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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Tuesday 26 April 2016

House of Commons

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The House met at half-past Eleven o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Mental Health

1. **Jeff Smith** (Manchester, Withington) (Lab): What assessment he has made of the adequacy of provision for people with mental health issues in the criminal justice system. [904662]

10. **Imran Hussain** (Bradford East) (Lab): What assessment he has made of the adequacy of provision for people with mental health issues in the criminal justice system. [904672]

14. **Jess Phillips** (Birmingham, Yardley) (Lab): What assessment he has made of the adequacy of provision for people with mental health issues in the criminal justice system. [904676]

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage): Mental health is taken extremely seriously across the criminal justice system. Mental health services are commissioned by NHS England and by local health boards in Wales, and they are based on locally assessed need. We are working with health partners to improve services in custody and in the community.

Jeff Smith: Liaison and diversion services are really important in ensuring that people with mental health issues get the help they need. The expansion of the programme is welcome, but about half the country is still not covered, and there has been a long wait for the business case on getting to 100%. Will the Minister explain what the delay is, and will she confirm when all areas expect to have a liaison and diversion service in place?

Caroline Dinenage: We have developed liaison and diversion services in partnership with other Departments to divert some offenders away from the criminal justice system and into the support they need. Through that system, clinicians assess those with mental health needs and refer them to the treatment they need—ideally, that happens at the earliest contact with the criminal justice system. The liaison and diversion system is working

well, and it is very much a joint government programme. I would like to see it rolled out as early as is convenient, and we will certainly keep the hon. Gentleman updated.

Imran Hussain: The mental health charity Mind has said that people with mental health problems are sometimes unable to advocate for themselves, so cuts to legal aid will undoubtedly have impacted on their ability to access justice. Should the Government not rethink their refusal to conduct a full post-implementation review of the damaging effects their harsh legal aid cuts are having on some of the most vulnerable?

Caroline Dinenage: The hon. Gentleman will know that we are spending £1.6 billion, so this is one of the most generous legal aid systems in the world. However, he is absolutely right that vulnerable people should be supported at every point in the criminal justice system. That is why the judiciary are trained to be able to assist those people, and the changes to the court system will support that.

Jess Phillips: An increased number of survivors of domestic abuse are forced to represent themselves in the family courts as litigants in person. The 2015 Women's Aid survey found that 25% of women had been directly questioned by the perpetrator in court. Being cross-examined by the perpetrator, who may have beaten and raped them, is undoubtedly causing mental distress. What is the Minister doing to improve access to legal aid for victims of domestic abuse, as the current system is clearly not working?

Caroline Dinenage: The hon. Lady is absolutely right to raise this issue. The Government are absolutely committed to supporting all vulnerable and intimidated witnesses—especially those who have been subjected to domestic abuse—as well as to helping them give the best possible evidence and to seeing offenders brought to justice. That is why we have put in place measures that give witnesses the ability to give evidence using things such as a screen in the courtroom or a live videolink from a separate room or a location away from the court building. The hon. Lady will also know that, following the Court of Appeal judgment, we are taking immediate action to change our arrangements, and we are more than doubling the original time limit for evidence in domestic violence cases, from two to five years, and introducing a provision on the assessment of evidence of financial abuse.

Andrew Bridgen (North West Leicestershire) (Con): Will the Minister outline how the Government's prison reform plans will give prison governors greater autonomy, allowing them to tailor services such as mental health provision for the benefit of all prisoners?

Caroline Dinenage: We are moving towards full co-commissioning of mental health services between governors and NHS England, meaning that prison leaders can have much more say in defining the services their prisoners need and how the available budget is used. That will begin in reform prisons; if successful, it will apply nationwide from 2017. It will be backed by a high-quality, modern prison estate with rehabilitation and treatment at its core.

Mr Philip Hollobone (Kettering) (Con): The criminal justice system is complicated enough whether someone has mental health issues or not. Will the Minister ensure that victims of crime who have mental health issues are given the particular help they need to submit victim impact statements to the court in the proper way?

Caroline Dinéage: Yes; this is absolutely fundamental. Supporting people through their individual circumstances is fundamental to everything we are looking at in the Justice Department at the moment. Judges are trained to be able to support vulnerable witnesses and victims at every stage.

Mr David Burrowes (Enfield, Southgate) (Con): There is a key relationship between mental health and addiction, so can the Minister assure me that when these matters are dealt with in court there is effective referral to effective treatment? When I accompanied the Justice Secretary to Highbury Corner magistrates court, it was evident that some local authorities had provision for drug treatment, particularly for youth offenders, but other authorities did not. Can we ensure that there is proper, uniform provision when people get referred from court?

Caroline Dinéage: This is a really crucial point. We are already working across Government to bring together mental health and drug and alcohol treatment at every stage, alongside police, courts and prisons and probation. That includes making sure that appropriate treatments are made available if they are part of sentences with mandated health interventions.

Cat Smith (Lancaster and Fleetwood) (Lab): Charities like Langley House Trust offer specialist mental health support to prisoners when they have left prison and have been rehabilitated in the community. It has recently acquired a property on Milton Street in Fleetwood. Will the Minister support my call for it to meet the town council this evening to reassure the local community about its fears and to show that charities like Langley House Trust and communities can work together to ensure that prisoners can be rehabilitated?

Caroline Dinéage: I would very much like to look at the circumstances that the hon. Lady has mentioned. Our Transforming Rehabilitation changes have put in place the sort of support that sometimes prisoners who had had very short sentences might never have had before. The community rehabilitation company might be able to give some support on that as well.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): The jury have just given their verdicts at the inquest into the death of 96 fans at the Hillsborough disaster. Today is a hugely important day for all those who seek to protect and promote justice. In particular, our thoughts are with those families who have fought for almost 30 years to establish the truth of what happened on that day.

The number of suicides in prison between 2013 and 2015 was 53% higher than over the previous two years and amounted to one person tragically taking their life every four days. Only 40% of those who died last year had been identified as at risk under the assessment, care

in custody and teamwork process. Will the Minister explain why so many vulnerable prisoners are not being identified in the first place, and even when they are, why so many are not getting the help that they need?

Caroline Dinéage: The hon. Lady is right to draw attention to the Hillsborough report. I understand that the Home Secretary will make a statement on that tomorrow.

The hon. Lady is right to say that every self-inflicted death in prison is an absolute tragedy. We are committing to reduce the number of self-inflicted deaths in prison. There have been no more this year than there were last year, but every single one is absolutely a tragedy. We will overhaul how mental health is treated in prisons, giving governors a much greater say over what services their prisoners need and how the available budget is used. However, it was Labour's inexplicable refusal to introduce waiting times for mental health care at the same time as introducing them for physical healthcare that set back the cause of mental health for so many years, and in some cases saw people being sentenced to prison in order to access the support that they could not get in the community.

Mr Speaker: Order. I am very disappointed that the Secretary of State is not sitting at the very heart of his ministerial team. I hope the right hon. Gentleman is not lurking uncharacteristically in the shadows—we would not want that.

Prisoners: Meaningful Work

2. **Victoria Prentis** (Banbury) (Con): What progress his Department has made on ensuring that offenders are engaged in meaningful work in prison. [904663]

6. **Dr James Davies** (Vale of Clwyd) (Con): What progress his Department has made on ensuring that offenders are engaged in meaningful work in prison. [904668]

The Parliamentary Under-Secretary of State for Justice (Andrew Selous): We want prisons to be places of hard work and high ambition. That is why we will give governors more autonomy and hold them to account by publishing employment outcomes for prisoners so that we can compare results between prisons.

Victoria Prentis: We know how beneficial employment is for the rehabilitation of young adult offenders, in particular. Will my hon. Friend advise the House on specific plans that he has to increase employment in this cohort?

Andrew Selous: I know how seriously my hon. Friend takes this issue, and she is right to do so. I point her, particularly for young offenders, to construction, where I think that there are huge opportunities. For example, the National Grid young offender scheme has a 10-year reoffending rate of less than 7%. I was with Balfour Beatty, which employs young ex-offenders, in a prison in North Yorkshire last Thursday. We now have two Land Securities construction academies, comprising dry lining, scaffolding and tunnelling. I am assured that the last two activities have been risk assessed. [Laughter.]

Mr Speaker: What a worthy representative the hon. Gentleman is of his Government.

Dr James Davies: Is the Minister aware of an outstanding pathfinder project at North Wales Women's Centre in Rhyl, in my constituency, which offers holistic support to women offenders in line with recommendations in the Corston report? Will he join me in urging the Government to pursue improved provision and rehabilitation for women offenders to help to avoid the cost and family disruption of incarceration for relatively minor offences?

Andrew Selous: I am grateful to my hon. Friend for drawing the House's attention to the good work of the North Wales Women's Centre, and I commend it for what it does. The Government are committed to supporting vulnerable women to turn their lives around, and we plan to expand that important work.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): May I remind the Minister and the recumbent Secretary of State that one of the real problems that we face—it is World Autism Week—is that when prisoners go into prison, they are not assessed properly for autism, literacy skills and many other things? Could we have a system in which autism is important? Many people who go into prison are on the autism scale.

Andrew Selous: I am delighted that the hon. Gentleman has raised this issue, and I am extremely proud that the United Kingdom has the world's first autism-accredited prison in Feltham, which I visited recently with my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan). I want more prisons to go down that route, and he is absolutely right to raise the issue.

Mr David Hanson (Delyn) (Lab): The Minister has two laudable objectives: work in prison and reducing reoffending by getting prisoners employment outside prison. How does he intend to achieve those objectives when staffing is under such severe pressure because of the reduction in the number of officers, and when does he intend to produce the guidance to governors on reoffending in their prisons?

Andrew Selous: We continue to recruit prison officers at full throttle. Last year, we recruited 2,250. I am optimistic about the employment agenda as more and more employers realise that our prisons can be part of the answer to the nation's skills shortage. We will provide governors with all the guidance that they need as we roll out the reform prison agenda.

23. [904685] **Mike Wood** (Dudley South) (Con): Will the Minister support employers coming into prisons to offer training, so that offenders can be better placed to find a job when they leave prison and are more likely to stay out of prison?

Andrew Selous: My hon. Friend is absolutely right, and more and more employers are coming to do exactly that. I have been to several employment roadshows around the country. I have mentioned Balfour Beatty, and last Thursday the Mitie Foundation was in Durham prison, where six prisoners were offered jobs during the day.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I recently met Shona, a Glasgow lady who started up her own enterprise producing reusable sandwich wrappers. The manufacturing is predominantly done by inmates at Kilmarnock prison, who learn a skill that, we hope, helps their rehabilitation and future job prospects. What measures is the Secretary of State taking to encourage similar local schemes in England and Wales?

Andrew Selous: I am really pleased that the hon. Lady has mentioned that, because just as employment is important, so are self-employment and enterprise. We have schemes to encourage them, and various Government loans can be drawn down. The Mitie Foundation business challenge day in Durham was also about encouraging business to go down the self-employment route.

Mr Nigel Evans (Ribble Valley) (Con): I do hope that the Minister can assure the House that the prisoners he mentioned a few moments ago were given their tunnelling skills after they left prison, not as a means of departure. Has he looked at some form of apprenticeship programme within prisons to give vocational skills to those who need them?

Andrew Selous: I am very keen to develop the avenue down which my hon. Friend is taking me. We could certainly look at a traineeship, which is often the first step towards an apprenticeship, within prisons. I will shortly meet the apprenticeships Minister—the Minister for Skills—to try to take forward this matter.

Mr Gregory Campbell (East Londonderry) (DUP): Will the Minister hold discussions with Justice Ministers in the devolved legislatures so that best practice—particularly as practised in the prison in my constituency, where prisoners near the end of their sentence are relocated outside prison for work—is followed and prisoners can do the productive work that leads to lower reoffending rates?

Andrew Selous: I will certainly seek to learn from that best practice. If the hon. Gentleman would be kind enough to write to me with details of the good work going on in the prison in his constituency, I will certainly look at that.

Jo Stevens (Cardiff Central) (Lab): Another day and another critical report is published by the chief inspector of prisons. This time, it is about Lewes prison. The Minister's words about meaningful work in prison ring very hollow when inspectors found prisoners at Lewes routinely kept in their cells for 23 hours a day. This follows their report on Wormwood Scrubs, which is described as continuing

“to fall short of expected standards”.

At the time of their inspection, there was “little cause for optimism.” Suicides, self-harm, violence, psychoactive substances and alcohol finds in prisons, and reoffending rates are at an all-time high. The Justice Secretary has been in his job for a year now, and we have had a lot of talk about reform. Is it not time for him to stop talking and to start doing something?

Andrew Selous: The Government recognise that we have a long way to go to improve our prisons, which is why the Secretary of State has laid out a full reform programme. I went to Wormwood Scrubs last week,

and I can tell the hon. Lady that there were a number of jobs fairs in the prison that have led to jobs. We have a good new governor there, and I am hopeful that we will see improvements. I have looked at the Lewes report. There are of course things that we will take further, but there are also some positives, not least the very good relationship in Lewes between the prison and the community rehabilitation company.

Prisoner Education

3. **David Warburton** (Somerton and Frome) (Con): What plans he has to reform education in prisons. [904665]

11. **Stephen Metcalfe** (South Basildon and East Thurrock) (Con): What plans he has to reform education in prisons. [904673]

17. **Oliver Colvile** (Plymouth, Sutton and Devonport) (Con): What plans he has to reform education in prisons. [904679]

The Lord Chancellor and Secretary of State for Justice (Michael Gove): Thank you very much, Mr Speaker, for your tender solicitude earlier, but as you can see, I have an amazingly talented team of Ministers. They are the Arteta, the Oxlade-Chamberlain and the Özil of this Parliament, and for that reason I am very happy to be on the subs bench for most of the time. I am also very happy that you have allowed me to group these questions.

Dame Sally Coates has been leading a review of education in prisons. Her interim report made clear her view that governors should be able to choose their education provider and hold them to account for the service they give.

David Warburton: Does my right hon. Friend agree that it is imperative the recommendations of the Coates review are acted on in a way that focuses on both paths into employment and the wider non-utilitarian personal and moral benefits that education can bring?

Michael Gove: I entirely agree with my hon. Friend. Colleagues may know that as well as being a distinguished Member of Parliament, he has also written for *Inside Time*, the prisoners newspaper, about the need to improve prison education. His own experience both in music and in education equips him superbly to make the point that education should be about not simply the utilitarian gathering of skills, but opening minds to art, culture and the possibility of new horizons.

Stephen Metcalfe: As we have heard, we know that better education slows the revolving door between crime and incarceration. Will my right hon. Friend therefore update the House on the announcement made by the Prime Minister about a Teach First-style scheme in prisons?

Michael Gove: Absolutely. One of my former colleagues, David Laws, is leading work, along with a formidable social entrepreneur called Natasha Porter, who herself previously worked with Teach First, to establish a new charity. More details will be announced about both the Government funding and how we propose to recruit a generation of talented graduates to work in our prisons.

Oliver Colvile: I understand that the average reading age of prisoners is just 11. What plans does my right hon. Friend have to ensure that, when they leave prison, people can read, write and be off drugs?

Michael Gove: My hon. Friend strikes at the heart of three of the principal problems that prisoners face. It is very often the case that prisoners have had a very poor educational experience. That is one of the reasons— it does not of course absolve them of moral responsibility— why they can often be drawn into criminal activity. As Dame Sally has made clear, we need to screen every prisoner effectively when they arrive in custody so that we can ascertain the level of skills that they have, and we need to judge prisons on the value that they add. As for removing the taint of drugs or substance abuse, that is a huge problem and one to which we will be returning.

Andrew Gwynne (Denton and Reddish) (Lab): But in Ofsted's annual report, Sir Michael Wilshaw highlighted the fact that provision for learning, skills and work in the prison estate was among some of the worst available in the higher education sector. What more is the Secretary of State doing to ensure that that vital part of prisoners' rehabilitation is brought up to scratch, as it should be?

Michael Gove: Michael Wilshaw has been a brilliant chief inspector, and he is absolutely right about the situation in our prisons. There are some outstanding examples of educational provision in prison, but, sadly, too few. One problem has been that a small group of providers has been responsible for providing education in prison, but large and inflexible contracts have meant that those providers have not necessarily been as responsive to the needs of individual prisoners as they should have been. That is changing, thanks to the Coates report. One thing that will not change, however, is the amount that we spend on education, which has been safeguarded and ring-fenced.

Tom Elliott (Fermanagh and South Tyrone) (UUP): Are there any formal links between the Prison Service and further education colleges to develop the apprenticeship schemes that we heard about earlier?

Michael Gove: I am very anxious to expand apprenticeships in prison, and have been working with my hon. Friend the Minister for Skills, who is responsible for apprenticeships, and of course the prisons Minister, my hon. Friend the Member for South West Bedfordshire (Andrew Selous), to do just that. One challenge is that, although, as I say, there are excellent examples of good practice, current further education providers in prisons have not been as responsive as they should have been in every case.

22. [904684] **Henry Smith** (Crawley) (Con): Will my right hon. Friend assure the House that educational progress in prisons will form one of the metrics of the new league tables for prisons?

Michael Gove: My hon. Friend is absolutely right that if we give people greater autonomy—governors, in particular—they need to be held to account. It is absolutely vital that, in the new prison accountability measures and league tables, they are held to account for educational performance and the value they add.

Robert Neill (Bromley and Chislehurst) (Con): The Secretary of State's personal commitment to this issue is very clear from his excellent interview in *Inside Time*, which a lot of us read. Does he accept that, as well as provider quality, one of the biggest obstacles is the fact that in the current prison estate prisoners are locked up for great lengths of time, as the physical facilities needed are not there? That makes it difficult to achieve anything on this. Will he assure us that this issue will be integral to the prison renewal programme and the new estate and new properties coming forward?

Michael Gove: The Chair of the Justice Committee is absolutely right, as is the hon. Member for Cardiff Central (Jo Stevens), to point out that it is simply not good enough that prisoners are in their cells for up to 22 or 23 hours at a time. Time out of cell is a key indicator of how effectively a prison is run—it is not the only one, but it is really important. My hon. Friend is also absolutely right to point out that when we think about new prison design we should concentrate on the time out of cell. I was privileged to visit a prison just outside Berlin where prisoners spend far longer out of their cells, either at work or in education, than in most institutions in this country. We can learn a great deal from the Germans.

Personal Injury Law

4. **Yvonne Fovargue** (Makerfield) (Lab): What assessment he has made of the potential effect of planned changes to personal injury law and whiplash claims on access to justice. [904666]

The Parliamentary Under-Secretary of State for Justice (Mr Dominic Raab): The Government remain concerned about the number and cost of whiplash claims, and in particular the risk that unmeritorious claims push up the cost of insurance for customers. New proposals have been announced. We will consult on them in due course, and they will be accompanied by an impact assessment.

Yvonne Fovargue: There still appears to be no independent verification of the fraud culture and pandemic of claims cited in the autumn statement as the reason to raise the small claims limit for personal injury. In fact, not one motor insurer even mentioned fraud as a material risk when reporting their annual returns to the stock market. What independent evidence does the Minister have of a fraud culture? Would it not be more effective to legislate to stop the ambulance-chasing claims management companies making unsolicited calls, rather than denying justice to those who have been injured through no fault of their own?

Mr Raab: We should address both angles. The Chancellor has already announced proposals to remove the right to claim damages for pain and suffering for very minor claims and to increase the small claims limit to £5,000. That is important, as it will help us cut the cost of resolving cases. As I said, we will consult on the reforms, but, critically, they will save the insurance industry £1 billion annually. The industry is committed to passing those savings on to customers, which will reduce premiums by £50.

20. [904682] **Chris Philp** (Croydon South) (Con): Does the Minister share my concern that car insurance premiums are £93 a year higher than they need to be thanks to fraudulent claims, and that claims here are orders of magnitude higher than in Europe? Does he agree that the new limit will go a huge way towards combating this costly and invidious practice?

Mr Raab: My hon. Friend is absolutely right. As we move forward to the consultation and take into account all the evidence, the key thing is to make sure that there is proper access to justice but also that we cut the cost of insurance premiums for consumers. That is what we intend to do.

24. [904686] **Nick Thomas-Symonds** (Torfaen) (Lab): If these reforms are so positive, why is the president of the Law Society gravely concerned that they may undermine the rights of ordinary citizens to obtain compensation for negligence?

Mr Raab: The Law Society quite properly protects the professional interest of its members. We must consider all evidence that we receive and look at this in the round, rather than just take into account what the lawyers think.

Mr David Nuttall (Bury North) (Con): Even if the number of fraudulent claims is as high as the 7% that some believe it is, given that courts already have the power to strike out fraudulent claims, why should the innocent majority of genuine claimants be penalised because of the potentially criminal behaviour of a few?

Mr Raab: Our reforms are precisely aimed at weeding out spurious, frivolous or trivial claims, and ensuring that we preserve access to justice for important and meritorious claims. At the same time we must ensure that people who pay their insurance premiums year in, year out, are not penalised by those who are taking the system for a ride.

Dangerous Driving: Sentencing

Heidi Allen (South Cambridgeshire) (Con): Question 6, Mr Speaker.

Mr Speaker: The hon. Lady was quite close, but we are on Question 5. She is ahead of herself, and not for the first time I am sure.

5. **Heidi Allen** (South Cambridgeshire) (Con): What progress he has made on reviewing sentencing for causing death by dangerous driving. [904667]

The Parliamentary Under-Secretary of State for Justice (Mr Dominic Raab): The Government are committed to ensuring that we have robust and consistent punishment for those who cause people to be killed or seriously injured on our roads, and we intend to consult on further proposals this year.

Heidi Allen: I was unnecessarily keen, as always, Mr Speaker. I asked that question on behalf of one of my constituents, 21-year-old Alex Jeffery, who was killed by a dangerous driver. The sentence given was only four years and three months, and we all know that it will

probably end up being less than that. Will there be a time when sentences for causing death by dangerous driving are the same as those for murder? A car can be a weapon in the wrong hands.

Mr Raab: I am very aware of the tragic case of my hon. Friend's constituent, and our deepest sympathies go to his family. Since 2010 the custody rate for causing death by dangerous driving has risen from 52% to 61%, and the average prison sentence has risen by around six months to just under four years. We will look again at that area, and my hon. Friend is right to say that there should be commensurable consistency with sentencing for homicide offences.

Greg Mulholland (Leeds North West) (LD): The review of sentencing in this area was announced in May 2014, so simply to say that there will be "consultation" this year is not good enough. Will the Minister give the House a clear date, and will he consider ending the charge of causing death by careless driving, which denies families justice?

Mr Raab: As I have said, we will consult this year and consider the full range of driving offences. It is important to ensure that there is proper accountability, as well as consistency between bespoke sentences for offences in this area and wider sentencing, particularly for homicide offences.

Kit Malthouse (North West Hampshire) (Con): One key driver of deaths on the road, and indeed all dangerous driving offences, is alcohol. Given the enormous success of the pilot in Croydon, with 93% compliance, and the compelling evidence from the United States, will the Minister consider alcohol abstinence monitoring orders—otherwise known as compulsory sobriety—as a mandatory punishment for those who are convicted of driving offences when alcohol is involved?

Mr Raab: My hon. Friend raises an interesting point that is grounded in practice from overseas, and we would certainly be willing to consider that during our consultation.

Courts and Tribunals: Technology

7. **Holly Lynch (Halifax) (Lab):** What progress has been made on the modernisation programme to upgrade technology in the courts and tribunal estate. [904669]

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): I assure the hon. Lady that significant progress has been made to upgrade technology in the courts and tribunal estate. The vast majority of our criminal courts are now equipped to work digitally, and we are reducing reliance on paper bundles. New digital services such as in-court presentation, shared drives and wi-fi are enabling professional users, the judiciary and court staff to work digitally.

Holly Lynch: As the Minister knows, the magistrates court and the family and county court in Halifax are due to close. An answer to a recent written question revealed that overall investment plans for the courts and tribunal estate have not changed or been updated following the announcement that 86 courts were to close across

the country. What plans are there to update the digitalisation programme to include measures that ensure that justice is accessible in areas that are soon to be without a court?

Mr Vara: I know the hon. Lady takes this issue very seriously, and I want to assure her that it is at the top of the agenda in my regular meetings with the senior management of the Courts and Tribunals Service. A lot is happening, however, not all of which gets into the public domain. For example, we are reducing reliance on paper bundles in the criminal courts, and the digital case system in Southwark Crown court now holds over 94,000 pages of information that would otherwise have been printed in triplicate. Also, the new national automated rota system for magistrates, which is now live for 2,500 magistrates, has eliminated a complex and error-prone manual process.

Lucy Frazer (South East Cambridgeshire) (Con): I welcome the upgrading of technology in the traditional court setting—for example, for civil claims, the Rolls Building now takes claims on line—but will the Secretary of State also be implementing the more radical proposals of the Civil Justice Council to include an online dispute resolution service for low-value claims?

Mr Vara: We are keen to have the most up-to-date and modern courts system in the world—one fit for the 21st century—and we are ruling nothing out.

John Pugh (Southport) (LD): The National Audit Office warned against focusing all our attention on technology, and not users, so what is being done to encourage buy-in from the legal profession and to help with training?

Mr Vara: First, we need to recognise the world we live in, which is technologically advanced, and we are working closely with users, lawyers and everyone else involved in the legal process. I am happy to confirm to the hon. Gentleman that, at the moment, the buy-in from the judiciary, the lawyers and the public is very optimistic.

G4S: Secure Training Centres

8. **Rebecca Long Bailey (Salford and Eccles) (Lab):** What recent discussions he has had with G4S on its proposal to sell its contracts for the operation of secure training centres. [904670]

The Parliamentary Under-Secretary of State for Justice (Andrew Selous): The MOJ has been in regular contact with G4S. We are closely monitoring the progress of the potential sale to ensure that it does not jeopardise the delivery of care at its secure training centres.

Rebecca Long Bailey: I am sure the Minister agrees that the breach of care at Medway secure training centre demonstrates the risks involved when a state duty of care is entrusted to a private organisation. How will he ensure that any transferee of the contracts observes the duty of care more robustly, and what assessment has he made of transferring such contracts back to the public sector?

Andrew Selous: The MOJ retains its rights over determining any transfer of the contracts from G4S, and the Secretary of State appointed an independent improvement board at Medway, whose recommendations we will consider and which will no doubt be of value for the future. Finally, the Charlie Taylor review is looking at youth justice and how to put education at its heart by creating a safe and nurturing environment in which people can make real educational progress.

Wayne David (Caerphilly) (Lab): Next week, we will see a new contract holder for the Rainsbrook secure training centre. The contract has been awarded to an American company called MTC Novo. Given G4S's appalling record at Rainsbrook and Medway, how can the Minister justify the contract being awarded to a company that has one of its American prisons under judicial oversight, owing to "cruel and unusual punishments" being administered by its staff?

Andrew Selous: I think there is some dispute over MTC's American history, but I am happy to write to the hon. Gentleman on that point. We are agnostic on provision; we want the best possible provision. As he will know, G4S runs extremely high-quality prisons in Wales, such as Parc prison at Bridgend. I also remind him that the contract with G4S ran under three successive Labour Governments.

Access to Justice

9. **Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP):** What steps the Government plan to take to improve access to justice. [904671]

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): The Government are determined to deliver a swifter and more certain justice system that is more accessible to the public. We are investing £700 million in our courts and tribunals, and our reforms will digitise the justice system to speed up processes and provide services online; remove unnecessary hearings, paper forms and duplication; cut costs for litigants; and make justice more accessible. Moreover, they will remove hearings from the courtroom that do not need to be there; ensure we make full use of judges, courtrooms and legal teams only where necessary; and support people in resolving their disputes by means of more informal and less costly remedies.

Drew Hendry: The UK Government are proposing fee increases of up to £800 for a full hearing in asylum and immigration tribunals. This means that applicants seeking to challenge decisions on their right to enter or remain in the UK will struggle to afford this, despite the Home Office's often getting the decision wrong. Does the Minister agree with me that access to justice should never depend on an individual's ability to pay?

Mr Vara: It is important that we have a court and tribunal system that either pays for itself or goes towards paying for itself. In many cases, there is a remission system to which people can apply, as appropriate under the circumstances.

Mr Alan Mak (Havant) (Con): Citizens advice bureaux, including those in Havant, play an important role in helping people to access justice and to understand the

legal system. Will the Minister join me in congratulating them on their work and in encouraging more people to use them?

Mr Vara: My hon. Friend is absolutely right that the Citizens Advice service provides invaluable advice to the population. I wholeheartedly congratulate citizens advice bureaux, and I suspect I speak for the whole House in commending them for all the wonderful work they do.

15. [904677] **Valerie Vaz (Walsall South) (Lab):** The Supreme Court has found that the Justice Secretary acted without moral authority and in a legal vacuum. Will he now ensure that there will be access to justice for those who do not meet the residence test?

Mr Vara: The Government are disappointed with the findings of the Supreme Court on the residence test, particularly when the last Government listened to Parliament and the public, and we made exceptions to that test. I am minded to say that there are millions of people across the country who take the view that it is right that there should be some sort of connection with Britain for people who seek to have their legal aid funds paid for by the British public.

19. [904681] **Rachael Maskell (York Central) (Lab/Co-op):** Claudia Lawrence from York was last seen on 18 March 2009; she is still missing, as are around 2,500 people in the UK. In the midst of their grief, families have to battle to deal with financial and property affairs, and they need access to justice. There is a simple solution: guardianship on behalf of the missing person. The Government promised this over a year ago. Will the Secretary of State commit to putting it in this year's Queen's Speech?

Mr Speaker: That is a very good example of what I call "shoe-horning". The hon. Lady shoe-horned in a later question into this one, and was just about in order. She is very ingenious.

Mr Vara: The hon. Lady raises a very good point. There is a huge amount of sympathy across the political divide for the individual about whom she spoke. She will appreciate, however, that it would be inappropriate for me to pre-empt what will appear in the Queen's Speech.

Anne McLaughlin (Glasgow North East) (SNP): In order to avoid discriminating against people with disabilities, will the Minister confirm that personal independence payments will not be used in calculations that determine whether or not someone is entitled to help with employment tribunal cases?

Mr Vara: Much consideration is given when assessing the criteria to be taken into account. The Ministry of Justice, the Department for Work and Pensions and others are involved, and it would be inappropriate for me to make a decision right now from the Dispatch Box in the way the hon. Lady asks me to do.

Christina Rees (Neath) (Lab): I listened very carefully to the Minister's previous answer, but I still find it very difficult to understand that while this Conservative

Government voted not to take in 3,000 refugee children, the Ministry of Justice is proposing to raise written first-tier immigration and asylum tribunal fees by a massive 512%. How on earth are vulnerable people going to be able to challenge what are quite often errors by the Home Office? Will the Minister please tell me where the justice is in this?

Mr Vara: I simply say to the hon. Lady that there are a series of exemptions for vulnerable people. We need to recognise that the court system has to be paid for, and it is perfectly reasonable for the British taxpayer to expect those who use our court system to make a contribution towards its running.

Legal Aid

12. **David Mowat** (Warrington South) (Con): What progress he has made on reducing the cost to the public purse of legal aid. [904674]

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): Before the process of legal aid reform began in 2010, our legal aid system cost the taxpayer over £2 billion each year. During the period 2014-15, the legal aid spend was £1.64 billion.

David Mowat (Warrington South) (Con): Ours is still the only country in the world that pays foreign nationals to sue our own soldiers, and last week the Supreme Court told us that the Government did not have the power to curtail legal aid for that purpose. The only solution, apparently, is primary legislation. Will the Minister tell us how he intends to make progress on this matter?

Mr Vara: I refer my hon. Friend to some of the comments that I made earlier. However, he has made a good point about the residence test. He will appreciate that, while I have enormous sympathy with his view—as do many other people, including, in particular, millions in the country outside—we for our part await the written judgment of the Court, and will reflect on it.

Rob Marris (Wolverhampton South West) (Lab): Every solicitor who practises in England and Wales, as I did, has a client account. In some jurisdictions in north America, the interest earned on moneys held in client accounts is devoted to legal aid. Would the Government consider introducing such an arrangement in England and Wales?

Mr Vara: We already have one of the most generous legal aid budgets in the world. As for what solicitors' firms do with the interest on client accounts, the regulation of the legal profession is independent of the Government.

Danny Kinahan (South Antrim) (UUP): When it comes to legal aid, I wonder what help will be given to the family of Lance Corporal Young. They have been refused legal aid and therefore cannot take civil action against John Downey, the republican bomber who is believed to have been behind the Hyde Park bomb, and who was let off as a result of the "on the run" letters.

Mr Vara: All decisions on whether or not legal aid is paid are made independently of Ministers. They are made by the Legal Aid Agency, on the basis of individual

cases and individual facts. As the hon. Gentleman will appreciate, I cannot comment in the House on a specific case.

British Bill of Rights

13. **Mr Alistair Carmichael** (Orkney and Shetland) (LD): When he plans to publish a consultation on a British Bill of Rights. [904675]

The Parliamentary Under-Secretary of State for Justice (Mr Dominic Raab): We look forward to presenting proposals for a Bill of Rights in due course, and we will consult on them fully.

Mr Carmichael: The Minister will recall saying to me, on 30 June,

"the United Kingdom has a strong tradition of respect for human rights that long predates the Human Rights Act 1998. The Government are proud of that tradition and will be true to it in delivering our reforms. As I explained...our plans do not involve us leaving the convention. That is not our objective."—[*Official Report*, 30 June 2015; Vol. 597, c. 429WH.]

Is that still Government policy?

Mr Raab: The right hon. Gentleman was absolutely right when he said last month that the Human Rights Act was not the last word on human rights. I look forward to debating the proposals with him.

The Government's position on the European convention on human rights remains clear. We cannot rule out withdrawal forever, but our forthcoming proposals do not include it, not least because we have been clearly advised that if we withdrew from the convention while remaining a member of the European Union, that would be an open invitation to the Luxembourg Court to fill the gap, which could have far worse consequences, and also because the convention is written into the Good Friday agreement.

We are confident that we can replace the Human Rights Act with a Bill of Rights and reform our relationship with the Strasbourg Court, and that is precisely what we intend to deliver.

Philip Davies (Shipley) (Con): A condition of entry for new applicants to join the European Union is that they must be signatories to the European convention on human rights. Would putting into practice the Home Secretary's welcome announcement yesterday of what I presume is now the Government's policy to withdraw from the convention require us to leave the European Union?

Mr Raab: My hon. Friend is tempting me—coaxing me, I might say—down a route that I am not going to take. I have set out the Government's position very clearly, and our current plans, at least, do not involve withdrawing from the convention.

Joanna Cherry (Edinburgh South West) (SNP): The Minister says that he and the Government want to stay in the convention, but we know that he wants to leave the European Union. The Home Secretary told us yesterday that she wants to leave the convention, but she wants to remain in the European Union. Should we

understand that the Government are as divided on the question of ECHR membership as they are on the question of EU membership?

Mr Raab: No.

Joanna Cherry: SNP Members have been asking for a long time when the Government will publish their consultation paper on repeal of the Human Rights Act. Does the Minister understand that the Home Secretary's statement yesterday has caused particular concern in Scotland, because in Scotland the convention is embedded in the devolution settlement, as it is in the other devolved Administrations? Does he appreciate that the convention could never be withdrawn from without the consent of the Scottish Parliament, and that there is no question of that consent ever being given?

Mr Raab: I hope that I have reassured the hon. and learned Lady by reiterating the Government's position.

Topical Questions

T1. [904652] **Mims Davies** (Eastleigh) (Con): If he will make a statement on his departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Michael Gove): With your permission, Mr Speaker, I should like to associate myself with the remarks made earlier by the hon. Member for Liverpool, Wavertree (Luciana Berger). Today we had the decision by the jury sitting in the inquest into the tragic death of 96 people at Hillsborough. It has been a terrible tragedy, and it has taken a long time for those families to arrive at justice. Today is a significant day and I simply want to place on record my thanks to the coroner and his team and to the jury for their work.

Mims Davies: Victims of domestic violence need a modern family court system that provides special, well considered safety measures for people who are directly facing the perpetrators of those horrific crimes. Can the Minister assure me that the Department is doing everything possible to ensure that we have a modern family court system that protects vulnerable individuals at those times?

The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenege): Yes, the Government are absolutely committed to supporting all vulnerable and intimidated witnesses, especially those who have been subjected to domestic abuse, to help them to give the best possible evidence so that offenders can be brought to justice. That is why we have put measures in place including, as I said earlier, the ability to give evidence while screened from the accused in the courtroom, by live video link from a separate room within the court building or from a location away from the court building altogether. Our changes to the courts will only help this.

Andy Slaughter (Hammersmith) (Lab): In a year of saying little and doing less on his flagship manifesto policy of repealing the Human Rights Act, the one thing that the Lord Chancellor has made clear is his position on the European convention on human rights. To quote his official spokesman in February,

“Our plans”—

not “our current plans”—

“do not involve leaving the convention”.

We now know that the Home Secretary said yesterday that we should leave the ECHR regardless of the result of the EU referendum. So who is right on this? What is today's policy, and who is in charge of justice policy? It does not seem to be the Lord Chancellor.

Michael Gove: I thank the hon. Gentleman for his kind inquiry as to my welfare. The policy is as was spelled out earlier by my admirable colleague the Minister with responsibility for human rights, my hon. Friend the Member for Esher and Walton (Mr Raab).

Andy Slaughter: Let me make sure that I have got this right. We have the leaders of the Tory Brexit campaign saying that we will stay in the ECHR, while the Home Secretary is explaining her support for remain by saying that we should leave the convention altogether. Is that not a shambles? Was not the former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve), right to say that the Lord Chancellor's “single-issue obsession” with Brexit means that he is “no longer seeing the wood for the trees”

and that he is relying on arguments that are “unfounded and untenable”?

Michael Gove: I am, as so often, at one with my right hon. and learned Friend. Both of us believe that we should remain within the European convention on human rights. Both of us also recognise that a far greater threat to our liberty and sovereignty is the European Court of Justice, which he has described as an institution that is “predatory” and often inimical to Britain's interests. That is a view I share.

T3. [904654] **David Rutley** (Macclesfield) (Con): In view of the Guide Dogs for the Blind Association's campaign concerning certain cases relating to taxi and private hire drivers refusing carriage to guide dog owners, will the Minister tell the House what the Government's position is on this important issue?

The Parliamentary Under-Secretary of State for Justice (Mr Shailesh Vara): I am happy to set out the Government's position on this important issue. It is an offence under section 168 of the Equality Act 2010 to refuse to take an assistance dog in a taxi or private hire vehicle. The penalty is a maximum of £1,000. As far as sentencing is concerned, my hon. Friend will appreciate that that is a matter for the judiciary, which of course acts independently.

T2. [904653] **Dr Rupa Huq** (Ealing Central and Acton) (Lab): Last week, the Justice Committee was at the European Court of Human Rights in Strasbourg, where the judges praised the UK for incorporating the Court's principles into our law to provide effective redress. However, the Lord Chancellor wants to tear up the Human Rights Act and it now looks as though the Home Secretary wants to leave the convention altogether. I know that an attempt was made to get an answer to this question earlier, but can we actually have some clarity on this? To the outside world, it looks as though the Conservatives have a blind spot in relation to anything containing the words “European” and “human rights”.

The Parliamentary Under-Secretary of State for Justice (Mr Dominic Raab): The European convention can be implemented in UK law, but we have to trust the Supreme Court to apply it. It is odd that the Labour party, which set up the British Supreme Court, is so keen to subordinate it to the European Court of Human Rights in Strasbourg.

T4. [904655] **Mr Alan Mak** (Havant) (Con): Will the Minister confirm that when the Government bring forward their plans for a British Bill of Rights, they will restore power to the British Supreme Court and British common sense to the human rights debate?

Mr Raab: My hon. Friend makes that point powerfully. It is precisely one of the issues that we want to address.

T6. [904657] **Ms Karen Buck** (Westminster North) (Lab): The Joint Committee on Human Rights was also in Strasbourg last week and heard testimony from representatives of countries that do not enjoy the tradition of stable democracy and human rights that we have in this country. Their message was clear: Britain provides leadership and inspiration in a troubled world. What kind of message do Ministers think they are now sending by providing such confusion and ambivalence over Britain's commitment to the European convention on human rights?

Mr Raab: The Government led the world on human rights before the Human Rights Act and will do so afterwards.

T5. [904656] **Kevin Foster** (Torbay) (Con): Too many prisoners enter and leave prison without qualifications. Does my right hon. Friend agree that it is vital that prisoners get recognised qualifications in prison, so that they can have a second chance and a second career when they leave jail?

Michael Gove: My hon. Friend is absolutely right. It is important that there should be progression. Many prisoners secure level 1 or 2 qualifications, but we want to ensure that they can go on to pursue either apprenticeships or, in some cases, even degrees.

T7. [904658] **Andrew Gwynne** (Denton and Reddish) (Lab): A report by Citizens Advice states that

“nine out of 10 people who have gone through the family courts, under new rules that heavily restrict access to legal aid, suffer strain in their mental and physical health, working lives and finances”,

which is surely unacceptable. What will the Minister do to put that right?

Mr Vara: As was said earlier, much is being done for people who need legal aid, particularly in the family courts. Our judges are aware of the difficulties of the people before them and are trained to help and assist them. The Government have also provided much money and support for litigants in person. People talk about more legal aid, but it is important to remember that it is taxpayers' money and to recognise that we spend £1.6 billion on legal aid, which is one of the largest such budgets in the world.

T8. [904660] **Chris Philp** (Croydon South) (Con): What steps are the Government taking to identify and remove preachers who are radicalising prison inmates?

Michael Gove: My hon. Friend draws attention to an important issue. Shortly after being appointed, I asked Ian Acheson, a former prison governor with experience of working with the Home Office, to consider radicalisation and extremism in our prisons. He recently submitted a report to me, and we will be acting on it and publishing it shortly.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): My hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) highlighted the division between Government Members on membership of the European convention on human rights and the European Union. Does the Minister agree that that sends a message to my constituents that a single, stand-alone Bill of Rights would not be fit in a 21st-century system of legal governance? Does he also agree that we need something more, which is to remain part of the European Union and the ECHR?

Mr Raab: I have set out the position on the ECHR clearly. When it comes to a Bill of Rights to replace the Human Rights Act, we will consult widely, including the devolved Administrations.

T9. [904661] **Stephen Hammond** (Wimbledon) (Con): Last year, 15 teenagers were tragically stabbed on the streets of London. Does my right hon. Friend agree that it is essential that we elect a Mayor of London on 5 May with an action plan to drive knives off the streets and to ensure tougher sentences?

Michael Gove: My hon. Friend makes an important point. Under a Conservative Mayor of London, tough action has been taken against crime. That is why it is vital that the Conservative candidate secures election on 5 May instead of the radical, divisive figure whom Labour has chosen as its candidate.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Is the Secretary of State in a position to inform the House when he expects the review of education in prisons conducted by Dame Sally Coates to be published?

Michael Gove: It will be after 5 May, when I hope our Conservative candidate is returned as Mayor of London and also when I hope that Ruth Davidson takes over as leader of the Opposition in the Scottish Parliament. It will be a triple reason to celebrate.

Iain Stewart (Milton Keynes South) (Con): A constituent of mine and her sisters were sexually abused by their father over many years. He is now in prison. The sisters were eligible for compensation, but my constituent was not as her abuse stopped before 1979, yet she continues to suffer the trauma of the abuse. Will the Minister please look again at this unfair rule?

The Minister for Policing, Fire, Criminal Justice and Victims (Mike Penning): My hon. Friend kindly informed me of this case, and I would like to meet his constituents, if possible. This is difficult because even when the 1964 scheme was amended in 1979 this was not done

retrospectively. I can understand what the family are going through, but it is a difficult situation when a line is drawn and a date is put in any compensation scheme. It has not been retrospective in the past, and probably will not be in the future.

Dr Tania Mathias (Twickenham) (Con): What use is made of ex-prisoners who have undergone mental health treatment in our prisons to feed back into our mental health service and perhaps support current prisoners who are undergoing this treatment?

The Parliamentary Under-Secretary of State for Justice (Andrew Selous): My hon. Friend is right to raise this issue. Ex-prisoners are very useful in rehabilitation, drug abuse and other services, and we will absolutely explore what further role they can play in mental health services as we progress work in that area.

Several hon. Members *rose*—

Mr Speaker: The hon. Member for Derby North (Amanda Solloway) is to be congratulated on her marathon on Sunday. She is looking in remarkably good nick.

Amanda Solloway (Derby North) (Con): Thank you, Mr Speaker. Perhaps my colleagues would like to join me next year, as I try to smash my time of seven hours and 17 minutes.

