learned Gentleman has perhaps explained why many of his colleagues are not on the Back Benches today. Perhaps some of his figures explain why not very many Government Back Benchers are here to defend this ridiculous policy.

Keir Starmer: I am grateful for that intervention because my point is on the adverse impact on business, and I will go on to address the minimal effect of the policy even in the Government's own terms. We have the Government's figure, which I have checked with the Library, and I am told that there is no more up-to-date estimate other than that the policy will cost the economy £288 million over 10 years. The Government's justification for the policy, and therefore, in effect, for the damage that it will cause the economy, is that it will make

“a modest contribution to the Government's target of reducing net migration to sustainable levels.”

So it is the old net migration target that is producing the perverse impacts. Drilling into that target, I remind Members that the Government's impact assessment estimates that the introduction of the threshold will reduce overall net migration by between nought and 4,000 a year. We have the prospect of damage to the economy in the realm of £288 million over 10 years, with an estimated reduction in net migration that could be nothing or, at most, 4,000 a year in the best-case scenario. On current figures, that would simply reduce net migration from 323,000 to 319,000. Again, I have checked the figure of between nought and 4,000 for the estimated overall impact per year with the Library. Does the Minister accept that figure?

The Government are asking the House to agree a policy that will cost the country millions of pounds a year, deprive businesses and services of key workers and force people who are making an economic and social contribution to the UK to leave the country. If that is not a good example of unintended consequences flowing from an immigration policy designed to create headlines rather than address the country's immigration needs, I cannot think of many better. Would it not be better to drop this misguided policy and ring-fence some of the money saved to help boost skills and vocational training for local workers?

Labour supports a compassionate and controlled immigration policy. We also believe that there is scope to consider how the link between temporary work and indefinite leave to remain works. We will continue to push the necessity of long-term focus on skills and training, but we will not support policies that harm the economy, deprive public services of key workers and have next to no impact on net migration. Unless the Government can provide updated, materially different estimates for the policy, we cannot support it.

5.40 pm

The Parliamentary Under-Secretary of State for Refugees (Richard Harrington): I would like to say, and I am sure that all of us agree, what an honour it is to be at this debate under your chairmanship, Ms Vaz. That is not the usual platitude that MPs use; I really mean it. I hope that you agree, as we all do, that it has been an interesting debate. I thank the Committee, represented by my hon. Friend the Member for Sutton and Cheam (Paul Scully), for securing it.

The Government welcome the opportunity to explain our reforms. My hon. Friend made balanced comments, stressing the important point that the £35,000 threshold applies only to settlement applications in tier 2, the route for skilled workers at graduate level. It does not apply to other routes, such as those for students or charity workers. Of course the Government believe that immigration can bring considerable economic benefits and has enriched our culture. I speak as a member of a family only two or three generations away from immigration, and as a Member for a constituency with a large number of immigrants. I have seen the benefit that immigration can bring to this country. However, the sustained high levels of net migration in recent years make it difficult to maintain social cohesion and put pressure on public services, and they can drive down wages for people on low incomes.

Martin Docherty-Hughes: What about the impact on social cohesion of oligarchs who come into the city of London, buy up council housing and exclude the working class from the city? Would the Minister like to exclude that type of people as well?

Richard Harrington: I have not seen any examples of oligarchs buying properties in my constituency of Watford, so I cannot comment on something that I do not know about. I do not think that comment is very relevant. If some oligarchs have done that, I am sure that compared to the total amount of accommodation in the country, it is a comparatively small amount. I must say that I would not know an oligarch if I saw one.

I will return to the debate, as I am sure you would expect me to do, Ms Vaz, or I will be ruled out of order. The case that immigration is somehow mixed up with the European Union renegotiation has been made by my hon. Friends the Members for Sutton and Cheam and for Wycombe (Mr Baker), who is no longer in his place. Obviously, in many debates in the Chamber and here in Westminster Hall, Europe seems to come into the matter, and people have different views on it. The Government's view, as we know, is to remain, and the Prime Minister's renegotiation, which has led to an emergency brake on benefits and other things, is relevant, but most of the comments made by hon. Members in

their contributions have not involved the European side of the issue. Rather conveniently, I will return to the overall—*[Interruption.]* Excuse me, Ms Vaz. My voice is disappearing somewhat.