Last month, I visited a prison in Nottingham that serves as a primary prison for many offenders in Derby. Today, an ongoing inquest into the death of a Derby man who died in his cell revealed that traces of legal highs were found in his body. What assurances can the Minister give me that the Department is doing all it can to tackle the levels of legal highs in our prison system?

Andrew Selous: Obviously, my hon. Friend raises a tragic case, and I can tell her that it will shortly be a criminal offence to possess lethal highs, as I prefer to call them, in prison. In addition, we are starting a testing regime. Together, those two measures will help us get on top of this evil trade in our prisons.

Tom Pursglove (Corby) (Con): Understanding the impact of crimes on victims should be central to education in prisons. What steps are Ministers taking to help develop that agenda, particularly among prisoners who have committed the most serious crimes?

Mike Penning: I believe the whole House would think that restorative justice, and victims' involvement in it, is crucial. That will be part of the victims' law proposals that we will come forward with in this Parliament.

Robert Neill (Bromley and Chislehurst) (Con): May I welcome the Secretary of State's commitment to early publication of the report on counter-radicalisation policy

within prisons? He will understand the significance of this issue, and the Justice Committee is carrying out an inquiry into prisoner safety as part of that. Will he and his ministerial team come to update us on progress on that report?

Michael Gove: I would be delighted to do that. The Chairman of the Select Committee's question gives me an opportunity to confirm that we will be publishing the report in a suitably edited form, because it contains some material that cannot be shared in the public domain as it relates to sensitive security issues. I would, however, be delighted to accept an invitation from the Select Committee to talk to it, both about the problems that have been identified and the steps we need to take. I know how much the Committee wants to ensure that appropriate steps are taken, and I look forward to appearing before it as soon as is possible.

Lucy Allan (Telford) (Con): A National Probation Service report on the murder of my constituent's sister has just been published. Davinia Loynton was brutally murdered by an offender who had been released on licence, following a conviction for previous violent crime. The report shows that there were a number of failings by the NPS. Will the Minister review the serious further offence report into this tragic death and ensure that Dale Loynton is satisfied that the NPS is doing what needs to be done to ensure that the public are properly protected?

Andrew Selous: I am sure the whole House would want to pass on their deepest sympathies to the family of Davinia Loynton following this horrific incident. Although the serious further offence review makes it clear that Kevin Hyden bears the full responsibility for Miss Loynton's death, it also found that the NPS could have done more. As such, we will make sure that the NPS does all it can to learn the lessons from this tragedy so that future operational practice can be improved.

Suella Fernandes (Fareham) (Con): Having represented many innocent drivers who have been caught up in fraudulent low-velocity impact claims, I have seen how rackets are operating to exploit the low thresholds, and the technical and legal loopholes. I therefore welcome the rise in the small claims threshold. Will the Minister confirm whether there are any plans to explore reform of the standard of proof, evidential requirements and causation to make it even more difficult for such unmeritorious claims to succeed?

Mr Raab: I thank my hon. Friend for her question. We will have a proper consultation on that in due course, and she raises the kind of issue I imagine we can incorporate and consider at length.

European Convention on Human Rights: UK Membership

12.34 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD) (*Urgent Question*): To ask the Secretary of State for the Home Office if she will make a statement on the UK's membership of the European convention on human rights.

The Attorney General (Jeremy Wright): I am answering this urgent question today on behalf of the Home Secretary, but my right hon. Friend will be making a statement to this House on the Hillsborough inquest findings tomorrow. Mr Speaker, I hope that it is in order for me to make a brief comment on that subject before I turn to the right hon. Gentleman's question.

As the House knows, the inquest jury has now returned its verdict. I am sure that the whole House will wish to join me in thanking the jurors for the considerable public service that they have performed. As a result, this morning I have written to Members advising that care be exercised when making public statements, to ensure that nothing is said that suggests that any individual or organisation has been found to be criminally liable. Ultimately, a jury in a criminal trial may need to decide that issue, and it is important that nothing is said that may prejudice the right to a fair trial, or make it more difficult to pursue appropriate prosecutions.

On the subject of this urgent question, the United Kingdom is a founder member of the European convention on human rights, and lawyers from the United Kingdom were instrumental in the drafting of the European convention. We are signatories to the convention and we have been clear throughout that we have no objections to the text of the convention; it is indeed a fine document and the Government are firmly of the view that the rights that it enshrines are rights that British citizens and others should continue to hold as part of a reformed human rights framework.

However, this Government were elected with a mandate to reform and modernise the UK human rights framework: the 2015 Conservative party manifesto said that a Conservative Government would scrap the Human Rights Act and introduce a British Bill of Rights. As with all elements of our manifesto, we intend to meet that commitment in the course of this Parliament. Members will be aware that we have set out our intention to consult on the future of the UK's human rights framework both in this country and abroad, and that consultation will be published in due course. We will fully consult on our proposals before introducing legislation; in doing so, we will welcome constructive contributions from all parts of the House.

The intention of reform is to protect human rights, to prevent the abuse of human rights law and to restore some common sense to the system. The Prime Minister has been clear throughout that we

"rule out absolutely nothing in getting that done".

Our preference, though, is to seek to achieve reforms while remaining members of the European convention. Our reforms will focus on the expansionist approach to human rights by the Strasbourg court and under the Human Rights Act, but although we want to remain

part of the ECHR, we will not stay in at any cost. We have been clear that if we cannot achieve a satisfactory settlement within the ECHR, we may have no option but to consider withdrawal.

However, the question before the people of the United Kingdom in June—again, thanks to this Government—is not about our future membership of the European convention on human rights, but about our future membership of the European Union. It is important that, in taking that significant decision, people do not conflate those separate questions.

Let me make one thing absolutely clear: the United Kingdom has a proud tradition of respect for human rights that long pre-dates the Human Rights Act—and, indeed, the European convention on human rights. Any reforms that we make will maintain that protection. Those are not just words. This Government and the coalition Government who preceded them have a strong record on human rights, both here and abroad.

We brought forward the Modern Slavery Act 2015 to protect some of the most vulnerable and exploited people in our society and to punish those responsible for that exploitation. We have fought to promote and protect human rights internationally. We are one of the leading members of the UN Human Rights Council, leading negotiations to set up international investigations into human rights abuses in Syria and elsewhere. We have transformed the fight against sexual violence in conflict, persuading more than 150 states to agree for the first time that sexual violence should be recognised as a grave breach of the Geneva convention. We have been leading the world on the business and human rights agenda: we are one of the first states to argue for the UN's "Guiding Principles on Business and Human Rights", and the first state in the world to implement them through a national action plan.

That is a track record of which we can justifiably be proud, and it is that track record on which we will build when we set out proposals for the reform of the human rights framework in the United Kingdom.

Mr Carmichael: I am grateful to the Attorney General for that answer. I should make it clear that I hold him in the very highest regard; I enjoyed working with him as a Minister in the previous Government. But he is not the Home Secretary, and he should not be responding to the urgent question today. The Home Secretary was the one who could make the speech yesterday and she can, apparently, come and make a statement tomorrow. She should be here today. Yesterday she went rogue; today she has gone missing.

There is total confusion at the heart of Government policy. What the Attorney General has just said at the Dispatch Box contradicts clearly what has been said previously. Yesterday the Home Secretary said:

"The ECHR can bind the hands of parliament, adds nothing to our prosperity, makes us less secure by preventing the deportation of dangerous foreign nationals – and does nothing to change the attitudes of governments like Russia's when it comes to human rights. So regardless of the EU referendum, my view is this: if we want to reform human rights laws in this country, it isn't the EU we should leave but the ECHR and the jurisdiction of its court."

That contradicts what the Under-Secretary of State for Justice, the hon. Member for Esher and Walton (Mr Raab),

who has responsibility for human rights, previously told the House at Justice questions and in a succession of Westminster Hall debates. On 30 June, he said:

“Our plans do not involve us leaving the convention; that is not our objective”—[*Official Report*, 30 June 2015; Vol. 597, c. 426WH.]

Clearly, there has been a major shift in Government policy and this House should have been the first to hear about it. The Home Secretary tells us that she wants to remain in the European Union but leave the convention; the Under-Secretary of State for Justice wants to leave the European Union but remain in the convention; and the Lord Chancellor wants to leave the European Union, stay in the convention, but ignore the jurisprudence of the Court. Thank goodness we do not have the instability of a coalition Government any more.

It has been apparent for some time that everything in Government thinking is seen through the prism of the European Union referendum. Now it seems that the Home Secretary has taken that to the next level. She has an eye on the next election—the Conservative leadership election.

To be a member of the European Union requires us to be a party to the European convention. How is the Home Secretary’s speech yesterday consistent with that policy? The devolved settlements in Scotland, Wales and Northern Ireland all have the European convention hard-wired into them. They are required to abide by the convention. How can that be done if the United Kingdom as a country is no longer a party to the convention? Does the Attorney General, a decent man who genuinely respects human rights, honestly want to see his country and mine stand alone with Belarus against the convention?

The Attorney General: May I start by returning the right hon. Gentleman’s compliments? I very much enjoyed serving in government with him and I have the highest regard for him as an individual. He is a little unfair about coalition government; in my experience, it was not unstable much of the time. We should recognise—he and I, and all other Members of the House—that what we did in coalition was to produce pieces of legislation such as the Modern Slavery Act that recognised the real actions we could take in pursuit of defending human rights, and this Government will continue that course.

It is not right to say, as the right hon. Gentleman suggested, that there is confusion on this policy. I have set it out and he was here in the Chamber when my hon. Friend the Under-Secretary of State for Justice did the same. There is no confusion here. What has been said throughout—by the Prime Minister and all other Ministers—is that we rule nothing out in seeking to achieve the policy objective that we have set and for which we have a clear mandate from the recent general election.

The right hon. Gentleman asked about membership of the European Union. It is not, I am afraid, in any way clear that membership of the European Union requires membership of the European convention on human rights; as with most of these things—he and I are both lawyers—he will understand that there are considerable legal complexities, so that is certainly not a clear statement that I or he can make.

Let me simply say this to the right hon. Gentleman: what the Home Secretary was doing yesterday—in a speech with which, I suspect, he broadly agreed, and

which I certainly found made a very persuasive case for remaining in the European Union—was setting out some of the difficulties with the human rights landscape as it stands. We think there are considerable difficulties: there is an absence of common sense and there have been cases that have demonstrated that human rights law is headed in the wrong direction. Restoring that common sense is the objective of the entire Government.

Sir William Cash (Stone) (Con): Does my right hon. and learned Friend agree that our fight against terrorism and excessive immigration has been persistently undermined by not only the European Court of Human Rights in Strasbourg but the European Court of Justice adjudicating on the charter of fundamental rights, and that the only answer is to leave the European Union?

The Attorney General: I certainly agree that there have been cases in both Luxembourg and Strasbourg with which we have found difficulty and which we have sought to contest. It is certainly right, as my hon. Friend suggests, that not everything about our membership of the European Union is wonderful, and the Home Secretary made that point very clearly yesterday. However, it is a question of deciding whether, on balance, it is right or wrong to be in the European Union—whether, on balance, it is better or worse for the United Kingdom to be there—and he and I have come to different conclusions on that.

On my hon. Friend’s specific point about the charter of fundamental rights, he will know that the charter covers areas where European law is applicable; it does not cover other areas, so it is not quite the same as our membership of the European convention on human rights.

Andy Slaughter (Hammersmith) (Lab): One thing we can say about this Government is that we are not short of a choice of policy on the European convention on human rights. The Prime Minister reminded us yesterday that he wants to see reform of the ECHR—not, we note, withdrawal. The former Attorney General, the right hon. and learned Member for Beaconsfield (Mr Grieve), who is on the sensible wing of the Tory party, called the ECHR a

“central pillar of foreign policy.”

When the Ministry of Justice clarified its position in February—that took some time—its line was:

“Our plans do not involve leaving the convention”—

and the Justice Secretary has repeated that today. However, the Home Secretary was absolutely clear yesterday that we should leave the ECHR, whatever the outcome of the EU referendum. What status do the Home Secretary’s remarks have? Are they Government policy? Do they bind the MOJ and the Government, or is it just the Home Office that is coming out of the convention?

It is always a pleasure to see the Attorney General, and I mean no disrespect when I say that this is rather like “Hamlet” without the prince—or the princess. Why could the Home Secretary, or even the Lord Chancellor, not have clarified Government policy, as they have caused the confusion? [*Interruption.*] It would be comic if it were not tragic.

The Home Secretary has set out a series of legal nonsenses. She claims there is no connection between the EU and the ECHR, but it is a requirement of EU membership that countries joining the EU sign up to

[Andy Slaughter]

the ECHR. She elides the fact that European Court of Human Rights judgments are advisory and that the UK Parliament remains sovereign. She wrongly dismisses the importance of Britain's membership of the convention as an example to Putin and his ilk, downplaying this country's record on human rights and its influence in Europe. She also ignores the success of the Human Rights Act in incorporating the ECHR into UK law, giving a remedy to vulnerable people suffering discrimination.

I thought the legal, moral and practical arguments had persuaded the Government to abandon attempts to leave the ECHR. We are not going to deal with the legal and technical arguments today, but will the Attorney General say when the consultation will be published so that we can get down to that? Will he at least clarify today what the Government's policy is? If what the Home Secretary said is not Government policy, what is the status of her remarks? Are they just a stump speech for the Tory party leadership?

The Attorney General: It is, of course, an immense pleasure to see the hon. Gentleman too. I pass over what I am sure my hon. Friends, at least, will regard as the supreme irony of being lectured by a member of the Labour party about unity and common purpose.

What the hon. Gentleman will find is that I am saying, the Home Secretary is saying and the Lord Chancellor is saying that the status quo on human rights law is not acceptable so we are bringing forward proposals for reform. We will do that when they are ready. The contrast is marked between what Conservative Members say, which is that there is a deficit of common sense in much of human rights law, and what Labour Members say, which is that the status quo is fine, all is well and we should leave it all alone. The hon. Gentleman will find that many of his constituents, like many of mine, do not think the status quo is acceptable and do wish to see reform. That is what we had a mandate for in the general election, and that is what this Government will deliver.

Crispin Blunt (Reigate) (Con): Does not this unholy muddle demonstrate the trouble we get into when we contract out our policy to the tabloid leader writers? Is it not the truth that the simplicities that suit them override this immensely complex issue and that our nation should send out a message about our commitment to human rights through an unswerving commitment to the convention? The Court has been made to work better over the course of the past four years, not least by my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) in Brighton in 2012. The Court is learning its lessons; let us work with it and not undermine it, and human rights, in the process.

The Attorney General: I entirely agree with my hon. Friend that these are not simple matters and that there is huge complexity here, and it would be quite wrong to attempt to reduce this debate to simplistic statements. However, it is also right that our commitment to human rights is not limited to our signature on pieces of paper but is explained and demonstrated in the actions that we take.

I have set out some of the actions that this Government have taken as well as those that the previous Government took, in conjunction with the right hon. Member for Orkney and Shetland (Mr Carmichael) and others. I have mentioned some of the things that we have achieved, and there have been others. We were the Government, in coalition with the Liberal Democrats, who reduced the maximum period that someone can spend in detention without charge to 28 days. We were the Government, too, who abolished ID cards. These are pro-human-rights measures. We demonstrate our commitment to the protection of human rights by what we do.

Joanna Cherry (Edinburgh South West) (SNP): I am very grateful to the Attorney General for what he has said so far, but his response, and the absence of the Home Secretary, simply will not do. There is confusion here. Less than an hour ago, the Under-Secretary of State for Justice, the hon. Member for Esher and Walton (Mr Raab), assured me that the Government have no plans to withdraw from the ECHR, but yesterday in her speech the Home Secretary said that withdrawing from the ECHR was a must. Why is she not here to answer this urgent question? Does she not realise that what she said yesterday has caused grave concern across these islands, particularly in Scotland?

I assure hon. Members on both sides of the House that the unity and purpose missing from the Conservative and Labour parties is present in the Scottish National party in relation to the ECHR and human rights, and also present in the majority of the elected Members of the Scottish Parliament, who made it very clear that under no circumstances would they ever consent to a repeal of the Human Rights Act.

As the right hon. Member for Orkney and Shetland (Mr Carmichael) said, the ECHR is hard-wired into the Scotland Act. Everything that the Scottish Government and the Scottish Parliament do is governed by the ECHR. I assure the British Government that given the composition of the current Scottish Parliament and the likely composition of the next one, there is no question of the Scottish Parliament ever giving its consent to Britain's withdrawing from the ECHR. Does the Home Secretary not realise that if Britain were to attempt to withdraw from the ECHR, it would cause a constitutional crisis within these islands?

On EU law, it is correct that all EU member states and candidate states are required to be signatories to the convention. If the Attorney General is in any doubt about that, he could consult a number of legal academics, including Professor Sionaidh Douglas-Scott, the professor of European and human rights law at Oxford University, who has written extensively on this issue. I was going to suggest that the Attorney General needed to give the Home Secretary a tutorial on European Union law, but if he does not accept that signatories to the EU must also be signatories to the convention, perhaps he himself needs such a tutorial. [Interruption.] Yes, there is a question. When will this much-promised consultation come forward? Prevarication will not do any longer. When will the Government bring it forward, and will it include withdrawal from the ECHR as well as the HRA?

The Attorney General: There is a risk in this discussion that we make a little too much of what happened yesterday. Let us be clear. I have said a number of times,

and the hon. and learned Lady has heard different members of the Government make it clear a number of times, what our policy is in relation to human rights reform. I say again that the Prime Minister has been clear and we have all been clear—we rule nothing out. It follows from that that we do not rule out withdrawal from the convention should we not be able to achieve the changes that we all believe are necessary.

I accept that the hon. and learned Lady's party and the official Opposition do not take the view that the status quo is unacceptable; we disagree about that. What I find odd about her position and, indeed, that of the official Opposition is that, as far as I can tell, they are saying to us: "Whatever you do on human rights reform we will oppose it. There is nothing you can do that we will ever support. There is no reform you can bring forward that we would ever regard as valid, but would you please get on and bring forward your reforms, which we will oppose anyway whatever you say?" That is not a sensible position for her and her colleagues to take.

The hon. and learned Lady is right, of course, that whatever proposals we make, there will be significant devolution consequences. As she has heard me say, and ministerial colleagues say, when we bring forward proposals we will ensure that full consultation happens with the devolved Administrations to ensure that we work through those issues.

Sir Roger Gale (North Thanet) (Con): Those of us who represent this House in the Parliamentary Assembly of the Council of Europe are acutely aware of the fact that the convention on human rights has been extended way beyond the original remit that was drawn up, in part by the United Kingdom, in the immediate aftermath of the second world war. My right hon. and learned Friend is absolutely right to seek to pursue changes. Will he do so as swiftly as possible to get the thing back under control?

The Attorney General: The difficulty, as I have said, is not with the convention but with its interpretation, which has been extended well beyond what the original drafters intended. Perhaps the most evident example of that is in so-called extra-territorial jurisdiction. It was not intended that those conducting themselves and making decisions on the battlefields of Iraq and Afghanistan should be subject to European human rights law; we have international humanitarian law that does a good job in that field, and it was not intended that that should happen. My hon. Friend is therefore entirely right.

Ms Harriet Harman (Camberwell and Peckham) (Lab): The more the Attorney General and the Justice Secretary say that they have not ruled out the UK leaving the European convention on human rights, the more it sounds to me like exactly the direction of travel they intend to take, and I find that chilling. The Attorney General cited the proud tradition of this country in establishing this international system of guaranteeing human rights here and abroad, yet it is that very proud tradition that he appears to be about to kick into the gutter. Does he recognise that we cannot both be a signatory to the European convention and reject the jurisdiction of the European Court of Human Rights?

It is not just about having these substantive rights and paying lip service to them; it is about accepting the jurisdiction of the international court to enforce those rights. Does he recognise that every Government in this country needs to have that restraint? All Governments are tempted to abuse their power, and this international system is an important guarantee. Does he recognise, as Conservative Members have said, how important it is for those who are struggling for human rights in other countries to be part of a system that we play a part in guaranteeing? I hope that enough Members in this House and the other place will share that view, so that, if the Government drift towards a position of trying to leave the European convention, this Parliament will stop them.

The Attorney General: I will start at the end of what the right hon. and learned Lady has said. She is quite right to say that the example that we set to other countries is something that should occupy our minds. Again, I make the point that the example we set comes from our actions—from what we do—and I do not think that there is any prospect of this Government or any other likely British Government moving away from a clear wish to protect human rights in this country and abroad. I have set out some of the ways in which the Government have done that.

I think that the right hon. and learned Lady attaches too much significance to the convention and the Human Rights Act. I understand why those who were in office in the Labour Government that introduced that Act feel very attached to it. She must also recognise that that Act and what it attempted to do—no doubt from the best of motives—have been tarnished by a number of cases that followed, which have led many of our constituents to believe that "human rights" is a term to be deprecated, not a term to be supported and celebrated. I am sure that she and I agree that we need to get back to a place where all our citizens are keen to support human rights and their protection.

My final point is this. In terms of restraint and what we are prevented from doing, as the right hon. and learned Lady would put it, by our membership of the convention on human rights, I am surprised that a former Law Officer overlooks the role of our own courts, which are robust in the way in which they hold Government to account and restrict the freedom of manoeuvre of Ministers—quite rightly so. I do not believe that we need to rely solely on the exercises of foreign jurisdictions to restrict our Government appropriately.

Robert Neill (Bromley and Chislehurst) (Con): The Attorney General has been properly measured and thoughtful in his comments. There is a lot of fuss about what is really obiter dicta at the moment. Does he accept that the commitment of the Government and our domestic courts to human rights is demonstrated by the fact that only 0.4% of live cases before the ECHR involve the United Kingdom as a state party? Does he also accept that, as is recognised by many Strasbourg jurists, it would be perfectly possible to take word for word the protections in the convention and incorporate them into a British Bill of Rights, while staying entirely compliant with the convention, as most of us would wish to be?

The Attorney General: There are, as my hon. Friend wisely suggests, many ways in which reform might be achieved. I will not, of course, pre-empt the proposals that my right hon. Friend the Lord Chancellor will introduce. My hon. Friend is right that there are many cases that the United Kingdom fights and wins, and it is worth recognising that. He will recognise, however, that one of our difficulties is the fact that, even when we fight and win, we spend a good deal of time and effort doing so. If cases are brought because people are encouraged to do so by an expansionist view of human rights law in Europe and elsewhere, we have to spend a good deal of time and effort dealing with those cases when perhaps that is not appropriate.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The convention on human rights was drawn up by British lawyers and has been hugely powerful in spreading standards of human rights and our common humanity not only across Europe, but much more widely. The Home Secretary did not say yesterday, “We should try to reform the Court and then have a think about it.” She said that we must pull out of the convention. Is that the Government’s policy—yes or no?

The Attorney General: I think I have been very clear about what the Government’s policy is. The Home Secretary yesterday explained why the status quo is unacceptable. There is a difference between the convention that was drawn up in the 1950s and the interpretation given to it by judges in Strasbourg since that time. It is with the latter that we have an issue, not with the former.

Sir Edward Garnier (Harborough) (Con): One of the great advantages of the Attorney General’s coming to speak on behalf of the Home Secretary is that he is not enmeshed in the near-Trappist reticence that normally applies to a Law Officer. Given the freedom that the Home Secretary has kindly given him, will he invite her, next time he has a candid conversation with her, to explain something to the Turkish journalists, media organisations, police and judges, all of whom have been the subject of some pretty revolting treatment by the Turkish Government, and who look to the convention and to the Court for protection that they cannot get in their domestic courts and jurisdiction? Will he ask the Home Secretary to look those people in the face and say that our leaving the convention would not affect their rights or undermine their proper reliance on the standards of civilised behaviour, with which I thought we agreed?

The Attorney General: There is very little doubt that I have fundamentally abrogated my Trappist vows this morning. My right hon. and learned Friend makes the crucial point that there are real human rights abuses in the world today, and this country should stand four-square against those abuses. We should do so regardless of what international convention we may be part of and regardless of what Act we have passed. We should make that position clear, as I have no doubt responsible Governments in this country will do, now and in the future. It is important that the Foreign Office and, indeed, all parts of Government do their part to enhance human rights here and abroad.

Mr David Winnick (Walsall North) (Lab): Post-1945 Europe should be proud to have such a convention, which has existed for so many years. If the argument is that from time to time, the judgments are faulty, what about judgments in this country, such as those in the cases of the Birmingham six and the Guildford four? Surely, they were hardly an argument for changing our judicial system. The reason the Attorney General is putting this forward, whether or not it represents his own personal and political views, is that there is an extreme element in the Conservative party that deeply resented having the convention in the first place.

The Attorney General: The hon. Gentleman is right to say that no court system is perfect. All systems are capable of making mistakes, and we should be grateful for the fact that our judicial system permits those mistakes to be corrected, as they were in the cases that he mentioned. I do not think that that is comparable to the exercise that has been conducted by Strasbourg jurisprudence on the European convention on human rights, which has moved that document fundamentally away from its founders’ intentions. That is a different thing. The Labour party is content to allow it to proceed, but we are not content to let it go.

Mrs Anne Main (St Albans) (Con): A rule of thumb in life, I have found, is that when you throw a grenade, you usually retreat for cover. I wish that the Home Secretary were here to answer this urgent question, because I feel as though this has come up under the pressure of concerns about criminals, borders and so on. Conflating the two issues is fundamentally wrong. I would like to know whether the Home Secretary discussed her views before she made them known, because bringing them up now has made it look as though our Government are in disarray over the matter, and that is not acceptable. The Home Secretary should make it very clear whether she supports being in the ECHR. I respect my right hon. Friend’s views on the matter, but we cannot get away from the fact that she made a very clear statement yesterday, which was not helpful in the debate that many of us are having about control of our borders and criminals coming and going.

The Attorney General: I understand my hon. Friend’s concerns. If she reads the speech that my right hon. Friend the Home Secretary made yesterday, however, she will see that there was no conflation of the European convention on human rights and our membership of the European Union; indeed, my right hon. Friend made it very clear that they are two different things, to be approached in different ways. I do not think that there is a conflation, and we must all be cautious about making sure that we understand clearly what our colleagues are saying before we comment on it.

Gavin Robinson (Belfast East) (DUP): Following on from the comments that the Attorney General has just made, does he accept that there is a distinct parallel? Six months ago, many Members in this Chamber accepted the sincerity of the Government’s statement that they ruled nothing out but would seek substantial and meaningful reform of the European Union. If the point made yesterday was that the European convention on human rights is binding on this country and that that is a problem, why should Members accept today the veracity

of statements about reforming or leaving? Does not the speech made yesterday prove the fundamental principle that, when someone tries to please everyone, in the end, they please no one?

The Attorney General: I certainly agree with the hon. Gentleman that we have not succeeded in pleasing everyone. I grant him that, but there is no doubt, so far as the European Union question is concerned, that the Government's position is very clear. It is that we have secured substantial and meaningful reform, and on that basis the Government can recommend to the British public that we should remain within the European Union. We are all entitled to our own views about whether that judgment is right or wrong, but that is the Government's judgment. We have not yet made the same judgment about the European convention on human rights, because we have not yet brought forward our proposals or, indeed, negotiated a different settlement. That issue is yet to be determined, which is why it is in a different category from the European Union question.

Nick Herbert (Arundel and South Downs) (Con): I support my right hon. and learned Friend in making the case for sensible reform of our domestic human rights architecture. Is it not the case that whether such human rights are upheld in a supranational court or by our own courts and Parliament, there is no doubt that there will always be respect for fundamental human rights in this country, many of which have been guarded and promoted by Parliament itself? By contrast, is it not the case that the most egregious human rights abuses are found abroad, as evidenced, for instance, by the brutal murder of the editor of a lesbian, gay, bisexual and transgender magazine in Bangladesh yesterday? Should the UK not use the full force of its influence to stand against such abuses?

The Attorney General: I entirely agree with my right hon. Friend. He makes the case very well for what we will do, which is to bring forward sensible reforms to our human rights framework but maintain our robust protection of human rights both in this country and around the world.

Mr David Hanson (Delyn) (Lab): Will the Attorney General confirm that, if the Home Secretary's wish came true, the UK would no longer have a British judge at the European Court of Human Rights in Strasbourg and we would therefore not be party to making judgments to uphold international law across the whole of Europe?

The Attorney General: Again, I would say to the right hon. Gentleman that there is more to promoting human rights here and abroad than our membership of that court or even of the convention. We do a great deal more to help to promote human rights, and we should continue to do so.

Mr Jacob Rees-Mogg (North East Somerset) (Con): May I thank my right hon. and learned Friend for showing himself also to be gallant in defending the Home Secretary's position? There seem to be a couple of errors in her speech. One was that she said it was the European Court of Human Rights that stopped us

deporting foreign people, when it was in fact the ECJ that stopped Abu Hamza's daughter-in-law being removed, contrary to the Home Secretary's view.

On the issue of whether we have to be in the European convention on human rights while in the EU, I refer my right hon. and learned Friend to article 6.3 of the treaty on European Union:

"Fundamental rights, as guaranteed by the European Convention ...shall constitute general principles of the Union's law."

Furthermore, the Commission, when asked specifically what would happen if a member state left the convention, said it would consider using article 7, which allows for the suspension of a member's voting rights. It seems to me that, for once, European treaties are written in clear language that is understandable even to non-lawyers.

The Attorney General: On my hon. Friend's last point, if only that were true. I do not think there is the simplicity that he suggests there is on that point. He is of course right that ECHR principles contribute to European Union via the charter, but that is not the same as putting together the European convention on human rights and European law and saying that they are indistinguishable and indivisible from each other. That is not the position.

In relation to deportation, the difficulty we often face, as my hon. Friend will know, is the interpretation of article 8 of the convention, which deals with the right to a family life. That is a good example of the way in which rights drawn up perfectly sensibly in the convention can be extended beyond where they were meant to go, or of how the balancing exercise at the heart of all human rights law is not conducted in what he and I would consider to be a sensible way.

Hywel Williams (Arfon) (PC): In his reply to my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry), the Attorney General conceded that there would be substantial proposals in respect of devolution, but that there would also be "full consultation". Does he accept that it is not a matter of full consultation, but of fundamental change to the way that the Welsh Assembly and the other Assemblies actually operate, so how will they operate?

The Attorney General: As I have said, we will have to wait for the proposals to be brought forward before it is sensible to discuss them in detail, but the hon. Gentleman has my undertaking, as he has had that of other Ministers, that when the proposals are brought forward, there will be a full conversation about how the devolution aspects of such proposals will be managed.

Bob Stewart (Beckenham) (Con): I have given evidence at four trials at the International Criminal Tribunal for the former Yugoslavia. The ICTY judges told me that the UK had a superb record on upholding human rights. I must say that was very pleasant for my men and me to hear, having had to go through four trials. Does my right hon. and learned Friend think that such a verdict could be applied to all other members of the European convention on human rights?

The Attorney General: I certainly agree with my hon. Friend that being a member of the Council of Europe and a signatory to the convention is no guarantee that a

[*The Attorney General*]

country's human rights record will be spotless. It follows logically, of course, that not being such a signatory does not mean a country cannot have a hugely impressive record on the protection of human rights. Many countries around the world that are not signatories to that document have demonstrated exactly that.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): Since the urgent question was asked, the Attorney General has made several references to the UK Government's commitment to human rights being demonstrated by actions rather than by words. How can that commitment be squared with the UK Government voting yesterday against the human rights of child refugees requiring shelter in this country?

The Attorney General: Mr Speaker, I am sure you will not want me to rehash the arguments made in the Chamber yesterday. I think that the hon. Lady should at least accept that this Government's record in providing huge amounts of aid to those in need—not just in Syria, but around the world—demonstrates that we do care and that we do act in defence of the most vulnerable. Human rights is only one aspect; there are other very real needs that we help to support. The fact that this Government, against considerable opposition across many areas of opinion, have maintained our commitment to spending 0.7% of GDP on foreign aid shows that as clearly as anything does.

Mr Peter Bone (Wellingborough) (Con): Surely the test is how our human rights work. The fact that this Government passed the Modern Slavery Act 2015, which is leading the way in Europe—I must say that it was largely due to the intervention of the Prime Minister—shows that we have an excellent human rights record.

I am grateful to the Attorney General for being at the Dispatch Box because there is one thing I would like to know in legal terms. From what has been said, this is a confusing issue. Can a country remain in the European Union and still come out of the convention? What is his legal opinion on that?

The Attorney General: As I have suggested, the legal position is not clear. Neither my hon. Friend nor I have the time to go into all the ins and outs of that particular question now, but I suggest it would also be wrong to say that it is clear in the opposite direction. It is not at all clear that if the UK left the European convention on human rights, it would not be able to remain a member of the European Union. It is certainly not clear, and it would be wrong to suggest that it was.

As my hon. Friend has mentioned the Modern Slavery Act, may I take this opportunity to pay tribute to his own part in the process? I think the whole House recognises that my hon. Friend played a leading role in making the arguments on a subject that was not well known and not especially prominent. He brought it to prominence and secured a remarkable piece of legislation.

Lady Hermon (North Down) (Ind): May I make it absolutely clear from the very beginning that I hold the Home Secretary in the highest regard? However, I was horrified—absolutely horrified—by her suggestion yesterday

that the United Kingdom would leave the European convention on human rights. I am horrified by that suggestion. After 30-plus years of appalling violence in Northern Ireland, the Belfast agreement signed on Good Friday was hard won after hard negotiations, and the European convention on human rights was an integral part of that agreement. It was voted on in two referendums, in Northern Ireland and the Republic of Ireland, by thousands and thousands of people. I want the Attorney General not to assure me that there will be consultation, but to tell me what consideration the Home Secretary gave to the implications for the peace settlement in Northern Ireland, and particularly the implications for the Belfast agreement, before she made her statement yesterday.

The Attorney General: The Home Secretary is clearly aware of those complexities, as is my right hon. Friend the Lord Chancellor. It is difficult for me to discuss the details of proposals that have not yet been brought forward. The best thing I can do is to assure the hon. Lady—I know she does not want me to do so—that there will be an opportunity to discuss the issues in more detail. That is the best I can say at this point.

Mr Steve Baker (Wycombe) (Con): The Government are in something of a pickle. As well as needing multiple Parliaments, this great European project also needs two human rights frameworks. The result is a state of confusion, as set out by the European Scrutiny Committee's 43rd report of the 2013-14 Session, "The application of the EU Charter of Fundamental Rights in the UK: a state of confusion". How will the Government ensure that any Bill of Rights will be able to survive the European Court of Justice?

The Attorney General: Again, my hon. Friend tempts me to talk about proposals that are not yet before us, and I cannot do that. He is right, of course, to reinforce the point that these matters are exceptionally complex. Anyone who suggests that they are simple is wrong. We will, of course, have the opportunity to discuss the issue in some detail when the proposals are brought forward, in contrast with the position when the Human Rights Act was introduced, when there was precious little opportunity for consultation.

Kelvin Hopkins (Luton North) (Lab): There is clearly some confusion and discomfort among those on the Government Benches about human rights, but there should be no confusion about the issue in the minds of voters on 23 June. The European convention on human rights is a creature of the Council of Europe and something that I absolutely support. The European Union charter of fundamental rights is quite a different matter: it was created by the EU and has been shown to be not quite so fundamental when it comes to worker and trade union rights, because it has found in favour of employers on a number of occasions when it should have found in favour of trade unions and workers. Does the Attorney General accept that it is very important to make it clear that leaving the EU on 23 June would not mean leaving the ECHR, and that if we challenge anything it must be the EU charter of fundamental rights, particularly where trade unions are concerned? Does he also agree—he probably does not—that the way to guarantee trade union and worker rights in this

country is to elect a Labour Government under the leadership of my right hon. Friend the Member for Islington North (Jeremy Corbyn)?

The Attorney General: I was nearly all the way there with the hon. Gentleman, but I could not quite go with him on the last part of his question. As he says, there is a distinction between the convention on human rights and membership of the European Union and all that flows from that. I hope I made that clear in my earlier remarks, but I am happy to restate it. He is wrong to say that there is confusion among the Government on human rights. I have made our position very clear: we are in favour of human rights here and abroad, and we will fight hard to defend them regardless of our future proposals for reform. The hon. Gentleman will know that protocol 30 of the treaty negotiated by the last Labour Government makes it clear that the charter of fundamental rights creates no new rights in this country.

Antoinette Sandbach (Eddisbury) (Con): I am grateful for the Attorney General's statement on the Government's support for human rights. Will he confirm that we will remain signatories of the United Nations universal declaration of human rights, regardless of the ECHR? Given that that document was drafted in the 1950s and contains derogations for national security and other matters, does he agree that it is right to update the Human Rights Act to reflect changes in subsidiarity, which, after all, is an EU principle?

The Attorney General: My hon. Friend is right to say that the UN declaration is a separate document; it is not affected by any decisions we might make about the European convention. She is also right to mention how things may develop. Those who support the status quo cannot have it both ways: if they think that it is perfectly reasonable for the Court in Strasbourg to extend the scope of the convention in the way that it has, they should also recognise that we should keep up with the times in other ways, too.

Callum McCaig (Aberdeen South) (SNP): The UK's withdrawal from the ECHR would present the most unwelcome of incentives to those who disagree with the international order surrounding human rights. What message does the Attorney General think that sends to the world's despots and tyrants about respect for human rights?

The Attorney General: I understand the hon. Gentleman's point, but he is wrong to suggest that despots and tyrants around the world do not fully understand the British Government's view of the protection of human rights. That is something on which I do not think we could have been any clearer: not only have we spoken about it, but we have acted domestically and internationally to support and protect human rights.

Philip Davies (Shipley) (Con): In the European Court of Human Rights there are pseudo-judges, many of them political appointees rather than proper judges, over-reaching their remit under the convention with ridiculous decisions such as votes for prisoners. Why should this House vote for something we do not believe in, which our constituents do not believe in, and which makes the Prime Minister physically sick, just because

some ludicrous judges in Strasbourg went way beyond their remit to comply? If we are not prepared to accept such rulings, which I am not, is not the only sensible course of action for a country that believes in the rule of law to leave?

The Attorney General: As ever, I wish my hon. Friend would simply say what he really thinks. He is right to say that the status quo, which he has described, is unacceptable to quite a lot of the people we all represent in this country. The case for reform is unanswerable, and that is what this Government are going to do.

Geraint Davies (Swansea West) (Lab/Co-op): The Foreign Office has downgraded the global abolition of the death penalty in its human rights fund from being its top priority to being the bottom bullet point in a passing reference. Does the Attorney General agree that, taken together with the possible withdrawal from the convention on human rights, that will be seen as a green light to Saudi Arabia, China and other countries that administer the death penalty, and to Russia and Turkey, which abuse such rights? It is a way of dividing and ruling the European Union's human rights record.

The Attorney General: No, I do not think that that follows. The British Government, including Foreign Office Ministers whenever they travel abroad and speak to interlocutors from other countries, have made it clear that they oppose the use of the death penalty in all circumstances. We will continue to make that very clear.

Alex Chalk (Cheltenham) (Con): I support our membership of the convention, but does my right hon. and learned Friend agree that if we are to stay in the ECHR, and if we are to rehabilitate the reputation of human rights in the UK, it is important that the European Court curtails its reach and does not intrude into matters such as prisoner voting, which are properly matters for this House?

The Attorney General: Yes.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Originally proposed by Winston Churchill and drafted mainly by British lawyers, the European convention on human rights is an important part of our post-war history—it is, in essence, a British Bill of Rights. How are the public to trust the Government to ensure that the hard-won advances on equality, privacy and justice, and our wartime legacy, will not be at risk from their cruel agenda?

The Attorney General: I will make two points in response to the hon. Lady. First, it is important to distinguish the Human Rights Act, and even the convention, from the promotion and protection of human rights. They are two different things and this Government's record is very clear. Secondly, we have a very clear mandate for reform of the human rights framework. We set out what we intended to do in our manifesto at the general election. As it happens, parties that support reform of human rights law received more than 50% of the vote in that election, so the British people's mandate for action is extremely clear.

Kevin Foster (Torbay) (Con): I am sure that the Attorney General shares my surprise at some of the comments we are hearing about the idea of Britain having a system similar to that in many other countries, namely domestic rights legislation overseen by a Supreme Court. That is what Germany does with its own basic law. Given what we have heard about how well the ECHR protects human rights, and given that Russia is signatory to it, will the Attorney General outline how it has been protecting those of people living in eastern Ukraine?

The Attorney General: My hon. Friend makes a fair point. As I said earlier, it is no guarantee that a country will have a spotless human rights record if it is a signatory to the convention. We must be clear that we support the protection of human rights wherever in the world they may be abused, and the British Government will continue to take that position.

Stewart Malcolm McDonald (Glasgow South) (SNP): Had it not been for the Strasbourg Court, gay men and women in this country would not be serving in our armed forces, but because of the 1999 judgment there has been a rainbow revolution in our armed forces. Is that not just one of the many reasons why we should stick with the ECHR?

The Attorney General: The hon. Gentleman draws attention to an undoubted positive change, and there have been others. But he is wrong to minimise the role of our own courts and, indeed, of democratically elected Governments of all political colours in making such changes. It is wrong to suggest that the only way in which we can achieve outcomes such as the one he described is to pursue the status quo on human rights law. That is not the right approach.

Mr Philip Hollobone (Kettering) (Con): The Prime Minister said that he felt “physically sick” at the ECHR’s proposals to give prisoners voting rights. My constituents in Kettering are increasingly fed up with Europeans lecturing us on human rights when were it not for this country, our Dominions and our empire, who stood alone in 1940, there would be no human rights at all on the continent of Europe, let alone a convention. Many of us on the Conservative Back Benches do not recognise the conflict that many members of the Cabinet are struggling with between membership of the European Union and membership of the convention—we would be very happy to leave both.

The Attorney General: I understand my hon. Friend’s position very clearly. He is right, of course, that that record of protection of, and respect for, human rights, and indeed of fighting on behalf of those whose human rights may be being infringed, is a proud and long-standing one. That will not change.

Patrick Grady (Glasgow North) (SNP): Article 3 of protocol 1 of the ECHR states:

“The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature.”

Given that the majority of legislators in this country are unelected—that is, the Members of the House of Lords—is

the Attorney General satisfied that the UK Government actually comply with that protocol, or is that another reason why they want to withdraw?

The Attorney General: The hon. Gentleman tempts me to give some legal advice in the Chamber, which I must not do. I am grateful to him, however, as what he has just read out is the part of the convention relied upon by the Strasbourg Court to suggest that prisoners should have the vote. I did not detect any reference to prisoners’ having the vote anywhere in the text that he just read. I maintain the view that that is for this Parliament to decide.

Henry Smith (Crawley) (Con): The Attorney General is quite correct that this country has a long and proud record of human rights. He is also correct in pointing out that our actions count more than mere signatures. Does he therefore agree that it follows that the international community looks to this country for our reform agenda, on issues such as abolishing slavery?

The Attorney General: My hon. Friend make a very good point. Both what we have done in the past and what we are doing now send the kind of signal to other countries that Members have said today that they would wish us to send. We have a proud record of acting, not just in the past but now, to encourage others to do better.

Jim Shannon (Strangford) (DUP): I believe that the statement by the Secretary of State yesterday undermined the remain campaign. It revealed a further camp of thought—the “not so sure we should remain” camp. The Attorney General has stated to us today that this is a complex legal matter of clarity in the legislation about leaving the EU and remaining in the ECHR. How will he marry two very different points of view, and which is right?

The Attorney General: As I say, it is a complex matter. On the hon. Gentleman’s first point, I do not agree that the Home Secretary undermined the case for remaining within the European Union yesterday. On reading her speech, one sees that she made an extremely powerful case for remaining within the European Union and set out the argument with a great deal of clarity.

David Rutley (Macclesfield) (Con): After all is said and done, does my right hon. and learned Friend agree that there are real issues with Strasbourg acting, in effect, as a final court of appeal, and that a UK Bill of Rights will seek to address that?

The Attorney General: That is exactly the sort of issue that the Bill of Rights will seek to address, and I know that my hon. Friend will scrutinise it carefully when it comes forward.

Martin Docherty-Hughes (West Dunbartonshire) (SNP): As I am sure the right hon. Member for Orkney and Shetland (Mr Carmichael) will remember, in 1997 the then British Government placed before this House, with the eventual agreement of both sides, a proposal to place before the sovereign people of Scotland a proposition, in a referendum, to reconstitute the Scottish Parliament. At the core of the reconstitution of that Parliament is

the European convention. Now that the Government—a Government rejected by Scotland fundamentally at the last general election—are seeking to undermine that very settlement, how does the Attorney General square that with the democratic will of the sovereign people of Scotland as expressed in the referendum in 1997?