Margaret Ferrier: Does the Minister agree that the UK has greatly benefited economically and culturally from the free movement of workers from other EU countries, and that in the event of a vote to leave the European Union, the income threshold will have serious ramifications for labour markets in the UK?

Richard Harrington: I agree that this country has benefited significantly from immigration, in labour markets and in every other aspect of life. It is true that a significant level of net migration comes from the EU—172,000 people in the year ending September 2015. However, what is often not said—I am sorry that my hon. Friend the Member for Wycombe is not in his place at the moment, but I hope that my hon. Friend the Member for Sutton and Cheam will pass this on—is that an even larger amount, 191,000, is the result of non-EU net migration. The Office for National Statistics estimated that there were 67,000 non-EU long-term immigrants for work, an increase of 2% compared with the previous 12 months.

Paul Scully: Just as a full stop on the European point, we have talked a little about the fact that the threshold may apply to European citizens. If we left the EU, the threshold might not apply in quite the same way, because we would have greater flexibility within our immigration policy.

Richard Harrington: I do not think anyone could dispute that we would certainly have greater flexibility if we were not in the EU, but many of us would argue that the benefits of being in the EU are so significant that that would be a small point. For the record, that includes me; I totally agree with that view.

It should also be placed on record that numbers of those using tier 2, the skilled work route, have increased by 35% since 2010. Even if we were not experiencing high levels of migration from the EU, I argue that we would still need to reform the rules leading to such large population flows into the UK. I have dealt as much as I can in this debate with the EU issue. I have certainly given the Government's view, which—luckily for me—coincides with my personal view on these matters.

In the past, it has been too easy for some employers to choose to bring in workers from overseas rather than invest in training for our existing workforce. On average, employers in the UK underinvest in training compared with those in other countries, with a marked decline over the past 20 years. In an increasingly global economy, it is not surprising that many skilled workers come to the UK for a short time to fill a temporary skills gap, or perhaps to experience work in another country, but—this is an important point—reducing migration is not just about reducing the numbers coming here. It is also about being more selective in who we allow to settle permanently. In 2015, some 44%, or nearly half, of all migrants granted settlement in the UK—

Patrick Grady: How does the Minister answer the point that other countries with skill shortages are actively encouraging people to come? Moreover, what

kind of message does he think this policy sends to other countries to which UK citizens might want to travel or emigrate?

Richard Harrington: I answer that by restating that the consensus is that this country has a significant skill shortage, and that it is easier—this is a question of fact, whatever values one adds to it—to get people with skills from abroad rather than train staff oneself.

Keir Starmer: How does the policy, under which an employer could simply sponsor in another person earning under £35,000 to fill the job that has just been vacated by the person leaving, help the skill shortage in this country?

Richard Harrington: If employers want long-term employees, they will have to concentrate on training them here. In the short term, the hon. and learned Gentleman is absolutely right.

The Government consulted on reforming the rules for settlement in 2011, as we do not believe that there should be an automatic link between coming to the UK to work temporarily and staying permanently. That is common in most countries: there is a difference between temporary work and permanent settlement rights.

The minimum earnings threshold was set following advice from the Migration Advisory Committee. The main purpose of the tier 2 category is to support the UK economy, not to provide migrants with a route to settlement. While the MAC considered a number of alternative criteria, such as age or qualifications, it advised—this is where some hon. Members would have disagreed with it—that the strongest indicator of economic value is salary, and those migrants earning more than a given amount are more likely to make the biggest contributions to the UK economy in future. There may be exceptions to that, but fundamentally I believe that in the majority of situations, that is the case.

Tier 2 is reserved for those filling graduate-level jobs; that is what it is for. The figure of £35,000 a year was not invented by politicians from nowhere; it was worked out professionally by the MAC to be equivalent to the median UK pay in skilled jobs that qualified for tier 2 at the time of the MAC's consultation in 2011. Hon. Members should be aware that the most recent research that the MAC has carried out means that the equivalent figure today would be £39,000.

The MAC has also identified evidence of a wage premium for migrant workers with specialist skills that are in short supply. On average, tier 2 migrants—that is, general migrants—earn an extra £3,000 per annum compared with UK workers with similar characteristics.

However, the Government recognise that salary is not always the strongest measure of the importance of a job, a point made very strongly by many Scottish National party Members who have spoken today. I thank all the SNP Members who are here for coming to this debate, because without them there would be comparatively few Members here. The hon. and learned Member for Holborn and St Pancras (Keir Starmer) made the point that this debate unfortunately coincides with a Second Reading debate on the Policing and Crime Bill, but I still thank the SNP Members for coming to this debate.

[*Richard Harrington*]

Within tier 2, there are exemptions for migrants working in a PhD-level occupation, for example, university researchers, and for those working in recognised shortage occupations. The hon. Member for Edinburgh East (Tommy Sheppard) gave the example of a university researcher in the field of clean water technology and said that she would have to leave her job. As I say, there are exemptions for PhD-level occupations—

Tommy Sheppard: After the PhD.

Richard Harrington: Yes—after-PhD-level occupations. Therefore, that person would be exempt.

I mention that to show hon. Members that the £35,000 figure is not just an arbitrary amount; there are proper exemptions. The shortage occupation list includes nurses, as has been said, several healthcare professional categories, many engineers, many roles in the creative sector and some teachers.

The exemption extends to those in jobs that have been on the shortage occupation list at any time in the preceding six years. That guards against occupations being returned to shortage and provides reassurance to workers in those occupations against future changes to the list.

Mr Andrew Smith (Oxford East) (Lab): I am sorry that I have come to the debate relatively late. I am sure the point has already been made about nurses, but can the Minister give us some explicit reassurance about nurses? A constituent of mine, Siân Marvelley, is very worried that the threshold is going to affect her and require her to stop working.

Richard Harrington: I thank the right hon. Gentleman for making that point and he correctly said that nurses have been mentioned several times already. So I shall respond to his point and the points made by several other hon. Members about the same subject. Basically, they were worried that an occupation's position in the list was temporary and it could be withdrawn from the list at any time, which does not give people any certainty—the very points that the right hon. Gentleman just made.

The MAC, which Members should remember is not a political committee but an independent committee that operates very analytically with skilled staff who study data from the Office for National Statistics and any other data that are available, has just conducted a review of nursing, and the Government will consider that report carefully. We do not know what it says yet, because the MAC has not published its review. There was an interim measure and the change took effect in time for the December 2015 allocation of the certificates of sponsorship, which means that applications for nursing posts are prioritised.

In its latest investment plan, which was published at the end of last year, Health Education England—I am afraid that I do not have the relevant statistics for Scotland—proposed further increases in the number of nursing training places in 2016-17. So there is a lot of forecasting on this subject—the number arrived at is not just an arbitrary one—and there has been a full report.

At this juncture, I feel that I should consider the point about the regional salary thresholds, which hon. Members from Scotland discussed very eloquently. In its November 2011 report on the settlement threshold, the MAC could not see a clear case for differentiation on a regional basis. Its argument, and therefore the Government's argument, as we have adopted it, was that having a single threshold provides clarity and simplicity for applicants and sponsors. The minimum salary requirements for occupations in tier 2 are for the most part set using annual surveys of hours and earnings. The data generated are very sophisticated and UK-wide, and therefore take account of salary levels throughout the regions.

Kirsten Oswald: Although I understand what the Minister is saying, does he not accept that this averaging does not take account of the needs of Scotland? Scotland needs an immigration policy that welcomes world-class talent from abroad, but in this case this ideological policy is doing more harm than good to our business sector.

Richard Harrington: I clearly disagree with the hon. Lady about that, and I have just said that the way the statistics are worked out includes all the regional variations, so the MAC is not just taking numbers that suit London and the south-east, as was the implication of many hon. Members' contributions.

The Government clearly agree that those who have helped to fill vital skill shortages in the UK should be able to do so. The subject of skills and skill shortages was mentioned—particularly eloquently, if I may say so—by the shadow Minister. He said that upskilling was very important, because why would employers need to bring workers in from abroad if there are people here with the relevant skills? I think that we would all agree about that.

The Government have done a lot about skills. My previous Government role was as the Prime Minister's apprenticeship adviser.

Martin Docherty-Hughes: The Minister says the Government have done so much on this issue since 2010. However, does not the fact that they have to set the type of limit that we are discussing today show that their skills policy is an unmitigated disaster and failure?