The Attorney General: The sovereign will of the Scottish people was expressed in the independence referendum in 2014. When they expressed their view, they concluded that they wished to remain part of the United Kingdom. Much as I know that the hon. Gentleman does not like it, that was the outcome and as result the United Kingdom Government will consider this matter for the future.

House of Lords Reform (Exclusion of Hereditary Peers)

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

1.35 pm

Mr David Hanson (Delyn) (Lab): I beg to move,

That leave be given to bring in a Bill to amend the House of Lords Act 1999 to remove the section 2 exception under which 90 persons have the right to sit, speak and vote in the House of Lords by virtue of a hereditary peerage; and for connected purposes.

Last week a Member was elected to an ancient and world-revered national Parliament in a by-election following the death of a sitting Member. Once elected, they would be able to make laws, hold the Government to account, have influence and make a real difference to the lives of households up and down this country. Nominations for the vacant post closed on Monday 11 April 2016 at 5 pm. Those nominated, of which there were seven, all had to convince the electorate of their merits to secure a simple majority, at which point one would be elected.

All that should sound familiar to hon. Members. Any democracy has the same pathway for gaining a seat in Parliament—win the argument and get elected. This election, however, was different. It was not modern or open, and it was certainly not democratic. This election was for a place as one of the last remaining 92 hereditary peers to sit in the unelected Chamber.

Members should be aware of the details of last week's process, as it deserves full scrutiny. To be nominated for that seat in Parliament, a nominee had to be on the register of hereditary peers and be of the party of the previous Member. The electorate that held the power of electing the noble peer to the House of Lords was, in this case, three people—the three Lib Dem hereditary peers remaining in that House were the whole electorate. I remind the House that this is the 21st century.

This House will recall the great fights about the 1832 Reform Act. That Act abolished the constituency of Old Sarum, which used to be able to send two Members of Parliament to this House. Old Sarum had 11 voters, making it positively huge—almost the Isle of Wight, dare I say it—in comparison with the electorate for the election that the noble Lords held last week.

As I said, last week's electorate consisted of three Liberal Democrat hereditary peers, the noble Lord Addington, and the noble Earls of Glasgow and of Oxford and Asquith. Baron Addington's peerage dates back to 1887, when his ancestor, a businessman and Conservative Member of Parliament, was granted the title. The 10th Earl of Glasgow can trace his title back to 1703, when it was created for his ancestor David Boyle, who was one of the commissioners who negotiated the Treaty of Union. The third Earl of Oxford and Asquith is a newer entry to the House of Lords. He is the grandson of the former Prime Minister, Herbert Henry Asquith, and his title was created in 1925.

Each hopeful in the election had the opportunity to write 75 words on why they should be trusted with a seat in the mother of Parliaments. The manifesto of the eventual winner, Viscount Thurso, was excellent for the environment. It was a blank piece of paper. For the gang of three who voted for him, there were no words saying what he would do or why.

[Mr David Hanson]

I am pleased to tell the House that, in contrast to the national trend of declining voter turnout, there was a 100% turnout—all three—and no spoilt ballots. Miraculously, all three votes went to Viscount Thurso in the first round. The count took 24 hours, by the way, which is not quite Houghton and Sunderland South. It still resulted in a new Member of Parliament.

Viscount Thurso was the Member of Parliament elected in the Lords last week. He was a Member of the Lords until 1999. He subsequently removed himself from the membership of that House, and got elected as the Member of Parliament for Caithness, Sutherland and Easter Ross. He was Member for that constituency until last May, when he lost his seat, because someone else was elected to this House of Commons. That is the right of democratic elections in the House of Commons. He has now happily got a return route to the Lords through the sad death of Lord Avebury. I like John Thurso. I worked with him in this House and I bear him no ill will, but even he must be embarrassed by his blue blood transfusion in last week's election. My Bill seeks to ensure that that election will be the last of that type in the 21st century.

Hereditary peers existed for hundreds of years, and through patronage, favours and who they knew, laws were made by an elite rather than by those who were accountable or elected. The House of Lords Act 1999 reduced the number of hereditary peers from more than 1,300 to 92, and that Act was introduced by the Labour Government to try to make the House of Lords more democratic and representative. The first stage of that was the removal of 92 hereditary peers as a “temporary” measure, but we are now 17 years on, and that temporary measure needs to be terminated. The lawmakers were retired, and although they were allowed to keep their title, their right to vote, speak and govern was lost for ever. However, 92 hereditary peers remain, and the question for our modern democracy concerns what legitimacy they have for the future.

Lord Fairfax of Cameron is a Conservative peer who sits in the Lords. His ancestor, Thomas Fairfax, was given a seat in the Lords because he was the first Englishman to travel to Scotland and swear allegiance to the new King James I. I happen to think that the ability to make laws should not be based on the skill of someone's ancestor in catching a coach to Edinburgh in the 17th century.

Another ridiculous example is the current Conservative peer Earl Attlee. It beggars belief to think that the first Earl Attlee—a Labour Prime Minister who implemented some of the most dramatic reforms in Britain's history—would have sat in the House of Lords and voted the same way as his grandson will today. The real Clement Attlee would not have voted to curtail trade union legislation or remove support for the most vulnerable in our society, yet through the hereditary principle his grandson today takes the Conservative Whip, thanks to a peerage granted to a Labour peer. To make matters worse, we have Ministers of the Crown who are hereditary peers. Viscount Younger of Leckie was an Under-Secretary of State for business and is now a Whip in the House of Lords. Lord de Mauley was Under-Secretary of State in the Department for Environment, Food and Rural Affairs.

That is simply not acceptable in the 21st century. My Bill seeks finally to remove those whose place in Parliament is by birth rather than by merit.

Why is that important? We need change in the House of Lords, but in this House we cannot agree on what that change should be. Surely, however, the abolition of the hereditary principle would be a move towards a more equitable Parliament, and a Chamber where people are not excluded because of their place of birth, or given a place in Parliament because of their parentage.

We all have our views on Lords reform, and we all take different positions. I have always voted for its total abolition, but others want a hybrid system, an appointed second Chamber, or a fully elected Senate. The key point is to make some change. If the method used in last week's election was used to elect a trade union general secretary, this Conservative Government would have cracked down on it years ago. If that were the method of electing a housing association board, this Government would have sold off the housing and abolished the board. If it were the method of electing a mayor or local council leader, the Government would have abolished that council or reformed its election system years ago. However, it is not—this is a forgotten election.

Let me give the Government another reason to act. The House of Commons will face dramatic change, and its Members will be reduced from 650 to 600. It is now time for the Lords to take their share. This Bill could mean a saving to the taxpayer. The expected annual saving from the boundary review could be £12.2 million in allowances and costs. It is important to keep fair political boundaries, but we must also have a proper elected Government because we are “all in this together”.

I have had a number of sponsors, but I particularly wish to thank those who I could not list, including my hon. Friends the Members for Bootle (Peter Dowd), for Bassetlaw (John Mann), for North Durham (Mr Jones), for Poplar and Limehouse (Jim Fitzpatrick), for Ealing, Southall (Mr Sharma), for Stockton North (Alex Cunningham), for Liverpool, Walton (Steve Rotherham), for Denton and Reddish (Andrew Gwynne), for Scunthorpe (Nic Dakin), for Brent North (Barry Gardiner), for Hyndburn (Graham Jones), for Worsley and Eccles South (Barbara Keeley), for Cardiff South and Penarth (Stephen Doughty), for Westminster North (Ms Buck), for Ealing North (Stephen Pound), for Caerphilly (Wayne David), for Ellesmere Port and Neston (Justin Madders), for Bolton South East (Yasmin Qureshi), for Sunderland Central (Julie Elliott), for Middlesbrough South and East Cleveland (Tom Blenkinsop), for Aberavon (Stephen Kinnock), for Bury South (Mr Lewis), for Walsall South (Valerie Vaz), and for Birmingham, Hall Green (Mr Godsiff).

Let us end this farce and ensure that we have an elected House of Commons, and not a House of Lords that is based on the hereditary principle.

Question put and agreed to.

Ordered,

That Mr David Hanson, Helen Jones, Debbie Abrahams, Diana Johnson, Jenny Chapman, Helen Hayes, Fiona Mactaggart, Dan Jarvis, Albert Owen, Ian C. Lucas, Mr David Anderson and Matthew Pennycook present the Bill.

Mr David Hanson accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 13 May, and to be printed (Bill 166).

**Policing and Crime Bill
(Programme) (No. 2)**

1.46 pm

The Minister for Policing, Fire, Criminal Justice and Victims (Mike Penning): I beg to move,

That the Order of 7 March 2016 (Policing and Crime Bill (Programme)) be varied as follows:

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

Table

Proceedings	Time for conclusion of proceedings
First day	
New clauses, new Schedules and amendments relating to Part 1, other than new clauses and new Schedules relating to the inspection of fire and rescue services.	Two hours after the commencement of proceedings on the motion for this order.
New clauses, new Schedules and amendments relating to Part 3; new clauses, new Schedules and amendments relating to firearms, knives and flares; new clauses, new Schedules and amendments relating to Part 7; new clauses, new Schedules and amendments relating to Part 8.	The moment of interruption.

Table

Proceedings	Time for conclusion of proceedings
Second day	
New clauses and new Schedules relating to the inspection of fire and rescue services; new clauses, new Schedules and amendments relating to Part 2; new clauses, new Schedules and amendments relating to Part 4.	Three hours after the commencement of proceedings on Consideration on the second day.
New clauses, new Schedules and amendments relating to Part 5; new clauses, new Schedules and amendments relating to Part 9; remaining new Clauses; remaining new Schedules; remaining proceedings on Consideration.	One hour before the moment of interruption.

(5) Proceedings in legislative grand committee and proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.

I have no intention of delaying the House for more than a few minutes. In Committee we had very sensible debates and we agreed on most parts of the Bill; where we disagreed, we did so in a fair way. I thought it important to ensure that we had plenty of time on Report to consider some of the measures that we did not have time to consider in Committee, so I have suggested two days on Report—hopefully the House will agree on that—before we come to Third Reading.

1.47 pm

Jack Dromey (Birmingham, Erdington) (Lab): I will be brief. We will soon come to the substantive issues, but the Opposition agree with the proposed procedure. We have agreed what measures should be considered today, and on the second day—that will now be on a carry-over Bill, following the Queen’s Speech—we will return to the further issues as outlined. The amendments are clear today, and we want to focus particularly on the proposals on fire and volunteers.

Question put and agreed to.

Policing and Crime Bill

Consideration of Bill, as amended in the Public Bill Committee

[1ST ALLOCATED DAY]

New Clause 20

STATUTORY DUTY ON FLOODING

‘The Fire and Rescue Services in England shall make provision to lead and co-ordinate the emergency service response to—

- (a) rescuing people trapped, or likely to become trapped, by water; and
- (b) protecting them from serious harm, in the event of serious flooding in its area.”—(*Lyn Brown*.)

This new clause would make the Fire and Rescue Service in England statutorily responsible for leading the emergency services response to flooding

Brought up, and read the First time.

1.48 pm

Lyn Brown (West Ham) (Lab): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Mrs Eleanor Laing): With this it will be convenient to discuss the following:

Amendment 21, in clause 2, page 3, line 14, at end insert—

‘(8) For the purposes of this Bill, when considering whether a collaboration agreement would improve the effectiveness and efficiency of one or more emergency services that shall include the effectiveness and efficiency with which the emergency service is able to meet its duties under the mental health care concordant.”

This amendment would explicitly enable a collaboration agreement to cover duties placed on emergency services by the mental health care concordant.

Amendment 3, page 6, line 3, leave out clause 6.

This amendment, along with amendment 4, would prevent Police and Crime Commissioners from taking over the functions of Fire and Rescue Authorities.

Amendment 5, page 11, line 1, leave out clause 8.

This amendment would prevent combined authority mayors from combining their fire and rescue service and police force under a single employer.

Amendment 4, page 144, line 2, leave out schedule 1.

This amendment, along with amendment 3, would prevent Police and Crime Commissioners from taking over the functions of Fire and Rescue Authorities.

Amendment 2, in schedule 1, page 145, line 16, at end insert—

“4AA Power to change title of police and crime commissioner

(1) This section applies if the Secretary of State makes an order under section 4A.

(2) The Secretary of State may by regulations made by statutory instrument change the title of a police and crime commissioner appointed as a fire and rescue authority.”

This would enable the Secretary of State to change the name of police and crime commissioners to reflect their new additional responsibility for the fire service. The Secretary of State would have the power to make such a direction in secondary legislation at some point in the future.

Amendment 20, page 145, line 16, at end insert—

‘(7) No order can be made under this section until the Secretary of State has conducted a review assessing the funding required by the fire and rescue service to secure the minimum level of cover needed to secure public safety and maintain fire resilience.

(8) The review carried out under section (7) must assess the impact of the level of cover on—

- (a) fire related fatalities;
- (b) non-fatal fire related casualties;
- (c) the number of dwelling fires and other fires;
- (d) the number of incidents responded to, and
- (e) the strength and speed of response to incidents.”

This amendment would require the Home Secretary to conduct a review on the level of funding the FRS requires in order to secure public safety before she may make allows police and crime commissioner to be a fire and rescue authority.

Amendment 6, page 157, line 33, at end insert—

‘(4) An order under section 4A, whether modified or not by the Secretary of State, may only be made with either: consent of all of the relevant local authorities and relevant fire and rescue authority, or a majority vote by local people through referendum.”

This amendment would ensure that a PCC can only take over a Fire and Rescue Service with the approval of local people or their local representatives.

Lyn Brown: I am delighted to see you in the Chair, Madam Deputy Speaker.

We oppose the Government’s proposals to allow police and crime commissioners to take over fire and rescue services, and amendments 3, 4 and 5 would delete the provisions in the Bill that would enable them to do so. We have also tabled amendments to mitigate the risks if the Government’s proposals are enacted.

Amendment 6 would ensure that a PCC could take over a fire and rescue service only with local support expressed either by elected councillors, with the unanimous agreement of all the local authorities affected, or directly through a referendum. Amendment 20 would require the Home Secretary to review the level of funding the fire service needed to secure public safety. New clause 20 would give fire services in England a statutory responsibility to deal with flooding. The Minister said in Committee that he was minded to consider that particular provision. He has not jumped to his feet to say he wants to take it as a Government new clause, but I live in hope.

When the Minister responds, I hope he will set out what benefits he believes PCCs will bring to the fire and rescue service. What skills and expertise do they have that our fire and rescue authorities do not? How will they help the fire service to cope with the new challenges it faces when dealing with major incidents such as flooding and terrorist attacks? What indication is there that the governance of the fire service is broken or substandard and needs replacing? The Government have not even begun to answer these questions or to make a case for the reforms.

Jake Berry (Rossendale and Darwen) (Con): Does the hon. Lady agree that the reason that the governance of the fire service needs to be changed is that very few of our constituents would know the name of every person on the local authority fire panel? Given her involvement with the Bill, could she herself name every person on her local authority fire panel?

Lyn Brown: My fire service is provided through the Greater London Authority, and I know that should I want to talk to anybody about London's fire service, I could talk to those elected GLA Members—and I do know their names—or to the Mayor. When people in my local authority want to have an impact on a local service, they tend to approach their local councillors, which I think is not a bad route, but the reforms would change that. People would not be able to go to their town hall to talk about services that have an impact on them. *[Interruption.]* The hon. Member for Kingston and Surbiton (James Berry) heckles me gently in a low voice and says, "They would be elected." I know that Newham might be unusual but its councillors are elected too, and certainly the councillors at the GLA are elected.

James Berry (Kingston and Surbiton) (Con): But they are not elected to a specific responsibility, as PCCs are. People who vote for PCCs know they can hold them to account specifically for policing, and that will now be extended to the fire service.

Lyn Brown: I say gently to the hon. Gentleman that the turnout last time for PCC elections was dismal. I hope it will be significantly better this time, but when I was on the doorsteps last year, in parts of the country other than my own little patch in London I did not find that people knew who their PCC was. I say gently to him that our constituents do not know that when they go to the polls next week they will be electing a PCC who might be taking over their fire service. The Bill will not have been enacted by then.

I think that the timing and, as I will explain, the way we have done this has been wrong. The consultation preceding the Bill did not seek the views of experts and specialists on the substance of the proposals. It set out how a PCC could assume control of a fire and rescue service and then asked consultees what they thought of the process. It did not ask them what they thought of the proposals themselves, and it did not ask whether the proposals would increase public safety or lead to better governance.

It is not in the impact assessment—that very thin impact assessment, which I am sure that the Members who sat on the Bill Committee will have read—but the Knight review of the future of the fire service recommended that PCC takeovers be attempted only if a rigorous pilot could identify tangible and "clearly set out benefits". The Government chose to ignore this key recommendation and are instead proceeding before any evidence has been gathered about the likely benefits, costs and threats to the plan. It is utterly reckless. The impact assessment is threadbare. The only rationale offered for this intervention is the Government's belief that there needs to be greater collaboration between emergency services. No one thinks otherwise, but the Government have not provided any justification of why it is more likely to occur under PCCs or any analysis of the current barriers to collaboration. It is policy without evidence or clear rationale.

Kate Hoey (Vauxhall) (Lab): I agree with everything my hon. Friend is saying. She knows—and surely the Government know—how much co-operation already goes on. It does not have to be prescribed in this top-down way; it works organically and it works really well.

Lyn Brown: My hon. Friend is absolutely right. There is really good collaboration now between all parts of our public services—between fire and police, fire and ambulance, and fire, ambulance and police—and I understand the Government's wanting to move that agenda further and encourage more collaboration, but this bit of the Bill does not do it. As I will explain, I believe it will in fact deter some boundary and border merges, which would be a massive problem.

The Government's cavalier approach to this public service upheaval is completely indefensible, given the significant risks that the proposals represent to the fire and rescue service. PCCs are still a nascent institution. The Home Affairs Select Committee has said:

"It is too early to say whether the introduction of police and crime commissioners has been a success."

We do not know whether they have succeeded in their core duties, so why are the Government proposing to expand their portfolios by giving them control of the fire service too? I think the Government want to bolster their powers and budgets of PCCs to help them through their difficult inception and that the proposals are a step towards PCCs becoming mini mayors. A vital public service, such as fire, should not be pawned off to save struggling Whitehall inventions or to overturn a public vote against the creation of a mayor. Unlike mayors in combined authorities, the PCCs will be completely free from the democratic scrutiny provided by local government, and the creation of the extended office will not have been approved by local people.

The most serious risk, however, is that fire, with its much smaller budgets and less media attention than policing, will become an unloved, secondary concern of its new management—a Cinderella service. I have raised this point repeatedly with the Minister in Committee and in other debates, but he has not indicated what he might do to mitigate the risk. I am not the only one who thinks this: Peter Murphy, the director of public policy research at Nottingham Business School, has argued that if the fire service were to slip into the status of a Cinderella service, it would only repeat what happened the last time fire had to share an agenda with policing. I will quote him in full, because it gets to the heart of the matter:

"If the proposals are implemented, there is a very strong chance that the fire and rescue services would go back to the 'benign neglect' that characterised the service from 1974 to 2001 when the Home Office was last responsible for fire services. Police, civil disobedience, immigration and criminal justice dominated the Home Office agenda, as well as its time and resources. If the fire service becomes the lesser partner in a merged service, the long-term implications will include smaller fire crews with fewer appliances and older equipment arriving at incidents. Prevention and protection work, already significantly falling"—

he is so right about that—

"will result in fewer school visits and fire alarm checks for the elderly".

What a chilling vision for the future of our fire service!

2 pm

Catherine West (Hornsey and Wood Green) (Lab): My hon. Friend is making some excellent points. Does she agree that this proposal, combined with the 17% cut that we have already seen in the service across the country, could lead to a risky situation, particularly for many vulnerable households?

Lyn Brown: My hon. Friend is absolutely right about that, and I shall return to the point a little later in my speech.

The Minister for Policing, Fire, Criminal Justice and Victims (Mike Penning): I listened carefully to the quotations, and I would be chilled if any part of what was said were factually true. If there were an attempt to combine the emergency services, fire and police, we would have moved to one funding stream. I categorically ruled that out, so this sort of scaremongering—not from the shadow Minister but from others—is flawed. There is a separate funding stream in the precept for the police. The only bit that is going to be amalgamated, should the PCCs be like the Metro Mayors in this respect, would relate to the back office and the administrative side.

Lyn Brown: But should a PCC take over the fire service, we would have a person in charge whose main attention was on policing and all that policing involved. The media focus much more on policing than they do on the fire service. The fire service will be secondary. Although the Minister rightly says—I do not doubt him—that the two funding streams will be different, I do not know how long that will last, and in truth, neither does he, because things move on. We had police and crime commissioners under the last Government; this Government are now proposing police, crime and fire commissioners. What will happen in a couple of years' time? I do not know. There might be accounting efficiencies in order to save costs, and the budgets might well be merged. I do not think that these proposals make any sense.

A further risk is that these proposals will make mergers of fire services more difficult, which would be a real setback, as inter-fire mergers increase resilience and achieve significant savings. The 2007 merger of the Devon and Somerset fire services was supposed to deliver £3 million of savings in the first five years. It actually bettered that target by £600,000.

The Minister will know that Martyn Underhill, the Independent PCC for Dorset—I am trying to keep this politically neutral—has said that he has no interest in running the fire service. Why? It is because Dorset and Wiltshire fire service has undergone a merger that proposes to bring significant savings and increase the resilience in that area. He does not want to interfere with the process, and he is really wary about his office having responsibility for Wiltshire. I admire this decision, made by Commissioner Underhill, but how many potential mergers of fire services will not even be considered as a result of PCC takeovers and the need for coterminosity? I remind the Minister that until a few months ago, this Government trumpeted mergers as a key to the future of the fire service; yet they are now, sadly, going to slip off the agenda.

I know that the Minister has little sympathy with the particular argument I am about to make, but I am a brave soul. A large proportion of the work carried out by the fire service is preventive. There is a danger that these proposals will make this preventive work a little more difficult. It is a humanitarian service. We need to be honest: the police service is not a humanitarian service. The two services are seen differently by some communities, and these proposals could make the fire service's preventive work more difficult.

There are some people who would not welcome a policeman into their home without a warrant. Police officers turning up at the door can be a scary experience. Firefighters go into people's homes and work spaces, and check that smoke alarms and electrical appliances are safe. They fit sprinklers and even look for worrying signs that might concern other services, such as the NHS and council care services. This preventive work is not an add-on to the fire service's work; it is at the core of what it does—keeping people safe, so that they do not have to be rescued further down the line.

Mike Penning: I do not quite understand—perhaps I do, but I do not think it is fair—why the shadow Minister is conflating operational work that the police do with operational work that the fire service does. Of course, a lot of work is done together, particularly at road traffic collisions, but there is nothing in the Bill that would conflate the two in the way that the shadow Minister suggests.

Lyn Brown: First, they will not be equal partners, because we are talking about a big service and a small service. Secondly, in the minds of some of our communities, the police and the fire service will become one and the same. They will have one boss, and there will be an anxiety that someone coming through the door to fix a smoke alarm might have a different agenda.

Mike Penning: The hon. Lady's constituency is in London, where there is a Mayor, and the mayoral system will take over fire. Is there the same concern in London and in Manchester? Actually, the Labour candidate in Manchester wants the powers as a Metro Mayor.

Lyn Brown: In London, the service is run by a Mayor and elected councillors. It is not run by an individual whose other job is to be the police commissioner. I think there is a difference, and I believe that our communities will think there is a difference. We cannot prescribe how people think and what they worry about, but this concern has been raised with me.

James Berry: Does the hon. Lady not accept that her comments could be interpreted by the police as quite insulting? They do a lot of preventive and humanitarian work. As she knows, the hon. Lady's submission comes right out of the Fire Brigades Union's consultation document, which I also thought was quite insulting to the great work that our police officers do in the very areas that she highlighted.

Lyn Brown: The police I meet on my doorsteps and streets are dead pragmatic souls. They understand the sensitivities that some communities have: they treat some of my refugee communities with extraordinary sensitivity to overcome the natural barrier that is there. What I am saying to the hon. Gentleman is that there is a natural barrier. That is no slur on our police force; our police force are an enforcement agency, and not really a humanitarian service. The police are there to implement the law. Let us move on.

The Minister is not passing over a service that does not have some difficulties. The fire and rescue service has been subject to a cumulative cash cut of £236 million or 12.5% since 2010—and, of course, there is more to

come. *[Interruption.]* Is the Government Whip trying to engage me? Does he want to intervene? It seems not. I just thought I would give him a chance.

Mike Penning: I believe that what one of my colleagues was trying to say from a sedentary position is that we should not wash over the debacle and the huge costs of the regional fire control centres that the previous Labour Administration forced on the fire service. *[Interruption.]*

Lyn Brown: Is that right? When I was a Whip, I was taught that I should be seen and not heard. I am sure that the hon. Member for North East Cambridgeshire (Stephen Barclay) did not want to intervene on me at all. The issue of regional fire control centres has been well thrashed out in this Chamber. There were a myriad reasons why they did not work, and I accept that they did not.

Let us return to what the Government have been doing. Here we are in 2016, and it feels as though they have been here forever. The fire and rescue service has been subject to a cumulative cash cut of £236 million, or 12.5%, since 2010, and, of course, there is more to come. We know from the local government funding settlement that fire and rescue services are expected to cut spending by a further £135 million by the end of the Parliament. A stretched service will be squeezed even further.

As a result of these cuts, 7,600 firefighters have already been lost, and the Government have repeatedly ignored warnings that the cuts may be putting services at risk. Their proposals will not protect a single firefighter's job, or put a single firefighter back in service. I have been told by fire chiefs that their services will "not be viable" under the Government's proposed spending plans, and I am sure that they have told the Minister exactly the same thing.

The National Audit Office has calculated that there was a 30% reduction in the amount of time spent on home fire checks and audits over the last Parliament. That is a huge reduction. The NAO has said that the Government have "no idea" of the impact of that on public safety. It has also said that, as the Government refuse to model the risk of cuts, they may only know that a service has been cut too long after the fact—that is, after public safety and the lives of the public have been put at risk.

I was not surprised, although I was dismayed, by the latest English fire statistics, which cover the period between April and September 2015. They show that there were 139 fire-related fatalities during that time, 31 more than occurred during the same period in 2014. There were 1,685 non-fatal fire casualties that resulted in hospital treatment, a 10% increase on 2014. Fire and rescue services attended about 93,200 fires, 7% more than in 2014.

The Government have cut the fire service, cut firefighters, and overseen a massive reduction in the amount of preventive work undertaken. I know that we are talking about a spike over just a couple of quarters, but there are statistical signs that the service may be feeling the awful effects of the cuts that have been made. So what do the Government do? Do they stop the cuts while they undertake a proper risk assessment? Do they begin to develop minimum standards for the number of stations and firefighters, and for preventive work? No.

The Government want to pass on the responsibility to police and crime commissioners, who have had to deal with similar cuts in police budgets, and who have lost 12,000 front-line police officers. They are not even assessing the level of funding that PCCs would need to maintain resilience and keep the public safe.

This is a good line. By passing the buck without the bucks, the Government could be asking PCCs, who will be new to the fire service and its complexity, to undertake further potentially dangerous cuts. The PCCs will not know what the risks are, because the Government refuse to model them. That is why we tabled amendment 20, which would require the Home Secretary to carry out an assessment of the level of funding that fire services need to keep the public safe.

Our fire and rescue authorities are trusted experts on the fire service. The councillors who serve on them often have years of experience, and have gained a genuinely deep knowledge and judgment from overseeing the strategic direction of fire services in their areas. Given the trust and respect that local fire authorities have, allowing PCCs to take over a fire and rescue service without their support poses the clear risk that employees, and the public, will perceive newly empowered PCCs as an unwelcome central imposition. Our amendment 6 would ensure that a PCC who does take over a fire and rescue service can do so only with the approval of the locally elected representatives on the relevant councils, or, alternatively, of local people through a referendum.

2.15 pm

The Government are presenting their "reforms" as part of a "localist" agenda, but what sort of localism allows the Secretary of State to impose her will against local objections? I guess it is the same sort of localism that is driving the forced academisation of schools. It is a localism that portrays an utter distrust of, and contempt for, local government and elected councillors. If the Government do not trust local authorities—and it seems clear that they do not—perhaps they will be pleased that our amendment allows the decision to go directly to the people via a referendum. I presume that they do trust the electorate.

Jake Berry: The hon. Lady has raised the interesting issue of a local referendum. I wonder whether she can tell the House—so that we can consider her amendment properly—what the cost of such a referendum would be for each fire and rescue authority, and also who would pay. She has expressed concern about the removal of budgets from fire and rescue authorities. Perhaps if they were the ones who paid, more firefighters would be removed from the front line.

Lyn Brown: The referendum would take place on the same day as any local council election. We would not want an election to be prohibited by costs. As for where the costs should lie, I think that they should lie with the Government, because, after all, it is they who have proposed these changes. If the hon. Gentleman wants someone else to pay, perhaps it should be the Government's arm, the PCCs. As he has rightly pointed out, their budgets are larger than those of any fire authority.

Jake Berry: First, will the hon. Lady tell us what her amendment would do, and who would pay for it? Secondly, will she tell us what estimate she has made of the cost?

Lyn Brown: One of the joys of being in opposition is that we have to do our own work ourselves; we do not have a phalanx of willing employees to do it for us. Once the House had passed the amendment, I would need to rely on the Government and their civil servants to help us to work out the cost. If the cost became prohibitive, I could suggest that the Government drop this silly idea altogether, and save loads of money.

James Cleverly (Braintree) (Con): I have sat patiently while, on a number of occasions, the hon. Lady has referred to elected councillors being elected to fire authorities. Can she clarify, for the edification of the House and the public, that no elected councillors are elected to the fire authority in London—which covers her constituency—or, indeed, to the vast majority of fire authorities in the country?

Lyn Brown: I wonder what kind of interaction Conservative Members have with their local councillors, but I can only imagine that it ain't good, because every time I raise this issue, anxiety is expressed about the genuine nature of locally elected members.

I can only say that I have a much better relationship not only with Newham councillors, but with GLA councillors. They are elected. They face the electorate. They are elected to a body which then places them on another body that is responsible for fire, just as they are given responsibilities for social services, education, leisure services, and so forth. It is the same process. I support democracy and I support my democratically elected councillors, who are doing a jolly good job in very difficult times to keep services going. Conservative Members should not denigrate their local councillors quite so much.

James Cleverly: I assume that this is entirely my mistake; I probably did not make my question clear enough, and I take full responsibility for that. I will have another crack at this. Can the hon. Lady name any local councillor or London Assembly member who has been elected by the people of Newham to sit on the fire authority?

Lyn Brown: In London, as the hon. Gentleman knows, the people of Newham elect a GLA councillor and the GLA councillors then determine which parts of the work they will undertake for the GLA. I do not see that that is a problem. The same thing happens in Newham. When we elect 60 Labour councillors—and zero councillors from any other party—we then give them jobs looking after social services, education, recreation and so on. I can tell the hon. Gentleman the name of the councillor who has the fire remit in my council. He is Councillor Bryan Collier and he is a wonderful bloke. He has been doing the job for decades and he has lots of knowledge.

Mike Wood (Dudley South) (Con): Speaking as someone who was a councillor until this time last month, I bow to no one in my appreciation of the importance of local government. However, the shadow Minister demonstrates a strange understanding of democracy given that she seems to prefer the patronage of local council group leaders to the direct mandate involved in being elected on to a body by voters.

Lyn Brown: I am bemused by the contempt that Conservative Members are showing for local councils. I hope for the hon. Gentleman's own sake that he does not have a Tory-led local authority waiting for him when he goes back home on Thursday. Frankly, if I were a member of his council, I would be sitting on his doorstep waiting to have a word, because that is really not on. *[Interruption.]* Oh, really? That is such a shock! The chuntering from the Government Back Benches is outrageous. I don't even know where I got to in my speech.

If the Government do not trust local authorities—and it seems clear that they do not—perhaps they will be pleased to accept our amendment, which would allow the decision on whether to place PCCs in control of fire services to go directly to the electorate. The Government's reforms are fundamentally about the transfer of power from the collective democratic representation of local councils to a single individual, and the creation of mini mayors across England. The Minister knows this to be true, and he knows there is no democratic mandate for it—none at all. If he accepted our amendments, he could right that wrong and ensure that each local community could decide for itself what was in the best interests of its fire and rescue service. That would be a real localism agenda.

New clause 20 would give fire services in England a statutory responsibility to deal with flooding, as is already the case for their Scottish and Northern Irish counterparts. In December, much of the north of England was devastated by flooding. Many homes were flooded, bridges connecting communities were washed away, major roads were blocked and, in Lancaster, a sub-station was flooded leaving tens of thousands of homes without power. In December alone, firefighters responded to more than 1,400 flood incidents across the north-west, and on Boxing day, 1,000 people were rescued in Greater Manchester. The work of our firefighters was brilliant during those difficult days. I am sure that Members on both sides of the House would agree on that, if on nothing else.

However, fire services have expressed concern that they were not properly equipped to deal with that situation and that they lacked basic kit such as boats and dry suits. Frankly, that is not good enough. I believe that this stems from the fact that it is unclear who holds the primary responsibility for responding to floods.

When flooding is not formally the responsibility of any service, it will not be given the priority it deserves in budgeting and planning. If we are going to continue to ask fire services to deal with major incidents such as flooding, we should say so in this place so that proper provision can be made and they can prepare comprehensively for incidents. Stories of volunteers and the Army mucking in might be heart-warming, but that is simply no substitute for a properly organised and funded rescue service.

Before I finish, I would like to touch on the issue of privatisation. The Minister gave us categorical assurances that there would be no changes or movement in that regard, and that is why we have tabled no amendments on privatisation. I am going to hold the Minister to his word, but I am sure that those in the other place will

want to do a bit of digging to ensure that I am right and he is right, and that there can be no privatisation of our fire services under this legislation.

Amanda Milling (Cannock Chase) (Con): I would like to speak to amendment 2, which is in my name and those of several right hon. and hon. Members across the House. Part 1 of the Bill sets out the measures to encourage greater collaboration between emergency services, a topic that I have spoken about several times in the House. Clauses 6 and 7 will give police and crime commissioners the opportunity to extend their responsibilities to include fire and rescue services. I have been calling for that extension for some time now, and I secured a Westminster Hall debate on the topic last year. As I said on Second Reading, I welcome the inclusion of those clauses in the Bill.

The introduction of police and crime commissioners in 2012 created greater transparency and democratic accountability in policing, with PCCs replacing unelected and unaccountable police authorities. Extending the responsibilities of PCCs to include fire and rescue authorities will mirror those benefits. As we have been hearing, fire and rescue authorities are made up of elected councillors, but they are not directly accountable to the public for those specific roles, as they are appointed to those positions. As I have said before, that is very different from, and should not be confused with, democratic accountability.

The introduction of directly elected PCCs means that the public can scrutinise their performance, precept and priorities, and exercise their approval—or, indeed, disapproval—at the ballot box. The public will get their chance to decide on the performance of the first tranche of PCCs in a couple of weeks' time, on 5 May. It is absolutely right that the guardianship of the fire and rescue services should also be directly accountable to the public, and given the synergies between the two services, it is logical that PCCs should take on that responsibility, too.

James Cleverly: Does my hon. Friend agree that, far from overlooking the attributes of our firefighters, it would be an advantage to local communities if highly trusted, experienced firefighters were given the opportunity to extend their preventive remit to areas such as crime prevention advice as well as fire prevention advice?

Amanda Milling: I thank my hon. Friend for his intervention. This is about collaboration, and prevention extends across our emergency services.

Amendment 2 is designed to provide the public with greater clarification on the role of the police and crime commissioner. If a PCC does take on the responsibility for fire and rescue services, it is important that the public are clear that the individual is responsible for both the police service and the fire and rescue service. I have called for the title change in the House before, and it will help to address some concerns raised on Second Reading, in Committee and earlier that the change represents a police takeover.

2.30 pm

The services will remain operationally distinct under the legislation and the precepts will be distinct, too. To be clear, there is no suggestion that police officers will

be fighting fires or that firefighters will be arresting criminals. The legislation simply reforms the governance of the two services and ensures that one democratically accountable individual has responsibility for them both. Although the Bill is designed to be flexible and does not mandate PCCs to take on responsibility for fire and rescue services, which will happen only when a case is made locally, there is a need to ensure that the new title is nationally recognised. That is why amendment 2 would give the Secretary of State the power to make the title change in secondary legislation at some future point.

The danger of leaving the decision in the hands of the PCCs who have taken on extended responsibilities is that we could find a patchwork of different titles being used across the country, which would create real confusion for the public at future elections. To continue to increase the profile of these nationwide roles and the elections, we need to ensure clarity in the title. The amendment does not state what the title should be, leaving that decision in the hands of the Secretary of State. Many different titles could be used—I have mentioned several in previous debates—but I am sure that the Secretary of State would want to consult to ensure that the title is appropriate, clear and not misleading in any way. That would also give various organisations and individuals the opportunity to make their representations.

The amendment is meant to be probing and might not be made to the Bill at this stage, but when the Minister comes to the Dispatch Box, it would be helpful if he could provide clarity about the discussions he has had with the Department regarding the title change and about his views and intentions as the Bill continues to progress through the House.

Kate Hoey: I rise to support new clause 20 in particular. I declare an interest as chair of the Fire Brigades Union parliamentary group. Giving fire and rescue services a statutory responsibility for leading the emergency services in response to flooding is something on which we have had meeting after meeting over the years with Department for Environment, Food and Rural Affairs Ministers, who have all said that they supported it, and with Ministers from different Departments. It goes so far, but then it stops. There is clearly a Treasury argument here somewhere, but I feel strongly about the matter. There has been an increase in floods over recent years, and we have seen how our fire and rescue services have responded. What is happening seems wrong when we rely on them.

Let us look at the data from last year. Thirty-four fire and rescue services provided assistance in the worst-affected areas. Data collected by the FBU, which does a good job in getting it, from individual fire and rescue services found that firefighters responded to at least 1,400 flood incidents across north-west England and 450 incidents in Yorkshire. As we saw on our television screens, with politicians lining up to thank them and say how brave they had been and how wonderful they were, firefighters rescued people from a wide range of hazardous situations, evacuating people in advance of coming floods and making various other emergency interventions. It seems strange that we give our firefighters great praise for doing something that we and local people automatically expect them to do, yet we do not make their leading of the emergency services a statutory responsibility. I can

[Kate Hoey]

only assume that the Government do not want to spend what might be some extra resources on ensuring that firemen and firewomen and all the rescue services are properly equipped.

We have seen terrible examples of when firemen and women have not had the right safety or protective equipment and have had to do things without the correct clothing, with things running out in some areas. They still did those things, but that is wrong and I genuinely do not understand the situation. I am sure that the Minister supported the proposal at one time. Many Ministers have supported it, but when they get into a position in which they actually have to make the decision or are allowed to get involved in it, they seem to change their mind. I hope the Minister will respond to that and that we will get the opportunity to support the change in a vote today.

I now turn briefly to the other issues. I share the position of the shadow Front-Bench team on police and crime commissioners. There is no public appetite for change. Wherever I have been around the country, no one has been clamouring for reform of how we govern our fire services or for any responsibility to be transferred to PCCs. I have not heard any evidence today—we may hear it from the Minister, but I doubt it—that there is a problem with the current governance arrangements. No one has convinced me that the change would deliver an emergency service that is more economic, efficient and effective or would help to improve public safety. We all want co-ordination, and I welcome that co-operation and co-ordination have gone further in some parts of the country than in others. As my hon. Friend the Member for West Ham (Lyn Brown) said from the Front Bench, we want to see more of that, but we do not need to bring it in this top-down, totally anti-democratic way.

I am not at all ashamed to say that I believe that firefighters and police officers perform different roles. That does not mean that we do not value equally the roles of both, but they perform different roles and have different remits. A police officer is seen as a legal person and someone who is there to uphold the law. A fireman or firewoman, or anyone involved in the rescue services, is seen very differently. Having a single employer will begin to confuse that in the public mind. The preventive work that firefighters do and the way that they are trusted, implicitly and completely, by the public could well be jeopardised if the changes go through.

The Bill and this change would do nothing at all to invest in fire and rescue services' resources. I have already mentioned the work that goes into responding to large-scale flooding incidents and providing emergency medical response. The Government should focus on putting extra resources into initiatives that will actually lead to the changes and to co-ordination.

Mr Jim Cunningham (Coventry South) (Lab): I am sure that my hon. Friend would agree that this is frankly more about saving money than improving the service. She probably noticed that the burden has been shifted on to local authorities, with the 2% increase. Eventually, the entire burden for fire and police will be shifted on to local authorities. Then we will have a situation of profligate spending—we have been here before—and local authorities will get capped.

Kate Hoey: Absolutely; there is no doubt this is a cost-cutting exercise. I accept that these days everybody has to have constraints on the public purse, as far as is possible, but there are ways of doing that and this bureaucratic way seems to have been brought in by people who have had the idea for a long time and now have seen an opportunity to push it forward. The Government should not be pursuing these almost ideological ways of trying to save money. They should be looking at ways of improving our emergency services and ensuring that they co-ordinate well together. It would be wrong to transfer this responsibility to a PCC. We have a valuable, popular fire service that has the confidence of the public, and we should be very wary of making those changes, which I think will have a really detrimental effect on not only how the public see the service, but on its effectiveness out there in the country. I hope we will be able to make some changes to this proposal and that when Members get the opportunity they will vote to put a stop to something that is very wrong indeed.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): I call James Cleverly.

James Cleverly: I am obliged to you for calling me, Madam Deputy Speaker, although I apologise if I leapt to my feet rather more quickly than colleagues had anticipated. I am keen to speak in this debate, having served on the Bill Committee and, for a number of years, as chair of the London Fire and Emergency Planning Authority. I feel that I speak with a fair degree of authority on the implications of different governance models, because the LFEPA had to go through the process of making substantial changes to the London fire brigade and I saw at first hand the widespread misunderstanding of the governance arrangements, both of the London fire brigade, through the London fire authority and to the Mayor, and more widely and nationally.

I like clarity; it is a cornerstone of democracy that people can follow the golden thread from the decisions they make at the ballot box, through to the people who make the decisions about the provision of their public services and, ultimately, on to the delivery of those services. This is important, because when things go right in the delivery of those services, people should know who to reward at the ballot box. Perhaps more importantly, if things do not go well, voters should know who they can punish at the ballot box. That is a cornerstone of the democratic model, to which I am sure we all subscribe.

Previously, when we had police authorities, there was a break in that golden thread, because people did not know who ran their police force. They were probably aware of where the police headquarters were, although I am being generous when I say that. I suspect that in many parts of the country people might have had a vague idea that the police headquarters would be in the big town—the county town. People in my constituency are aware that the police headquarters were in Chelmsford, but I would be surprised if many were able to name their chief constable and absolutely amazed if any were able to name the local councillors who sat on the police authority.

Catherine West: I agree with the hon. Gentleman, in that my mailbox is full of matters such as housing. However, the mail on policing and fire is more about anxiety at the level of cuts since 2010. I would like a reassurance that all this meddling on governance is not going to lead to further service reductions in terms of our crucial bobbies on the beat, firefighters who turn up on time and all the rest of the expectations that the community rightly has of our emergency services.

James Cleverly: I intend to deal a little later in my speech with some of the financial benefits that come with greater collaboration and co-working in the back office. If the hon. Lady will bear with me, I will return to that point.

2.45 pm

Jake Berry: I wish to bring my hon. Friend back to his point about how people may know the name of their chief constable but would not know who was on their former police authority. Does he agree that one real benefit of a PCC is that people will know not only the name of their chief constable, but also of their PCC? In addition, they will be involved in setting the priorities for policing in their own area. In the forthcoming PCC elections in Lancashire, one of our top priorities, which we are out there campaigning on—with success, we hope—is tackling rural crime, which is hugely important to the towns and villages around Rossendale and Darwen. The PCC election has given us the opportunity to say, “Tackle cybercrime and speeding, but also prioritise rural crime” and, thus, get people really involved with their own policing.

James Cleverly: My hon. Friend raises an important point, which goes to the heart of the fundamental change in the relationship between people in the local community and the police force that represents it. It gives those people an opportunity periodically—once every four years, or indeed sooner—to hold PCCs to account. We have seen an example of where the priorities and the actions of a PCC have fallen below the level of legitimate expectation. That person was then forced to stand down and a PCC by-election took place, which really focused the minds of the people in South Yorkshire about what the role of their PCC should be. That requirement for PCCs to hold themselves to account before the electors goes to the heart of the success of the PCC model, and it is important to expand that success to the fire and rescue service.