Richard Harrington: I disagree very much with the hon. Gentleman on that point; I do not think that the Government's skills policy has been a failure at all. The number of apprentices is increasing significantly, and with the new apprenticeship levy, whereby larger companies have to pay a percentage of their payroll to fund training programmes, we will see a very significant upskilling of the workforce. I have seen many, many examples of this type of training going on in all parts of the country. Nevertheless, as usual the shadow Minister made a very considered point.

My hon. Friend the Member for Sutton and Cheam gave the curry industry as an example of an industry with skills shortages. Both he and I have been involved in our constituencies with the owners of curry restaurants; it is probably fair to say that my hon. Friend is more of an expert on the hotter variations of curry in those restaurants than I am. The curry industry has lobbied

Government very extensively on the fact that it cannot bring in chefs from Bangladesh or other places in the Indian subcontinent, saying that it is a problem.

However, there is beginning to be a significant amount of training for such chefs, and so I think that we will see, as time goes on, exactly the point that we have been making today—namely, that the answer is making the industry, and people who want to be in it, put the resources, the effort, the money and the skills into training people to fulfil these roles. That is of benefit to everyone, particularly the industry itself. All of us realise the contribution of the curry industry to the country as a whole, and, from my personal experience I know that that is true from the north of Scotland down to the south-west of England.

Kirsten Oswald: My point is not about curry. Although the Minister says that he sees things improving, last year the skills shortage in Britain worsened for a fourth consecutive year—Britain was one of the most severely affected countries in Europe—so his arguments do not stack up. We still have people who should be able to work here being sent away.

[ANDREW ROSINDELL *in the Chair*]

Richard Harrington: I agree that a lot of work needs to be done on the skills shortage. The Government set a target of, I think, 3 million new apprentices for this Parliament. The courses are good and the standards high. The effect of the apprenticeship levy will, in the end, come through and companies will start to employ people from here rather than having to get skilled people from abroad.

Just to finish on curry, the industry has had access to numerous transitional immigration routes in the past—the key worker scheme in the 1990s and the sector-based scheme in the early 2000s—but I argue that a flow of lower-skilled migrant labour militates against the industry taking action itself. I am sure that the curry industry, which is a bastion of small enterprise in the whole of the United Kingdom, will rise to the challenge, in a short period, of training its own staff. I think it has a rosy future.

In the end, the curry business is a good example. We want to nurture more home-grown talent and encourage young people in this country who want to pursue a skilled career, and that means the restaurant sector offering training to attract and recruit resident workers to meet its staffing needs.

I would like to make an additional point, if I may, Ms Vaz—

Andrew Rosindell (in the Chair): Ms Vaz is no longer in the Chair.

Richard Harrington: I do apologise, Mr Rosindell. I was so preoccupied with speaking that I failed to see you take the Chair. I am sure that you will continue to chair the debate with the spirit and discipline with which Ms Vaz started it.

Andrew Rosindell (in the Chair): I intend to. Thank you, Mr Harrington.

Richard Harrington: I welcome you to the Chair, and I apologise. No offence was meant when I called you Ms Vaz.

Andrew Rosindell (in the Chair): Please continue.

Richard Harrington: I would like briefly to respond to the points about the notice period. The view was expressed that it was unfair that people who had come here to work believing that it would lead to settlement had no idea about the changes that were going through. The Government made it clear that new rules would apply to migrants who entered tier 2 from 6 April 2011, and employers have had time to prepare for the possibility that their workers might not meet the required salary threshold for remaining in the UK. Workers who cannot meet the threshold may extend their stay in tier 2 for up to six years and may, during that period, apply to switch into any other immigration route for which they are eligible. It is not on or off, black or white; there is a transitional period.

I know that hon. Members recognise the importance of sustainable immigration. We must ensure that the UK economy can thrive while also reducing pressures on schools, hospitals, accommodation, transport and social services. We believe that the minimum earnings threshold for settlement under tier 2 ensures that the tier 2 route plays its part in the Government's overall strategy to control net migration and that settlement is reserved for those who provide the greatest economic benefit to the UK.

Keir Starmer: I do not think that the Minister has touched on the impact on net migration. I am reading from the impact assessment, signed off by the right hon. Member for Ashford (Damian Green):

“We estimate that these restrictions on settlement will lead to some reductions in net migration of between 0 and 4,000 per year”.

Does the Minister accept that the policy could have no impact on net migration? That must be inferred from the impact assessment.

Richard Harrington: As the hon. and learned Gentleman would expect, I do not accept that. That impact assessment was from the previous Immigration Minister, my right hon. Friend the Member for Ashford (Damian Green). I would like hon. Members to look at the policy in two years' time and see its effects.

In part based on my many years' experience as an employer—I am proud to have had many employees from all sorts of backgrounds—I think that the policy will make a significant difference to the number of skilled UK residents being employed here while, at the same time, because of the significant exemptions regarding qualifications and shortages, allowing reasonable numbers of skilled and qualified people to come here. I do not agree with the shadow Minister's view and I think that, in time, the policy will be seen to be sensible, reasonable and measured.

6.6 pm

Paul Scully: It is a pleasure to serve under your chairmanship, Mr Rosindell.

[*Paul Scully*]

We have had a good and constructive debate, and I think that we all agree on the benefits, both economic and cultural, of immigration. I am the son of an immigrant. My father moved to England from Glasgow, where he completed his apprenticeship on the docks, but he was born in Burma. I have therefore seen the good side of immigration, but mass uncontrolled immigration, when it affects infrastructure and social cohesion in some areas, needs to be tackled. It is important that we see the tier 2 visa situation as one of a range of elements in the Government's armoury for tackling that.

I thank everyone who has contributed to the debate. Very interesting points have been made, and I know that the Minister will take away hon. Members' reflections, especially those of Scottish National party Members, who have taken time out to make their points eloquently. I pay tribute to the petitioners themselves, who encouraged so many people to sign a petition about which they feel so strongly, and also to those people on Facebook—mentioned by the hon. Member for Cumbernauld, Kilsyth

and Kirkintilloch East (Stuart C. McDonald)—who engaged with the process that we, as the Petitions Committee, started in the lead-up to the debate, so that we could hear directly from people who believed that they might be affected by the policy, or had concerns about it. Their points have definitely been listened to and taken on board.

I am sure that the debate will run and run. When we talk about petitions, we always say that they are the start of a process, the start of a campaign and the start of raising a profile. They should not be seen as a full stop, as a final move. I am glad to have been able to put people's voices across today, and I thank everyone who has contributed.

Question put and agreed to.

Resolved,

That this House has considered e-petition 118060 relating to the income threshold for non-EU citizens settling in the UK.

6.7 pm

Sitting adjourned.

Written Statements

Monday 7 March 2016

EDUCATION

School Funding

The Secretary of State for Education (Nicky Morgan):

The Government are today launching the first stage of their consultation on national funding formulae for schools and high needs.

As part of our commitment to governing as one nation and to educational excellence everywhere, we must fund pupils with the same characteristics and the same costs at the same rate, no matter where they live. Funding should be fair for all parts of the country: rural and urban, shire and metropolitan, north and south. The current funding system fails to do this, and is arbitrary and unfair: a school in one part of the country can receive over 50% more than an identical school with exactly the same children, simply because of an accident of geography. We will tackle this unfairness and end the education funding postcode lottery by introducing new national funding formulae from 2017-18, based transparently on the needs of children, pupils and schools.

Across all of our proposals we have three priorities: 1) allocating funding fairly and straight to the frontline, 2) matching funding to need so that the higher the need, the greater the funding and 3) ensuring the transition to a reformed system is manageable.

We should allocate funding fairly and straight to the frontline.

Following a transition period, we are proposing a single national formula for schools, removing the role of local authorities in determining school funding so that pupils with similar needs will attract the same level of funding to their school no matter where they live. In a system where increasing numbers of schools operate as academies, independent of their local authority, and more and more are in multi-academy trusts which cross local boundaries, there is limited reason for local authorities to determine the funding of schools. For pupils with high needs, the local authority remains the right level at which to distribute funding, as there are still important local decisions to be made both about the pattern of provision, and about the special provision required for individual children and young people.

Funding should be matched to need.