Antoinette Sandbach (Eddisbury) (Con): The hon. Member for Hornsey and Wood Green (Catherine West) spoke about cuts, but Cheshire's PCC has been very successful at putting more officers on to the frontline. He is collaborating with his local fire and rescue service, and there will be co-location in the police headquarters in Winsford. That is an example of where co-operation is delivering more for less very effectively, and in a way that is protecting people in Cheshire, particularly in my constituency.

James Cleverly: I thank my hon. Friend for making that point, which reinforces one of my beliefs. We hear a lot of talk in this Chamber about what people want, but

all the evidence I have received, including from the extensive research carried out during the changes we made to the London fire brigade in my former role as the chair of the LFEPA, shows that what people really want is certainty. That goes to a point Opposition Members have made about people having quality public provision when they need it, where they need it. We should subordinate structures to the delivery of that agenda. I also believe that the changes proposed by the Government go a long way towards protecting those structures.

Julian Knight (Solihull) (Con): Does my hon. Friend share my incredulity at the Labour party's talk about cuts, given that, if I am not mistaken, it was the shadow Home Secretary, the right hon. Member for Leigh (Andy Burnham), who went on the record calling for 10% cuts in the police budget? Perhaps my hon. Friend will reflect on that for a moment—

Lyn Brown: Rubbish!

Julian Knight: It is on the record.

James Cleverly: My view is that we judge people by what they say. I know that there will be indignation from Labour Members, but as we have seen when the Labour party was in government the quality of the delivery of public services is not always totally interwoven with the budgets allocated to them. Indeed, there are massive opportunities to get more for less, and surely that should be the acme of performance.

Lyn Brown: May I say to the hon. Member for Solihull (Julian Knight), who has just taken his place in this Chamber, that, frankly, this has been a better debate than that? His unreasonable slur on the Opposition is about our stance on the police services rather than on the fire services. It would be really good if he read the Whips' report more carefully before he intervenes next time.

May I say to the hon. Member for Braintree (James Cleverly), to whom I have been listening, that his points are interesting and have some validity, but London is rather different from areas outside London? Over decades, London has got used to having a single seat of government—even though there was an interregnum when the Greater London Council was disbanded. The reality is that when our constituents do not know where to go to complain about a service or to bring up an issue, they end up at the door of our town halls. It does not matter whether we are talking about Newham or Newcastle, that is where they go.

Madam Deputy Speaker (Mrs Eleanor Laing): Just before we proceed, may I say with great respect to the hon. Lady that, although she has many points to make which the House should hear, interventions must be short.

James Cleverly: London's exceptionalism is often held up as the reason why things that happen in London cannot possibly happen elsewhere. I have to say that, having served in office both in London and in Essex, I do not subscribe to that view. There are many things that national Government can learn from what a Conservative administration has done in London. I will

[James Cleverly]

go even further and say that London could learn plenty of things from other parts of the country, including from my wonderful county of Essex.

Mr Jim Cunningham: The hon. Gentleman is making some interesting arguments, but the problem that we have in the west midlands—if we leave the Mayor and his authority to one side—is the frequency of change in the local superintendents. They change and the public do not really get to know them. In the past, before the Layfield report and the major reorganisations of the 1970s, people were able to identify who was in charge of the local police force and knew exactly who to go to. That is the problem that we have in the west midlands.

James Cleverly: That is a fair point. I have had a number of people talk to me about the speed with which police officers move through posts, so I do not disagree with the hon. Gentleman.

Let me drag myself kicking and screaming back to the point that I was trying to make, because I have inadvertently found myself speaking more about policing than about fire and rescue services. I think it is legitimate, because what we have seen in London is a very clear line of accountability. Londoners may not be able to identify their nearest—I do not use the word “local” here—fire authority member. The hon. Member for West Ham (Lyn Brown) mentioned the local councillor on Newham council who has responsibility for fire and safety, but that councillor does not sit on the London fire authority. In fact, the reason I asked her specific questions is that I know who sits on the London fire authority—I am probably one of the few people in this Chamber or elsewhere who does—and I know that no one from the London borough of Newham, either elected or appointed, is on that authority. When the people of Newham want to cast judgment on the delivery of fire services in that borough, the only person they can either reward or punish at the ballot box is the Mayor of London, who, we should remind ourselves, is also the police and crime commissioner for London.

I want to address the hon. Lady’s point about the fire service being starved of resources so that we can support what she feels is the higher-profile policing service. After the changes that the London fire authority made, the Mayor of London, who is the budget holder for both the police and fire authorities, made a commitment to protect the London fire budget irrespective of the budgetary award from central Government. He was able to do so, because he could flex his budgets over the two areas. Far from starving resources from fire and rescue to give to policing, he was able to protect fire and rescue by dipping into his broader budget. Therefore, I fundamentally disagree with this idea that a police and crime commissioner who has responsibility for both policing and fire services would automatically and obviously rob Peter to pay Paul. That view is reinforced by the fact—the Minister has stated this from the Dispatch Box on a number of occasions—that the budget lines are separate.

Before I conclude, I will touch on the concerns that were raised by the shadow Front-Bench team about the single employer model. There are many instances where

the employer has very different types of employee in terms of public sector delivery. No one confuses civil servants at the Ministry of Defence with members of the Special Air Service. Ultimately, both are employed by the same organisation; there is no confusion in the minds of the public there. Indeed, in the fire and rescue service and the police force, we have both uniformed and non-uniformed members of staff. The police service has warranted officers, police community support officers and non-uniformed civilian staff, and they are all under the same employer and there is no public confusion about the different roles. The idea that, somehow, the British public are too dim-witted, or too slow on the uptake, to be able to tell the difference between a copper and a firefighter is an argument that is so bereft of power that it should be disregarded.

The British people deserve to know who to punish or to reward at the ballot box in relation to fire and rescue, because, like policing, it is a vital public service. I have no doubt that, next week, we will see a much greater engagement and turnout in the police and crime commissioner elections than we have seen previously because people now understand in more detail what they are voting for. They have seen where the police and crime commissioners have done well, as highlighted in Cheshire by my hon. Friend the Member for Eddisbury (Antoinette Sandbach), and where they have done less well, and the PCCs will be held to account at the ballot box. When it comes to the delivery of fire and rescue provision, the British people deserve just as much a say as they do on policing, so I am happy to support the Government’s position, and I call on the House to reject the new clause put forward in the name of the shadow Minister.

Jake Berry: Having spoken on Second Reading and served on the Bill Committee, it is a real pleasure to be here on Report. Initially, I want to address my comments to new clause 20, which was proposed by the Opposition. The aim of the new clause, which is to give fire and rescue services the lead in flooding, is good. However, I disagree with the new clause overall, and I will go on to say why I do not think it is necessary.

I was selected as the Conservative parliamentary candidate for Rossendale and Darwen in 2007. On 13 January 2017, it will be 10 years since I was selected—hopefully, there is a big celebration to come. In that period, the village of Irwell Vale in my constituency has, I think, flooded four times. The aptly named village of Waterfoot has flooded three times, and Whitewell Bottom has flooded twice. Like so many areas that have grown up because of the industrial revolution, the towns and villages of the Rossendale and Darwen valleys are built on the valley floor so that the manufacturers and industrialists of the day could take advantage of water power.

Like many other areas in the north-west of England, we have been subject to severe floods over the past 10 years, no more so than on Boxing day when we had what the Environment Agency called a once-in-75-years flood, having had a once-in-25-years flood a few years previously. Having been working closely with the residents of Irwell Vale who are still out of their homes four months on from the flood, I know the huge impact that flooding has and the huge family disruption it can cause.

3 pm

One thing that was fantastic to see on Boxing day—the one ray of sunshine on what was a miserable day for so many—was the amazing response not just of our fire and rescue service but of our police force, and in areas of Lancashire such as the Ribble Valley and South Ribble the Army came out. Apparently, as the Under-Secretary of State for Northern Ireland is indicating from a sedentary position, the Army came out in Wyre too. Local people helped: people from all over my constituency volunteered to help with the clean-up. That is why I am not sure that placing a statutory duty on fire and rescue services always to take the lead in a flooding situation would work.

When I speak to members of the fire and rescue service in my constituency, it is clear that they do not need the Government to pass a law to tell them that they are responsible for flood recovery, flooding help and the prevention of loss of life. But knowing my own situation in Rossendale and Darwen, I could almost imagine a situation where the police would turn up first. Environment Agency officers, or in some cases the armed forces, might turn up first and feel unable to take immediate action because the fire service was not there to take the lead.

Julian Knight: My hon. Friend is making a powerful case from personal experience. Does he agree that flexibility is crucial? That is what he is describing. Surely if someone has the skills and the wherewithal to tackle the situation and they are on the scene, they should be allowed to do so without fear of legal recourse.

Jake Berry: My hon. Friend makes my point very clearly. People should try to prevent flooding or loss of life only when it is safe for them to do so and when they believe that they have the capacity to deal with the situation—for example, members of the armed forces or police officers, who are extremely brave, or the Environment Agency or the water board. The clause would put an unnecessary straitjacket on the response to floods in Lancashire. Although I support much of what it seeks to achieve, putting that in primary legislation is probably a step too far.

As an update, I can tell the House that the people of Rossendale are well served. We have the impending visit of the Minister with responsibility for floods, the Under-Secretary of State for Environment, Food and Rural Affairs, who is coming to Irwell Vale on 13 May. I do not think he knows what is going to greet him. I will make sure that there is an angry mob to talk to him about the response of the Environment Agency, but no one should tell him that. I hope it can remain our secret. I hope that in future the Environment Agency may be in a position to take a lead in the Rossendale valley, looking at a full catchment solution.

Mr Jim Cunningham: The hon. Gentleman mentions the Minister with responsibility for floods. In the 1970s we had a Minister with responsibility for drought. He was expected to bring the rain when necessary.

Jake Berry: There is no drought in Lancashire, but if the hon. Gentleman wants me to come to Coventry to do the rain dance, I am more than happy to do so if it is required.

Amendment 2, in the name of my hon. Friend the Member for Cannock Chase (Amanda Milling), has been signed by right hon. and hon. Members across the House. Having been involved in the Bill since Second Reading, it is clear to me and probably to everyone who has spoken on the Bill or served on the Committee that the recognition accorded to police and crime commissioners is at an all-time high. We first went to the polls on a wet November evening in my constituency to elect a police and crime commissioner. When I went knocking on people's doors saying, "This is an important national election. You must come out and vote", I was met with blank faces. People did not know what the office had been created for and they did not understand what police and crime commissioners would do.

Everyone who heard the evidence session on the Bill, with some excellent contributions from police and crime commissioners all over the country, would say that that has now changed. I may fundamentally disagree with much of the evidence given by Vera Baird to the Committee, but I have heard of her. I listen to Radio 4 in the morning and I often hear her, usually beating up the Government. She is raising the profile of police and crime commissioners, as are police and crime commissioners across the country.

The general public like the idea of having one individual whom they can hold accountable for the performance of their local police service. The old police panel was remote. It was appointed and was therefore unaccountable. I compare that to the situation today with my local PCC. He has taken road shows all around Lancashire, going out there and talking to people about what they would like policing priorities to be over the next four years. I am slightly sceptical about his new-found fondness for going out and meeting the public. It seems like a last-ditch attempt to be re-elected. I hope that Andy Pratt, the Conservative candidate, who has 30 years' service as a police officer, will win in Lancashire so that, like many other areas of the country, including Cheshire and Staffordshire, we can have our PCC all year round, not just every four years at elections.

Bob Stewart (Beckenham) (Con): If a member of the public has a problem, are they no longer allowed to go to the police chief? Do they have to go to the police and crime commissioner, or are there two centres? Can people write to the chief of police and say, "I'm really worried about this", or are they expected to go to the police and crime commissioner?

Jake Berry: There is nothing precluding people from writing to their local chief constable. As chief constables are primarily responsible for the operational work of their local police force, if the query related to an operational matter, I would recommend that people wrote to their chief constable. People like to raise matters with the police and crime commissioner as well, but that is one democratically accountable, known individual who can put pressure on the chief constable on their behalf. I am sure the chief constable would be happy to hear from someone living somewhere in Lancashire, but he might be quicker to reply to their letter if the police and crime commissioner had his foot on the chief constable's throat about the issue—[*Interruption.*] Indeed, or the MP. Many people do come and see me.

Richard Drax (South Dorset) (Con): My hon. Friend is making an excellent speech. I have a couple of observations. First, I was not happy with the politicisation of the police force. It was wrong that we should have Labour or anyone else as PCCs. That worries me. Secondly, does my hon. Friend agree that there is potential for conflict between the PCC and the chief constable? In some cases the PCC is a former policeman, but PCCs may have no experience of the police, yet have the power to appoint and sack someone who may have 35 years' experience. I am not happy with that, either.

Jake Berry: On the politicisation of the police force, that may have been driven by low turnout. Even though the Labour party opposed the office of police and crime commissioner in its last manifesto, I note that it is standing a candidate in every division. At the last election there were many independent candidates standing as police and crime commissioners. At the evidence session of the Bill, we had the independent police and crime commissioner for north Wales, Mr Roddick, come to give evidence. He was excellent. If I lived in North Wales, I would probably vote for such an excellent individual with a fantastic vision for policing. If he were a Conservative, I would definitely vote for him. Many independents have been successful.

Jack Dromey (Birmingham, Erdington) (Lab): The hon. Gentleman says that we need the highest possible turnout. Of course, historically turnout at police and crime commissioner elections has been low. Does he therefore share our surprise that the Home Office has committed to spend the grand total of £2,700 on advertising for this year's PCC elections?

Jake Berry: I have a lot of respect for the shadow Minister, but I think it is slightly disingenuous to say that the turnout was low, because it was the first ever such election, it was held in November and it was not coterminous with other elections. Given the interest in the local elections in all our constituencies, I think that the turnout will be slightly higher. With regard to the £2,700, I am surprised that the Home Office has spent so much. I do not think there should be any state funding for political parties or elections, so he will not find me lobbying the Home Office to spend more.

Let me return to the point made by my hon. Friend the Member for South Dorset (Richard Drax) about politicisation of the police. Support for our police and crime commissioners has grown, including for excellent independent police and crime commissioners. In Lancashire we have a police and crime commissioner who I think is very much at the beck and call of the chief constable. Although there needs to be a close working relationship between the two, I think that the police and crime commissioner often needs to be a critical friend, because he is not there to fight only for the interests of the police and police officers, as important as that is; he should be there to fight for, and put forward the voices of, people across Lancashire who want an improved policing service.

As I said in an intervention, one of the things I would like our police and crime commissioner to prioritise after the May elections, whoever he may be and whichever political party he may be from, is rural crime. That is driven not by Preston, Blackburn or Blackpool, the major conurbations in the county, but by villages such

as Tockholes, Hoddlesden, Weir, Cowpe and Waterfoot in my constituency, where rural crime has a major impact on people's lives. I hope that whoever wins the election is listening to this debate and will prioritise that. I think that can be the role of a police and crime commissioner: not to push the police's agenda, but to push the people's agenda in the area they represent.

Amanda Milling: Does my hon. Friend agree that that is absolutely the point of a police and crime commissioner: to represent the public? In doing so, they can look at things differently. For instance, the police and crime commissioner in Staffordshire has demonstrated innovation and is looking at ways in which the police can use technology to do the admin while out and about on our streets, rather than having to sit behind a desk.

Jake Berry: I agree with my hon. Friend. Let me mention one of the best examples I know of a police and crime commissioner taking a different approach. I met the police and crime commissioner for Cumbria shortly after he was elected. He had previously been headmaster of a Lancashire school. He said, "Do you know that there is no rape crisis centre in Cumbria? That is absolutely disgraceful for a police area of this size." He took some of his PCC budget that was meant to be spent on administration and set up a rape crisis centre. I think that shows just how police and crime commissioners who really care about their areas—it is nothing to do with politics—can make a huge difference to policing. When he was elected he said, "This is one of the things that I am going to change, because it is a disgrace that Cumbria does not have one." In fact, he changed that within 18 months of the election. As a result of such actions, the recognition and popularity of police and crime commissioners has grown, and I believe that the same will happen with police and fire commissioners.

We all have immense respect for police officers and fire officers, but we accept that they do very different jobs. The public often see them working together and co-operating—for example, at the scene of an accident—but the idea of those two separate services having a common leadership will take longer for the public to understand. That is why I believe amendment 2 is absolutely necessary to improve an otherwise excellent Bill.

3.15 pm

Everyone will have their own idea about the name that the Secretary of State should give to a police and crime commissioner who takes on responsibility for fire, should this amendment be made—whether fire and crime, or policing and crime and fire—but we probably all agree that it is imperative that we preserve a nationally recognised brand for the office. One of the successes of the police and crime commissioners is that this time, second time around, it is a national election with a recognised office. It might not be discussed in the Dog and Duck in Erdington or in Rossendale and Darwen, but people will talk about PCCs and the work they do, especially as they take on new responsibilities. It is quite centrist to say, "The Secretary of State shall direct a PCC about what he or she may be called in future," but I think that a nationally recognised label will reflect the national nature of the legislation.

I also note that the Secretary of State would have the power at some point in the future to come up with the name of a police and crime commissioner who had

also taken on responsibility for fire. I hope that the Secretary of State and her officials would have a detailed consultation with the fire service to find out what would be an acceptable name, because I share the concern, which has been expressed across the House, about police services and fire services having a different nature. The fire service does not want to be brought into police work, and I am sure that the police do not want to be brought into the fire service. I think that they are needlessly nervous, but having a long consultation period with the fire service would give them comfort.

I think that our fire services probably perceive the Bill as bringing the biggest change and the biggest risk. I think that the change and the risk are minimal, but that is how they perceive it. As with all change, I think it is in fact the fear of change, rather than the change itself, that is concerning them. If the proposal is accepted, it is absolutely essential that the new name for a police and crime commissioner with the added responsibility of a fire commissioner keeps front and centre the operational independence of both our fire services and our police services. Nobody is suggesting that the day after the Bill receives Royal Assent a police officer will be sent out with a bucket and told to quench a fire, or that a fire officer would ever be expected to go out and feel the collar of a local criminal; they must retain their operational independence.

In short, I think that this proposal gives the Secretary of State the power to make a clear name change to ensure that at the next national elections people will understand that they are voting for a combined role of police and crime commissioner and fire commissioner. However, that title must cement in their minds the fact that although those roles have a combined leadership, they remain absolutely separate and their operational independence is protected under the Bill.

Geoffrey Clifton-Brown (The Cotswolds) (Con): It is surprising what inspiration one can get when sitting in this place. I am delighted to speak to this group of amendments, and I do so in the very good hope that I can curry favour with my hon. Friends on the Front Bench and that they will give me everything I want when we come to discuss the next group of amendments. I therefore hope that they listen very carefully to what I have to say.

I think that this is an excellent clause, because it is enabling but not prescriptive. It enables fire and rescue authorities to be taken over by PCCs, but it does not compel them to be. That is where I take issue with the Opposition provisions. I have huge respect for fire and rescue authorities, which do a fantastic job. In my area of Gloucester, the authority is under the control of the county council, and—this is why I am pleased the clause is enabling not prescriptive—I would not want it to be transferred to the PCC, who is an independent and who is not doing a particularly good job. That is why the clause is excellent: it deals with everything on a case-by-case basis.

Having said that, I must mention my experience of having the Fire Service College in my constituency. The college provides major training for the fire service and does some amazing blue-light collaborative training involving the fire, police and ambulance services. As my hon. Friend the Member for Rossendale and Darwen (Jake Berry) said, it is essential that those services work

as collaboratively as possible in an emergency. The services in Gloucestershire are coterminous and relatively small, compared with some of the larger, urban authorities, and the chain of command works incredibly well, with each service knowing exactly what it is supposed to do in any given circumstances. It is essential, particularly with more sophisticated and frequent emergencies—whether flooding or, regrettably, things such as terrorism—that the blue-light services work closely together.

Training for such events could be improved. Resilience training for all three blue-light services, working together in emergencies, could be improved. If, God forbid, they are ever really tested in a big emergency—particularly one that takes place at multiple locations—they will need their training and collaboration to be of the highest order. That is where some of the mergers of fire and rescue authorities and PCCs could help.

Having said that, my area is looking at an ever-increasing fire and rescue service operating under the county council. It is not just operational efficiency that I am looking forward to from the Government's proposals, but administrative efficiency. Let me give the example of Cirencester—the biggest town in my constituency. The fire station there was formerly operated by professional firefighters; it is now moving towards retained firefighters, and there will not be quite so many of them. The premises is vast, and it is maintained at public expense, but the police could usefully use it for their authority too.

We therefore begin to get the idea, which should be pushed more and more, that our precious public resources can be better utilised—in the case of property, if more than one public authority occupies it at once. However, that requires a different mindset from authorities. The police are used to having their police station, and the fire services are used to having their fire station, and hitherto, in some cases, the two have never felt it appropriate to mix. We can achieve significant efficiencies by merging the two, particularly when it comes to property.

Jake Berry: I am sure my hon. Friend will agree that, when we go out and talk to our constituents, we see that they really care about the people out on the street and the frontline. We cannot measure a service by how many buildings it occupies in our town. Is my hon. Friend aware of the shared fire and rescue training and police training in Northern Ireland, which has saved tens of millions of pounds? That shows that, where co-operation is done right, and the police and the fire service maintain their independence, significant savings can be made.

Geoffrey Clifton-Brown: I am grateful to my hon. Friend, because that gives me the opportunity yet again to praise what the Fire Service College is doing in Moreton-in-Marsh. It is a large establishment on about 600 acres. It is on an old airfield, and it includes a runway used as a practice motorway on which motorway pile-ups can be simulated using real scrapped cars, so that the police, fire and ambulance services can then train in a big joint exercise. The college has offices they set on fire, and the police, fire and ambulance services can use that to train. It also has a ship it can set on fire. It has all sorts of huge facilities.

Bob Stewart: On a runway?

Geoffrey Clifton-Brown: In case my hon. Friend misunderstands, let me say that they do these quite sophisticated training exercises using a model ship, a model aircraft and an actual office block. This is a really good example of how collaborative training should be run. We should do much more of that, and we need much more of it to involve resilience, so that we can train people for the really sophisticated emergencies we face.

The Cotswolds have suffered considerably as a result of flooding in recent years. When we have had flooding, it has been distressing to see people taken out of their houses and sometimes evacuated, and to see their belongings completely wrecked. I must praise the emergency services hugely, because they are always there in the middle of the night and in the most difficult circumstances—often cold and wet—trying to deal with very demoralised and unhappy people.

We should act more collaboratively, but we should pay a great tribute to the emergency services, because they do a hugely good and dedicated job on behalf of all of us.

Mike Penning: May I praise, as I did in Committee, the tone of the debate and the measured way in which it has been taken forward, even though we will obviously disagree on certain issues?

Thirty years ago, I wrote a paper on better collaboration between the emergency services, covering the ambulance, fire and police services. I was wrong, because it should have included the coastguard—as a former shipping Minister, I would say that, wouldn't I?

Let me say at the outset that I have much sympathy with some aspects of the provisions that have been tabled today. We may be able to look at some of them again and to bring back proposals in the Lords. However, I fundamentally disagree with others, because they would rip the heart out of the Bill—I am looking at the shadow Minister, the hon. Member for West Ham (Lyn Brown), who knows exactly what I mean.

Let me also say that I am enormously proud to be the first police and fire Minister, and that role is perhaps an indication of how seriously the Government take some of the concerns the fire service and the shadow fire Minister have. I actually gave up huge swathes of my policing portfolio, including responsibility for the National Crime Agency and organised crime, to other Ministers, so that I could take on this portfolio. The work has taken up a huge amount of my time—that is not just because of this Bill—because I have been on an enormously steep learning curve from when I was a fireman all those years ago. The job has changed, although some of the semantics and language have not. Some things have changed enormously fast, but some have not changed as fast as we would perhaps all like.

Because we have a fantastic fire service, there has been a decrease of 17% in fire-related fatalities and of 50% in reported fires over the past 10 years. I am concerned about the correlation between those two figures, and I have asked my officials to look at that. As the shadow Minister said, there is an increase at the moment. We should not take one year as an example, and there may be, very sadly, some one-off events. I vividly remember, as roads Minister, going to the terrible fire on the M5 following a road traffic collision where many people survived the RTC, got out of their vehicles, and sadly lost their lives to fire.

3.30 pm

Members of the fire service, the police and the ambulance service are amazing creatures. We often send them in one direction while we go in the other direction. The group of people who work in the fire service and in our other emergency services are a special breed. Many of them are ex-armed forces due to some of the training that we give in our armed forces. Sadly, not as many are coming through as there were in my time: I left the Army and went straight into Essex fire and rescue services. I applied to the Metropolitan police and the London fire service. I got accepted into both, but Essex offered me a flat. If the Met had offered me a flat, I probably would not be standing here now and would have retired a couple of years ago.

Bob Stewart: Friends of mine who are serving in the armed forces are finding it increasingly difficult to move into the police or the fire service. Could the Minister help in any way, because the training that the armed forces give to my friends is so important and should be utilised to make our police and fire services even better than they already are?

Mike Penning: This issue has been very close to my heart for some time. For instance, we have a real issue coming down the line with a shortage of heavy goods vehicle drivers, and yet some 40% of the armed forces leave with an HGV licence, as I did.

Many fire services around the country have not been recruiting recently, although I understand that some have started to recruit now, but the police are most certainly recruiting. The Metropolitan police have brought in the right policy of making sure that people serving in the police force in London can represent their community, so they come from the community they live in. When the commissioner first proposed this and said that it was the right thing to do, I said, “Be very careful, because you would have excluded me from joining the Met. Although I grew up in Edmonton, you would have said that I'd been away for five years and so would not be allowed to join the police force.”

The rule has been changed, and, quite rightly, the police force in London will now allow someone to join even if they have been in the armed forces for some time. This is a very important area, especially as the police are now recruiting extensively. Only the other day, I took the passing out parade at Hendon, with over 200 officers. I think that in excess of 2,000 officers are coming through training in London imminently.

Perhaps because of my background in the military and in the fire service, I understand that neither organisation likes change. I listened to the arguments made earlier about why there was opposition to PCCs possibly taking control of the fire service in a managerial way, in the same way as they took over from the police authorities. It is almost an identical argument that says, “What experience do they have? Surely it's better that we let the councillors who have sat on the committee for 20 years, with all that experience, do it.”

The introduction of PCCs was fundamentally opposed by Her Majesty's Opposition—I understand why—who had it in their manifesto to abolish them. They did not win the election for many reasons, not least because people such as Vera Baird and Paddy Tipping are excellent PCCs in their parts of the world. Vera Baird

has absolutely transformed victim support in her part of the world, as have many others. I know the candidates up there will say, “You shouldn’t name names”, but actually we should give praise where it is due. There have been good independents. I want Conservative PCCs to win in every single seat, but we have to be pragmatic, and if others are elected, then let us make sure that we can work together.

My hon. and gallant Friend the Member for Beckenham (Bob Stewart) touched on the concerns about whether PCCs have the necessary experience. Some PCCs do have lots of experience within the police force, but that is not necessarily relevant. When the Prime Minister appointed me as shipping Minister, I said, “You do realise, Prime Minister, that my constituency is the furthest away from the sea in the whole country?” He said, “Yes, but you should question whether the way things have always been done is the right way.”

I use the example of armed guards on ships. When I arrived at the Department for Transport, we were having massive problems with Somali pirates. I simply said, “Why hasn’t the Royal Navy been able to do that job with the Marines—no navy in the whole world is more capable—and so allow people to protect their property?” So we convinced other countries and the International Maritime Organisation that we should allow that. I did not look at that from the perspective of a shipping person; I looked at it as an outside individual who was trying to say, “Let these people have an opportunity to do that.” That idea had been looked at by people who were much more experienced than I was in shipping, and it had been rejected on more than one occasion because it was not possible. I came in from the outside and said that it was possible.

Richard Drax: I am most grateful to the Minister for giving way. I think that he misunderstood me: I was not saying that a PCC should or should not be a police officer. Some are, and some are not. I was saying that I had concerns about the powers that they have to appoint and sack police officers, who may have had 25 or 30 years’ experience. I think that that role should be left to the Home Office and the Home Secretary.

Mike Penning: I understand where my hon. Friend is coming from. That is a bit of a different issue, and not part of what we are talking about. There is a disciplinary process to go through, which is now, quite rightly, transparent as a result of other measures in the Bill.

Amendments 3 to 6, tabled by Her Majesty’s Opposition, would decimate the PCCs’ role. I know exactly why the shadow Minister has tabled them, because we had a very similar debate in Committee. The shadow Minister knows full well that I will not accept them, and if she presses them to a Division, we will attempt to vote them down.

In principle, we completely agree with my hon. Friend the Member for Cannock Chase (Amanda Milling) on amendment 2. We need to do some work around it to ensure that it encapsulates titles other than the PCC, and we can work together on it before the Bill goes to the Lords, where we will introduce a Government amendment that will be very similar to amendment 2 but will be drafted in such a way as to make sure that no consequential issues arise.

Amanda Milling: May I press my right hon. Friend on that point? Is it the Government’s intention to table amendment 2, or an equivalent amendment, when the Bill goes to the other place? If I get that assurance, I will not press the amendment to a vote.

Mike Penning: If I had had the clearance today, I would have supported amendment 2, but there are issues on which I need to get clarification. We will introduce in the Lords basically what my hon. Friend is asking for, because it is important that the public understand exactly what they have got. Of course, the Bill will receive Royal Assent long after the elections. Some PCCs have, quite rightly, put in their manifestos now what they would like to see, but there is an issue about whether the title should include police, fire and rescue.

Jake Berry: I hope that the Minister will take the opportunity to deal with a point that I raised about the clause. Will he confirm that, before the Secretary of State makes a direction under secondary legislation, as envisaged by the clause, there will be wide consultation? Will he confirm that the Government will consult widely with the fire and rescue service, in particular, given the concerns that it has raised about maintaining not only its operational independence, but an element of independence in the eyes of the public?

Mike Penning: That is exactly what will be proposed. This is not one size fits all, and it will not be imposed, in that we would like an agreement locally. Clearly, that may not be possible in some parts of the country. Then it will be for the PCC to put a business case to the Home Secretary, and then we will go out to independent review when the consultation takes place. Fundamentally, we are not trying to interfere with operational firefighting and the operational police; this is more to do with dealing with administrative costs to save the moneys that we all know could be saved.

In Lancashire, for example, I met the chief constable and the PCC, and they told me that they were going to use some of the reserves to build a new police station in Blackpool. I said, “Fantastic news. I wondered what you were going to use the allocated reserves for. But you have had a conversation with the fire service as well, haven’t you? You cannot put a fire station into a police station, because the big red trucks do not fit in the foyer, but you most certainly can put a police station in a fire station.”

Jake Berry: To come back to my specific point about the clause, my question is: if this or a similar clause comes forward in the Lords, will there be wide consultation, especially with the fire service, before the Secretary of State gives direction about the national title to be used by police and crime commissioners? I would be grateful if the Minister could answer that question.

Mike Penning: It is vital that we get the title right and that there is a national title for those taking on those responsibilities. At the same time, there will be consultation not only with the FBU and the other unions and with the chief fire officers and their association, but with the chief constables and the Police Federation. The title will be with us for a long time. When I first joined the fire service—I think it was the fire service, not the fire and rescue service, at the time—I was, sadly, a fireman; I say

[Mike Penning]

that because in my time we did not have fire ladies. We were not called firefighters then. I think it is sad that that change did not happen many years earlier.

I want to touch on the issue of flooding. I was so impressed by our firefighters and ambulance crews, and by the local communities, volunteers, local authorities and police in areas where flooding took place. Flooding is becoming more and more a part of the fire and rescue service's work. However, that is not new. There is a lovely place on the edge of Epping forest called Theydon Bois—it is in Essex, but quite close to east London, where the shadow Minister resides—where flash floods were a regular occurrence, and we used to go there. As a full-time firefighter, I regularly used to go there.

In Committee, I said that I would keep an open mind about the need to change the title to reflect areas of responsibility. In my opinion, this has nothing to do with money. Normally, I agree with nearly everything that the hon. Member for Vauxhall (Kate Hoey) says, but on this occasion, I do not. Her constituency is only partially affected by the Bill, because the Mayor has now taken over direct responsibility for the fire service in London—that had been called for for some considerable time—so I am not surprised that PCCs are not at the forefront of conversations when she knocks on constituents' doors in her part of the world.

There are real benefits to come from the collaboration that can take place. I am not saying that no collaboration is now taking place, but much more can be done. In particular, there is more work to do with ambulance services, especially with the triage units on blue light vehicles. I will soon have the honour and the privilege to go to America to pay my respects at the site of 9/11 in New York. No policing and fire Minister has yet done that, which I think is a sad indictment. One of the main reasons why I want to go to New York is to look at its firehouses, as they are called. Another reason is the fact that paramedics are carried in the back of fire appliances, which we need to consider very carefully in this country.

Geoffrey Clifton-Brown: I have enormous sympathy with what my right hon. Friend is saying. It is absolutely clear that we need closer collaboration. However, in Gloucestershire we do not at the moment want the fire and rescue service to be put under the control of the PCC, so will he give us an assurance that it will not be forced to do so against its wishes?

Mike Penning: I cannot do so because that is not part of the Bill. The Bill provides for agreements where they can be made. Where no agreement can be reached, as will happen in many areas, the PCC can make a business case to the Home Secretary, if the PCC decides to do so; frankly, if there is so much opposition in Gloucestershire, the PCC might see the writing on the wall and decide not to do so. The business case will then go out to independent review, and only then will the Home Secretary make a decision.

I am enormously keen not to make this a one-size-fits-all provision. However, there has to be a backstop provision in case no one can reach an agreement and no one can move forward. In a perfect world, we would not be in a situation where we had to make it a statutory requirement to collaborate, but, frankly, collaboration in some parts

of the country is not of the standard we would expect in the 21st century. We therefore need measures to take forward such collaboration.

Finally, amendment 21 is about the concordat. I have talked about that, and other bits and bobs, particularly with the hon. Member for North Durham (Mr Jones). I do not think it would be good to put that on a statutory footing—in other words, to make that law. The concordat seems to be working really well, so let us see how that evolves with these agreements. The shadow Minister did not refer to that, but it is relevant. We spoke about it in Committee and I will keep a really close eye on how the concordat works, but I do not think that at this early stage putting that into law is the answer.

I hope that I have alleviated the concerns of my hon. Friends. I hope, although I do not expect, that the Opposition have listened to the assurances that I have given, not only here but in Committee.

Mike Wood: Clearly, close collaboration is important not only for efficiency, but for the delivery of effective prevention work. Can my right hon. Friend give additional assurances that the revenue streams of fire services such as that in the west midlands will be protected, including for commercial activities?

Mike Penning: I have given categorical assurances in Committee and here that there will be two funding streams and that they will not be combined. Even so, whether it is a mayoral system or a PCC system, I would expect there to be better collaboration on how that money is spent. With that in mind, I hope that none of the amendments, none of which were tabled by the Government, will be pressed.

3.46 pm

Two hours having elapsed since the commencement of proceedings on consideration, the debate was interrupted (Programme Order, this day.)

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

Question negatived.

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

Clause 6

PROVISION FOR POLICE AND CRIME COMMISSIONER TO
BE FIRE AND RESCUE AUTHORITY

Amendment proposed: 3, page 6, line 3, leave out clause 6.—(Lyn Brown.)

This amendment, along with amendment 4, would prevent Police and Crime Commissioners from taking over the functions of Fire and Rescue Authorities.

Question put, That the amendment be made.

The House divided: Ayes 200, Noes 308.

Division No. 251]

[3.46 pm

AYES

Abrahams, Debbie
Alexander, Heidi
Ali, Rushanara

Allen, Mr Graham
Anderson, Mr David
Ashworth, Jonathan

Austin, Ian
 Bailey, Mr Adrian
 Barron, rh Kevin
 Benn, rh Hilary
 Berger, Luciana
 Blackman-Woods, Dr Roberta
 Blenkinsop, Tom
 Blomfield, Paul
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Jenny
 Clegg, rh Mr Nick
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Corbyn, rh Jeremy
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 De Piero, Gloria
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Durkan, Mark
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elliott, Tom
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Field, rh Frank
 Fitzpatrick, Jim
 Ffello, Robert
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Gapes, Mike
 Glass, Pat
 Glendon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret

Gwynne, Andrew
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Jarvis, Dan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kinahan, Danny
 Kinnock, Stephen
 Kyle, Peter
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Leslie, Chris
 Lewis, Clive
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonnell, John
 McFadden, rh Mr Pat
 McGinn, Conor
 McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 Meale, Sir Alan
 Mearns, Ian
 Morden, Jessica
 Morris, Grahame M.
 Murray, Ian
 Nandy, Lisa
 Onn, Melanie
 Onwurah, Chi
 Owen, Albert
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby

Phillips, Jess
 Pound, Stephen
 Pugh, John
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Mr Jamie
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Robinson, Mr Geoffrey
 Ryan, rh Joan
 Saville Roberts, Liz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sherriff, Paula
 Shuker, Mr Gavin
 Skinner, Mr Dennis
 Slaughter, Andy
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Owen
 Smyth, Karin

Starmer, Keir
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thomas, Mr Gareth
 Thomas-Symonds, Nick
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, Valerie
 Watson, Mr Tom
 West, Catherine
 Whitehead, Dr Alan
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Dame Rosie
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Ayes:

Vicky Foxcroft and
 Judith Cummins

NOES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atkins, Victoria
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Borwick, Victoria
 Bottomley, Sir Peter
 Bradley, Karen
 Brady, Mr Graham
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Carmichael, Neil

Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colville, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davies, Philip
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Donelan, Michelle
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duncan, rh Sir Alan
 Dunne, Mr Philip
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evans, Mr Nigel
 Evennett, rh Mr David

Fabricant, Michael
 Fallon, rh Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hollingbery, George
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel

Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Mr Patrick
 McPartland, Stephen
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Murray, Mrs Sheryll
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Offord, Dr Matthew
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Pery, Claire
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark

Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Syms, Mr Robert

Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggan, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
 Sarah Newton and
 Guy Opperman

Question accordingly negated.

Schedule 1

PROVISION FOR POLICE AND CRIME COMMISSIONER TO
 BE FIRE AND RESCUE AUTHORITY

Amendment proposed: 20, page 145, line 16, at end insert—

“(7) No order can be made under this section until the Secretary of State has conducted a review assessing the funding required by the fire and rescue service to secure the minimum level of cover needed to secure public safety and maintain fire resilience.

(8) The review carried out under section (7) must assess the impact of the level of cover on—

- (a) fire related fatalities;
- (b) non-fatal fire related casualties;
- (c) the number of dwelling fires and other fires;
- (d) the number of incidents responded to, and
- (e) the strength and speed of response to incidents.”

—(*Lyn Brown.*)

This amendment would require the Home Secretary to conduct a review on the level of funding the FRS requires in order to secure public safety before she may make allows police and crime commissioner to be a fire and rescue authority.

Question put, That the amendment be made.

The House divided: Ayes 209, Noes 303.

Division No. 252]

[4.03 pm

AYES

Abbott, Ms Diane
 Abrahams, Debbie
 Alexander, Heidi
 Ali, Rushanara
 Allen, Mr Graham
 Anderson, Mr David
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Barron, rh Kevin
 Benn, rh Hilary
 Berger, Luciana
 Blackman-Woods, Dr Roberta
 Blenkinsop, Tom
 Blomfield, Paul
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Buck, Ms Karen
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Jenny
 Clegg, rh Mr Nick
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Corbyn, rh Jeremy
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 De Piero, Gloria
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Durkan, Mark
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elliott, Tom
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Field, rh Frank
 Fitzpatrick, Jim
 Ffello, Robert
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Gapes, Mike
 Glass, Pat
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Gwynne, Andrew
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hepburn, Mr Stephen
 Hermon, Lady
 Hillier, Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Jarvis, Dan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kinahan, Danny
 Kinnock, Stephen
 Kyle, Peter
 Lamb, rh Norman
 Lammy, rh Mr David
 Lavery, Ian
 Leslie, Chris
 Lewis, Clive
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry

McDonald, Andy
 McDonnell, Dr Alasdair
 McDonnell, John
 McFadden, rh Mr Pat
 McGinn, Conor
 McInnes, Liz
 McKinnell, Catherine
 McMahon, Jim
 Meale, Sir Alan
 Mearns, Ian
 Morden, Jessica
 Morris, Grahame M.
 Mulholland, Greg
 Murray, Ian
 Nandy, Lisa
 Onn, Melanie
 Onwurah, Chi
 Owen, Albert
 Paisley, Ian
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Pound, Stephen
 Pugh, John
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Mr Jamie
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Robinson, Gavin
 Robinson, Mr Geoffrey
 Ryan, rh Joan
 Saville Roberts, Liz
 Shannon, Jim
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sherriff, Paula
 Shuker, Mr Gavin
 Skinner, Mr Dennis
 Slaughter, Andy
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Starmer, Keir
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Stuart, rh Ms Gisela
 Tami, Mark
 Thomas-Symonds, Nick
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, Valerie
 Watson, Mr Tom
 West, Catherine
 Whitehead, Dr Alan
 Williams, Hywel
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Dame Rosie
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel
Tellers for the Ayes:
Judith Cummins and
Vicky Foxcroft

NOES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atkins, Victoria
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Borwick, Victoria
 Bottomley, Sir Peter
 Bradley, Karen
 Brady, Mr Graham
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Carmichael, Neil
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colvile, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen

Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Dinelage, Caroline
 Djanogly, Mr Jonathan
 Donelan, Michelle
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duncan, rh Sir Alan
 Dunne, Mr Philip
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evans, Mr Nigel
 Evennett, rh Mr David
 Fabricant, Michael
 Fallon, rh Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heappey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian

Hollingbery, George
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Mr Patrick
 McPartland, Stephen
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James

Morton, Wendy
 Mowat, David
 Murray, Mrs Sheryll
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Offord, Dr Matthew
 Parish, Neil
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John

Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:
 Guy Opperman and
 Sarah Newton

Question accordingly negated.

Schedule 1

PROVISION FOR POLICE AND CRIME COMMISSIONER TO
 BE FIRE AND RESCUE AUTHORITY

Amendment proposed: 6, page 157, line 33, at end
 insert—

“(4) An order under section 4A, whether modified or not by the Secretary of State, may only be made with either: consent of all of the relevant local authorities and relevant fire and rescue authority, or a majority vote by local people through referendum.”—(*Lyn Brown.*)

This amendment would ensure that a PCC can only take over a Fire and Rescue Service with the approval of local people or their local representatives.

Question put, That the amendment be made.

The House proceeded to a Division.

Madam Deputy Speaker (Natascha Engel): I ask the Serjeant at Arms to investigate the delay in the Aye Lobby.

The House having divided: Ayes 200, Noes 307.