The distribution of need across the country has changed in the last 10 years, but the funding system has not kept up. Eligibility for free school meals has declined markedly in some areas, and risen elsewhere. But the distribution of core schools funding has remained constant, unable to adapt. With the introduction of the national funding formula, funding will genuinely match need, ensuring that pupils from disadvantaged backgrounds receive significant additional funding to help them overcome entrenched barriers to their success. We are consulting

on the objective, evidence-based factors that actively drive cost—we would use these in the schools and high needs systems to match funding to need each and every year. For schools, they cover: basic funding for every pupil, funding for additional needs, funding for school costs and funding for area costs. We want to enable head teachers and local leaders to ensure that all children and pupils are given the opportunity to achieve to the best of their ability at every stage of their education.

The transition should be manageable.

Proposals to remove the role of the local authority from school funding represent a significant change to the system. We are therefore proposing to phase in this change so that there is a smooth transition period, before bringing it in fully in 2019-20.

Authorities will continue to determine the funding for schools in their area in 2017-18 and 2018-19. We will use this transitional phase to look closely at how local formulae have responded to the introduction of the national funding formula. We will also make sure that the pace of change in funding is manageable. For schools, this means continuing the minimum funding guarantee. For high needs, we also propose that a significant element of the formula should, at this time, be based on the current pattern of expenditure, to protect provision for children and young people already settled in schools and colleges. Finally, from 2016-17 we will make available additional funding for schools to invest in ways to save money in future, helping them to manage the transition to a national funding formula. We are also providing information, tools, training and guidance to help schools improve their financial management and efficiency.

What we are proposing will be the biggest step forward in making funding fair in over a decade. These are important and significant reforms to get right and so we will consult in two stages. In our first consultation we are outlining our clear vision for the funding system; the principles by which we will set our formulae; and the factors we propose to use. It will be an opportunity to thoroughly debate the principles and the building blocks of the formulae. Once we have done so, we will then be able to set out proposals for the detailed design of the formulae and show how the new formulae will impact on the funding of schools and local authorities, in a second consultation. A consultation on our plans for early years funding will also follow later in the year.

This Government have already protected the schools budget in real terms and protected the pupil premium to target funding at the most disadvantaged pupils—at levels higher than any Government before. Now we are making the system for distributing this funding fair, so that no pupil or school is disadvantaged by where they are.

[HCWS584]

FOREIGN AND COMMONWEALTH OFFICE

Turkey Refugee Facility

The Minister for Europe (Mr David Lidington): In November 2015, the EU committed to provide €3 billion of resources over 2016 and 2017 for Turkey under the

EU-Turkey Action Plan. In return Turkey committed to enhance its support for Syrians under temporary protection in Turkey and to strengthen co-operation with the EU on preventing irregular migration flows to Europe.

Final arrangements for the €3 billion Turkey refugee facility have been agreed by all EU member states. The €3 billion Turkey refugee facility will be funded by €1 billion from the EU budget and €2 billion bilateral contributions from member states. Member states' bilateral contributions are calculated according to their Gross National Income (GNI) share. The UK's bilateral contribution will be €327 million (around £250 million). It will be official development assistance (ODA) expenditure and count towards the UK's ODA target of 0.7% of GNI.

Member states have secured a strong role in the governance of the facility and disbursements will be tied to Turkish efforts to implement the EU-Turkey Action Plan. The €3 billion Turkey refugee facility will provide immediate humanitarian support and is expected also to fund the schools, hospitals and housing required over the longer term to support refugees and the communities in Turkey which host them.

[HCWS582]

HOME DEPARTMENT

Overseas Domestic Workers

The Minister for Immigration (James Brokenshire): I am today setting out the Government's response to the key recommendations of the independent review of the overseas domestic worker (ODW) visa, which was undertaken by James Ewins QC and published on 17 December 2015.

The Government acknowledge the vulnerability of ODWs to abuse and exploitation, and have already taken a number of steps both to reform entry requirements to guard against it, and put measures in place to protect the position of ODWs who experience such abuse once they are here. Mr Ewins' review was commissioned in order to improve our understanding of whether existing arrangements are effective and what more can be done to ensure that abuse can be identified; support provided to victims; and perpetrators dealt with. Such evidence remains elusive due to the difficulty of obtaining reliable data.