Division No. 253]

[4.19 pm

AYES

Abbott, Ms Diane
 Abrahams, Debbie
 Alexander, Heidi
 Ali, Rushanara
 Allen, Mr Graham
 Anderson, Mr David
 Ashworth, Jonathan
 Austin, Ian
 Bailey, Mr Adrian
 Barron, rh Kevin
 Benn, rh Hilary
 Berger, Luciana
 Blackman-Woods, Dr Roberta
 Blenkinsop, Tom
 Blomfield, Paul
 Bradshaw, rh Mr Ben
 Brake, rh Tom
 Brennan, Kevin
 Brown, Lyn
 Brown, rh Mr Nicholas
 Bryant, Chris
 Burden, Richard
 Burgon, Richard
 Butler, Dawn
 Byrne, rh Liam
 Cadbury, Ruth
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Champion, Sarah
 Chapman, Jenny
 Clwyd, rh Ann
 Coaker, Vernon
 Coffey, Ann
 Cooper, Julie
 Corbyn, rh Jeremy
 Cox, Jo
 Coyle, Neil
 Crausby, Mr David
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Danczuk, Simon
 David, Wayne
 Davies, Geraint
 De Piero, Gloria
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Durkan, Mark
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Elliott, Tom
 Ellman, Mrs Louise
 Esterson, Bill
 Evans, Chris
 Farrelly, Paul
 Field, rh Frank
 Fitzpatrick, Jim
 Ffello, Robert
 Fletcher, Colleen
 Flint, rh Caroline
 Flynn, Paul
 Fovargue, Yvonne
 Gapes, Mike
 Glass, Pat
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Gwynne, Andrew
 Hanson, rh Mr David
 Harman, rh Ms Harriet
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hepburn, Mr Stephen
 Hillier, Meg
 Hodge, rh Dame Margaret
 Hodgson, Mrs Sharon
 Hoey, Kate
 Hollern, Kate
 Hopkins, Kelvin
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Jarvis, Dan
 Johnson, Diana
 Jones, Gerald
 Jones, Graham
 Jones, Helen
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Kaufman, rh Sir Gerald
 Keeley, Barbara
 Kendall, Liz
 Kinahan, Danny
 Kinnock, Stephen
 Kyle, Peter
 Lammy, rh Mr David
 Lavery, Ian
 Leslie, Chris
 Lewis, Clive
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema

Mann, John
 Marris, Rob
 Marsden, Mr Gordon
 Maskell, Rachael
 Matheson, Christian
 McCabe, Steve
 McCarthy, Kerry
 McDonald, Andy
 McDonnell, Dr Alasdair
 McDonnell, John
 McFadden, rh Mr Pat
 McGinn, Conor
 McInnes, Liz
 McKinnell, Catherine
 McMahan, Jim
 Meale, Sir Alan
 Mearns, Ian
 Morden, Jessica
 Morris, Grahame M.
 Mulholland, Greg
 Murray, Ian
 Nandy, Lisa
 Onn, Melanie
 Onwurah, Chi
 Owen, Albert
 Pearce, Teresa
 Pennycook, Matthew
 Perkins, Toby
 Phillips, Jess
 Pound, Stephen
 Pugh, John
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Mr Jamie
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan
 Rimmer, Marie
 Robinson, Mr Geoffrey

Ryan, rh Joan
 Saville Roberts, Liz
 Sharma, Mr Virendra
 Sheerman, Mr Barry
 Sherriff, Paula
 Shuker, Mr Gavin
 Skinner, Mr Dennis
 Slaughter, Andy
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Smith, Owen
 Smyth, Karin
 Starmer, Keir
 Stevens, Jo
 Streeting, Wes
 Stringer, Graham
 Tami, Mark
 Thomas-Symonds, Nick
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Twigg, Stephen
 Umunna, Mr Chuka
 Vaz, Valerie
 Watson, Mr Tom
 West, Catherine
 Whitehead, Dr Alan
 Williams, Hywel
 Wilson, Phil
 Winnick, Mr David
 Winterton, rh Dame Rosie
 Woodcock, John
 Wright, Mr Iain
 Zeichner, Daniel

Tellers for the Ayes:
Judith Cummins and
Vicky Foxcroft

NOES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Atkins, Victoria
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Borwick, Victoria
 Bottomley, Sir Peter
 Bradley, Karen
 Brady, Mr Graham
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Carmichael, Neil
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishty, Rehman
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colville, Oliver

Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Dinenege, Caroline
 Djanogly, Mr Jonathan
 Donelan, Michelle
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evans, Mr Nigel
 Evennett, rh Mr David
 Fabricant, Michael
 Fallon, rh Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heappey, James
 Heaton-Harris, Chris

Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hermon, Lady
 Hinds, Damian
 Hollingbery, George
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Mr Patrick
 McPartland, Stephen
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny

Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Murray, Mrs Sheryll
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Offord, Dr Matthew
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Prisk, Mr Mark
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline

Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vaizey, Mr Edward
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

Guy Opperman and
 Sarah Newton

Question accordingly negated.

New Clause 31

APPLICATION OF FIREARMS ACT 1968 TO THE POLICE: SPECIAL CONSTABLES AND VOLUNTEERS

(1) The Firearms Act 1968 is amended as follows.

(2) In section 54 of that Act (Application of Parts 1 and 2 to Crown servants), in subsection (3)—

(a) after paragraph (b) insert—

“(ba) a community support volunteer or a policing support volunteer designated under section 38 of the Police Reform Act 2002 by the chief constable of a police force in England and Wales.”;

- (b) after paragraph (f) insert “, or
 (g) a community support volunteer or a policing support volunteer designated under section 38 of the Police Reform Act 2002 (as it applies by virtue of section 28 of the Railways and Transport Safety Act 2003) by the Chief Constable of the British Transport Police Force.”

(3) In section 57 of that Act (interpretation), in subsection (4), after the definition of “imitation firearm” insert—

““member of a police force” means—

- (a) as respects England and Wales, a constable who is a member of a police force or a special constable appointed under section 27 of the Police Act 1996;
 (b) as respects Scotland, a constable within the meaning of section 99 of the Police and Fire Reform (Scotland) Act 2012 (2012 asp 8);

“member of the British Transport Police Force” includes a special constable appointed under section 25 of the Railways and Transport Safety Act 2003;.”

Section 54 of the Firearms Act 1968 makes provision about the application of the Act to Crown servants. Only specified provisions of the Act apply to Crown servants and only so far as they relate to the purchase and acquisition of firearms. Section 54 provides for members of certain police forces and civilian staff to be treated as in the service of the Crown for the purposes of section 54 and the rules of the common law about the application of legislation to the Crown. This new clause amends section 54 so that designated police volunteers (see, in particular, clause 35) are also treated as in the service of the Crown for the same purposes. To avoid the risk that the amendment would cast doubt on the position of special constables (who are also volunteers), section 57 (which contains definitions) is amended to include definitions of “member of a police force” and “member of the British Transport Police Force” which expressly refer to special constables.

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for the Home Department (Karen Bradley): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Natascha Engel): With this it will be convenient to discuss the following:

Government new clause 32—*Police volunteers: inspection.*

Amendment 11, in clause 35, page 57, line 39, leave out subsection (1A).

This amendment removes the ability for volunteers to be given the powers of a Constable or Police and Community Support Officer.

Amendment 12, page 58, line 2, at end insert—

“(2A) The chief officer of any police force may not place a volunteer in any role which requires the use of force or restraint.”

This amendment would prevent volunteers being placed in roles which may require the use of force or restraint which should only be performed by officers and members of police staff.

Amendment 13, page 59, line 1, leave out subsection (9B).

This amendment removes the provision for volunteer PCSOs to be issued with CS spray and PAVA spray.

Amendment 10, page 59, line 31, at end insert—

“(12) This section cannot come into force until the House of Commons approves a report under subsection 46(6) of the Police Act 1996 which guarantees no annual reduction in funding in real terms to local policing bodies in each financial year until 2020.”

This amendment would guarantee that police funding would be protected in a police grant settlement approved by Parliament before proposals to grant additional police powers to volunteers can be brought forward.

New clause 1—Sale of knives and certain articles with blade or point to persons under eighteen: due diligence checks—

“(1) The Criminal Justice Act 1988 is amended as follows.

(2) In section 141A, after subsection (4) insert—

“(4A) Due diligence serving to confirm the material facts in relation to a sale over the internet of with respect to the age of a purchaser must include, but is not limited to—

- (a) age verification on delivery,
 (b) online age verification, and
 (c) offline follow up checks.

(4B) The Secretary of State must publish guidance, which the Secretary of State may revise from time to time, on how due diligence verification and checks under section (4A) are to be carried out.’

This new clause provides a triple lock to ensure that knives are not illegally sold over the Internet to under-18s.

New clause 7—Amendments to the Firearms Act 1968—

“(1) The Firearms Act 1968 is amended as follows.

(2) Omit section 5(1A)(f).

(3) Omit sections 5A(4), (5), (6), (7) and (8).

(4) Omit section 7(1) and insert—

“(1) A person who has obtained from the chief officer of police for the area in which he resides a permit for the purpose in the prescribed form may, without holding a certificate or authority under this Act, have in his possession a firearm and ammunition in accordance with the terms of the permit.”

(5) At the end of section 28A add—

“(8) Where an individual has applied for the renewal of a certificate before its expiry but the chief constable has not, as at the date of its expiry, determined whether or not to grant the renewal, the certificate is to continue to have effect until the application is determined.”

The new clause seeks to make a number of technical changes to the 1968 Firearms Act covering expanding ammunition, section 7 temporary permits and the renewal of firearms certificates in order to clarify the law and reduce the administrative burden on the police and shooting community.

New clause 8—Amendments to the Firearms (Amendment) Act 1988—

“(1) The Firearms (Amendment) Act 1988 is amended as follows.

(2) In section 15(1) (Approved rifle clubs and muzzle-loading pistol clubs) omit the first “rifle” and for the second “rifle” substitute “firearm”.

(3) Omit section 15(2) and insert—

“(2) Any club may apply for approval, whether or not it is intended that any club members will, by virtue of subsection (1) above, have firearms subject to section 1 or ammunition in their possession without holding firearm certificates.”

(4) Omit section 15(4) and insert—

“(4) The application of subsection (1) above to members of an approved club may—

- (a) be excluded in relation to the club, or
 (b) be restricted to target shooting with specified types of firearm, by limitations contained in the approval.”

(5) In section 15(7) omit “rifle”.

(6) In section 15(10) omit the first “rifle”.

(7) Omit sections 15(11) and (12).’

The new clause allows a club to be approved for any type of Section 1 firearm so that if a person using a shotgun or long-barrelled pistol is taken ill, or the firearm malfunctions, another authorised person can legally ‘possess’ (handle) that firearm to assist and/or make it safe.

New clause 9—*Authorised persons permitted to lend firearms*—

‘(1) In the Firearms Act 1968, omit section 11(5) and insert—

“(5) A person may, without holding a shot gun certificate, borrow a shot gun from the owner or occupier of private premises or a person authorised by the owner or occupier and use it on those premises in the presence of the owner, occupier or authorised person.”

(2) In the Firearms (Amendment) Act 1988, omit section 16(1) and insert—

- (a) the owner, occupier or authorised person in whose presence it is used holds a firearm certificate in respect of that rifle; and
- (b) the borrower’s possession and use of it complies with any conditions as to those matters specified in the certificate; and
- (c) where the borrower is of the age of 17, the owner, occupier or authorised person in whose presence the rifle is used is of or over the age of 18.”.

The new clause would clarify the law as regards who can lend a shotgun or rifle to another person. This addresses the uncertainty currently caused by the term ‘occupier’ in relation to the borrowing of a shotgun or a rifle by a person without a certificate.

New clause 19—*Events, festivals and gatherings: control of flares and fireworks etc.*—

‘(1) A person is guilty of an offence if he has an article or substance to which this section applies in his possession—

- (a) at any time during the period of a qualifying event, festival or gathering when he is within the venue or in any area from which the event, festival or gathering may be directly viewed or physically accessed, or
- (b) while entering or trying to enter a venue or area defined in paragraph (1)(a) at any time during the period of the qualifying event, festival or gathering, or
- (c) while travelling by any means towards a qualifying event, festival or gathering with the intent to enter a venue or area as defined under paragraph (1)(a).

(2) It is a defence for the accused to prove that possession is with lawful authority.

(3) This section applies to any article or substance whose main purpose is the emission of a flare whether for entertaining, illuminating or signalling (as opposed to igniting or heating) or the emission of smoke or a visible gas or a noise intended to simulate an explosion; and in particular it applies to fireworks, distress flares, fog signals, and pellets and capsules intended to be used as fumigators or for testing pipes, but not to matches, cigarette lighters or heaters.

(4) The Secretary of State may by regulations define or amend—

- (a) a “qualifying event, festival or gathering”,
- (b) a “period of an event, festival or gathering”,
- (c) a “venue or area from which the event, festival or gathering may be directly viewed or physically accessed”, and
- (d) articles and substances falling under subsection (3).

(5) The power to make regulations under subsection (4) shall be exercisable by statutory instrument but such an instrument may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(6) A person guilty of an offence under this section shall be liable on summary conviction—

- (a) in the case of an offence under subsection 1(a) or (b) to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding three months, and
- (b) in the case of an offence under subsection 1(c) to a fine not exceeding level 2 on the standard scale.

(7) Nothing in this section shall apply to persons, articles or substances that are lawfully present at, entering, travelling to, or being transported towards, a qualifying event, festival or gathering by virtue of being a planned part of the event, festival or gathering under the responsibility, regulation and control of the organisers.’.

New clause 21—*Firearms: Full recovery of the licence costs*—

‘(1) The Firearms Act 1968 is amended as follows.

(2) At the end of section 53 insert—

“(4) The Secretary of State must set the sum payable at the full cost to the tax payer of issuing a licence.”.

This new clause would help to ensure full costs recovery of the licencing of guns.

Amendment 7, in clause 106, page 115, line 22, leave out “the amount of any fee that may be charged” and insert

“that the fee charged must be equal to the full cost to the tax payer of issuing a licence.”

This amendment would help to ensure full costs recovery of the licencing of guns.

Amendment 8, page 115, line 41, leave out “the amount of any fee that may be charged”

and insert

“that the fee charged must be equal to the full cost to the tax payer of issuing a licence.”.

This amendment would help to ensure full costs recovery of the licencing of guns.

Amendment 9, page 116, line 19, leave out “the amount of any fee that may be charged”

and insert

“that the fee charged must be equal to the full cost to the tax payer of issuing a licence.”.

This amendment would help to ensure full costs recovery of the licencing of guns.

Amendment 1, in clause 107, page 117, line 14, at end insert

“and

- (c) other relevant stakeholders.”.

This amendment would require other relevant stakeholders to be consulted in drawing up statutory guidance to the police. The current non-statutory guidance involves consultation between the Home Office, police, shooting organisations and others and all existing parties, not just the police, should be accommodated within the new statutory framework.

Government amendment 62.

New clause 17—*Alcohol abstinence and monitoring: cost recovery*—

‘(1) The Criminal Justice Act 2003 is amended as follows.

(2) In section 212A, insert at the end of subsection 7(b)—

“(c) arrangements for recovering the cost of testing from the offender by the police.”.

This would allow the Secretary of State to include to make provision for the police to charge an offender subject to an alcohol abstinence and monitoring requirement for the costs of testing their compliance with such a requirement.

Karen Bradley: At this stage I will speak to the Government new clauses and amendment, and I will respond later to the points that are made about other amendments.

Chapter 1 of part 3 will enable chief officers to designate police staff with a wider range of police powers. They will also be able to confer police powers, other than the core powers reserved for warranted officers, on volunteers. The intention is that the powers

that can be conferred on employed staff and designated volunteers are the same. This includes the power to carry and use defensive sprays, such as CS gas and PAVA spray, where the chief officer considers that there is an operational case for this. It is already the case that chief officers can equip police community support officers with defensive sprays, and to that extent the Bill codifies the existing position.

New clause 31 makes necessary consequential amendments to the Firearms Act 1968 to ensure that police volunteers are civilian officers for the purposes of that Act. The effect is that they do not then need a certificate or authorisation under section 1 or 5 of the 1968 Act in order to carry a defensive spray.

Andrew Gwynne (Denton and Reddish) (Lab): I understand perfectly what the Minister is trying to do here, but I am not sure that there is a consensus out there for volunteers to be equipped with CS gas, for example. Does she understand the concern that the public have about that?

Karen Bradley: If the hon. Gentleman had been part of the Committee, he would have heard the extensive deliberations and debate that we had about that issue. In my response to the amendments later, I will come to the specific point about volunteers. I would like to hear the arguments before I respond, but I am aware that there are concerns, although I may not agree with them.

The new clause puts community support volunteers and policing support volunteers in the same position as police officers and police civilian staff. We are also taking the opportunity to make it explicit on the face of the 1968 Act that special constables are members of a police force for the purpose of that Act and therefore similarly do not require a certificate or authorisation under the 1968 Act when equipped with a defensive spray. This will avoid any doubt being created by the insertion of a specific reference to policing support and community support volunteers within the meaning of "Crown servant" in the Firearms Act.

Bob Stewart: I am sure the Minister will give an affirmative answer to my question. Can she confirm to people listening that anyone issued with such sprays will be fully trained in their use and that the sprays will not just be handed out?

Karen Bradley: My hon. and gallant Friend makes an important point and I can assure him that appropriate training will be given.

Government new clause 32 clarifies that designated community support volunteers or police support volunteers may be subject to inspection, just like any other member of a police force, and can be served with a notice requiring information or access to premises. As with other members of a police force, they would have no right of appeal against such a notice.

As I said, I will respond to the other amendments in this group when winding up the debate.

Jack Dromey: May I start by giving the apologies of the shadow Home Secretary, my right hon. Friend the Member for Leigh (Andy Burnham), as to why he cannot be here today? He is at the Hillsborough inquest. Twenty-seven years ago a terrible wrong was done.

Ninety-six husbands, wives, fiancés, brothers, sisters, sons and daughters died. The fact that today justice was done is due both to the remarkable persistence of the families to ensure justice for those who died, and to the outstanding leadership of my right hon. Friend who, in his courage, persistence and championing of a noble cause, has served the people not just of Liverpool, but of this country well.

We welcome many of the proposals before the House today, which follow our exchanges in Committee. I do not intend to speak to them all in detail. We welcome the move on pre-charge bail to prevent terrorists, such as Dhar, from ever fleeing the country before charge. We welcome the protection of police whistleblowers. We welcome moves to improve the way that the police deal with people suffering a mental health crisis, such as no longer considering a police cell to be a place of safety. We welcome moves to ensure that 17-year-olds detained in police custody are treated as children, which is something my hon. Friend the Member for Rotherham (Sarah Champion) has fought very hard for.

We support changes to the Fire Arms Act 1968 that will tighten our gun laws in line with recommendations made by the Law Commission. We support the duty on emergency services to collaborate. We will deal with many of these issues in some detail on the second day on Report. We also welcome moves made by the Government on other issues that emerged during our consideration of the Bill. For example, agreement has been reached following the excellent campaign run by David Jamieson, the police and crime commissioner for the west midlands, on the banning of those hideous zombie knives, whose only purpose can be to kill or maim.

However, given that the Bill purports to complete police reform, I am bound to say that there are a number of issues that should have been in the Bill but are not. The Bill does not help the police to adapt to a world in which crime is changing and moving increasingly online. There is a gaping hole in the Government's policing policy on the failure to tackle—or even to acknowledge in the Bill—cybercrime, or to help the police deal with the consequences of the Government's swingeing spending reductions. On child sexual exploitation and abuse, although the one clause is a welcome step, for a Bill that purports to be focused seriously on this grotesque manifestation of all that is worst in our country, one clause alone is not enough. The Bill does not go far enough on some of the issues it seeks to address, such as police accountability, but we will return to some of those on day 2.

Having spelled out those areas of the Bill that we agree with, I am bound to say that there are critical areas with which we fundamentally disagree. We have just had a debate, led by my formidable hon. Friend the Member for West Ham (Lyn Brown), opposing the compulsory takeover of fire authorities by PCCs. Our strong view, as she indicated, is this: yes to greater collaboration; no to hostile takeovers that take place regardless of what local elected representatives and local people think.

The other highly controversial proposal that we are debating today is about giving police powers to volunteers. Let me make it absolutely clear that there is a long and honourable tradition going back 150 years of special constables. There is a more recent tradition, but one that is profound within the communities we serve, of

[Jack Dromey]

volunteer engagement in neighbourhood watch. For example, the admirable Maureen Meehan, chair of the Stockland Green neighbourhood watch in my constituency, does outstanding work to ensure that the community is safe, working with the police. Indeed, in this House we have the police parliamentary scheme. My hon. Friend the Member for Merthyr Tydfil and Rhymney (Gerald Jones) has had a fascinating insight into policing in the Met and in south Wales, and subsequently he has waxed lyrical about the work he has seen, for example on mental health, but also working with volunteers.

We are strongly in favour of enhancing citizen engagement and voluntary efforts. As the great Robert Peel said,

“the police are the public and the public are the police”.

Therefore, the role of the citizen in policing is key. But the public demand that police functions are discharged by police offices, which is essential. We are extremely concerned that the proposals contained in the Bill are an attempt by the Home Secretary to provide policing on the cheap.

Andrew Gwynne: My hon. Friend hits the nail on the head. Most people outside Parliament will see through this, because they are seeing the number of police officer and PCSOs in their own neighbourhood policing teams cut, and the Government are proposing to hand those powers to civilians.

Jack Dromey: My hon. Friend is exactly right. In all the surveys of public opinion about the visibility of the police over the past couple of years, the public have complained more and more that they no longer see their police officers or PCSOs, that they no longer have contact with them, that the police no longer have roots in the community and that neighbourhood policing is being progressively hollowed out. People want neighbourhood policing—the bedrock of British policing—to be rebuilt, but not using volunteers.

4.45 pm

The specials' support of the police force has been a success because it has been accompanied by mandatory training and appropriate support and because specials are sworn officers and Crown servants. However, the Government have done nothing to reassure us that the use of their brand-new police volunteers will be accompanied by appropriate training, scrutiny and accountability. Indeed, the Opposition tabled an amendment in Committee explicitly to guarantee that there would be a duty on the College of Policing to issue guidance to chief police officers on the training of volunteers, but the Government did not support it.

On that point, let me pray in aid the outstanding police and crime commissioner for Northumbria, Vera Baird, about whom the Police Minister also asked waxed lyrical. She 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.”

Kit Malthouse (North West Hampshire) (Con): I understand the point the hon. Gentleman is making, although I do not agree with him. Does he accept that

there are circumstances in which we all have police powers? If I witness somebody committing what I consider to be an indictable offence, I am able, as a citizen, to arrest them without a warrant. Does he agree, therefore, that if we are going to have volunteers among the police—unless he wants to do away with them completely—they should at least be trained? If they then find themselves in a situation of danger where they may have to act as a police officer, they can do so, perhaps using purely that power of citizen's arrest?

Jack Dromey: The problem is that the Government have failed to spell out how they will ensure that these volunteers are properly trained and properly accountable, or how there will be clarity about their role—as I will say later, the Government have ruled out nothing in terms of the role volunteers might play in the next stages. The hon. Gentleman will no doubt want to come back on that issue, but on the particular point he raised, perhaps he will wait until I get to the relevant part of my speech.

Antoinette Sandbach: The Labour-run Welsh Government have funded community support officers, who perform a very similar role to the one proposed. What is the distinction? Would the hon. Gentleman's proposals not prevent the use of such community support officers?

Jack Dromey: I am very familiar with what has happened in Wales. All credit to the Labour Government in the Welsh Assembly for funding 500 PCSOs. I was in south Wales but two weeks ago, and I met some of the PCSOs concerned—in south Wales alone, there are 200 PCSOs on the beat, which is very popular with the public. However, they are employed by the police service; what is being proposed here is a new generation of volunteer PCSOs. As I will say later, the issue is not just training and accountability, but that volunteers will be able to use certain powers—I am thinking particularly of the issue of CS gas, and I think the public will be incredulous when it becomes clear exactly what the Government propose.

Vera was right, and no wonder. In the last five years, Government funding to police forces has seen the biggest cuts to any police service on the entire continent of Europe—a staggering 25% cut. For that five-year period, the Government's alibi was, “Yes, we cut the police, but we also cut crime.” It is not true that they have cut crime. The statistics on police recorded crime, increasingly cleaned up over the past couple of years following criticism from this House, among others, show violent crime up by 27%, homicides up by 11%, a 9% rise in knife crime, and overall police recorded crime up by 7%. The Government continue to rely on the crime survey for England and Wales, but that does not include a whole number of areas of crime. In two months' time, when cybercrime and online fraud is included in the crime statistics in the crime survey for England and Wales, it will show crime nearly doubling.

Karen Bradley: I hope that the hon. Gentleman, for whom I have a great deal of respect, is not confusing reported crime with the prevalence of crime. The independent crime survey for England and Wales is very clear that prevalence of crime is down but the reporting of crime is up. I hope that he would welcome

the fact that we have more reported crime, because it is only by getting those reports of crimes that the police are able to solve them.

Jack Dromey: I agree that proper reporting and recording have been absolutely key—for example, in relation to sexual offences. However, in saying, “We cut the police but we have cut crime”, the Government have relied on the crime survey for England and Wales, where the projections, including those from the Office for National Statistics, are that when online fraud and cybercrime are included, there will be a potential increase of 5 million offences, nearly doubling crime. Therefore, with the greatest respect to the Minister, for whom I have great respect, the alibi of five years will be blown apart.

Karen Bradley: Does the hon. Gentleman agree that such crime was happening before but was not included in the crime survey under the previous Labour Government, that this Government are making sure that it is included, and that we need to be honest about prevalence so that we can tackle the problem?

Jack Dromey: If I agree that it should have been included in the past, I hope the Minister will agree that in future never again will I hear the Government say, “We’ve cut crime.” Crime is not falling; crime is changing.

Sir Edward Garnier (Harborough) (Con): This is all very interesting, but surely the central point of the hon. Gentleman’s argument is that clause 35 should be deleted, full stop. All these pussy-footing little amendments that he has tabled are really designed to undermine the concept of the volunteer. He disagrees with the concept of volunteers; the Government clearly think they are a good thing. Why does he not just speak to that argument rather than wasting our time with amendments 11, 12 and 13, which are actually designed to make it difficult for someone to perform the function of a police volunteer?

Jack Dromey: With the greatest respect, I would not downplay the significance of this, including to the public out there whom we serve. We will come specifically to two issues relating to amendment 10, on volunteers, and amendment 13, on volunteer PCSOs being able to carry CS gas and PAVA spray.

It is simply not true that crime is falling. Nor is it true that the Government have protected the frontline. The Policing Minister has been good enough to acknowledge that he inadvertently misled Parliament by suggesting that. Nor is it true that police funding has been protected. Last November, the Chancellor of the Exchequer said:

“The police protect us, and we are going to protect the police.”—*[Official Report, 25 November 2015; Vol. 602, c. 1373.]*

Sir Andrew Dilnot has now made it clear that a £160 million cut, in real terms, in this financial year alone would be sufficient for 3,200 police officers. The inconvenient truth for the Government is that 18,000 officers have gone and ever fewer are doing ever more, just when demand is growing. Coming to the point made by the right hon. and learned Member for Harborough (Sir Edward Garnier), that is crucial in this respect: given the context in which this Bill has been introduced, our amendment 10 would block proposals to grant additional police volunteers until the Government have passed a police funding settlement that guarantees that

funding to police forces will be protected in real terms. The Government said that it would be protected last November, but that is not true. We ask that it now be the case, rather than the phoney police promise that we heard from the Chancellor of the Exchequer last November.

Antoinette Sandbach: I am aware of the hon. Gentleman’s experience of south Wales and his knowledge of the cuts made to South Wales police by the police and crime commissioner. If he comes to Cheshire, he will see that there have been increases on the frontline in my constituency, where there is a Conservative police and crime commissioner. If he goes to mid-Wales, he will see that there have been increases on the frontline in Dyfed-Powys, where there is a Conservative police and crime commissioner. Surely, the two are not linked.

Jack Dromey: The interesting thing about what the hon. Lady says is that the current police funding formula skews funding away from metropolitan areas towards leafy Tory shires. Why is the west midlands hit twice as hard as Surrey? If we ask the police and crime commissioner for Surrey, we find that he agrees. To add insult to injury, the Government finally said, “We admit that the formula is unfair. We will change the formula,” which led to the omnishambles before Christmas when they had to abandon the proposed changes to the formula.

Sir Edward Garnier: I have been listening with deep fascination to the hon. Gentleman for the last 15 minutes or so, but he is yet to come to amendments 11, 12 or 13. Are there any arguments in support of those?

Jack Dromey: Absolutely. Under the current arrangements in the police service, there is an agreement between the Home Office, the National Police Chiefs Council, the College of Policing and the police staff unions that police support volunteers should bring additionality to the workforce but should under no circumstances replace or be a substitute for paid police staff. The Government claim that they have protected police funding and that they are not using the provisions to plug holes left in the workforce from funding reductions. If plugging gaps in our hollowed-out police service is not the Government’s aim in these ill-thought-out proposals, there should be no reason whatsoever for them not to support amendment 10.

Kit Malthouse: The hon. Gentleman needs to realise that he is walking into a cul-de-sac, which may not be of his own making. Independent custody visitors are essentially police volunteers who visit custody suites, and a case could probably be made by a smart lawyer that they substitute for custody officers in their supervisory role. Are they the kind of people that he wants to get rid of?

I urge the hon. Gentleman to listen to my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier). We have a duty in this House not to create Heath Robinson legislation. Amendments 11, 12, 13 and 10 seem to me to be an extraordinarily roundabout way to disagree with what the Government are trying to do through the previous amendments. Surely the hon. Member for Birmingham, Erdington (Jack Dromey) should simply vote against those amendments, rather than creating this Byzantine structure to negate what the Government are trying to do.

Jack Dromey: It is quite right, for reasons that I will come to, that those amendments have been tabled, but the amendment that we will press to a vote is amendment 10. As I have just said, the Government should not plug gaping gaps in the police service with volunteers; the police service should be properly funded in real terms. Not until that happens should the Government proceed with their proposals for a new generation of volunteers—for whom, as I will come on to say, there are no constraints thus far on what they might be able to do.

I turn to exactly that point: the proposal that there should be no limits in law on where the chief constable can place volunteers—no limits on the operational role that volunteers might play, including in some of the most vital, sensitive and demanding areas. The public will be rightly dismayed by the Government's refusal to rule out the use of volunteers in tackling child sexual exploitation, terrorism and serious crime. There has been no clarity in the Government's proposals thus far about the role that volunteers should play in those areas. We have asked for clarity, but none has been forthcoming.

I now turn to accountability in relation to volunteers. Under the Bill's provisions, when police officers and special constables have been dismissed following disciplinary proceedings, their details will be added to the barred list held by the College of Policing, and chief officers will not be able to appoint anyone on the list as an officer, a member of police staff or a special constable. However, the Bill does not provide for volunteers dismissed for misconduct to be added to the barred list, which is why we sought to amend the Bill in Committee. Will the Minister explain what mechanisms are in place to ensure that volunteers who abuse their powers cannot serve again?

5 pm

We still have not been given clarification about the accountability mechanisms that will be put in place for new warranted volunteers. This issue of accountability is absolutely key. Deborah Glass, the deputy chair of the Independent Police Complaints Commission, said:

"We believe it is vital for public confidence that all those who perform police-like functions and powers are subject to independent oversight."

We wholeheartedly agree, but the Government do not seem to take that view in respect of this new breed of volunteer.

In Committee, we also tabled an amendment to provide for centralised guidance concerning disciplinary proceedings against volunteers, as well as against officers, specials and staff. Again, the Government did not support it, and we are no clearer about how exactly they hope to ensure that the necessary professional standards, quality of service and proper accountability are upheld for volunteers.

I now turn to one of the most extraordinary proposals in the Bill. The other day, a colleague of mine nicknamed it the John McEnroe or the "You cannot be serious" proposal. I was in Brighton with my hon. Friend the Member for Hove (Peter Kyle) only yesterday to talk to PCSOs and members of the public. They just could not believe that volunteers will be able to use CS gas and PAVA spray. "What fool came up with that idea?" asked one. That is a good question. Perhaps the Minister can enlighten us. It is our very strong view that CS gas and

PAVA spray should be used only by officers who are regularly trained in their use and, importantly, in the law concerning their use.

Andrew Gwynne: My hon. Friend is being generous in giving way. Does he not also suspect that, perhaps as an unintended consequence, this might place volunteers in very risky situations?

Jack Dromey: That is absolutely right. I will mention something similar in a moment. If we have volunteers—I again stress that there is a long and honourable tradition of volunteers working in and with our police service—we must, to be frank, go the extra mile to ensure that they are not subject to risk or harm. If they are ill-trained and there is no framework of accountability, issuing them with CS gas and leaving them to get on with it might lead to very serious consequences indeed, not just for members of the public but for the volunteers themselves.

Bob Stewart: Forgive me; my experience is not with the police, but I know very well that the police service, just like the armed services, would not issue CS gas or the like without very strict controls and very strict training. I am quite sure that volunteers would not be given any less training in the use of such chemicals in pursuit of their duty.

Jack Dromey: As the hon. Gentleman knows, I used to be chairman of the defence unions. I am proud of my long association with members of our armed forces, of which he was an admirable example. It is extraordinary—I have given some reasons for this, and I will come on to others—that there is no clarity about training and accountability. A proposal has simply been inserted in the Bill for volunteer PCSOs to be issued with CS gas and PAVA spray, which raises fundamental issues of concern. I suspect that if this was raised with members of the public in the hon. Gentleman's constituency, they would say, as was the case in Hove and in my constituency at the weekend, "What planet are they living on?"

Sir Edward Garnier: If I can just bring the discussion back to this planet, I accept that the Labour party does not want volunteers to be able to enter our police system in the way proposed by the Bill, but where on earth does the hon. Gentleman get that idea? I hope he is just making it up as he goes along, because if he has thought about his arguments I am even more worried than I was a moment ago. Where in the Bill does it say that anybody is going to be handed a noxious substance such as CS gas or the other spray without adequate training? It defies belief that anyone with common sense would advance that argument, and it is even less likely that a consequence of the measure would be that they would not get that sort of training. It is just bananas.

Jack Dromey: The right hon. and learned Gentleman should put that question to his Front-Bench colleagues so that the concerns he has just expressed can be allayed. The concerns raised during detailed scrutiny of the Bill in Committee were heard but not acted on, and that is precisely why we are having this debate today.

On the principle of volunteers in the police service, I went out of my way to say at the beginning of this debate that there is a long and honourable tradition of

excellent men and women serving as special constables and in neighbourhood watch teams. Had we won the election in May 2015, we had plans to enhance the role played by local people in having a local say over the policing of their local communities, including greater volunteering and co-operation with the police. The question is where we draw the line on what is and what is not appropriate. Perhaps I could visit the right hon. and learned Gentleman's constituency and we could ask the first 100 people we meet, "What do you think of volunteer PCSOs being able to carry CS gas?" I suspect that I know the answer we would get.

Sir Edward Garnier: That, I respectfully suggest, is not a very clever question, because it is loaded to produce the answer that the hon. Gentleman wishes to receive. He is very fond of other volunteers, but he does not like clause 35 volunteers. If I asked anybody in his constituency or in mine, "What do you think about untrained people carrying shotguns, police weapons or CS gas?", of course they would say that that was not very sensible, but the question removes reality from the practical application of the Bill. No volunteer within the ambit of clause 35 is going to be walking around Market Harborough, still less the hon. Gentleman's own constituency, without having been properly trained in the use of the materials, weapons or instruments to which they will be given access. That is just plain silly, and I wish he would move on to something rather better.

Jack Dromey: I agree it is plain silly that the right hon. and learned Gentleman's Front-Bench colleagues have not answered those questions. When they speak today and during the Bill's subsequent stages, I have no doubt that he will pose those questions and say, quite rightly, that it would indeed be silly for something to happen without proper training or accountability. At the moment, for the reasons I have spelled out, that just is not in the Bill.

Antoinette Sandbach: Traditionally, matters such as training are not put in legislation, but that does not mean that they do not happen. There is no requirement to include training in the Bill, but it still goes on.

Jack Dromey: With respect, I disagree with the hon. Lady. If we look at the training received by the police, PCSOs and police staff, we see that there is guidance and that an agreement has been reached. The existing framework is very helpful, but as the Bill stands there is nothing for the new breed of volunteers that the Government seek to introduce. The hon. Lady might want to put that question to her own Front-Bench colleagues.

It is our very strong view that the use of CS gas and PAVA spray should be undertaken only by officers who are regularly trained in their usage and, importantly, in the law surrounding their use. In the words of Vera Baird:

"We have lost 861 police officers and 940 police staff since 2010 through government cuts which can't be replaced by volunteers". She also said:

"many volunteers want to support the work of police officers—not to do their jobs for them. The use of CS gas and PAVA spray is something that should only be undertaken"

by sworn officers,

"who are regularly trained on their usage and importantly in the law surrounding their use".

She is absolutely right. She went on:

"Rather than extending the role of volunteers, the Government needs to start funding police forces properly, to allow Chief Constables and Police and Crime Commissioners to recruit more police officers, who can go on the beat and serve local communities."

The Government need to have a proper conversation with the police and the public about what they see as the acceptable use of force by volunteers, in a context in which institutions such as the Independent Police Complaints Commission have already raised serious issues about the use of force by fully trained warranted officers. With regard to that proper conversation, only today we received a briefing from the National Council for Voluntary Organisations, which has already said about the proposals in the Bill that

"the development of volunteering in policing needs to be driven by a clear vision and strategic direction"

and that the Government have not fully articulated

"what role the reforms will play in moving towards a different and improved model of policing beyond how it may offer forces greater flexibility and reduce costs."

To return to the proposal on CS and PAVA, our police service has and needs the power to use force where necessary when carrying out its duty to protect the public. It is clear that the public understand that, and indeed, expect and rely upon it. However, under the UK's tradition of policing by consent, they also expect that those who use force will be properly trained and qualified, and there will be proper accountability. The Government simply have not made the case for the proposal and we will therefore be voting against it.

I hope that, even at this late stage, the Government will listen to, for example, Winston Roddick, the chair of the Association of Police and Crime Commissioners, who said about the proposal:

"I have serious reservations about it... I think that the proposal raises points of principle about arming members of the public to do something by the use of arms, which goes further than the common law principle of acting in reasonable self-defence."—[*Official Report, Policing and Crime Public Bill Committee*, 15 March 2016; c. 51, Q67.]

Bob Stewart: The hon. Gentleman—he is actually a friend of mine—and I both know that we arm members of the public in our reserve forces. With training, they do exactly the same on operations as any normal regular soldier, and they are sent on operations into really dangerous positions.

Jack Dromey: I am very familiar with what the hon. Gentleman has said. I am proud to have many friends who are reserves; they play a very important role in the armed forces. Crucially, they are properly trained and equipped, and work within a framework of accountability. That is exactly what has not been proposed—or at least spelled out—by the Government for volunteer PCSOs. That is precisely what we are seeking to draw out, and for that reason we will be voting against the Government's proposals.

I will say one final thing on volunteering before I move on briefly to other provisions in the Bill. I return to what the NCVO has said; to be frank, it has captured our concern:

"The proposed approach to volunteering, through the creation of volunteer positions that are 'equivalent' to or 'mirror' paid roles, risks misunderstanding the nature of volunteering and the full contribution it can make. Rather than the language of equivalence

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we hope the government will recognise this and start to reflect a language of distinctiveness and complementarity. This will help ensure a more successful police volunteering programme.”

The NCVO is absolutely right that the Government have, in this respect, simply got it wrong.

I turn now briefly to other issues dealt with in Committee by my formidable colleague, my hon. Friend the Member for West Ham. Our new clause 21 and amendments 7, 8 and 9 would help to ensure full cost recovery of the licensing of guns. That is a crucial objective of the Gun Control Network. It is also a goal that the Government profess that they wish to achieve. In Committee, the Minister for Policing, Fire, Criminal Justice and Victims told us:

“We are as one on the fact that the taxpayer should not subsidise licensing.”—[*Official Report, Policing and Crime Public Bill Committee*, 12 April 2016; c. 259.]

We will hold him to his words, and so look for an assurance on when the Government will move to full cost recovery. We note that some forces are already moving in that direction. It cannot be right that an overstretched police service that has lost 18,000 police officers and 5,000 PCSOs should have to subsidise gun licences, and we look forward to the Minister’s response on that. He says that the e-commerce scheme will deliver full cost recovery, but we will see. Are we moving to full cost recovery, and when will that be achieved?

5.15 pm

New clauses 7, 8 and 9 have been tabled by the hon. Member for The Cotswolds (Geoffrey Clifton-Brown). New clause 7 would allow a gun licence to remain valid while the decision to renew a licence is undertaken, new clause 8 would allow rifle and pistol clubs to use more guns than they are currently allowed to use, and new clause 9 would increase the number of people who are able to lend shotguns. Those new clauses are in line with recommendations published by the Countryside Alliance in March 2016, but we are not in favour of them. We believe that tough laws on gun control are necessary, and that they work.

New clause 1, tabled by the hon. Member for Enfield, Southgate (Mr Burrowes), seeks to ensure that knives are not illegally sold over the internet to under-18s, and it has our full support. Indeed, we have strongly argued for precisely such a measure for some months, and we warmly welcome the hon. Gentleman’s new clause. Age verification for online sales poses great difficulties. We were all truly horrified—this was mentioned in a helpful discussion this morning—when we read about Bailey Gwynne, the teenager from Aberdeenshire who was stabbed to death in school by a knife that had been illegally sold online to a 16-year-old. When *The Guardian* investigated the story, it was able to have a knife similar to that used to kill Bailey Gwynne delivered by Amazon with no age verification. It was as simple as ordering the knife online and posting a note on the front door asking for the package to be dropped off without knocking. That is very similar to the way that the knife used to kill Bailey Gwynne was bought.

Like the hon. Member for Enfield, Southgate, who has given good leadership on this issue, we have consistently argued for a tightening of regulations on the sale of knives to young people—indeed, a campaign to that end is being led in the west midlands by the police and

crime commissioner to whom I referred earlier. We therefore welcome proposals to introduce additional age checks when knives are sold online. That is not easy to do in practice, but the principle is key and we hope that the Government will agree to the proposal. There is strong support across the House on this issue, and it would be a shame if one more child died as a consequence of that loophole. I am therefore confident that the whole House will unite in support of the proposed change to the law. It is much needed and not before time.

Several hon. Members rose—

Madam Deputy Speaker (Natascha Engel): I call Kit Malthouse.

Kit Malthouse: What an honour it is to be called before all these august Members!

In respect of amendments 11, 12, 13 and 10, I congratulate the hon. Member for Birmingham, Erdington (Jack Dromey) on manfully—or indeed womanfully—arguing what seems to be a lost cause; Conservative Members eloquently made the case that the proposals are nonsense.

Fundamentally, the hon. Gentleman is saying through his amendments that he does not trust a chief police officer to get right the architecture around volunteers used in their organisation. He is saying that a chief constable cannot be trusted to organise and train volunteers correctly—but if they cannot be trusted to do that relatively simple task, how can they be trusted to handle some of the risks that they face on a daily basis, even with their warranted force? As he considers these matters over the next couple of hours, I urge him to think about withdrawing his amendments and simply to vote against the Government’s amendments if he believes that to be right. His would be Heath Robinson legislation, as I said, and the House has a duty to keep things simple.

I am extremely supportive of new clause 1. As the hon. Gentleman said, the proliferation of knives, particularly these unpleasant zombie knives, has caused a huge problem, particularly in urban areas and especially in London. We have seen some tragic cases over the last two or three years. A while ago, as people will remember, there was some alarm about air rifles and air-powered weapons; as a result, the legislation on purchasing air rifles was changed so that they could not be bought other than face to face. Now, when someone buys an air rifle online, it has to be delivered by the firearms dealer, who has to verify, face to face on the doorstep, that the person is who they say they are and of the correct age, and that the weapon can be sold to them lawfully. Alternatively, there is a mutual network of firearms dealers operating in such a way that someone can buy from one and pick up from another, who will verify that person’s identity and age.

I am 6 feet 2 inches—nearly—and quite a big chap. I am much more frightened of zombie knives than of air rifles, so I urge the Government to look carefully at new clause 1. It would be a valuable addition to our armoury as we try to keep these weapons out of the hands of people who should not have them. Having said that, I do not think it would be a silver bullet—not much we do in the House is; many of these knives are bought on the dark web, where things are a little more amorphous, identities more difficult to find and things are often

posted illegally. Many firearms are bought on the dark web and sent to the UK through the normal post, but the police are becoming quite sophisticated at picking them up, and the same could be true of knives. I therefore urge the Government to adopt the new clause.

I am similarly supportive of new clause 19, on flares at public events. They are not allowed at football matches any more, but elsewhere they often cause injury and terror—people, particularly children, are frightened of them—so it would be sensible to outlaw their use in those circumstances.

Finally, I will speak briefly—we are pressed for time—to new clause 17, which stands in my name. This is a probing amendment, as they say, and I have no intention, at this stage, of putting it to a vote, but I will give Members the back story because it might well appear in the other place.

Members might remember that three or four years ago City Hall ran a big campaign to get a disposal on to the books called “compulsory sobriety”, which manifested itself as alcohol abstinence monitoring orders made against people who have committed a crime where alcohol was a contributory factor. Essentially, an offender, rather than going to prison, which would mean losing their job and contact with their family, is sentenced to wear an alcohol-testing tag or bracelet that, for three, four or six months, tests their skin every 30 seconds to make sure they are not drinking. If they drink and the tag detects it, a signal is sent, the police apprehend them and they go back into the criminal justice system and might well get a custodial sentence. Effectively, the offender is in charge of their own custody.

These orders have been hugely successful in the United States. In South Dakota, where they started, there has been massive compliance and a drop in the number of people arrested for drink-driving and dying on the roads. I learned this morning that there has also been an increase in life span because there is less drinking. South Dakota is a big, flat state; there is not much to do except drink a lot and beat each other up, as in parts of this country. That was happening an awful lot, until these orders were introduced by the now famous prosecutor, Larry Long. They have changed the alcohol environment there entirely.

We managed to get the orders on the statute book here, and a pilot in Croydon over the last couple of years has resulted in a 93% compliance rate among offenders fitted with a tag and an extremely good reoffending rate—once someone has had three to six months off the booze, they do not tend to go back but instead learn the error of their ways. However, there is one aspect of the scheme in the states that we did not adopt but which they think is critical to its success: the ability to charge offenders for their own testing.

In the United States, when somebody is put on this disposal and they go to be tested, more often than not they appear twice a day at the police station, blow into a breathalyser and pay a buck, or a dollar, a test. Effectively, that is money that they would otherwise have spent on booze. From the point of view of the criminal justice system, that makes the scheme self-financing.

Sir Edward Garnier: I can see that my hon. Friend is on to a good thing here. As someone who has not sentenced anyone to this type of order but has sentenced people to the drug testing orders under the Criminal

Justice Act 2003, I would like to ask whether this should be a compulsory requirement. Is it that the police “must” or “may” charge? If it is the former, I think my hon. Friend will find that many people who fall into this sentencing remit will be so chaotic, at least to start with, that they will not have the finances to be able to reimburse the state for the charge.

Kit Malthouse: My right hon. and learned Friend makes a valid point. However, these people are somehow financing an alcohol habit, so they are paying for alcohol. I think my right hon. and learned Friend would be surprised at the demographic of offenders. In the US, this was more often used for repeat drink-driving than anything else. In this country, repeat drink-driving is predominantly a crime of white, middle-aged, professional men; it is they who get done most for this offence. One hopes that they would indeed be able to afford to pay the cost.

My right hon. and learned Friend is, however, right that the proposal is that the police “may” charge. They do not have to. If a PCC believes it would be useful, they could apply to the Home Secretary to run a scheme on a charging basis and then decide on the charge. It might be 50p a day, a pound or £3—who knows? It will depend on the area and the level of offences committed.

Having this particular power adds two critical things to the scheme. First, one of the successes in the US is that the scheme gives offenders the notion that they are in control of their destiny. Every time they reach for a drink, they have to think about the consequences. That is why there is such high compliance—because people feel they are in control. At the same time, having to pay provides an even greater sense of ownership of the disposal. Offenders understand that this is a punishment; they understand that they have to take responsibility and finance the scheme themselves. It is essentially “the polluter pays”.

Secondly, although this disposal has been wildly successful in London and has spread to the rest of the capital, it took a lot of up-front Government funding to get the scheme out there. The Ministry of Justice had to put in £500,000 and the Mayor has done the same to get the facilities out and around town. If we want the disposal to spread so that other PCCs take it up, there needs to be a business case. Bluntly, I am a Conservative, and if there is a flow of income coming from this disposal to a PCC in a way no other disposal will allow, I believe PCCs would be more likely to use it and invest the money up front; they would know that the income would come in to finance it.

I realise that offenders paying for their own punishment would be a new departure for the British criminal justice system, but I think it could be useful given that alcohol abstinence monitoring orders are themselves a new departure. There may be some cultural difficulties. When I first proposed the disposal, I went to see my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke), who was then Lord Chancellor. His first response was to say, “Good grief, you can’t stop people from having a pint!” I explained that if these people break somebody’s jaw or cause a crash because they have been driving drunk, of course we can. If we put them in prison, we stop them drinking. This was just a way of doing that, I explained, without incarcerating people. It is much cheaper, much quicker and, if the

[Kit Malthouse]

Government are kind enough to think about this new clause—perhaps following it up in the other place—the disposal could be self-financing and help to save a huge amount of money.

Andrew Gwynne: It is a pleasure to follow the hon. Member for North West Hampshire (Kit Malthouse). I start by saying that I have always been supportive of the police; I was brought up to be. I can remember my mum telling me as a very young child that if I ever got lost the police were my friends and that I should always seek out a police officer, who would always try to find where my mum and dad were. That is hopefully an ethic that I have passed on to my own children. That, I think, is where we must start.

In this country, there is a degree of consensus about the nature of policing, because we have developed, over a long period, the concept of policing by consent. I think that Parliament, when passing legislation both here and in the other place, must do everything in its power to ensure that we do not move away from that important concept. A number of measures in the Bill deserve to be scrutinised properly before Parliament decides whether it is appropriate to extend the powers in the way that the Minister proposes.

5.30 pm

There are some very good proposals in the Bill, and I broadly support them. I would not like the Minister to think that that was not the case. I support, for instance, the proposal for improvements in the police complaints system, which has long been a bone of contention for Members in all parts of the House, and certainly for our constituents. I also support the proposed changes in the firearms laws and alcohol licensing. I know from experience in my constituency that there are some real shortfalls in the ability of the police to deal with certain aspects of the licensing regime, and I think it is right for us to tighten up some of the existing legislation.

Nevertheless, I have some serious concerns about, in particular, the way in which the Government expect the role of volunteers to develop. Like my hon. Friend the Member for Birmingham, Erdington (Jack Dromey), I support the inclusion of volunteers in the work of our police service, which is important and long-standing, particularly when it comes to the role of special constables. Indeed, I think everyone supports that. I hope, however, that the Minister will be able to allay some of my fears about the powers that she wants to extend to volunteers.

It should be borne in mind that special constables are precisely that: they are police constables. There is a big difference between them and other volunteers, which brings us back to the issue of policing with consent. Although special constables are volunteers, they are also fully fledged police constables, and one would expect them to have the powers that police constables have, because they wear the uniform of a police constable. That, I believe, is quite an important differentiation.

Jake Berry: The hon. Gentleman is absolutely right about the role that special constables play in our police force. They are vital to policing throughout the United Kingdom. Will he join me in calling on the Government, when the Bill goes to the other place, to consider extending the protection of the Police Federation to

special constables, who cannot join the federation unless there is a change in primary legislation? I think that that would be a good way of ensuring that when special constables go out there and take risks, they benefit from the protection of a proper trade union.

Andrew Gwynne: I entirely agree. I am very proud that the headquarters of the Greater Manchester Police Federation are in the Reddish part of my constituency, in Stockport. The work that the federation does in supporting police officers is absolutely brilliant, and, as the hon. Gentleman says, it is crucial that we extend that support and protection to special constables. After all, they are doing the job of a police constable. When we talk about the role of volunteers, it is important for us to do so in the context of what we expect volunteers operating in the police service to do.

My hon. Friend the Member for Birmingham, Erdington, who spoke passionately about these issues, was right to draw attention to the important role of the home watch. In all our constituencies there will be home watch schemes led by dedicated members of the public and volunteers, working alongside the police and police community support officers. They provide a vital connectivity between the community and the police service, which, even following the introduction of neighbourhood policing, is still considered by too many of our constituents to be fairly remote from public concerns. So I support volunteers being the eyes and ears of the police on the ground and in schemes such as home watch.

Also, in my constituency, we have some very dedicated volunteers manning the front desks at the few police stations that are still open. They are playing an important role in ensuring that continuity of service is provided to members of the public. We often hear Ministers talking about protecting the police frontline, but to a number of my constituents who have experienced police station closures and front desk closures, that actually was their frontline. That was where they could get face-to-face access to the police service when they needed it. Were it not for police volunteers in Dukinfield in my constituency, for example, that police front desk would have closed in the same way that ones at the Denton and Reddish police stations have done. Those closures are a retrograde step for the communities that I represent.

Bob Stewart: Does the hon. Gentleman agree that, when the public see a police officer, they simply see a police officer? They do not look at them and wonder whether they are volunteer police officers or not. Volunteers who man desks do not wear the uniform, but wearing the uniform immediately tells the public that someone is a police officer. They do not think, “Is that a reserve officer?” They think, “That is a police officer”, and that is great.

Andrew Gwynne: It is great, and I think that the hon. Gentleman is inadvertently making my case for me that we should not be giving CS gas to volunteers who are not wearing the police uniform. My point is that we already have volunteer police officers. They are called special constables and they have the full power of a police constable and wear the uniform of a police constable. They wear the uniform with pride and they volunteer with pride, and we should be supporting the extension of the special constable programme rather

than extending powers to other volunteers, which I do not think is appropriate. I take the hon. Gentleman's point that, when people see someone in a police uniform, they do not care whether they are a special constable or a paid member of the police force. They just see them as a police officer. There is an important distinction that we must consider in examining some of the powers that Ministers are proposing. That is why we need clarity from the Minister before we decide whether to support the extension of these powers. I sincerely urge Members to exercise caution before we extend them.

My hon. Friend the Member for Birmingham, Erdington also mentioned the parliamentary police service scheme. I was pleased to be able to take part in that scheme back in 2007, when I was Parliamentary Private Secretary to the then Home Secretary, Jacqui Smith. That seems a long time ago now. Taking part in the scheme provided an invaluable insight into the work of the police. I was posted with my own police force, Greater Manchester police, although I was a bit gutted that I was unable to go out on the beat in my own constituency. I was told that that was in case the police ended up nicking any of my constituents. I was gutted because I had a long list of people I would have liked to call on. Leaving that aside, it really was an invaluable experience. I had not appreciated just how complex the police service in an area such as Greater Manchester is. Indeed, it was not really until the end of my experience on the police service scheme that I began to appreciate not only the complexity of the organisation but how it all fitted together.

I want to talk about one experience that really changed my view of the police. Before coming to this House as a Member of Parliament, when I was a local councillor in Tameside, and following my election to this place, I took the view that the police were a pretty remote service, because when my constituents needed them, they never seemed to call on them when they were expected to arrive. On one day, I called in at Oldham police station, where I was posted on the parliamentary scheme, and was to go out on response calls with a very dedicated police officer. We looked at the computer screen and 14 jobs were waiting for the police officer. We took the job at the top of the list, but just as we were about to set off, he received a call on the radio to go to the local hospital, because a girl—a teenager of a similar age to my eldest son—had been picked up by the police and it was suspected that she had been raped at a house party.

The police officer had received Nightingale training to deal with such cases, so we did not go to job No. 1 on the computer screen; we went to the hospital. It was inspirational to see the officer's work. He was able to get the girl to open up and to get the necessary information out of her. The father in me wanted to bash the girl around the head and say, "What on earth were you doing at that house party instead of being at school where you should have been?" That is the paternal instinct, but the police officer was so caring, gentle and professional that he was able to get the information.

That story is relevant because I was back in my constituency that afternoon at a public meeting in Reddish and one of my constituents started complaining about a neighbourhood nuisance issue in the field at the back of her house. She had called the

police at the time, but an officer did not come round. Indeed, the police officer did not come round until two days later. I had to gently remind that lady that she might have been job No. 1, No. 2 or No. 3 on the computer screen—it was in a different borough, but it is just an example—and that we might have been going to head out to her when the police officer got called off on Nightingale duty. I asked her, "If that was your granddaughter, what would you think was the most important job for that police officer to go to?" She conceded that it was to go and look after the girl in hospital rather than to come and see her. That is where the public's perception of the police's work is out of kilter with the real pressures on the police service, not just in Greater Manchester, but across the country, and that is why we must tread carefully when considering how we move away from the traditional policing models. The development of neighbourhood policing has been invaluable, and a move away from it would be a retrograde step.

I suspect that part of the reason that the Minister has come to the House to try to extend the powers of police volunteers is to fill the gap that the Government have created. I will provide an example from my constituency. Greater Manchester lost the equivalent of five officers every week over the course of 2015 and has lost 1,445 officers since the Government came to office, which has an impact on what the police service can provide. I appreciate that this is where the Government are trying to fill the gap with volunteers, but I ask them to think carefully about how they approach the matter. If their approach—it is not clear in the Bill—is that volunteers will be trained to become special constables, that is different from a member of the public, with good intentions no doubt, being taken on by a police force and trained to a certain level, but not actually becoming a police officer. That is what most people outside Parliament will be concerned about.

I will use another local example. Back in 1998, Tameside Metropolitan Borough Council—a Labour local authority—decided to complement the Labour Government's neighbourhood policing team policy with a team of council officers called the Tameside patrollers. They were to be trained in a similar way to PCSOs, and were to wear a uniform that, although in Tameside council's corporate colours, rather than the police colours, looked similar to a police uniform. They were also to work as part of the neighbourhood policing team.

5.45 pm

That all worked pretty successfully, but the council then asked the Labour Government of the day whether they could extend certain police powers to the Tameside patrollers. The Government rightly said no. The Tameside patrollers had certain powers, and there were certain powers the PCSOs were able to use in conjunction with the Tameside patrollers, but the Government said there was a real distinction between a paid employee of the police service and a paid employee of the local authority. Although the two could work in a very complementary way together, there was an important distinction to be made. That is very relevant when we discuss extending police powers to people who are not warranted police officers, who have not sworn the oath of allegiance to the Queen and who have not taken on warranted office. That is why I support amendments 10 and 11.

All that leads on to the issue of police funding, because Greater Manchester has struggled with the settlement. I do not think it is acceptable to say that, as some police areas are doing okay, everywhere should be the same, because the metropolitan areas have taken a real hit in police funding and it is having an impact on what services the police can deliver.

I wish briefly to discuss amendment 12. My hon. Friend the Member for Birmingham, Erdington is right to say that we should not be putting volunteers who are not special constables in roles that may require the use of force or restraint—there is a distinction to be made there. That is not to say that those people are not perfectly capable of using force and restraining people, but this raises an issue about damaging policing by consent. If we have people who are not police officers doing this, whether they are voluntary or paid, that starts to damage the public perception of where the police are in communities, particularly in certain communities. Although this approach might work in parts of the country, we have to be very careful and honest about the fact that in other parts of the country there is mistrust of the police service. If we have people who are not warranted officers using undue restraint, without the checks and balances that ordinary warranted police officers have, through the police complaints system and so on, that leads to further distrust of the police service. I believe the Minister wants to increase, rather than deteriorate, trust in the police service, which is why I urge caution on some of these measures. It is also why I very much support my hon. Friend on them. We would expect these powers to be used by properly trained, properly qualified and, importantly, warranted police officers.

Amendment 13 rightly seeks the removal of what I can describe only as a barmy proposal by the Government to provide for police volunteers to be issued with CS spray and PAVA spray—I do not support that proposal. We need to be very careful here; we need to have proper, appropriate checks and balances, ensuring that the people who patrol our streets with CS spray and PAVA spray are warranted police officers. I do not think it appropriate for volunteers to have that facility. Perhaps the Minister can convince me about what the real intentions are here, and who would be expected to have the facility, but as the Bill stands it appears that that provision is available for any volunteer that a chief constable deems fit. That is too ambiguous. If we are to extend that power to volunteers, Parliament needs to be very clear about the circumstances, the conditions and the appropriate checks and balances.

Jake Berry: Will the hon. Gentleman accept that Parliament is not seeking to extend the power to volunteers? It is seeking to extend the power to chief constables to make the decision on whether volunteers should have CS or PAVA spray. How long does he think that a chief constable would be in office if someone—perhaps an accountant—came in to volunteer on a complicated fraud case and he said, “While you’re in here, take this CS gas spray.”? I think the hon. Gentleman is being unduly alarmist.

Andrew Gwynne: I would sooner be unduly alarmist than face a situation in the future where somebody may have been approved inappropriately to have this facility. It is the duty of Parliament to legislate well. We need to be much clearer in the Bill about what we intend so that

there can be no ambiguity in respect of a chief constable in future. It should be perfectly clear what Ministers intend with regard to the use and the extent of this power.

All it would take is for the Minister slightly to amend and to clarify those points, and we might then have a different view. Unless the legislation that we pass is completely clear, and the intention is completely clear, we run the risk at some stage in the future of somebody who is inappropriate having that power extended to them.

Jake Berry: Is the hon. Gentleman seriously suggesting that Parliament should sit until the recess and come up with an exhaustive list of circumstances in which chief constables could use this power? Surely the appropriate thing to do is to trust our chief officers to use the power responsibly, which is exactly what this Bill does.

Andrew Gwynne: I hope that we would not have to face a situation in which chief constables inappropriately use the powers that the Government are seeking to extend to them, but it is our duty to legislate for a situation where that might be the case. I do not want, at some stage in the future, a chief constable to be all over the headlines of the national press because they have done something that they should not have done but to get out of that because the intention of the Act was not clear. All I am asking for is some clarity from the Minister. If we have to wait to get this right, the Government have the power to carry over legislation. Bills do not fall at prorogation if the Government want to carry them over. Actually, the Government could easily amend the Bill and clarify the point during the remaining stages.

Kit Malthouse: The hon. Gentleman is making a peculiar point. If he is saying that, essentially, we should not give chief constables a particular power because, at some point in the future, they may well fall foul of it or misuse it, then there are lots of other powers that we give chief constables to which he may wish to apply that rule. For instance, a chief constable is able to license a police officer to handle a firearm. If that firearm is used incorrectly, as we have tragically seen in the past, then the chief constable faces the consequences—whether that be legal consequences or otherwise. Does he think therefore that this principle that we cannot trust these highly trained and highly experienced chief constables to use their discretion should be applied to other perhaps more critical areas of their operation?

Andrew Gwynne: The hon. Gentleman has, inadvertently, made my case for me. He talks about extending firearms powers to police officers. That is the difference—he is talking about police officers. Chief constables are accountable for police officers. What we are talking about here is extending the use of CS gas to volunteers. We need to be very clear in the Bill what Parliament intends and how Parliament expects that power to be used. If the power is abused or misused, it is Parliament that will be at fault because it has not been clear about the fact that these are volunteers, not police officers.

I appreciate that other Members want to contribute to the debate. I return to the fundamental point about policing by consent. If we extend to volunteers, who are not warranted police officers in the form of special constables, powers that we would expect warranted

police officers to be given, Parliament must be very careful and clear about the intention and the use of those powers, so that there are appropriate checks and balances if those powers are misused or abused, which we hope they will not be.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. We have seven more speakers, plus the Minister, so I am a little concerned that we will not get everyone in.

Mr David Burrowes (Enfield, Southgate) (Con): I shall try to rattle through my contribution. I shall speak to my new clause 1, but first let me mention new clause 17. I welcome the comments of my hon. Friend the Member for North West Hampshire (Kit Malthouse) and pay tribute to his work as deputy mayor on championing alcohol abstinence and monitoring requirements. I did my bit in the Commons and in the Lords to ensure that the new clause eventually got on to the statute book and we need to make it have meaningful effect.

The evidence from what is happening in London, which is spreading, and the impact on the offender, not least as a result of the inconvenience of having to pay, is significant and supports the South Dakota model. That needs to be taken into account when the measure goes to the other place. There are those in the other place—Baroness Finlay and others—who champion the cause and who will look carefully at the evidence and give further impetus to cost-effective efforts to help those caught up in the cycle of alcohol-related offending.

I welcome the cross-party support for new clause 1 and the support from my hon. Friends the Members for St Ives (Derek Thomas), for Colchester (Will Quince), for South Thanet (Craig Mackinlay), for North West Hampshire, for Richmond Park (Zac Goldsmith), for Romford (Andrew Rosindell), for Congleton (Fiona Bruce) and for Altrincham and Sale West (Mr Brady). Some more recent supporters such as my hon. Friends the Members for Gower (Byron Davies), for Eastbourne (Caroline Ansell) and for Windsor (Adam Afriyie) did not quite make the cut last night to get their names on the amendment paper.

Over a number of years there has been support to ensure that knife crime legislation was fit for purpose and that it dealt properly with the issues of enforcement, recognising as do all of us who represent constituencies that have, sadly, been affected by knife crime, that much work is needed on prevention. I welcome the Government's work over a number of years to ensure that we tackle knife crime both at its source and when it comes to court. I and a former Member, Nick de Bois, championed mandatory sentencing for repeat knife offending and I welcome the fact that that has now reached the statute book and is being implemented. We will continue to monitor that to ensure that it is implemented properly.

More needs to be done. No one can be complacent about the need to review legislation and to use the opportunities presented by the Bill to deal with knife crime. At 11 pm last night there was another incident of stabbing in the borough of Enfield, where a 28-year-old was stabbed twice in the abdomen and twice in the head in what was probably a gang-related incident. An off-duty police officer found the victim opposite Edmonton police station. The case reminds us of the impact of knife crime.

New clause 1 focuses on the sale of knives, particularly online sales, to those who are under age. I recognise that in some ways that is of marginal relevance. When I talk with police officers about gang crime, they explain that the easiest way for a youngster to obtain a knife is by getting one from the kitchen, or from someone else, or an adult might purchase it for them, so we have to recognise that there are other areas where we can tackle the prevalence of knives that would not be tackled by new clause 1.

6 pm

Nevertheless, the Government have been on this case as well, in relation to how we deal with appalling cases such as that of Bailey Gwynne, which was mentioned by the shadow Minister. During the trial we got a reminder of what we are talking about when knives get into the hands of young people and are used, tragically and fatally, on other young people. When the police asked the offender how he bought the knife, he said, "I ordered it over the internet, because they don't check your age." I appreciate that the Scottish legislation relating to such cases is very different from ours and not totally applicable, but we want to ensure that our legislation on the sale of knives is fit for modern-day purposes, not least in relation to online sales.

I want to pay tribute to others who have campaigned on this issue, not least my hon. Friend the Member for Richmond Park, who has helped lead the charge to tackle knife crime, particularly in relation to zombie killer knives. He and others have worked hard, in London and elsewhere, to encourage the Government, who have effectively indicated that they will be banning the sale of those knives and that secondary legislation will give effect to that. That is very welcome.

I also welcome the fact that in March the Home Secretary announced the agreement of principles between major retailers and the Government to tackle knife crime. That voluntary agreement is very welcome. It has been signed by the British Retail Consortium and others. It is important to recognise that commitment by retailers to raise public awareness of age restrictions and robust age verification checks for knife sales.

However, in this legislation I am looking not so much at the prevention end, but at the prosecution end, because when these cases get to court there is a concern that we need to cement and support the Government's action and the voluntary agreement by seeing what read-over there is through to the time when it reaches the courts. Under this legislation—section 141A of the Criminal Justice Act 1998—since 2009 there has been a drop in in the number of prosecutions. Back in 2009 there were 232 prosecutions, and 190 convictions were secured, but the number of prosecutions and convictions has reduced to a handful, despite the increased access to knives online. I admit that the evidence base is thin, because the police do not know the exact prevalence of online sales, and there is not much evidence for tracking those sales. Particular attention is quite properly given to guns and other illicit material that is obtained on the internet. I appreciate the comment made by my hon. Friend the Member for North West Hampshire (Kit Malthouse) about knives also being obtained on the dark web. We need to see what we can do.

I have looked at the Chartered Trading Standards Institute website to see what it says. The situation we are

facing is this: when a matter goes to court and someone is quite properly prosecuted for selling a knife to someone underage, they then need to provide the defence of due diligence, which is that they have taken all reasonable precautions to avoid the conviction for the offence. The Chartered Trading Standards Institute says that what would certainly not reach the threshold of due diligence is simply relying on the purchaser to confirm that they are over the minimum age, for example by asking them to provide their date of birth, or using tick-boxes to ask purchasers their age, or using a general disclaimer, such as, "Anyone ordering this product will be deemed to be at least 18." That is not sufficient.

The Chartered Trading Standards Institute also says that using an accept statement for the purchaser to confirm that they have read the terms and conditions and that they are over the minimum age is not due diligence, and neither is using e-payment services, such as PayPal, Nochex or Worldpay. Those services might require customers to be over 18, but they might not verify a user's age. The issue is the verification of age that may not be properly adhered to. There is a suggestion on the Chartered Trading Standards Institute website that not all retailers are following basic trading standard requirements.

We need what has now been agreed voluntarily by the major retailers to be applied by other online retailers and places where knives are available, such as small fishing shops. We need to ensure that this legislation has bite. We need to do that because young people can sadly evade the more stringent proof of age checks that are required for face-to-face purchases on the high street. That is why new clause 1 seeks effectively to tighten the defence that a seller took all reasonable precautions and exercised all due diligence to avoid the commission of the offence. The triple-lock check in the new clause uses three minimum requirements recommended by the Chartered Trading Standards Institute for online sales of age-restricted products.

The first check is age verification on delivery. Retailers would be required to carry out age verification checks at the point of delivery by ensuring that their delivery drivers request valid proof of age to confirm the purchaser is over the minimum age necessary to buy the knife. The reality is that third-party couriers do not accept responsibility for age verification, and that could be a loophole. Furthermore, although the voluntary agreement the Home Secretary got the major retailers to sign up to means there is a commitment on their delivery drivers, we are looking at all other online retailers.

The second check is online age verification. Obviously, the credit card could provide that, but easily obtainable software could also ensure that a person's age and identity are verified during the ordering process. Checks could use a register or a credit reference agency, and that could help to provide a proper due diligence check.

The third check—a follow-up offline check—goes a step further than the voluntary agreement. In some circumstances, it may not be possible to verify a potential purchaser's age to conclude an online order. Further checks would then be required, such as requiring the customer to provide valid proof of age, which could then be appropriately checked.

Those checks put more flesh on the bones of the due diligence check. I understand that the specificity of due diligence is not usually included in statute, and the

Government may well respond that they do not want the new clause to cut across the voluntary agreement, but it does not seek to do that. In many ways, it is about cases that get to court, whereas the Government's voluntary agreement is about trying to prevent online sales to under-18s and encouraging responsible retailers.

We want the prosecution and the court to be properly appraised of what is the very least in terms of reasonable precautions. New clause 1 would give them a clear understanding of the minimum requirement and of what is not a good trading standard, going beyond just the good voluntary agreement the Government helped to agree. It would make clear where the read-across is when cases reach court, so that the court has a clear understanding of due diligence.

I have tried to find other legislation where due diligence is specified, and it is hard to find. Nevertheless, there is an example of guidance relating to money laundering. Following a meeting that gave rise to something not dissimilar to the voluntary agreement with online retailers, the Government published guidance on customer due diligence on their website on 5 August 2013, and that guidance can be read across into court.

The new clause has cross-party support, and the Government will have seen how many Members—not least Conservatives—have signed up to it, and others no doubt support it as well. It is therefore important that the Government respond constructively and look at how we ensure that publication of their voluntary agreement leads to guidance so that the courts recognise what a due diligence defence to such crimes is.

In conclusion, it is important that the offence we are talking about is fit for the modern-day purposes of online sales. Often, we are talking about not just the sale of a knife but the supply of a knife. I would therefore welcome the Government considering whether a tweak needs to happen so that the sale of knives also encompasses the supply of knives. A wider understanding of sale and supply would ensure that we allow for the purchase of a knife by an adult who then passes it on to a youngster. We would then have full coverage. We should make the most of the opportunity provided by the Bill, whether that is today or later, when we come back to it here or in another place.

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): According to the National Audit Office, police forces saw their funding from central Government fall by 25% in the previous Parliament. The Chancellor and the Home Secretary have been rebuked by the statistics watchdog for claiming in the November spending review that police funding would be protected in this Parliament. As my hon. Friend the shadow Policing Minister said, Sir Andrew Dilnot, chair of the UK Statistics Authority, noted that the budgets would be cut by £160 million in real terms between 2015-16 and 2016-17. The result is that 18,000 officers have been cut by this Government, 12,000 from the frontline. This has led to police forces being overstretched and struggling with the challenges that they face. In many areas, specialist teams are stretched, and sometimes being merged, leading to even more pressure on the frontline.

I oppose the Government's attempts in this Bill to plug the holes that they have created in the workforce with volunteers. I recognise the excellent work done by special constables, as highlighted by many right hon.

and hon. Members. Some weeks ago, I had the privilege of spending some night shifts with the Lambeth division as part of the police service parliamentary scheme. I was absolutely impressed by the dedication, commitment and professionalism of all the specials I met in having to deal with fighting, robbery, assault and a range of all sorts of offences during those shifts. For many years, my own father was a special constable in south Wales, so I absolutely appreciate the role played within the policing family by special constables, as well as the other volunteers who work to support the police through neighbourhood watch, police and crime panels, and a range of other roles. However, there is a big difference between volunteers bringing additionality to the police workforce and volunteers acting as replacements for paid police staff.

One of the most concerning results of police cuts has been the reduction of in the number of neighbourhood policing teams. Under the Labour Government, we saw significant investment in local policing teams. That had a really positive impact in reducing crime, building rapport with local communities, and raising awareness and visibility. Sadly, we are witnessing the loss of local neighbourhood policing, and that is a huge backward step.

Peter Kyle (Hove) (Lab): My hon. Friend is making an incredibly powerful point about the importance of neighbourhood and community policing. Does he agree that the other important aspect is stability for our economy? Increasingly, particularly in constituencies such as mine in the far south of England, high numbers of self-employed people are working at home and therefore need stability in order to boost our economy and retain economic growth within the community where a lot of our economic activity now takes place. It is not just about personal harm; it is about economic stability as well.

Gerald Jones: My hon. Friend makes a good point that I fully agree with. Unfortunately, across the country we are seeing the loss of the neighbourhood policing that has grown over the past 10 or 15 years or so. That is a very retrograde step.

Jim McMahon (Oldham West and Royton) (Lab): Failsworth in the borough of Oldham had one of the borough's reassurance projects, which were the forerunners of the model of neighbourhood policing that we all see and respect today. The police station in that area is now closed. There is not a single custody cell in the whole borough of Oldham, and there are only two PCSOs left in the township, one of whom is likely not to be there if the cuts continue. The seven neighbourhoods that were in the borough of Oldham have now changed so that they stretch from Manchester's city boundaries all the way through to Saddleworth and towards Huddersfield. That is not a neighbourhood, by anybody's standards.

Gerald Jones: My hon. Friend makes a good point. As a local councillor, I spent many years working with the neighbourhood policing team in my communities, organising monthly advice surgeries and working with the team to resolve issues that were brought up. Cases that we as local councillors come across often have a two-pronged effect: are they a policing issue or a council issue? Very often, issues cut across both. The ability of

elected local councillors to work with local neighbourhood policing teams has had a positive impact on solving crime that was, in some cases, low level, but that often led to bigger issues brewing if it was not resolved at an early stage. Local neighbourhood policing is essential to resolve community tensions, bring communities together and act as that visible part of policing that, unfortunately, we came to take for granted but that is no longer there in the way it once was. The Government should fund police forces properly and allow police and crime commissioners and chief constables to recruit more police officers to be visible on our streets, and to have the positive impact on crime that we became used to under the previous Labour Government.

6.15 pm

I want to ask the Minister a question about police community support officers. More than 4,500 PCSOs have been lost since 2010 as a result of Tory cuts to policing. Does the Minister expect the volunteer PCSOs to plug that gap and keep our communities safe? I am thankful that I represent a Welsh constituency where support for PCSOs has been provided by the Welsh Labour Government.

Antoinette Sandbach: In fact, those people are community support officers, not police community support officers. Policing is not devolved to the Welsh Assembly Government, so the position is that they are community support officers. *[Interruption.]* The hon. Member for Swansea East (Carolyn Harris), who is speaking from a sedentary position, might want to check that. The Welsh Assembly Government do not have devolved powers over policing or justice.

Gerald Jones: I accept that the Welsh Assembly Government do not have power over policing, but there is no difference between the 500 PCSOs that the Welsh Government fund—they are part of the policing family—and other PCSOs. They are certainly not what is being proposed in the Bill; they are paid police community support officers who work in communities across Wales. Sadly, because of the Conservative cuts, the number of PCSOs has been drastically reduced elsewhere. Wales is the only area where PCSO numbers have increased, and I am thankful that I represent a Welsh constituency where that is the case. I close by asking the Minister to confirm whether she expects the volunteers to plug the gap that the Government have created by cutting the number of PCSOs.

Mr Deputy Speaker (Mr Lindsay Hoyle): I call Geoffrey Clifton-Brown.

Geoffrey Clifton-Brown: You have caught me out of my place, Mr Deputy Speaker, but I am sure that what I have to say will still be perfectly valid.

Mr Deputy Speaker: I think you left your place.

Geoffrey Clifton-Brown: I probably did. I start by drawing attention to my entry in the Register of Members' Financial Interests. I am the chairman of the all-party group on shooting and conservation, and I am a shotgun and firearms certificate holder. I have tabled several amendments that are technical, so I will take them slowly. They have the support of the British Shooting Sports Council, the Countryside Alliance and

[*Geoffrey Clifton-Brown*]

the British Association for Shooting and Conservation. Those associations cover very large numbers of lawful certificate holders.

I rise to speak to new clauses 7, 8 and 9 and amendment 1. New clause 7 has three purposes. First, subsections (2) and (3) relate to expanding ammunition. Expanding ammunition is required under the Deer Act 1991 and the Deer (Firearms etc.) (Scotland) Order 1985 to shoot deer, and it is the humane option for pest control and humane dispatch. It is therefore widely possessed. Certificates are rendered more complex by the inclusion of the additional authority to acquire and possess it. Expanding ammunition is also safer than fully jacketed ammunition, being less prone to ricochet.

It is my understanding that the National Police Chiefs Council has asked for a revision of this provision. Currently, special authority has to be given on a firearms certificate for the possession of expanding ammunition, which requires additional administration for the police. The new clause would simplify the licensing process, save resources for the police and facilitate the movement of such ammunition for the trade. Moving expanding ammunition back to section 1 of the Firearms Act would reduce the administrative burden. It is also illogical to have a type of ammunition that is banned by one Act, but required to be used by another.

Secondly, subsection (4) of my new clause 7 would replace the existing section 7(1) of the 1968 Act to address an anomaly in the Act as regards section 7 permits. The insertion of words “or authority” would extend section 7 temporary permits to cover section 5 items held on a firearms or shotgun certificate. That would help in a variety of circumstances when temporary possession has to be authorised—for example, when there are firearms or ammunition among a deceased person’s effects that have to be disposed of by the executors.

Thirdly, subsection (5) of new clause 7 would clarify the law with regard to certificate renewals, and replicate the provision in Scottish legislation that ensures that the possession of firearms remains lawful when there is a delay in renewal. This has happened to me. An application may be made to the police in good time, but because of the number of certificates that the police have to inspect and then decide whether to grant, they do not actually renew the certificate on time. Unless they issue a section 7 temporary permit, the person holding the firearms or shotguns is doing so illegally because the certificate has not been renewed. I therefore suggest the adoption of the Scottish solution.

A recent freedom of information request to all police forces in England and Wales has shown that there has been a substantial increase in the number of section 7 temporary permits issued during the past five years. For example, the number of permits issued in Hampshire has increased by over 15 times, from 79 in 2010 to 1,205 in 2015. It should also be noted that some of the police forces inspected by Her Majesty’s inspectorate of constabulary have failed to issue a section 7 temporary permit to individuals whose certificates have expired, placing those individuals in an illegal situation through no fault of their own. Of the 11 police forces inspected by HMIC, between one and 168 firearms holders were currently in that category in each police force area.

Simply by deeming the existing certificate to be in force until it is renewed by the police would reduce the administrative burden on them, and not place the individual certificate holder in the invidious position of holding illegal firearms.

New clause 8 would extend Home Office club approval to cover section 1 shotguns and long-barrelled pistols used for target shooting at clubs approved by the Home Office. These clubs are very strictly vetted. They may possess firearms for the use of their members, who may temporarily possess one another’s firearms. This allows the club to instruct new members in safety and shooting skills, as it is required to do under its licence, and for a range officer to take possession of a firearm on the range in the event of a problem.

At present, the Home Office may approve target shooting clubs to use only rifles or muzzle-loading pistols. Long-barrelled pistols and section 1 shotguns are increasingly popular for target shooting, but because of the limitations placed on firearms for which Home Office approval may be given, only the person—this is the critical bit in relation to new clause 8—on whose firearms certificate the long-barrelled pistol or shotgun is entered may use it at the club. This has adverse consequences in that clubs may not possess such arms for the use of members, and may find that the possession stricture makes safety instruction difficult and, critically, prevents range officers from taking control of such firearms should there be a problem. For example, if the weapon jams or, even worse, if something serious, such as a heart attack, strikes the user of the firearm, the range officer in the club cannot lawfully take possession of the firearm. New clause 8 seeks to amend that provision.

New clause 9 addresses the problem caused by the term “occupier” in relation to the borrowing of a shotgun without a shotgun certificate under section 11(5) of the Firearms Act 1968, and the borrowing of a rifle without a firearm certificate under section 16(1) of the Firearms (Amendment) Act 1988. I will cut a lot of verbiage from my explanation of the new clause by illustrating it with an example. Suppose, Mr Deputy Speaker, that I invite you to shoot on my shoot and I am the occupier. If you bring a friend, he can borrow my gun, because I am the occupier, but he cannot borrow your gun, because you are not the occupier, even though you might be a lawful certificate holder.

Recent inquiries made to police forces suggest a lack of clarity as to how the term “occupier” is understood, but it is construed narrowly. The organisations that I have mentioned carried out a survey. When asked under a freedom of information request for their definition of “occupier”, the majority of police forces relied on guidance. Sussex police force replied that “occupier” meant

“either the owner of the land or the person possessing the sporting (shooting) rights over the land”.

The Durham police force, however, defined “occupier” as

“an owner, lessee or authorised person over the age of 18 years who holds a firearm certificate and who owns or is responsible for land that has rights of hunting, shooting, fishing or taking game”.

Those two examples make it crystal clear how different police forces construe the meaning of the word “occupier”.

The Law Commission's scoping consultation concluded the following on the lack of definition:

"It has been reported to us by a number of stakeholders that this provision poses real problems in practice for shooting enthusiasts. This is because it inconsistently limits this very temporary, restricted loan of shotguns, with the result that some novices wishing to shoot are arbitrarily forced to take out shotgun certificates in their own names".

By simply replacing the word "occupier" with "the owner, occupier or authorised person", anyone granted a lawful certificate by the local constabulary would become the authorised person. The new clause deals with the anomaly.

Moving rapidly on to my amendment 1, this Bill will give the Home Office the right to produce statutory guidance by which the police will have to abide, but the shooting organisations fear that they will not be consulted as part of that process. That would be monstrously wrong, because the thousands of lawful certificate holders would not have a say in that guidance. My amendment simply states that other organisations must be consulted on that statutory guidance.

I would like to spend 30 seconds on the Opposition's amendments on full cost recovery. If they look carefully at the work of the fees working group, they will see that all the organisations, including the Association of Chief Police Officers, the Home Office and the shooting organisations, agreed that the system allows for full cost recovery. Put simply, the police must adopt the new, computerised efficiency systems to give them those reductions in costs. Unfortunately, not all constabularies are complying with that new e-commerce system. I ask the Minister to encourage all 42 constabularies to adopt the system so that they can get the maximum efficiencies and keep their costs to the lowest possible level. That would benefit all certificate holders. Thank you, Mr Deputy Speaker, for allowing me this opportunity.

Nigel Adams (Selby and Ainsty) (Con): I want to speak to new clause 19, which appears in my name and those of many right hon. and hon. Members from parties on both sides of the House. Members may recall my promotion of a ten-minute rule Bill on the subject in question a couple of weeks ago, so I hope they will indulge me while I provide a quick summary.

My new clause seeks to ban those attending live music events from carrying or using flares, fireworks or smoke bombs. In 2014 there were 255 incidents involving such items, which can be very dangerous as they can burn at temperatures of up to 2,000 °C. Although we are lucky that no one in this country has died from such incidents recently, such deaths have occurred elsewhere in the world, so we should try to act now to prevent that from happening here.

6.30 pm

Many people I have spoken to were surprised to learn that such dangerous behaviour is not already prohibited in law, especially given that football fans already have that legal protection; possession or use of pyrotechnics among spectators is banned at football grounds. That approach demonstrably works: there were only three incidents in 2014 at football grounds. I understand that a young woman was hurt by a flare at Wembley over the weekend; the difference is that the cretin who burned the flare and hurt the girl can be dealt with in law, in front of a court if necessary, whereas that could not happen for an incident at a music event.

Perhaps I am too demanding, but the current legal situation for music festivals is deeply inadequate. Flares are not covered by existing fireworks regulations at all, because they are not designed for entertainment. Under-18s are prohibited from carrying or using fireworks in public places, but most concerts and festivals occur on private property and so are not covered—therein lies the anomaly. Adults can be convicted of an offence of using or carrying the items only if it can be proved that that was done with an intent to cause harm. That is not usually the case when someone takes the stupid decision to set off a flare or throw a firework at a concert.

I have tabled new clause 19 in the hope of making the law consistent and offering music fans the same protection as football fans—protection that they deserve. To be entirely clear, the new clause would not affect the ability of artists and their production teams to use pyrotechnics on stage. Dig if you will, Mr Deputy Speaker, a picture of you and me at a concert where the only fireworks on display are part of a show and are deployed by pyro experts rather than by someone ill-equipped to handle such dangerous objects.

Flares are meant as emergency tools and should not be used as toys or makeshift torches. I have absolutely no desire to stop people using fireworks in any of the many ways in which they can be used safely, but it is blindingly obvious that in the close quarters of a concert audience their use is not safe. Under the new clause, courts would be empowered to impose fines or short prison sentences on those found guilty of this reckless behaviour, in line with the penalties at football matches.

Since I raised this issue a couple of weeks ago, I have been contacted by many people who have been affected by such incidents; in fact, I had a call this morning from a young woman who had been hit in the head, very close to her eye, by a firework at the Brixton Academy. It is little comfort to those wounded or scarred by fireworks and flares to be told, "I never meant to cause you any pain." Their use should be outlawed.

There is wide support for making this change from the music industry, artists, venue owners and operators, and fans. The industry representative body UK Music, the Association of Independent Festivals and many others have all asked the Government to back up all those in the industry who already strive to put on safe and enjoyable performances. The founder of Bestival, Mr Rob da Bank, has said:

"As the promoter of a 50,000-capacity festival, audience safety is always at the forefront of event planning, and we would like to see our fans offered the same protection as those attending sporting events."

Mr da Bank goes on to say—this is sadly a "Sign 'O' the Times", Mr Deputy Speaker:

"There are increasingly more incidents and the time is right for the government to act and support organisers in minimising risk and providing a safe and enjoyable environment for everyone attending."

I finish by asking the Minister to give serious consideration to new clause 19. I am incredibly grateful to colleagues across the House, and the members of the all-party parliamentary group on music in particular, who, as sponsors of the ten-minute rule Bill and now by adding their names to the new clause, have helped to demonstrate that there is cross-party support for these changes.

I thank the Home Secretary for meeting me to discuss this matter, as well as the Ministers of State responsible for policing and for culture for taking time to discuss my proposals. I am pleased that the Government are willing to listen to such cross-party proposals and are ready to work with us. I do not intend to test the will of the House at this stage, but I look forward to some assurance from the Minister that this provision will form part of the Bill by the time it receives Royal Assent.

Antoinette Sandbach: I rise to add my support to new clauses 7, 8 and 9. In particular, it is important that people who are not seen as a risk when holding firearms—I declare that I hold a shotgun certificate—do not suddenly become a risk overnight because their certificate has expired. New clause 7, and particularly subsection (5), is a sensible amendment to firearms legislation.

If an application to renew a certificate has been received by the local firearms team but it has been unable to deal with it in time, it seems wrong that members of the public who have exercised their responsibilities appropriately and within the terms of their licence should be criminalised overnight by the failure of the police force to deal with that application in time. I urge the Minister to take that into account. New clause 7 would make matters administratively simpler for the police, and avoid unnecessarily criminalising people who have otherwise done nothing wrong.

Mr Geoffrey Cox (Torrington and West Devon) (Con): Does my hon. Friend agree that in that situation, one way forward that the shotgun licence holder is given is to apply for a temporary permit? Yet that application is made to the same firearms department, which is already overburdened with work, and it requires the same amount of work as issuing a permanent permit. We need some mechanism such as that proposed in the new clause.

Antoinette Sandbach: I totally agree. The new clause would remove that unnecessary duplication of effort and allow the police to concentrate on getting through a backlog of licence renewals, or processing them quickly and effectively.

Let me highlight some of the anomalies behind new clause 9. As a landowner I could lend somebody a gun that is lawfully in my possession and that I am authorised to hold. Many children are taught to walk around with unloaded guns for many years, so that they learn how to use shotguns safely. Those guns are never loaded, but children are taught how to carry one, how to keep other people safe, and how to cross fences. That is a valuable part of training, and it makes a nonsense of the current unclear legislation on the term “occupier”—my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) spoke about how different police forces interpret that term, which indicates that there is something of a postcode lottery regarding where someone lives and how the law is applied.

The new clause brings much needed clarity to the process, and I urge the Minister to consider taking the matter further. If he cannot accept the new clause today, perhaps he will commit to it being considered in the other place. It is clear that these new clauses do not involve further risk—or indeed any risk—to the public.