The first of the review's key recommendations is that the Government should relax the "employer tie", allowing ODWs to change employers and be granted an additional two years' stay for that purpose. The Government's primary aim is to ensure that where abuse and exploitation takes place, it is brought to light so that victims can be supported and action taken against perpetrators. The National Referral Mechanism (NRM) has been put in place for this purpose and, as with any other victims of slavery our aim must be to create an environment in which ODWs who are victims of abuse are encouraged to report the abuse and to access support.

The Government's concern is that if ODWs were able to change employers and significantly prolong their stay, irrespective of whether they have reported this abuse and whether there is evidence that such abuse has taken place, they may be less likely to report abuse. This

may perpetuate a revolving door of abuse in which perpetrators remain unidentified and free to bring other domestic workers to the United Kingdom with impunity.

The Government do, however, acknowledge the case which has been put forward for providing ODWs with an immediate escape route from abuse. On the basis of advice from the Independent Anti-Slavery Commissioner we have therefore come to the view that there should be two distinct elements to our approach to the employer tie. First, we will provide those admitted as ODWs with the ability to take alternative employment as a domestic worker with a different employer during the six month period for which they are originally admitted. This ability to take alternative employment will not depend on whether or not they have been found to be the victim of abuse.

Second, we will go further and amend the provisions of the immigration rules introduced in October of last year to increase the period for which an extension of stay will be granted to an ODW who has been the subject of a positive conclusive grounds decision under the National Referral Mechanism from six months to two years. This is in addition to the existing provisions under which discretionary leave may be granted to those, for example, assisting the police with their enquiries or pursuing a compensation claim.

These measures will build on the steps that the Government have already taken, under section 53 of the Modern Slavery Act 2015, to ensure that ODWs who are potential victims of abuse are protected from immigration enforcement action. In the absence of reliable quantitative evidence on the prevalence of abuse, we think these measures will strike the right balance between offering ODWs every opportunity to escape abuse while ensuring that those who report such abuse have greater certainty as to their status. The Government will implement these measures through changes to the immigration rules at the earliest opportunity and we will keep them under review as further data on the issue emerges over time.

In addition, the Government are in full agreement with the review's second key recommendation that more should be done to ensure that both ODWs and their employers are provided with information on their respective rights and obligations, and to provide ODWs with access to a neutral space in which they can be given advice and an opportunity to alert someone to their situation if they need to. We believe that empowering victims of hidden crimes like modern slavery is fundamental to bringing them into the light and ending the cycle of exploitation. The Government will therefore implement the review's proposals for the introduction of information, advice and support meetings for ODWs who are in the UK, hosted by an organisation independent of the Home Office. We are considering further whether the requirement to attend the meetings should apply sooner than the 42 days period suggested by the review. As the report has recommended, the cost of providing these meetings will be recovered through an increase in visa fees.

We also accept the broad thrust of the review's recommendations in respect of entry clearance procedures, and will consider whether we should go further in taking a proactive approach to ensuring that information and messages concerning entitlements and obligations are understood before a visa is issued.

We also want to tighten the obligations of employers of ODWs and ensure that these are rigorously enforced. We therefore intend to go further than the review has proposed to ensure employers' compliance with their obligations. We will introduce a requirement that any employer wishing to sponsor the entry of an ODW must first register with UK Visas and Immigration for this purpose. Registration will be conditional on the employer agreeing that they will allow their employees to attend the aforementioned information meetings; will comply with employment law; and will co-operate with any workplace-based compliance checks undertaken by UK Visas and Immigration. Any employer who fails to comply with these obligations could then be considered for removal from the register, thus losing the right to sponsor the entry of other ODWs in the future. These measures will send out a clear message to employers of ODWs that the United Kingdom will not tolerate abuse and that we will take action against employers who abuse their workers.

We intend that measures to give ODWs working in private households additional protection should also apply to those employed in diplomatic households. The right to change employers will apply to ODWs who have been admitted to work in a diplomatic setting, as will the requirement to attend information, advice and support meetings. In addition, we already require that the entry of such domestic workers must be sponsored by the relevant mission. UK Visas and Immigration may seek from that mission a waiver of the diplomat's immunity if it wishes to undertake checks on, for example, the diplomat's compliance with UK employment law.

We will also ensure, as the review has recommended, that where a mission sponsors a private servant of a diplomat under Tier 5 of the Points Based System, one of its sponsorship obligations should be to ensure that the relevant diplomat receives written information about their obligations as employers and confirms they have read and understood it.