The hon. Member for Birmingham, Erdington (Jack Dromey) mentioned the police funding formula. In

many areas, rural policing is like rural schooling and delivery of services. The policing formula does not support delivery of policing in rural areas—indeed, it tends to favour metropolitan areas. I have many examples of that. I know from previous experience that North Wales police were underfunded by £25 a head. It would be quite wrong, therefore, to give the impression that the leafy shires are better funded than metropolitan areas; that simply is not the case. The difference, particularly in Dyfed-Powys or indeed Cheshire, has been the way the PCC has allocated resources to frontline policing.

Jack Dromey: With the greatest respect, I have to correct the hon. Lady. If we compare metropolitan forces with areas such as Surrey, Sussex and Hampshire, we will see that the evidence is stark. In addition, after the debacle over the police funding formula, proposals were made for transition arrangements, but all the emphasis has been on helping Conservative areas, which cannot be right.

Antoinette Sandbach: I simply do not accept that. The “damping” provisions have ensured that metropolitan areas have had substantially more funding, and rurality is not adequately accounted for in the funding formula to reflect the difficulty of policing often very large areas. After all, communities in rural areas deserve to be policed in exactly the same way and to have the same support and cover as those in metropolitan areas. I want to correct the impression that that is not the case.

In Cheshire, the PCC’s approach to services has led to a substantial increase on the frontline in the number of warranted officers. PCCs are making choices about where to allocate resources, but the examples from Cheshire and elsewhere, such as Dyfed-Powys, show that we can protect frontline services and even increase frontline policing using the funding settlements made over the last few years. The examples are out there, and I invite members of the public to check them out.

Karen Bradley: I start by joining the hon. Member for Birmingham, Erdington (Jack Dromey) in paying tribute to the right hon. Member for Leigh (Andy Burnham) and his work to expose the tragedy at Hillsborough. I also pay tribute to my right hon. Friend the Home Secretary, who instigated the coroner’s inquiry and made sure we had the inquest. Had it not been for her work, we would not be here today with the unlawful killing judgment that we are all grateful for.

I agree with the hon. Gentleman that the Committee was good natured. There was a great deal of agreement and consensus, and where there was agreement—and even where there was not—the debate was good natured. I must, however, take issue with some of his points. We had a bit of a debate during his contribution about crime, but the figures are clear: since 2010, crime is down. He is right, however, that reported crime is up, and that is good news. We want victims to come forward and we want the police to believe them. We want to ensure that when a crime has been committed, it is reported and recorded, so that we have the best possible chance of catching the criminal and bringing them to justice.

The hon. Gentleman talked about the changing face of crime and seemed to imply that the Bill had failed. I hope he will acknowledge that the Investigatory Powers Bill, currently in Committee, deals with many of his

points about the changing face of crime. He is right that there are new ways criminals can attack us and get to us.

Before the internet, a criminal simply could not get to somebody sitting in Leek, in my constituency of Staffordshire Moorlands, or to Joe and Josephine Soap in The Dog and Duck in Erdington, who we have heard much about in our debates. They could simply not get to those people from places such as the far east, eastern Europe and so forth. Now, thanks to the internet, they can. The internet has provided a great opportunity, but it also means that criminals have access to that opportunity. I believe that the Investigatory Powers Bill being debated upstairs addresses many of the points that the hon. Member for Birmingham, Erdington raised.

6.45 pm

I would like to pick up on a point made by my hon. Friend the Member for Eddisbury (Antoinette Sandbach) about police and crime commissioners. I was in Cheshire last week with John Dwyer, who has done fantastic work in that county. Likewise, my own PCC, Matthew Ellis in Staffordshire, has maintained front-line warranted officers. As my hon. Friend the Member for Cannock Chase (Amanda Milling) mentioned in the earlier debate, he has also introduced new ways of policing, including using electronic communication, to address precisely the points that the hon. Member for Birmingham, Erdington made about the changing face of crime. Good Conservative PCCs absolutely deliver and make sure that policing is exactly as their communities need.

I am conscious of the time, so I am going to ensure that I comment first on the newly tabled amendments. We have already debated many amendments on similar themes at length in Committee, and I will touch on them if I have the time, but I hope Members will understand why I shall focus my initial comments on the new amendments tabled today.

New clause 1 was proposed by my hon. Friend the Member for Enfield, Southgate (Mr Burrowes). It goes without saying that I share his concerns about inappropriate knife sales, and we absolutely need to make sure that the law—it is very clear that it is illegal to sell knives to under-18s—is upheld and enforced, and that retailers and others understand that law. My hon. Friend knows that we have had extensive discussions of the matter and that we are taking steps to make sure that the law is known, that retailers are made aware of it and that we strengthen our response to knife crime. In February this year, for example, we supported 13 police forces in co-ordinated action against knife crime. This involved targeting habitual knife carriers, weapon sweeps, test purchases of knives from identified retailers and the use of surrender bins.

On 23 March this year, we published the modern crime prevention strategy, which sets out a range of measures to strengthen our response to knife crime, including working with the police and industry to ensure there are effective controls on the sale of knives and other offensive weapons; identifying and spreading best practice; delivering measures designed to deter young people from carrying knives; and introducing secondary legislation to ban the sale and importation of “zombie-killer knives” that glamorise violence. The hon. Member for Birmingham, Erdington mentioned the PCC David Jamieson in that context, and I pay tribute to this Labour PCC for the work he has done.

We have also agreed a set of principles with major retailers, including with Amazon and eBay, to prevent under-age sales of knives in stores and, very importantly, online. The agreement builds on the round table with major retailers, which was chaired by my right hon. Friend the Home Secretary last month to encourage them to sell knives more responsibly.

It is crucial to realise that the current law is very clear: a retailer commits an offence if they sell knives to a person under 18. Retailers are required to take “reasonable precautions” and exercise “due diligence” to prevent such sales. That is why we worked with retailers to ensure that an appropriate code of practice looks not just for age verification at the point of sale. It is right that age verification is not just ticking a box for someone to say that they are aged 18. We mean proper and appropriate age verification, very much like that on which we have been consulting in respect of access to pornography for under-18s. We expect appropriate, online age verification there, too, and not merely a tick box for somebody to say that they are 18. We need to know that appropriate software or other age-verification techniques are being used. These are used by the gambling industry and across the world.

We have that agreement from the retailers, but also crucial is verification at the point of delivery. It is not good enough simply to verify that the purchaser is aged over 18; there must be confirmation and verification at the point of delivery. That means that many retailers—Tesco and Argos, for example—will not deliver a knife to anybody. They insist that the person must go and collect the knife from the store so that they can determine that he or she is over 18, and has appropriate verification.

The law is clear, and the new code of practice is clear. I want to give an agreement that is not even a month old a chance to work, but I also think that we should bear in mind what my hon. Friend the Member for Enfield, Southgate said about prosecutions. We need to know that, if a prosecution is brought, the courts will have the weapons that they need to secure a successful conviction. I shall be happy to work with colleagues in the Ministry of Justice, including my right hon. Friend the Minister for Policing, Fire, Criminal Justice and Victims, who is sitting next to me. We also need to bear in mind what my hon. Friend said about whether we need to take any action on the supply and delivery of knives.

Jack Dromey: May I briefly intervene in support of new clause 1? There is no doubt that welcome steps have been taken, but what the hon. Member for Enfield, Southgate (Mr Burrowes) and others have proposed, with cross-party support, is the imposition of clear obligations and responsibilities, in law, to which those engaged in the selling and provision of knives must be held. Are the Government rejecting that approach?

Karen Bradley: The law is clear. Selling a knife to anyone under 18 is against the law, and anyone who does so is breaking the law. What we are seeking is the best way in which to ensure that that responsibility is upheld and there is appropriate enforcement of the law, and that means ensuring that retailers adhere to the code of practice. It is a voluntary code of practice, but we want the onus to be on the retailer rather than on the Government. The key issue is effective implementation and enforcement of the law as it exists.

[Karen Bradley]

My hon. Friend the Member for Enfield, Southgate pointed out that such matters are not generally covered by primary legislation, and tend to be dealt with in, for instance, codes of practice. I shall be happy to look into whether there are suitable ways of enabling the code to be implemented by prosecution services or others, and I will keep my hon. Friend apprised of developments.

Let me now deal with the new clauses relating to firearms which were tabled by my hon. Friend the Member for The Cotswolds (Geoffrey Clifton-Brown) and supported by my hon. Friend the Member for Eddisbury. I think that my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) has left the Chamber, but I sensed that he was about to support them as well.

The purpose of the firearms provisions in the Bill is to close the most pressing loopholes in the current legislation, which are open to exploitation by criminals. The Government accept that firearms legislation needs a general overhaul, but our priority must be to address the issues that pose the greatest risk to public safety. The Law Commission recommended that firearms legislation be codified, and we are giving careful thought to the case for that. We may be able to consider some of the proposals in new clauses 7, 8 and 9 as part of such an exercise. The provisions in the Bill have been subject to detailed consideration and consultation by the Law Commission, unlike the proposals presented by the British Shooting Sports Council. We need to think carefully about the impact on public safety before legislating on any of these matters, and I assure my hon. Friend that we will do just that.

Geoffrey Clifton-Brown: With great respect to my hon. Friend, it sounds as though she is shunting my new clauses into the very long grass, which would simply not be acceptable to the millions of lawful holders of firearms and shotguns. There will be a great deal of pressure on my hon. Friend. Will she please assure us that she is not shifting this into the very, very long grass?

Karen Bradley: I can assure my hon. Friend that that is not the case. I understand that he had a productive meeting with officials yesterday to discuss his new clauses. As I have said, our No. 1 priority must be to promote public safety, but I accept that we also need an efficient licensing regime that minimises bureaucracy and inconvenience both to the police and to legitimate holders of firearms certificates. We will study my hon. Friend's new clauses further, and if there are elements that can sensibly be taken forward without our compromising public safety, I shall be happy to look into whether it might be possible to do that in the Bill. I will keep my hon. Friend informed of progress in advance of the Committee stage in the other place.

I recognise that amendment 1 is intended to enable those with practical expertise to contribute to the development of the guidance to the police. We will consult widely on the first edition of the new statutory guidance, and that consultation will consider the views of shooting organisations as well as of the police. However, this is not a matter for legislation.

The hon. Member for West Ham (Lyn Brown) has tabled amendments relating to firearms fees. Currently, combined, the authorisation and licensing of prohibited

weapons, shooting clubs and museums cost the taxpayer an estimated £700,000 a year. It is our intention that licence holders, not the taxpayer, should pay for the cost of the service. The proposed fees will be set out in a public consultation and the Government must consider any evidence put forward about the impact of the fees on particular categories of licence holders. I cannot pre-empt the consultation but, for example, organisations in the voluntary or civil society sector might put forward a case.

Fees for firearms and shotgun certificates issued by the police are separate and were increased in April 2015. Those were the first increases since 2001. My hon. Friend the Member for The Cotswolds talked about the police's new online e-commerce system. Once that has been introduced across all 43 forces, fees will recover the full cost of licensing.

Jack Dromey: I have a very quick question for the Minister. Is she therefore giving us an assurance that we are moving to full cost recovery, and that never again will the police have to subsidise the cost of issuing gun licences?

Karen Bradley: Yes. I understand that the Minister for Policing, Fire, Criminal Justice and Victims will write to Opposition Front Benchers with further information when we have further details of the consultation.

My hon. Friend the Member for North West Hampshire (Kit Malthouse) has tabled new clause 17 on the question of sobriety orders. He and I had a good discussion on this yesterday, and I am keen to explore the areas that he has talked about. He has rightly made the point that it is currently not possible to make offenders pay for the cost of their tags, and to do so would represent a departure from what we are doing in other parts of the criminal justice system. So, if he will allow me, I would like to explore the matter further, check for any unintended consequences and other points and perhaps continue to discuss the issue with him so that we can ensure that we get this measure right if it is appropriate to introduce it.

My hon. Friend the Member for Selby and Ainsty (Nigel Adams) tabled new clause 19, and I want to start by praising him. He should take great pride in having identified a real gap in the law. He is quite right to say that we do not want to see hundreds of young people—and perhaps not-so-young people—at festivals being maimed by flares. The Government fully support the intention behind the new clause but we need to be sure that there would be no unintended consequences.

It is for that reason that the Home Secretary and I have agreed with my hon. Friend to work together to table a Government amendment on this issue in the other place. I can assure him that when the Bill is enacted, such an amendment will be on the face of the legislation. I can also assure him that we will work to ensure the timely implementation of the amendment so that the law is in force by the time of next year's festival season. I think I picked up some references in his contribution to a great artist who passed away last week. I can assure him that, at next season's festivals, people will be able to party like it's 1999.

Question put and agreed to.

New clause 31 accordingly read a Second time, and added to the Bill.

New Clause 32**POLICE VOLUNTEERS: INSPECTION**

(1) In section 54 of the Police Act 1996 (appointment and functions of inspectors of constabulary), in subsection (7) (as inserted by section 34), after paragraph (a) insert—

“(aa) persons designated as community support volunteers or policing support volunteers under section 38 of the Police Reform Act 2002;”

(2) In Schedule 4A to the Police Act 1996 (further provision about Her Majesty’s Inspectors of Constabulary), in paragraph 6D (as inserted by section 33), after sub-paragraph (1A)(c) insert—

“(ca) a person designated as a community support volunteer or a policing support volunteer under section 38 of the Police Reform Act 2002;”.—(Karen Bradley.)

This new clause makes provision about how the law relating to police inspections under the Police Act 1996 applies to those designated as community support volunteers or policing support volunteers under section 38 of the Police Reform Act 2002. The amendment of section 54 clarifies that inspections of police forces may include inspections of designated volunteers. The amendment of Schedule 4A is related to amendment 48 and means that designated volunteers served with a notice under paragraph 6A of that Schedule requiring the provision of information have no right of appeal against the notice (and, hence, are in the same position as constables serving with a police force and civilian staff designated under section 38 of the 2002 Act).

Brought up, read the First and Second time, and added to the Bill.

7 pm

Proceedings interrupted (Programme Order, this day).

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

Clause 35**POWERS OF POLICE CIVILIAN STAFF AND POLICE VOLUNTEERS**

Amendment proposed: 13, page 59, line 1, leave out subsection (9B).—(Jack Dromey.)

This amendment removes the provision for volunteer PCSOs to be issued with CS spray and PAVA spray.

Question put, That the amendment be made.

The House divided: Ayes 182, Noes 306.

Division No. 254]**[7 pm****AYES**

Abbott, Ms Diane	Butler, Dawn
Abrahams, Debbie	Byrne, rh Liam
Ali, Rushanara	Cadbury, Ruth
Allen, Mr Graham	Campbell, rh Mr Alan
Anderson, Mr David	Champion, Sarah
Ashworth, Jonathan	Chapman, Jenny
Austin, Ian	Clwyd, rh Ann
Bailey, Mr Adrian	Coaker, Vernon
Barron, rh Kevin	Coffey, Ann
Benn, rh Hilary	Cooper, Julie
Berger, Luciana	Cooper, rh Yvette
Blomfield, Paul	Coyle, Neil
Bradshaw, rh Mr Ben	Crausby, Mr David
Brake, rh Tom	Creasy, Stella
Brennan, Kevin	Cruddas, Jon
Brown, Lyn	Cryer, John
Brown, rh Mr Nicholas	Cunningham, Alex
Bryant, Chris	Cunningham, Mr Jim
Buck, Ms Karen	Dakin, Nic
Burden, Richard	Danczuk, Simon
Burgon, Richard	David, Wayne

De Piero, Gloria	McDonald, Andy
Doughty, Stephen	McFadden, rh Mr Pat
Dowd, Jim	McGinn, Conor
Dowd, Peter	McGovern, Alison
Dromey, Jack	McInnes, Liz
Durkan, Mark	McKinnell, Catherine
Eagle, Maria	McMahon, Jim
Edwards, Jonathan	Meale, Sir Alan
Efford, Clive	Mearns, Ian
Elliott, Julie	Morden, Jessica
Ellman, Mrs Louise	Morris, Grahame M.
Esterson, Bill	Mulholland, Greg
Evans, Chris	Nandy, Lisa
Farrelly, Paul	Onn, Melanie
Fitzpatrick, Jim	Onwurah, Chi
Fleelo, Robert	Owen, Albert
Fletcher, Colleen	Pearce, Teresa
Flynn, Paul	Pennycook, Matthew
Fovargue, Yvonne	Perkins, Toby
Gapes, Mike	Phillips, Jess
Glass, Pat	Pugh, John
Glendon, Mary	Qureshi, Yasmin
Godsiff, Mr Roger	Rayner, Angela
Goodman, Helen	Reed, Mr Jamie
Green, Kate	Reed, Mr Steve
Greenwood, Margaret	Rees, Christina
Gwynne, Andrew	Reeves, Rachel
Hanson, rh Mr David	Reynolds, Emma
Harris, Carolyn	Reynolds, Jonathan
Hayes, Helen	Rimmer, Marie
Hayman, Sue	Ritchie, Ms Margaret
Healey, rh John	Robinson, Mr Geoffrey
Hendrick, Mr Mark	Ryan, rh Joan
Hepburn, Mr Stephen	Saville Roberts, Liz
Hillier, Meg	Sharma, Mr Virendra
Hodgson, Mrs Sharon	Sheerman, Mr Barry
Hollern, Kate	Sherriff, Paula
Hopkins, Kelvin	Shuker, Mr Gavin
Hunt, Tristram	Skinner, Mr Dennis
Huq, Dr Rupa	Slaughter, Andy
Hussain, Imran	Smith, rh Mr Andrew
Jarvis, Dan	Smith, Angela
Johnson, Diana	Smith, Cat
Jones, Gerald	Smith, Jeff
Jones, Graham	Smith, Nick
Jones, Helen	Smith, Owen
Jones, Mr Kevan	Smyth, Karin
Jones, Susan Elan	Starmer, Keir
Kane, Mike	Stevens, Jo
Kaufman, rh Sir Gerald	Streeting, Wes
Kinnock, Stephen	Stringer, Graham
Kyle, Peter	Tami, Mark
Lamb, rh Norman	Thomas-Symonds, Nick
Lammy, rh Mr David	Timms, rh Stephen
Lavery, Ian	Trickett, Jon
Leslie, Chris	Turley, Anna
Lewis, Clive	Twigg, Stephen
Long Bailey, Rebecca	Vaz, Valerie
Lucas, Caroline	Watson, Mr Tom
Lucas, Ian C.	West, Catherine
Lynch, Holly	Whitehead, Dr Alan
Mactaggart, rh Fiona	Williams, Hywel
Madders, Justin	Wilson, Phil
Mahmood, Mr Khalid	Winnick, Mr David
Mahmood, Shabana	Winterton, rh Dame Rosie
Mann, John	Woodcock, John
Marris, Rob	Wright, Mr Iain
Marsden, Mr Gordon	Zeichner, Daniel
Maskell, Rachael	
Matheson, Christian	
McCabe, Steve	
McCarthy, Kerry	

Tellers for the Ayes:
Judith Cummins and
Vicky Foxcroft

NOES

Adams, Nigel
 Afriyie, Adam
 Aldous, Peter
 Allan, Lucy
 Allen, Heidi
 Amess, Sir David
 Andrew, Stuart
 Ansell, Caroline
 Argar, Edward
 Baker, Mr Steve
 Baldwin, Harriett
 Barclay, Stephen
 Baron, Mr John
 Barwell, Gavin
 Bebb, Guto
 Bellingham, Sir Henry
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Boles, Nick
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bradley, Karen
 Brady, Mr Graham
 Brazier, Mr Julian
 Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Carmichael, Neil
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colvile, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Dodds, rh Mr Nigel
 Donelan, Michelle
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard

Drummond, Mrs Flick
 Duddridge, James
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr Iain
 Dunne, Mr Philip
 Elliott, Tom
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evans, Mr Nigel
 Fabricant, Michael
 Fallon, rh Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hermon, Lady
 Hinds, Damian
 Hollingbery, George
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy

Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kinahan, Danny
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Mr Patrick
 McPartland, Stephen
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Murray, Mrs Sheryll
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Offord, Dr Matthew
 Opperman, Guy
 Osborne, rh Mr George
 Paisley, Ian

Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Mr Desmond
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vara, Mr Shailesh
 Vickers, Martin

Villiers, rh Mrs Theresa
Walker, Mr Charles
Walker, Mr Robin
Wallace, Mr Ben
Warburton, David
Warman, Matt
Watkinson, Dame Angela
Wharton, James
Whately, Helen
Wheeler, Heather
White, Chris
Whittaker, Craig

Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Noes:
Simon Kirby and
Sarah Newton

Hunt, Tristram
Hussain, Imran
Jarvis, Dan
Johnson, Diana
Jones, Gerald
Jones, Graham
Jones, Helen
Jones, Mr Kevan
Jones, Susan Elan
Kane, Mike
Kaufman, rh Sir Gerald
Kinnock, Stephen
Kyle, Peter
Lamb, rh Norman
Lammy, rh Mr David
Lavery, Ian
Leslie, Chris
Lewis, Clive
Long Bailey, Rebecca
Lucas, Caroline
Lucas, Ian C.
Lynch, Holly
Mactaggart, rh Fiona
Madders, Justin
Mahmood, Mr Khalid
Mahmood, Shabana
Mann, John
Marris, Rob
Marsden, Mr Gordon
Maskell, Rachael
Matheson, Christian
McCabe, Steve
McCarthy, Kerry
McDonald, Andy
McDonnell, Dr Alasdair
McFadden, rh Mr Pat
McGinn, Conor
McGovern, Alison
McInnes, Liz
McKinnell, Catherine
McMahon, Jim
Meale, Sir Alan
Mearns, Ian
Morden, Jessica
Morris, Grahame
M.
Nandy, Lisa
Onn, Melanie
Onwurah, Chi
Owen, Albert
Pearce, Teresa
Pennycook, Matthew
Perkins, Toby
Phillips, Jess

Pugh, John
Qureshi, Yasmin
Rayner, Angela
Reed, Mr Jamie
Reed, Mr Steve
Rees, Christina
Reeves, Rachel
Reynolds, Emma
Reynolds, Jonathan
Rimmer, Marie
Ritchie, Ms Margaret
Robinson, Mr Geoffrey
Ryan, rh Joan
Saville Roberts, Liz
Sharma, Mr Virendra
Sheerman, Mr Barry
Sherriff, Paula
Shuker, Mr Gavin
Skinner, Mr Dennis
Slaughter, Andy
Smith, rh Mr Andrew
Smith, Angela
Smith, Cat
Smith, Jeff
Smith, Nick
Smith, Owen
Smyth, Karin
Starmer, Keir
Stevens, Jo
Streeting, Wes
Stringer, Graham
Tami, Mark
Thomas-Symonds,
Nick
Timms, rh Stephen
Trickett, Jon
Turley, Anna
Twigg, Stephen
Vaz, Valerie
Watson, Mr Tom
West, Catherine
Whitehead, Dr Alan
Williams, Hywel
Wilson, Phil
Winnick, Mr David
Winterton, rh Dame Rosie
Woodcock, John
Wright, Mr Iain
Zeichner, Daniel

Tellers for the Ayes:
Vicky Foxcroft and
Judith Cummins

NOES

Adams, Nigel
Afrjyie, Adam
Aldous, Peter
Allan, Lucy
Allen, Heidi
Amess, Sir David
Andrew, Stuart
Ansell, Caroline
Argar, Edward
Baker, Mr Steve
Baldwin, Harriett
Barclay, Stephen
Baron, Mr John
Barwell, Gavin
Bebb, Guto
Bellingham, Sir Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Boles, Nick
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, Karen
Brady, Mr Graham
Brazier, Mr Julian

Question accordingly negatived.

Amendment proposed: 10, page 59, line 31, at end insert—

“(12) This section cannot come into force until the House of Commons approves a report under subsection 46(6) of the Police Act 1996 which guarantees no annual reduction in funding in real terms to local policing bodies in each financial year until 2020.”.—(*Jack Dromey.*)

This amendment would guarantee that police funding would be protected in a police grant settlement approved by Parliament before proposals to grant additional police powers to volunteers can be brought forward.

Question put. That the amendment be made.

The House divided: Ayes 182, Noes 305.

Division No. 255]

[7.14 pm

AYES

Abbott, Ms Diane
Abrahams, Debbie
Ali, Rushanara
Anderson, Mr David
Ashworth, Jonathan
Austin, Ian
Bailey, Mr Adrian
Barron, rh Kevin
Benn, rh Hilary
Berger, Luciana
Blomfield, Paul
Bradshaw, rh Mr Ben
Brake, rh Tom
Brennan, Kevin
Brown, Lyn
Brown, rh Mr Nicholas
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Richard
Butler, Dawn
Byrne, rh Liam
Cadbury, Ruth
Campbell, rh Mr
Alan
Champion, Sarah
Chapman, Jenny
Clwyd, rh Ann
Coaker, Vernon
Coffey, Ann
Cooper, Julie
Cooper, rh Yvette
Coyle, Neil
Crausby, Mr David
Creasy, Stella
Cruddas, Jon
Cryer, John
Cunningham, Alex
Cunningham, Mr Jim
Dakin, Nic
Danczuk, Simon
David, Wayne
Davies, Geraint
De Piero, Gloria
Doughty, Stephen
Dowd, Jim
Dowd, Peter
Dromey, Jack
Durkan, Mark
Eagle, Maria
Edwards, Jonathan
Efford, Clive
Elliott, Julie
Ellman, Mrs Louise
Esterson, Bill
Evans, Chris
Farrelly, Paul
Fitzpatrick, Jim
Flelo, Robert
Fletcher, Colleen
Flynn, Paul
Fovargue, Yvonne
Gapes, Mike
Glass, Pat
Glindon, Mary
Godsiff, Mr Roger
Goodman, Helen
Green, Kate
Greenwood, Margaret
Gwynne, Andrew
Hanson, rh Mr David
Harris, Carolyn
Hayes, Helen
Hayman, Sue
Healey, rh John
Hendrick, Mr Mark
Hepburn, Mr Stephen
Hermon, Lady
Hillier, Meg
Hodgson, Mrs Sharon
Hollern, Kate
Hopkins, Kelvin

Bridgen, Andrew
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Carmichael, Neil
 Cartlidge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Mr Christopher
 Churchill, Jo
 Clark, rh Greg
 Clarke, rh Mr Kenneth
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colvile, Oliver
 Costa, Alberto
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Davies, Chris
 Davies, David T. C.
 Davies, Glyn
 Davies, Dr James
 Davies, Mims
 Davis, rh Mr David
 Dinenage, Caroline
 Djanogly, Mr Jonathan
 Dodds, rh Mr Nigel
 Donelan, Michelle
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Duncan, rh Sir Alan
 Duncan Smith, rh Mr
 Iain
 Dunne, Mr Philip
 Elliott, Tom
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evans, Mr Nigel
 Fabricant, Michael
 Fallon, rh Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Francois, rh Mr Mark
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward
 Garnier, Mark
 Gauke, Mr David
 Ghani, Nusrat

Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, Ben
 Gyimah, Mr Sam
 Hall, Luke
 Hammond, Stephen
 Hancock, rh Matthew
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hollingbery, George
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Hopkins, Kris
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr
 Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Jenrick, Robert
 Johnson, Boris
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kinahan, Danny
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Latham, Pauline
 Leadsom, Andrea
 Lee, Dr Phillip
 Lefroy, Jeremy
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Mr Oliver
 Lewis, Brandon
 Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian

Lidington, rh Mr David
 Lopresti, Jack
 Lord, Jonathan
 Loughton, Tim
 Lumley, Karen
 Mackinlay, Craig
 Mackintosh, David
 Main, Mrs Anne
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 May, rh Mrs Theresa
 Maynard, Paul
 McCartney, Jason
 McCartney, Karl
 McLoughlin, rh Mr Patrick
 McPartland, Stephen
 Menzies, Mark
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Milling, Amanda
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Morton, Wendy
 Mowat, David
 Murray, Mrs Sheryll
 Neill, Robert
 Nokes, Caroline
 Norman, Jesse
 Offord, Dr Matthew
 Opperman, Guy
 Osborne, rh Mr George
 Paisley, Ian
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Phillips, Stephen
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Pritchard, Mark
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Gavin
 Robinson, Mary
 Rosindell, Andrew
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette

Scully, Paul
 Selous, Andrew
 Shannon, Jim
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Chloe
 Smith, Henry
 Smith, Julian
 Smith, Royston
 Soames, rh Sir Nicholas
 Solloway, Amanda
 Soubry, rh Anna
 Spelman, rh Mrs Caroline
 Spencer, Mark
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Streeter, Mr Gary
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swaney, rh Mr Desmond
 Syms, Mr Robert
 Thomas, Derek
 Throup, Maggie
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Trevelyan, Mrs Anne-Marie
 Truss, rh Elizabeth
 Tugendhat, Tom
 Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vara, Mr Shailesh
 Vickers, Martin
 Villiers, rh Mrs Theresa
 Walker, Mr Charles
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Watkinson, Dame Angela
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 White, Chris
 Whittaker, Craig
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wilson, Mr Rob
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

**Simon Kirby and
 Sarah Newton**

Question accordingly negated.

Clause 136

EXTENT

Amendment made: 62, page 142, line 17, at end insert—

“(o) section (Application of Firearms Act 1968 to the police: special constables and volunteers);” —(*Karen Bradley.*)

The Firearms Act 1968 forms part of the law of England and Wales and Scotland. This amendment provides for the amendments to that Act made by new clause NC31 to form part of the law of England and Wales and Scotland.

Bill to be further considered tomorrow.

Business without Debate**DELEGATED LEGISLATION**

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

GOVERNMENT TRADING FUNDS

That the draft Medicines and Healthcare Products Regulatory Agency Trading Fund (Amendment) Order 2016, which was laid before this House on 9 March, be approved.—(*George Hollingbery.*)

Question agreed to.

Motion made, and Question put forthwith (Order, 13 April, and Standing Order No. 118(6)),

INDEPENDENT PARLIAMENTARY STANDARDS
AUTHORITY

That an humble Address be presented to Her Majesty, praying that Her Majesty will appoint Ruth Evans to the office of Chair of the Independent Parliamentary Standards Authority for a period of 5 years with effect from 1 June 2016.—(*George Hollingbery.*)

Question agreed to.

EUROPEAN UNION DOCUMENTS

Motion made, and Question put forthwith (Standing Order No. 119(11)),

EU STRATEGY IN AFGHANISTAN 2014-16

That this House takes note of European Union Documents No. 9467/14, a Joint Communication: Elements for an EU Strategy in Afghanistan 2014–16, No. 15503/15 and Addendum, a Joint Proposal for a Council Decision on the signing of the Cooperation Agreement on Partnership and Development between the EU and the Islamic Republic of Afghanistan, and No. 15504/15 and Addendum, a Joint Proposal for a Council Decision on the conclusion of the Cooperation Agreement on Partnership and Development between the EU and the Islamic Republic of Afghanistan; also notes that the strategy was adopted by the Council in June 2014, during a period of considerable uncertainty for Afghanistan; further notes that the Cooperation Agreement on Partnership and Development is intended as a signal of political commitment that indicates areas for future cooperation under the next EU strategy for Afghanistan beyond 2016; welcomes the UK’s success in directing the EU’s strategy in Afghanistan; supports the Government’s view that now is an appropriate point to focus on the EU strategy’s progress and delivery, as well as the EU’s role in Afghanistan beyond 2016; and agrees that the UK is well placed to lead this work.—(*George Hollingbery.*)

Question agreed to.

SITTINGS OF THE HOUSE

Ordered,

That, on Tuesday 10 May, the House shall sit at 9.30 am and references to specific times in the Standing Orders of this House shall apply as if that day were a Thursday.—(*George Hollingbery.*)

PETITION**Ealing Hospital and the Shaping a Healthier Future programme**

7.27 pm

Mr Virendra Sharma (Ealing, Southall) (Lab): I rise to present a petition relating to Ealing Hospital and the Shaping a Healthier Future programme.

The petition states:

“since 2013 there has been a programme of rationalisation and downgrading of health services across North West London as part of the Shaping a Healthier Future programme”.

This means that

“the Accident and Emergency department at Ealing Hospital has been earmarked for closure”.

We have already lost our maternity unit, and we will lose the paediatric unit in June. It is now reported

“that Ealing will not now receive the new ‘Local Hospital’ promised under the programme, as the costs of the Shaping a Healthier Future programme have spiralled”.

Over 100,000 people across the country signed the petition to oppose this betrayal of the local area.

“The petitioners therefore request the House of Commons urges the Government to reconsider the impact of the Shaping a Healthier Future programme on Ealing Hospital, Ealing and the surrounding boroughs that rely on Ealing Hospital to deliver high quality emergency care 24 hours a day.”

Following is the full text of the petition:

[The petition of residents of the UK,

Declares that since 2013 there has been a programme of rationalisation and downgrading of health services across North West London as part of the Shaping a Healthier Future programme; further that this has led to the loss of a number of important local services; further that the programme is often depriving communities of some of their most important resources; further that the Accident and Emergency department at Ealing Hospital has been earmarked for closure; further that Ealing Hospital has already lost its maternity unit; further that Ealing Hospital is also due to close its paediatric unit in June; further that there are hugely concerning reports that Ealing will not now receive the new ‘Local Hospital’ promised under the programme, as the costs of the Shaping a Healthier Future programme have spiralled; and further that an online petition on a similar matter has been signed by 100,229 individuals.

The petitioners therefore request the House of Commons urges the Government to reconsider the impact of the Shaping a Healthier Future programme on Ealing Hospital, Ealing and the surrounding boroughs that rely on Ealing Hospital to deliver high quality emergency care 24 hours a day.

And the petitioners remains, etc.]

[P001686]

All Saints National Academy, Walsall

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

7.29 pm

Mr David Winnick (Walsall North) (Lab): I welcome the opportunity to have this Adjournment debate about the school in my constituency that is now called All Saints National Academy. On 1 February, I took a deputation to see the Schools Minister, who will reply to this debate, at the House of Commons regarding the condition of the school. In August last year, the Secretary of State wrote to me stating that what was known as Bloxwich Church of England Primary School, run by the local authority, was immediately to become an academy.

When the deputation met the Minister on the date that I mentioned, he was informed that a bid had already been made, in time, to the Education Funding Agency, under the condition improvement fund, for essential work to be undertaken. The deputation, which included the new management of the school from the diocese of Lichfield—Church of England, of course—and the head of the primary school, explained, as I did, the dilapidated state of much of the building, and how necessary it was for the work to be carried out as quickly as possible.

During the meeting with the Minister, as he will no doubt recall, a video was played where the pupils explained that they were happy to be at the school but urged that the work should be done. I was very impressed, to say the least, as I think he was, by the way in which the pupils participated. The disappointing news, hence this debate, is that the bid—that is, the bid for the financial year 2016-17—has been unsuccessful. One can imagine—at least, I hope he can imagine—the effect on the staff, parents, and of course the children. The current number at the school is just under 300—298.

The school was originally built in Bloxwich in 1862, and further sections were added on over time, mainly in the 1920s. Anyone who saw it would not be surprised that the school was originally built in that year. The documentation sent with the bid included a comment from a visiting building professional, who said that

“the internal environment is without doubt one of the worst I have seen in almost 30 years of looking after schools”.

One can imagine the number of schools that that building professional would have visited and seen, many of them in a state of disrepair, and yet he made that comment.

So what about the condition? Why did the building professional make that comment? Why was the bid made? I have made a number of visits very recently to look at the situation to make sure that I had it clearly in my mind. There is damp virtually everywhere in the building, including classrooms. Indeed, it is difficult—as the Minister knows, because he has visited—to find somewhere in that building, constructed as long ago as 1862, that is not damp. Apart from the damp, in three classrooms it is simply not possible to open the windows. That is bad enough in many months—except, obviously, during the winter—but it is unsettling when, as is to be expected, the weather turns very warm in the lead-up to the summer break. It is impossible to open the windows, which means that the ventilation is awful.

What about the toilets? They are unsuitable and cracked, and the girls toilets are totally unsatisfactory. One of the female teaching staff said that she would not want her daughter to use such facilities. Anyone who looked, as I did, at those toilets would understand precisely what she meant.

The cloakrooms are damp and mouldy. The gym, which should play an important part in a school, is an illustration of the state of the whole building, with damp walls that are full of holes and covered in peeling plaster. That would have been seen as unacceptable 100 years ago, let alone in the 21st century. When I asked, as one inevitably does, what could be done in the meantime—whether some temporary work could be done—the response was that patching it up would be simply money wasted. That goes for the whole building.

Yesterday, I received a letter from the man who was headteacher from 1970 to 1991. He said that when he saw photographs of the school in the local press, he was horrified by the present conditions. He went on to say—this shows the extent to which the school has deteriorated over the years—that the school was not fit for pupils or staff. How right he was.

What now? The bid has been unsuccessful, so what will the Government's response be? The Education Funding Agency is, after all, very much part of the Department for Education. It is at arm's length, so Ministers can say, “It is all a matter for the Education Funding Agency,” but it is made up—I am not criticising the staff or the chief executive of the organisation—of civil servants. It is simply not acceptable for any Minister or Secretary of State to say that bids are made and decided accordingly by the organisation. The Government must take responsibility. Academy or otherwise—however much there is a controversy at the moment; I will not enter into that tonight—the fact is that the funding of all that is involved, such as the school building and the staff salaries, comes from the same source. That is not in dispute. It would be unfortunate if the Government's response was simply to say tonight that another bid could be made for the next financial year. That would not give much satisfaction to those involved, to say the least.

I invite the Minister to visit the school and see the position for himself. I hope that he will accept that invitation and that, although I have no doubt that he has a busy schedule, he will be able to do so in the near future. He would certainly be welcome at the school. If that visit occurs, he might wish to bring with him senior officials from the Education Funding Agency.

Let me make this point, so that there can be no misunderstanding. Despite the conditions that I have described, which are certainly unacceptable, fine work is being undertaken by the teachers at All Saints National Academy. I have only the greatest praise for the way in which, day in and day out during the school week, such dedicated work is carried out by the teachers, the head and all the other staff involved in the school. However, let me simply say that no member of the Cabinet or, indeed, of the Government as a whole—or, for that matter, any Member of the House—would wish their children to be educated in a school that is as dilapidated as the subject of this Adjournment debate. The inevitable question is: why should my constituents be in a position where their children go to a school that cries out for such work to be undertaken?

It is simply wrong that such a building can be allowed to continue in such a dilapidated state. Despite all the documentation—the photographs, the quote that I have read out and everything else—the bid, which was certainly in on time, was unsuccessful. I therefore hope that the Minister can provide some reasons to be optimistic about the possibility that the essential work will be undertaken. I should explain that the bid, which is for only half the work, was for some £1.3 million. All the details will of course be known to the Minister who is replying. We shall hear what he has to say, but as far as I am concerned, I shall continue to raise this subject at every opportunity until the work is undertaken. I consider that I have a duty and a responsibility to the children, the parents—my constituents—and the staff involved.

7.41 pm

The Minister for Schools (Mr Nick Gibb): I congratulate the hon. Member for Walsall North (Mr Winnick) on securing this debate on the building condition of All Saints National Academy in Bloxwich in Walsall. His dedication to the schools in his constituency is well known. We met and spoke about this school earlier in the year, as he has mentioned. He spoke today with the same clarity and passion about the condition of the school as he did during our meeting in February. I recall watching the video that he and teachers from the school presented at the meeting.

The condition of school buildings is vital for our education system. It is not enough for buildings just to be safe; pupils should be educated in smart, well-furnished environments that reflect the value that we, as a society, place on their education. By 2021, the Government will have invested some £23 billion in school buildings, targeting funds where they are needed most.

Our priority is to ensure that the capital maintaining the school estate is delivered with the best value for money possible. To this end, the property data survey completed in 2014 has given us an improved understanding of the condition of school buildings in this country. The survey, the most comprehensive of its type ever undertaken, has provided us with consistent, independently assessed information on the comparative condition of 18,830 schools and colleges. This information can now rigorously inform our allocation of condition funding, ensuring that funding is much better aligned with maintenance needs across the school estate. We are now looking at options for gathering and maintaining usable data about the condition of the school estate over the long term, building on the successes of the property data survey.

Five academies in Walsall have successfully secured funding for their maintenance projects from the condition improvement fund, including Goldsmith Primary Academy in Walsall North, which secured funding for a roof replacement. In addition, Walsall local authority has been allocated over £2.2 million in 2016-17 to improve the condition of its own maintained schools, and almost £700,000 has been allocated to voluntary-aided schools in Walsall.

In 2015-16, we funded a number of projects in the west midlands that have now been successfully completed, such as the Aldridge school, a science college in Aldridge in Walsall. At this school, we funded a project to replace approximately 1,400 square metres of roofing on an existing building to improve the roof coverings,

which were failing. That included making roof areas watertight to prevent water ingress into teaching areas, and providing additional roof insulation to improve the thermal efficiency of the building.

At Hamstead Hall Academy in Handsworth Wood in Birmingham, we funded the refurbishment of an existing block, re-roofing the building, replacing existing windows and repairing concrete elements in the façade. The project has enhanced the thermal performance and watertightness of the structure, and it will reduce energy costs and maintenance costs and create an environment conducive to teaching the schoolchildren.

I appreciate the hon. Gentleman's concern about the condition of the All Saints National Academy school building. I was pleased to meet him and school representatives on 1 February, and I would be delighted to accept his invitation to visit the school in the near future so that I can see at first hand what I saw on the video in February.

In December 2015, the school applied to the condition improvement fund. Following an assessment against the published criteria, the application was unsuccessful because there was, as I understand it from officials, insufficient supporting evidence to demonstrate significant condition need.

Mr Winnick: Did the officials actually visit the school? As I understand it, they did not: it was done on the basis of paperwork. If I am right—if not, the Minister will correct me—would it not have been appropriate to have visited the school, bearing in mind the condition outlined in the documentation?

Mr Gibb: My understanding is that many hundreds of applications have to be processed. Data from the property data survey inform the decision, and officials look at the information supplied as part of the bid.

Mr Winnick: Or they visit.

Mr Gibb: Yes, they do visit schools. When I come to that issue in my remarks, I will make some recommendations about what can be done in the future.

The total sum of national funding is, of course, limited—that is the issue we are debating—so the Department has to employ a rigorous prioritisation of funding projects to ensure that all schools are safe and in good working order. For that reason, applications are expected to include independent condition surveys and detailed photographic evidence to demonstrate the urgency and extent of the need for their proposed project, as set out in the guidance to applicants. I recall discussing that at our meeting.

In this instance, the supporting case for investment did not provide enough evidence to allow the bid to be funded, including suitable evidence that a well-developed and deliverable solution is in place, which represents good value for money. Of course, that is disappointing for everyone involved with All Saints National Academy—I understand that it is disappointing for the parents, children and staff—but we need to ensure that all bids are assessed against the same standards. I hope that the feedback will be helpful to the school in preparing a future bid. We expect the bidding round for the next condition improvement fund to open this autumn, for the following financial year.

[*Mr Gibb*]

All applicants from the last round have been provided with feedback on their applications. If All Saints National Academy feels that it would be helpful, an Education Funding Agency adviser can visit the school to provide additional feedback and advice on submitting a bid next time. If the academy considers that due process has not been followed, there is, of course, an appeals process, which will close at 12 noon on 10 May.

Mr Winnick: First, I am pleased that the Minister has accepted the invitation to visit the school. I hope he will be able to do so in the very near future; perhaps he will indicate whether that will be the case. We are now at the end of April, so will he be able to do so by June? Secondly, do I take it that, between now and the submission of bids for the financial year 2017-18, there is no possibility whatever of finance of any kind being given to try to improve the situation?

Mr Gibb: That is my understanding. The funding available for the last bid round has been allocated. It is allocated in a very strict order and in accordance with all the criteria—the hon. Gentleman is aware of those criteria. Failing an appeal over process, that will be the position.

As I said, I am very happy to visit the school. I think I can give the hon. Gentleman a commitment to do so before the end of the summer term, so before the school rises for the summer break.

Mr Winnick: I said June, actually.

Mr Gibb: I know the hon. Gentleman said June, and he drives a hard bargain, but I am meeting him halfway. I will commit to visiting the school before it breaks for the summer holidays.

I am grateful to the hon. Gentleman for the opportunity to air this debate. He is certainly fulfilling his duty as a conscientious Member in bringing this issue to the House. I am happy to visit the school and to discuss the matter further.

Mr Speaker: The hon. Member for Walsall North (Mr Winnick) will pursue this matter over and over again, until his school building is refurbished to his satisfaction. This much I think we know.

Question put and agreed to.

7.50 pm

House adjourned.