It is not, however, clear that requiring that the relationship of employment be with the mission rather than the diplomat—as the review recommends—would make a material difference to our ability to check compliance, as the mission itself would enjoy state immunity. It is also possible that requiring such staff to be employed by the mission would cause the worker to be treated as service staff for the purposes of the Diplomatic Privileges Act 1964, making them exempt from UK immigration control, which would in turn reduce the checks that could be applied before the worker entered the UK.

Mr Ewins has in his report made other recommendations concerning, for example, access to legal assistance and the operation of National Minimum Wage requirements. The Government are considering these points and will make clear their position in due course.

The Government will continue to keep their policies concerning the admission of ODWs under review. We have, in this connection, noted Mr Ewins' comments concerning the lack of robust evidence about the movements

of such workers and the incidence of abuse. The Government's expectation is that the implementation of the measures set out in this statement as well as the data that will become available from exit checks and the operation of the National Referral Mechanism will shed more light on the issue and the effectiveness of the extensive package of measures that are in place to protect victims.

[HCWS583]

TRANSPORT

Northern Transport Strategy

The Parliamentary Under-Secretary of State for Transport (Andrew Jones): Today, jointly with Transport for the North (TfN), we are publishing the first annual update report on development of the Northern Transport Strategy.

The report sets out progress across the full range of the transport strategy, covering roads, rail, smart and integrated travel, freight, international and strategic local connectivity including:

- the emerging options for the Northern Powerhouse Rail network linking the north's major city regions;

- an implementation plan for Smart North—the programme to deliver simplified fares, integrated ticketing and improved online passenger information across all the north's public transport;

- findings from the ongoing roads strategic studies in the north; the North Trans-Pennine Routes (A66/A69), the Manchester North West Quadrant (M60) studies, and the Trans Pennine Tunnel Study into the options for a new all-weather link between Greater Manchester and Sheffield City Region, including a new tunnel under the Peak District National Park.

The report also summarises the initial findings of the Northern Powerhouse Independent Economic review, commissioned by TfN, and sets out TfN's aim to become the first statutory sub-national transport body to be established under the Cities and Local Government Devolution Act 2016, so that the north of England can speak to Government with one voice on its transport priorities.

Preparation of the report has been led by TfN, working closely with the Department for Transport, Network Rail, Highways England, HS2 Ltd and the National Infrastructure Commission.

This report marks the achievements of TfN in its first year, towards investing in transport to transform economic growth in the north, and rebalance the UK economy. The Northern Powerhouse cannot be built overnight, it is a long-term plan to which this Government are fully committed.

The full report can be found on: www.gov.uk.

[HCWS585]

ORAL ANSWERS

Monday 7 March 2016

	<i>Col. No.</i>		<i>Col. No.</i>
EDUCATION	1	EDUCATION—continued	
Careers Education.....	8	Schools Admissions Appeals Process	13
Disadvantaged Young People.....	11	STEM Subjects	6
Faith Schools	15	Syrian Refugees.....	1
Free Childcare.....	3	Topical Questions	15
Numeracy Standards	14	University Technical Colleges	10
Priority School Building Programme	10		

WRITTEN STATEMENTS

Monday 7 March 2016

	<i>Col. No.</i>		<i>Col. No.</i>
EDUCATION	1WS	HOME DEPARTMENT	3WS
School Funding.....	1WS	Overseas Domestic Workers.....	3WS
FOREIGN AND COMMONWEALTH OFFICE	2WS	TRANSPORT	6WS
Turkey Refugee Facility	2WS	Northern Transport Strategy	6WS

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CONTENTS

Monday 7 March 2016

List of Government and Principal Officers of the House

Oral Answers to Questions [Col. 1] [see index inside back page]
Secretary of State for Education

Royal Naval Deployment: Mediterranean [Col. 23]
Answer to urgent question—(Michael Fallon)

Policing and Crime Bill [Col. 37]
Motion for Second Reading—(Mrs May)—agreed to
Read a Second time

Medical Centre (Brownsover) [Col. 105]
Debate on motion for Adjournment

Westminster Hall
Non-EU Citizens: Income Threshold [Col. 1WH]
General Debate

Written Statements [Col. 1WS]

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