Westminster Hall

Tuesday 26 April 2016

[SIR ALAN MEALE *in the Chair*]

BACKBENCH BUSINESS

Fixed Odds Betting Terminals

9.30 am

Jim Shannon (Strangford) (DUP): I beg to move,

That this House has considered fixed-odds betting terminals.

Fixed odds betting terminals are a big issue, and a big crowd of hon. and right. hon. Members are here to speak about them. There is a lot of concern in the House about the issue. There are probably some hon. Members here today—perhaps not so many—who will not be speaking with the same level of concern as me, but Opposition Members intend to take the issue further in their speeches today.

Fixed odds betting terminals are touch-screen roulette machines found in betting shops across the whole United Kingdom. Gamblers can play casino-style games with a maximum stake of £100, which can be wagered every 20 seconds. That is a possible total of £300 a minute. We have more than 35,000 fixed odds betting terminals in the United Kingdom's bookmakers. FOBTs are disproportionately found in the poorer parts of the United Kingdom and generate some £1.7 billion of revenue for bookmakers. Campaigners have labelled the machines the crack cocaine of gambling, and that is what they are. The issue is of great importance.

Bookmakers have a powerful lobby and powerful friends. They have kept arguing that we need more evidence, despite the obvious case for regulation, in order to protect their huge profits made at the expense of the vulnerable. We are here to speak for the vulnerable, for legislative change and for better protection.

Fiona Bruce (Congleton) (Con): The hon. Gentleman is bringing forward the debate with his characteristic compassion. Does he agree that it is a matter of social justice that we address this issue? Those affected are not just those who are addicted, but their families, and in particular their children. It is primarily for them that many of us are here today.

Jim Shannon: As always, I thank the hon. Lady for her intervention—she is an hon. Friend, too. She speaks with heart and compassion, and she speaks for me as much as everyone else here.

Our Prime Minister told Parliament more than 12 months ago that FOBTs are a serious issue, and that he would act as soon as there was more evidence. Since then, two tragic cases of suicide have been linked to the machines, and there are numerous reports of the terrible impact they are having on the most vulnerable, but the Government are yet to act. The Minister is here to respond to the debate, and we look forward to hearing the ideas that he will put forward in response to what we have to say. There is no place for £100-a-spin games on the high street in bookmakers that have little or no

supervision. There is a simple answer to protect the vulnerable, as the hon. Lady said, and that is to reduce the stake.

Mark Tami (Alyn and Deeside) (Lab): While a lot of us have worries about what is going on in betting shops, does the hon. Gentleman agree that we do not know enough about the people who gamble at home on their phones and on the internet? There is no control over that at all, and they are being equally affected.

Jim Shannon: The hon. Gentleman is absolutely right. We have many concerns. Today's debate is fixed primarily on the fixed odds betting terminals, but I accept that control is needed elsewhere.

The lack of regulation of FOBTs has meant that they have clustered in areas of high social deprivation. They can prey on the young and vulnerable. There is strong evidence that the high stakes on FOBTs in the low-supervision environment of a bookmaker have led to increased problem gambling. Recent Responsible Gambling Trust research on FOBTs showed that 37% of players exhibited signs of problematic gambling. At stakes of more than £13.40 a spin, that rose to 80% of players exhibiting problem gambling behaviour. One third of problem gamblers calling the national problem gambling helpline cited FOBTs as their issue. Let us be clear that the debate is about fixed odds betting terminals and the blight they cause on society.

Lady Hermon (North Down) (Ind): There is evidence that the terminals have been used for money laundering. Will the hon. Gentleman reflect on the involvement of paramilitary organisations in money laundering through the terminals in Northern Ireland?

Jim Shannon: The hon. Lady is absolutely right. There is evidence of that, and I will give examples shortly. I am sure others will, too. Whenever there is misuse and a dirty laundering system, that has to be addressed.

More than half the UK population plays the national lottery, and they lost £7.2 billion last year. That compares with the less than 4% of the population who play FOBTs, who lost £1.6 billion. The unemployed are twice as likely to play the machines as someone in work. The demographic that bookmakers target with FOBTs are also the least likely to have access to bank accounts, debit cards and credit, and thus have restricted access to remote gambling sites. Bookmakers and the gambling associations are clearly targeting those who are vulnerable to start with, but who are perhaps in some difficulties with money, too.

Bookmakers are using the cover of account-based play, which was instigated by the Government, to provide cash top-up cards that facilitate access to their online sites; the hon. Member for Alyn and Deeside (Mark Tami) mentioned such sites in his intervention. The gambling lobby says that we need more evidence, but it is clear that the evidence is out there. It is comprehensive, and it consistently lines up on the right side of the argument: we need to protect the vulnerable and enact regulation. I hope that, arising from this debate, we will have a chance to enact regulation that will filter out from this House to the whole United Kingdom, including Scotland and Northern Ireland.

[*Jim Shannon*]

FOBTs are useful for money laundering, as the hon. Member for North Down (Lady Hermon) said. The machines have a few filters, but the money launderers know them and work within the limits. Supervision is low and closed circuit television is poor, so it is a safe way to money launder. Low-level drug dealers clean cash in case they are pulled over by the police. Generally, they are younger lads with smaller amounts of cash. In one West Yorkshire case, the police uncovered £18,000 of FOBT tickets being held by one drug dealer. The machines are used for underworld criminal activities by those whose thoughts are nothing but criminal and outside the law.

Using the proceeds of crime to fund a gambling addiction, or cleaning the cash obtained from a crime, is common. The most common use of FOBTs since they landed on the high street is for getting rid of dyed notes obtained during robberies on armoured vans, cash machines and so on. The notes are sprayed with an irremovable dye that is an immediate alert as to their origins. They are therefore not exchangeable. However, they are still identified as legitimate currency by note accepters on gaming machines. The machine with the highest cash transaction capability and ticket pay-out facility would be the preferred option for laundering, and that is the fixed odds betting terminal.

The bookies and the suppliers adapted the software controlling ticket pay-outs to identify where less than 40% of the cash put in is wagered—that is where people either put cash in a FOBT and then print a ticket straight out, or stake a minimal amount of the total cash inserted—so that staff are alerted when people cash those tickets. Launderers have adapted to that by using minimal-risk wagering. The bookies are now making it easier for criminals by allowing them to put cash winnings on to a pre-paid credit card. They are not just hiding the cash, but making it electronic. Never ever think that the criminals and evildoers have not got ideas as to how to get around the law, how to work it to their advantage and how to launder some of that dirty money.

Following on from weaknesses in money laundering policies at Ladbrokes in 2013, Paddy Power was recently the subject of a high-profile money laundering investigation. That investigation resulted in the Gambling Commission reprimanding Paddy Power and imposing a £280,000 penalty; there were also serious failures in social responsibility. The Government are considering including betting shops in the European Union's fourth money laundering directive. That would require the identification of customers transacting over £1,500 in a 24-hour period. The bookmakers are lobbying to be excluded from that, despite recommendations that they should be included first being made in 2001 in the Budd report.

The lack of FOBT regulation is a huge issue that cannot be ignored, and I am keen to ensure that the debate highlights it. Gambling the world over has evolved into a consistent structure, with the hardest gambling reserved to highly regulated venues such as casinos, where customers go with the knowledge and expectation of experiencing a harder gambling environment. Casinos have very high levels of player supervision and therefore protection. Players tend to be occasional visitors, and the casinos tend to be viewed as a destination leisure venue with more than just gambling on offer.

The Gambling Act 1968 put in place a regulatory permit for gambling. This set out that high-stakes gambling should take place in highly regulated and highly supervised environments such as casinos, and low-supervision environments should have lower stakes and require lower levels of supervision. Those principles were reaffirmed in the Gambling Act 2005 by Sir Alan Budd. Other countries follow this model. The UK is alone in offering very-high-stakes gambling of £100 on Britain's high streets in the low-supervision, easily accessible environment of a bookmaker. Little or no monitoring and little or no supervision means vulnerable people can be taken advantage of. The regulation of fixed odds betting terminals is out of kilter with the principles of gambling regulation. They offer very-high-stakes gambling in an unregulated environment.

The only material restriction is that bookmakers are allowed four fixed odds betting terminal machines per shop. The result of this is that bookmakers have opened multiple betting shop branches in close proximity. That is a concern. When we look at the streets of the United Kingdom of Great Britain and Northern Ireland, we sometimes wonder whether we are in a gambler's paradise—if there is such a place—because betting shops seem to be prevalent everywhere.

The bookmaker Paddy Power has focused its branches in areas with high immigrant populations. We have seen a 43% increase nationally in the number of betting shops located in town centres.

Mr David Nuttall (Bury North) (Con): On the number of machines allowed in each shop, is the hon. Gentleman arguing for fewer in each shop, or for more in a smaller number of shops?

Jim Shannon: I seek a lesser number in the shops, and fewer shops as well. We agree on many things, but we do not agree on this topic. The opinion that I express will win: ComRes did a survey of MPs seeking their opinion, and of the MPs who responded, seven out of 10 want FOBTs regulated. They want a reduction in the number of machines and shops. It was quite clear. If a private Member's Bill is brought before the House—some in this Chamber are of a mind to do that—we can tackle the problem.

Patricia Gibson (North Ayrshire and Arran) (SNP): Does the hon. Gentleman agree that reducing the maximum stake to £2, which is opposed by betting shops, would be a good way forward?

Jim Shannon: I thank the hon. Lady for that; it is one of my concluding points. I know that other Members are of the same opinion. Yes, the maximum stake should be lowered; then we could manage the issue, so that people are not deprived.

The regulation of FOBTs is out of kilter, as I have said. The only material restriction is the four machines per shop. We have seen an increase nationally in the number of betting shops in town centres, and last year the Government stepped in and imposed a £50 staking threshold on fixed odds betting terminals, above which players are required to identify themselves to staff or sign up for a loyalty card. The objective of this measure is to help players stay in control. I suggest that that has not happened. The measure is non-evidence-based and

the Department for Culture, Media and Sport failed to quantify what impact it would have on players other than the £17 million reduction—1%—in bookmaker revenue from the machines. Secondary research based on the British gambling prevalence survey 2010 estimates that up to 40% of B2 revenue comes from at-risk and pathologically addicted players—higher than all other combined gambling activities—so the Government predicted very little impact. There is also evidence that bookmakers are using the player registration as a mechanism to market FOBTs further.

An evaluation of the DCMS assessment of the £50 measure so far, carried out by Landman Economics, highlighted issues with the quality of the data provided by the bookmakers; it also noted that DCMS could not assess changes in staking, mentioned the absence of a pilot scheme so that the measure could be evaluated better, and noted that the evaluation omitted key questions that it is important to consider when looking at the success or failure of the £50 regulations. For example, the question why fixed odds betting terminal machine players might wish to remain anonymous is not discussed. Despite the Government measure, players are still able to stake up to £100 per spin, and it appears that bookmakers are using the change as an opportunity to further market products to vulnerable gamblers. Even £50 is still materially out of kilter in the normal gambling world.

Kevin Foster (Torbay) (Con): I congratulate the hon. Gentleman on securing this important debate. Does he agree that the issue is also about making sure that players can make a genuinely informed choice? If a sign was required to be displayed that said, “A machine of this type made on average £825 a week in profit for its owners in 2012”, would people be inclined to gamble on it? In short, it would be a bet not worth having.

Jim Shannon: Absolutely. I thank the hon. Gentleman for his wise words.

I am conscious that many people want to speak, Sir Alan. I gave you an undertaking that I would not speak for too long, but I want to set the scene, and then I will give other Members an opportunity to participate.

The Government must take urgent action to regulate fixed odds betting terminals and reduce the stake that can be gambled from £100. The hon. Member for North Ayrshire and Arran (Patricia Gibson) referred to £2; I think that many in this House would be happy with that. This is the only way effectively to tackle the growing problems that these machines are inflicting on our communities and on those who can least afford it. The Minister responsible for gambling has said that the Government want to reduce the stake for FOBTs, so let us hear what the reduction will be. A substantially lower stake would bring fixed odds betting terminals into line with machines in other low-supervision environments such as adult gaming centres and bingo halls.

The Gambling Commission has said that if staking levels were being set now, it would advise against the £100 stake on a precautionary basis. The previous Government said that a lower stake would bring adequate public protection. The Government should take this opportunity to control the gaming machines and the stakes and reduce significantly the numbers of shops and machines on the high street. The evidence is out

there and is clear: the bookies are in the wrong. They are on the wrong side of the argument, and it is our job to put it right.

I want to say one quick thing in relation to Scotland, as hon. Members from Scotland are here. The Bill in Scotland gives some control to the Scottish Parliament, but if we were to bring forward a private Member's Bill in this House to legislate for change, this debate today would be the first stage in that process. If that happens, that will filter its way out to Scotland and to Northern Ireland as well. We in this House today have the opportunity at least to start the first stage of that process. I believe that many in this House—seven out of 10 MPs—wish for that to happen.

Several hon. Members rose—

Sir Alan Meale (in the Chair): Eleven people have put their name down to speak in this debate. The subject is popular—or, depending on your perspective, unpopular. Many people want to speak. I will have to call the Front-Bench speakers at about 10.30 am, so that means approximately four minutes each for everyone else. Since Jim started the debate, people who have put their name down to speak have been bobbing up and down. That is unfair of them, because they can make their points in their four minutes. Perhaps Members will restrict themselves. Those who have not been able to write in to put their name down to speak can intervene to make their points. I ask speakers to be fair to one another, and to restrict their contributions to four minutes or under.

Clive Efford (Eltham) (Lab): If it helps, Sir Alan, the Front-Bench speakers will be happy to take 10 minutes to allow Back Benchers more time.

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Mr David Evennett): I would like to endorse that, Sir Alan.

Sir Alan Meale (in the Chair): That is very kind of you. We will review that, depending on how Members progress.

9.48 am

Mr Laurence Robertson (Tewkesbury) (Con): I pay tribute to the hon. Member for Strangford (Jim Shannon) for securing the debate. May I declare my registered interests? I have received hospitality from bookmakers and racing; along with your good self, Sir Alan, I am joint chairman of the all-party group on racing and bloodstock; and I have the Cheltenham racecourse in my constituency.

It is from the horse-racing point of view that I come to this debate, because bookmakers very largely finance horse-racing through the betting levy and through media rights. If we lose too many bookmakers we will lose horse-racing, there is absolutely no question about that. There are two very good racecourses in Northern Ireland, which I have visited a number of times. We also see the spectacle of the grand national, the Derby, Royal Ascot and, in my own constituency, the Cheltenham gold cup.

Graham Jones (Hyndburn) (Lab): The hon. Gentleman is beginning to make an interesting point about the connection between the old type of bookmakers, with sports betting and horse-racing, and the prevalence of high street bookmakers, but will he accept that there is

[Graham Jones]

clustering? He argues that doing away with bookmakers will affect the horse-racing industry, but does he not see a line of bookmakers all next to each other one side of the road, and another line on the opposite side of the road? There is a clustering effect.

Mr Robertson: I will come to that in a moment, but I just wanted to establish where I am coming from on this issue. There is a link between bookmaking and horse-racing, and if we lose one, without doubt we will lose the other. I want that to be very clear. There are far fewer betting shops than there used to be. We hear about the proliferation of bookmaking shops, but there are something like half the number there used to be. It is important to recognise that, while certainly acknowledging the issues raised by the hon. Member for Strangford.

You have asked us to take very little time each, Sir Alan, and I am happy to comply with that. I hope that the Government will continue with their evidence-based approach. I am not convinced that there has been an increase in the number of problem gamblers. There are people with addictive natures who will be addicted to something, whether that is alcohol, drugs or gambling, but we are discussing only one form of gambling, and many other forms are available.

Any Member could use their mobile phone to empty their entire bank account into a betting account and lose all that money within a minute or two. I mention that to draw attention to whether it would be fair to place restrictions on one kind of gambling when so many other forms are available, including the national lottery. I have linked horse-racing to bookmaking, and I also want to link the national lottery to the many good causes it supports. Billions of pounds have been spent on good causes thanks to the national lottery. I have some news for Members: that money is taken not from the millions of pounds that are won but from the money that people lose on the national lottery each and every week.

I hope we can get a measure of proportion into this debate. The Government should take seriously the important points and concerns raised by the hon. Member for Strangford, but I ask them to continue with their evidence-based approach and to remember that the great sport of horse-racing depends on the actions taken by my right hon. Friend the Minister and the Government.

Lady Hermon: The hon. Gentleman is of course the Chair of the Northern Ireland Affairs Committee, of which I am very proud to be a member. He chairs us well.

The hon. Gentleman has called for an evidence-based approach to be taken before the Government do anything, and he mentioned race courses in Northern Ireland. Can he produce any shred of evidence that those who go to the horse-racing in Northern Ireland, or anywhere in the United Kingdom, are the same people who play on fixed odds betting terminals? Where is the evidence for that connection?

Mr Robertson: That is not quite the point I was making. The situation is a lot worse now, but five years ago PricewaterhouseCoopers produced a report that

said that up to 95 shops in Northern Ireland, which represents around 30% of the total there, would close if fixed odds betting terminals were banned. The hon. Lady is not calling for them to be banned, but that shows the scale of the problem. Some 975 jobs would be lost, costing £18 million per annum throughout Northern Ireland. The knock-on effect for the betting industry and therefore for horse-racing would be huge, because it is the machines that tend to keep the shops going. I am sorry that I did not explain that earlier, but that is my point. Fixed odds betting terminals are far rarer in Northern Ireland, where there are fewer than two per shop, than in Great Britain, where the number is nearer to four, so I am not convinced that the problem is greater in Northern Ireland. That does not mean that there is no problem, but if there is one I do not think it is of the same scale.

Sir Alan, you have indicated to me that I should draw my remarks to a close, so I repeat to the Government: please continue to take an evidence-based approach, and please remember that the sport of horse-racing depends on bookmaking.

Several hon. Members rose—

Sir Alan Meale (in the Chair): Order. May I again ask Members to be more succinct in their addresses? We have already run over the suggested time limit at an early point in our proceedings.

9.55 am

Carolyn Harris (Swansea East) (Lab): It is a pleasure to serve under your chairmanship, Sir Alan. I declare an interest as the newly elected chair of the all-party group on fixed odds betting terminals. I congratulate the hon. Member for Strangford (Jim Shannon) on securing the debate. I know that my hon. Friend the Member for Hyndburn (Graham Jones) was also very keen for it to take place.

Huge amounts are being lost in fixed odds betting machines by those who can least afford it. In 2014-15, gamblers lost £2 million in my constituency alone. There are 20 licensed betting shops in the area, which means that that £2 million was lost on 80 FOBTs in Swansea alone—£25,000 on each machine. As many Members will point out, there are 35,000 FOBTs located in bookmakers throughout the UK, on which gamblers can play casino-style games with a £100 maximum stake every 20 seconds—that is £300 a minute. We know that there is a link with problem gambling: four out of five FOBT gamblers exhibit problem gambling behaviour at stakes in excess of £13 a spin, compared with one in five at stakes of £2 and under.

Not only do FOBTs provide hard, high-stakes gambling on British high streets, but many bookmakers have only one member of staff on duty. Bookmakers' shops often suffer high levels of crime and violence, and a single member of staff is expected to manage the premises, supervise the gambling, memorise scores of faces to enforce a self-exclusion scheme, and carry on their other duties. It is ludicrous.

Scott Mann (North Cornwall) (Con): Does the hon. Lady agree that the difference between where gambling was 15 years ago and where it is now is that there used to be a pause for reflection between, for example, greyhound

races and horse races? Gamblers would think about whether they were going to continue to spend their money. With fixed odds betting terminals, there is no pause for reflection, which tends to be where problem gambling comes in.

Carolyn Harris: FOBTs have been called the “crack cocaine of gambling”, and what the hon. Gentleman says reinforces that idea. Betting shop staff are not in a position to intervene when punters, as they like to be called, exhibit signs of problem gambling. They have no training to deal with it. Every year, 7,000 FOBTs are smashed up by irate customers and there are 10,000 calls to the police, despite the fact that bookmakers discourage staff from reporting such crimes.

As was mentioned earlier, FOBTs are used for money laundering. I recently asked the Treasury to look into the problem. The machines have few filters and the money launderers know how to work within the limits. Supervision is low and CCTV is poor, so it is a safe environment—a haven—for money launderers. Regulations were introduced last year to require players to open an account in a bookmaker if they want to stake more than £50. In my experience, that opens people up to receiving advertising and tempting texts and emails encouraging them back into the bookmakers to spend money that they do not have. Some people get around the stake limit by gambling between £40 and £50, while others use two machines simultaneously.

Before FOBTs were introduced, bookmakers were a relatively benign part of the social fabric. In fact, I would say they were welcome—everybody liked a flutter on a Saturday afternoon. Since the introduction of FOBTs, bookmakers have become a major problem, with rising crime levels. The introduction of FOBTs is the only variable that has changed. The ComRes survey that has been mentioned showed that seven out of 10 MPs from all parties agree with me and others that FOBTs are a dangerous pastime.

The Government are due to launch their triennial review, so now is the time to look carefully at the damage that these machines are doing. The Gambling Commission has said that, if the stake were being set now, it would advise against £100 as a precautionary measure and would advocate a £2 level. There is a wealth of evidence about the harm that these machines cause. There have even been two tragic suicides: Ryan Myers from Liverpool and Lee Murphy from Aberdeenshire took their own lives as a consequence of their addiction to these dreadful machines.

Bookmakers argue that reducing the stakes would have an economic impact. A report by NERA Economic Consulting assessed the claims of shop closures and job losses. It concluded that

“cutting the stake on these machines would reduce the numbers of bookmakers by about 800, primarily where the clusters have developed”—

there are often four or five bookmakers in a close-knit area—with

“just 5 to 10 per cent fewer shops than before the introduction of B2 machines in 2000.”

Moreover, it found that the move

“would create a net positive 2,000 high street jobs as money returned to the more labour-intensive and productive high street shops.”

Limiting the stakes would benefit traditional horse-racing, as money would return to over-the-counter betting and bookies would return to their traditional role as a valued part of the high street. The horse-racing industry would also benefit from an increased levy. It would be a win-win: a win for the high street and a win for the bookies as they returned to being bookmakers. There would be reduced harm, fewer deaths and more jobs. I ask the Government to look at these machines and to take Members’ thoughts on board.

Several hon. Members *rose*—

Sir Alan Meale (in the Chair): Order. I again draw Members’ attention to the fact that we are overrunning. The time limit has been voluntary up to now, but we need to be fair to one another, and if people persist in overrunning I will have to impose one.

10.1 am

Mark Field (Cities of London and Westminster) (Con): As the hon. Member for Strangford (Jim Shannon) rightly pointed out, the size of the stake—up to £100—and the very short cycle make FOBTs a particularly aggressive form of gambling that encourages fast repeat visits. FOBTs now account for almost half of betting shops’ turnover in the UK as a whole. Given that shops are limited to only four terminals per site, the way to make more from that money spinner is to open additional branches. The result has been that betting shops have proliferated, particularly in the Chinatown area of my constituency. Local authorities are hamstrung by the “aim to permit” guidance under which they review premises’ licence applications for betting shops.

The Soho Society and the London Chinatown Chinese Association have become increasingly alarmed. Betting shops have been pushing for later opening hours and more branches to target people—particularly members of the Chinese community in my constituency, who work until the early hours in the area’s busy restaurant scene. Many of those people are particularly vulnerable to becoming problem gamblers.

Some 12 months ago, the Government accepted that FOBTs are a serious cause for concern and said that more evidence would be gathered on their negative effects. Unfortunately, there is still no sign of a definitive review. Several key questions need to be answered. Should £100 stake gaming machines be allowed in ambient gambling environments such as betting shops? Do those machines exacerbate problem gambling in betting shops? Would cutting the stake protect those who are vulnerable?

The regulator has a statutory duty to act to protect the vulnerable. It has suggested that a precautionary approach could be applied to reduce the stake. Campaigners against FOBTs want the maximum to be reduced from £100 to £2, in line with all other category B machines. I support that suggestion.

Gambling the world over has evolved within a fairly sensible, consistent structure. The hardest gambling is reserved to highly regulated venues such as casinos—my constituency has many—to which customers go with the expectation of experiencing a much harder gambling environment. Casinos have very high levels of player supervision and protection. Players tend to be occasional

[Mark Field]

visitors, and casinos tend to be viewed as destination leisure venues that have more than just gambling on offer.

The Gaming Act 1968 put in place a regulatory pyramid. At the top, harder gambling was reserved to more strictly regulated venues. The lowest level of supervision was for soft gambling at seaside arcades, for example. The middle tier—the general, high street, ambient gambling, which we are discussing today—was expected to be fairly soft gambling with lower levels of player supervision. It is not, in my view, suitable for the kind of hard FOBT games that we see today.

B2 gaming machines are totally inappropriate for high streets across the country at the current level of stake. Until their advent, bookmakers had few issues with crime and attacks on staff. Since their introduction, police call-outs to gambling premises have rocketed, as frustrated users carry out damage to machines.

I understand that the instinct of this Government—a Conservative Government—is not to give in to nanny state urges. I make that sort of argument fairly regularly. However, it seems odd that at the self-same time as we are imposing a sugar tax and ever more draconian measures against smokers, we are allowing these high-stake gambling machines to proliferate in a loosely regulated environment. I ask the Minister to work with responsible operators in the gambling industry, of whom there are very many, to reduce the FOBT stake.

10.5 am

Conor McGinn (St Helens North) (Lab): I am pleased to have the opportunity to speak today. I thank the hon. Member for Strangford (Jim Shannon) for securing the debate. I consider myself lucky to represent one of the best race courses in the country—Haydock Park—and I endorse the point made by the hon. Member for Tewkesbury (Mr Robertson) about bookies' contribution to the survival and success of horse-racing.

There are 14 betting shops in my constituency, which employ 67 people. They contribute hundreds of thousands of pounds in business rates and tax and a total of more than £1.3 million to the local economy. Those jobs and that money are important.

Emotions can run high when we talk about fixed odds betting terminals. I have seen—no doubt, like other hon. Members—the devastation that addiction, whether to alcohol, tobacco, drugs or gambling, can cause. One of my very good friends, a man widely known in sporting and media circles in Ireland—the Armagh Gaelic footballer Oisín McConville—has written and spoken extensively about his struggles with gambling. The problem has a disastrous effect on those who suffer from it or are in close proximity to it. I ask hon. Members to believe me when I say that I know.

I knew problem gamblers when I worked in a bookies at the age of 14. Before the internet, cashing-in, betting exchanges and FOBTs, we took people's money over the counter and stamped their docket. Bookies did not open on a Sunday, and there was no champions league football, no in-play betting, very limited evening racing and no FOBTs.

The reality for those who have developed a problem is that people now have a multitude of gambling opportunities, including online gambling, spread betting, casinos, the

lottery or betting shops. The vast majority of people can control their gambling and view it as a leisure pursuit. That is demonstrated by the fact that problem gambling levels in the UK have remained constant for the past 30 years at about 0.5% of the adult population.

A veritable litany of academic research and evidence shows that problem gambling is not limited to one product or type of gambling. Many experts conclude that problem gambling is a complex issue. Focusing on one element of gambling alone will not give a better prediction of problem gambling or decrease the rates of gambling-related harm. I therefore ask that we look at the wider problems of gambling and, as ever, focus on the evidence and facts.

Mark Durkan (Foyle) (SDLP): The hon. Gentleman is talking about the range of gambling options that exist. Problem gamblers are attracted to all of them. Does he recognise that many firms provide all of them? As he seems to be saying, those firms depend on FOBTs; otherwise they would go out of business.

Conor McGinn: I am very clear that there should be no carte blanche for any part of the gambling or gaming industry. Regulation is important. Let us look at access to gambling and the amount that people can wager, and let us find ways of protecting those who are susceptible to developing a problem, but let us do it fairly and in the interest of good public policy.

Let us ensure that those with gambling addictions get the help and support they need to overcome their problems. We must ensure that the industry meets its obligations in that regard. Let us also acknowledge that having a flutter is a treasured and enjoyable national pastime, and that the vast majority of the millions of people who have a bet do so occasionally and in moderation—me included.

10.9 am

Mr David Nuttall (Bury North) (Con): It is, as always, a pleasure to serve under your chairmanship this morning, Sir Alan.

Fixed odds betting terminals are entirely legal. Some claim that people become addicted to gambling but, unfortunately for those who advance the argument, that is simply not supported by the evidence. There is no objective evidence from gambling prevalence surveys or Government health surveys that the level of problem gambling in this country is rising. The inconvenient truth is that the level of problem gambling has remained constant at about 0.5% of the population for the past 13 years. Crucially, that level has not increased since the terminals were first introduced.

The FOBTs are already heavily regulated. Every aspect of their operation is controlled: they must be licensed; the maximum stake is controlled by Government; and the maximum pay-out is controlled. The fact is that gambling is available in many forms. There is no control over how much anyone may stake, say, on a five-furlong flat race, which is over in less than a minute. There is no control over how many scratchcards a 16-year-old may buy.

Graham Jones: The hon. Gentleman seems to be making a principled argument that we should not even have a £100 limit on FOBTs. He is asking why we should we have that—if someone can bet £1,000, or

£10,000, on a horse race, or can walk into a casino and put x amount on whatever, what is the point in having a £100 maximum stake on a FOBT? Clearly, his argument is to remove the maximum stake and for people to have the freedom to stake as much as they want.

Mr Nuttall: The fact is that very few people bet £100 a stake—only about one in 100 customers even stake over £50. The average stake on a machine is £5.13.

As I was saying, there is no control over how many games of bingo someone may play, and there is no control over how much people may spend on betting on their mobile phone. Betting shops, arguably, are the safest place to gamble responsibly.

Mark Field: I have some sympathy with the nanny state argument. As my hon. Friend knows, we have had discussions about that in many different areas of public policy. Does he not recognise, however, that there is an element of responsibility here? Without doubt, no self-respecting newsagent would be selling dozens and dozens of scratchcards to a 16-year-old; the newsagent would take responsibility there and then. A lot of things are regulated, but in this sort of area the Government need to find a balance. As I said in my contribution, it seems to me that what is happening in many of our betting shops should be regulated at a higher level than might be expected for a seaside arcade.

Mr Nuttall: In answer to the point about scratchcards, there is nothing to stop people going into 10 different shops and buying as many scratchcards as they want. I am not suggesting that they would buy them all from the same shop.

I will make two final points. First, it is generally accepted, and it has been mentioned in the debate this morning, that the FOBT machines make a profit of about £1,000 a week—the figure given earlier was a little more than £800 a week. Given that the shops are open for about 90 hours a week, on average, that works out at a profit of about £11 an hour. So the question that those who want to control the machines further must answer is, do they think that such a level of hourly profit is fair? If not, what hourly rate do they think is fair?

Secondly, it is argued that the FOBTs are used for money laundering. That argument has been advanced again this morning. Unfortunately, however, it has been advanced by exactly the same people who argue that people are losing £300 a minute on the machines. Which is it? Are people losing £300 a minute, in which case that is not a good way to launder money, or are the machines being used for money-laundering purposes? Clearly, they cannot both be true.

We should protect the freedom of the individuals who want an occasional flutter, and allow them to do so.

10.13 am

Liz McInnes (Heywood and Middleton) (Lab): It is a pleasure to serve under your chairmanship, Sir Alan.

As a member of the newly formed APG on fixed odds betting terminals, I am pleased that the hon. Member for Strangford (Jim Shannon) secured this important debate. I also thank my hon. Friend the

Member for Swansea East (Carolyn Harris) for forming the APG, and I congratulate her on being elected as its chair.

I am pleased with my local council, Rochdale, which neighbours the constituency of the hon. Member for Bury North (Mr Nuttall). I was interested to hear what he had to say about problem gambling in Bury, because it is certainly not supported by his local newspaper, *The Bury Times*, which has highlighted the problems caused by FOBTs in Bury. Last September, however, my local authority, Rochdale Council, formally supported the campaign to have the maximum FOBT stake reduced from £100 to £2.

In the Metropolitan Borough of Rochdale, which encompasses my constituency and the Rochdale constituency, 140 FOBTs are estimated to be spread across 35 betting shops. The amount spent on the machines locally is staggering. According to data compiled by the Campaign for Fairer Gambling, residents of the borough gambled up to £152 million on FOBTs in 2013, which equates to £721 by every man, woman and child in the population—excluding residents aged under 18, who legally are not supposed to be gambling, that is nearly £950 per adult resident. By comparison with the 2012 figures, the research also seems to indicate that the local problem is getting worse. Between 2012 and 2013, the amount spent per resident increased by 112%, representing a massive drain on a borough facing significant challenges.

The gambling industry has introduced a range of voluntary measures to protect gamblers, such as gamblers being able to self-exclude themselves from betting premises, or the introduction of personal limits on the amount of money to be gambled during a single session. Given the vulnerable nature of those who tend to use FOBTs on a frequent basis, however, an approach that is more robust than self-regulation would be preferable.

On local licensing obligations, the Gambling Act 2005 requires local licensing authorities to “aim to permit” gambling, subject to licences complying with three licensing objectives: keeping crime out of gambling; ensuring that gambling is fair and open; and protecting children and vulnerable people. As a consequence, betting shops are required to obtain a licence from their local authority. FOBTs were previously restricted to the highly regulated casino environment but, as we have heard, they are now permitted in betting shops. For that reason, the licensing section of local councils has a role to play in ensuring that local betting shops comply with the relevant legislation.

I am pleased that Rochdale Council voted formally to support the campaign, and I believe that to be the action of a responsible council. I hope that others will follow suit.

10.17 am

Natalie McGarry (Glasgow East) (Ind): It is a pleasure to serve under your chairmanship, Sir Alan.

I congratulate the hon. Member for Strangford (Jim Shannon) on securing the debate. Many of us have probably applied for a similar debate, and for a Glasgow Member the issue is particularly pertinent. In 2014, *The Evening Times* of Glasgow found that the city had the highest proliferation of FOBTs—puggies, as they are known colloquially—at one for every 2,458 adults, with

[Natalie McGarry]

losses of £30 million per year. Only Liverpool came anywhere close to matching the Glasgow figure. It is not a statistic that I am proud of.

In my constituency the number of betting shops is particularly high, and they are in a concentrated area. It has been suggested that the disproportionate impact of fixed odds betting terminals on poorer and more vulnerable communities is due to the massive overprovision of bookmakers in such areas. Some streets in the east end of Glasgow have as many as four bookmakers on them, within a few hundred yards of each other, and with multiple FOBT units in each shop. In parts of my constituency, the high street is dominated by fast food shops, payday loan shops and bookmakers, and their proximity to each other is no coincidence.

Areas with a higher density of gambling machines are therefore more likely to be poorer areas, with lower than average economic activity and more people in lower-paid jobs, which means that the machines have a higher impact on people in those communities. I might have taken this incorrectly, but I take issue with the idea that people in such areas have more addictive personalities than those in more affluent areas. This is about proliferation, availability, the absence of hope, and the desire for control. Gambling has a massive impact on the lives and families of problem gamblers, often leaving families in debt, desperate, and more dependent on council and Government services. A report by Glasgow City Council on the impact of FOBTs found significant evidence of clustering of betting shops on many local high streets and other retail centres in Glasgow. Despite a period of unprecedented growth in online gambling, the number of betting shops has remained consistent and floor space continues to increase.

On the points made by the hon. Member for Tewkesbury (Mr Robertson), the idea that the poor pay in betting shops so that the more affluent can go horse-racing does not seem to me a reason to urge caution on the Government about taking action.

Mr Laurence Robertson: I did not say that.

Natalie McGarry: Evidence from the Scottish health survey suggests that as many as one in 20 betting shop customers—[*Interruption.*] Would the hon. Gentleman like to intervene instead of speaking from a sedentary position? I would be happy to take an intervention.

Mr Robertson: I am grateful to the hon. Lady for giving way. What she said was not remotely close to any point I made.

Natalie McGarry: That was an interpretational issue, then. I am glad to have my interpretation corrected, because what I said was what came across to me, and perhaps to others in the Chamber.

Evidence from the Scottish health survey suggests that as many as one in 20 betting shop customers may be problem gamblers. The addictive nature of the machines can and does devastate the lives of many people, especially those from poorer communities. The Government need to step in and do more to help those struggling with addiction, and they need to seek out preventive measures.

What is of most concern is the fact that many of the most popular games on fixed odds betting terminals are categorised as B2 casino content and are not subject to the same restrictions on stakes and prizes as traditional slot machine games. With vulnerable people already at risk, the Government must take action and reconsider the B2 classification.

Graham Jones: I am fascinated by the hon. Lady's argument. She is a former member of the Scottish National party—I do not know whether she is still a member. The point was made to the Smith commission that Scotland wanted full devolution of powers over FOBTs, yet the party tabled no amendments to the Scotland Bill on the issue. It said nothing about it, and not one Scottish MP spoke about the matter during the passage of the Bill. For the SNP to criticise the Government is simply duplicitous.

Natalie McGarry: I admit that I find myself extremely disappointed that the hon. Gentleman makes a political point on an issue of great importance for people across the UK. Amendments were tabled on fixed odds betting terminals, but unfortunately, because of the constriction on the time given to the Bill, they could not be brought forward.

Graham Jones: Will the hon. Lady give way?

Natalie McGarry: No, I am sorry. There is a more important point to be made about the impact of fixed odds betting terminals on vulnerable communities, and I will thank the hon. Gentleman to sit down so that others can get to speak.

I urge the Government to consider the evidence from communities such as mine, and to take action to stop fixed odds betting terminals blighting people in vulnerable and disadvantaged communities.

Several hon. Members *rose*—

Sir Alan Meale (in the Chair): Order. We still have six more Members wanting to speak. Unless hon. Members play fair with each other, they will not all get to speak.

10.22 am

Gerald Jones (Merthyr Tydfil and Rhymney) (Lab): It is a pleasure to serve under your chairmanship, Sir Alan. I congratulate the hon. Member for Strangford (Jim Shannon) on securing this important debate. I want to mention my membership of the newly established all-party group.

There is no doubt that fixed odds betting terminals are causing concern, and indeed misery, across the country. Many people believe that they are having a negative impact on society, and there is a widespread view that the maximum stake of £100 is far too high. No other country in the developed world has £100-stake machines other than in highly supervised casino environments. Addiction to these high-stakes machines is blighting people's lives. It is of huge concern to me when I read reports that the number of betting shops is twice as high in the poorest areas of the UK. In Wales, more than £60 million vanished into fixed odds betting terminals last year, and there are 50 of them in the communities that I represent.

I have heard it said several times that fixed odds betting terminals are the crack cocaine of gambling, and that view has come from those engaged in support and counselling services—the very people who witness at first hand the misery caused, and who deal with the consequences of gambling addiction. There has been a significant rise in the amount of money gambled in fixed odds betting terminals in recent years, from £1.3 billion in 2010-11 to £1.6 billion in 2013-14, according to the Gambling Commission. That is not a light-hearted flutter. Punters are able to stake £300 per minute, or £18,000 an hour, and huge losses are quickly racked up. Gambling is a major cause of indebtedness, and commentators have indicated that betting on FOBTs alone equates to £675 for every Welsh adult each year.

It is time for the Government to commit themselves to tackling the issue seriously, and to reduce the maximum stake on the terminals. The starting point can be the review of stakes and prizes, which I believe is long overdue. The Government have stalled so far, and they must now signal that they are committed to taking action. There also is concern in many communities about betting shops clustering together on the high street, as we have heard. Many councils across England and Wales have called for the highest stake on fixed odds betting terminals to be cut to £2. They also want more local power to tackle some of the issues involved, as current planning and gambling laws are failing to protect our towns and high streets. I support that call from local government, as I believe that councils have the most awareness of the issues being created in their areas and should have more of a role in dealing with them, in partnership with communities.

Last year the Welsh Assembly passed a motion noting that

“the growth in online gambling and fixed odds betting terminals has turned gambling in the UK into a multi-billion pound industry”, and urging the Welsh Government to

“engage with the UK Government to discuss the devolution of greater powers”

to tackle the issue.

Fixed odds betting terminals have allowed betting shops to introduce low staffing by pushing the money on to machines, so there is little or no interaction with anyone behind the counter. Figures show an increase in the number of times police have been called to betting shops over the past few years. We have all heard about individuals who easily become addicted, and about those who have lost their jobs and homes, and in some cases their families, as a result. I am sure that many hon. Members have read case studies in which people have testified clearly that the introduction of fixed odds betting terminals was a major factor in their addiction.

The consequence of doing nothing is unthinkable. The Government need to take decisive action, and I look forward to hearing today the Minister’s clear commitment outlining what the Government intend to do about the situation.

10.26 am

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is a pleasure to serve under your chairmanship today, Sir Alan. I congratulate the hon. Member for Strangford (Jim Shannon) on securing this important debate and setting out an extremely

detailed position. I declare an interest, having worked in addiction services as a psychologist for a number of years.

It is true that gambling has been a problem in society for many years. However, problem gamblers have told me that the fact that it is possible to gamble at all hours of the day and night exacerbates their difficulties. The description of fixed odds betting terminals as the crack cocaine of gambling has already been referred to. Patients have described addiction to those machines to me: the loss of large sums of money—hundreds of pounds in an instant—and the insufferable pain that relapses of such magnitude cause to families and children, who can become impoverished because of debt and instability.

Gambling, like many other addictions, also causes people to engage in behaviour that they might not otherwise. Those who have had periods of problem gambling have spoken about stealing from society and from their families to support their habit. That has an impact on social services and the criminal justice system. The machines we are discussing are among the most addictive set-ups, because they involve repetitive behaviour, random reward and very high stakes, so problem gamblers are soon chasing their tail and trying to recoup money they have lost. The availability of the machines, virtually on the high street, is a cause for grave concern. People who are vulnerable to gambling addiction describe seeing them everywhere, finding it difficult to abstain, and relapsing even if they pop out to the shops for bread and milk.

I would argue that debt causes depression and mental health problems, and we have heard that at worst it can cause suicide. Those issues have an impact on the health service. Other types of gambling have been mentioned, such as the national lottery, but I have had discourse with patients who have stated that betting on the lottery is not as addictive, because they have to wait some time to get the result. The issue with these machines is their instantaneous and repetitive nature.

I will not speak for too long, because I wish everyone to be able to speak. I have significant concerns about the availability of these machines, the number of them in shops and the number of shops that have them, the level of the stakes and the level of supervision of vulnerable individuals. I ask the Minister to look at that.

Craig Mackinlay (South Thanet) (Con): Will the hon. Lady give way?

Dr Cameron: I cannot give way, because I want others to have the chance to speak.

I support a responsible gambling industry. We all like to have a flutter occasionally or pop into a casino on a night out—very occasionally, I add—but I urge the Minister to act. We need a balance. Vulnerable individuals are being gravely affected by these machines, and we need to address that through independent research and by developing safe and responsible policy.

10.31 am

Jim McMahon (Oldham West and Royton) (Lab): It is a pleasure to serve under your chairmanship, Sir Alan. May I thank the hon. Member for Strangford (Jim Shannon) for securing the debate and my hon. Friend the Member for Swansea East (Carolyn Harris) for leading the all-party group on this important issue?

[*Jim McMahon*]

A lot of ground has been covered in the debate, and I will not repeat other Members' points. There is a pattern of bookmakers clustering in towns with high levels of deprivation. I speak from the perspective of Oldham, which the Office for National Statistics recently announced as the most deprived town in England. We see massive clustering there of not only bookmakers but payday loan shops, logbook loan shops and pawnbrokers. There is a cycle of people hoping they are going to win, losing and then pawning gold or something from their house to get more money, which they feed back into the machines.

I do not accept at all that the arguments on this issue are conflicted. It is true that these machines are being used for money laundering. In fact, during the course of this debate, constituents have sent me messages on Twitter in which they name bookmakers in Oldham that are quite open about the fact that these terminals are used for money laundering. Let's face it, if someone wants to find a way of cleaning money, losing 10% of it through one of these machines is not a bad transactional cost.

The poorest in society are paying the price. In 2014, Oldhamers fed £29 million into 100 terminals, losing an estimated £5.5 million. That is money from the pockets of the people who can least afford it. I believe in people being able to make adult choices about these things, but we have seen that the bookmakers cannot be trusted to monitor and support people who have problems. I will give one example. In Chadderton precinct, I can be stood at the door of one Ladbrokes—a bookmakers that has four fixed odds betting terminals, which is the maximum it is allowed—and you, Sir Alan, can be stood as close as we are now, at the other Ladbrokes across the precinct, which has the same number of terminals. Bookmakers know the rules and will seek a way around them. Any sense that we can trust bookmakers, which are there to make money, to look after people who are falling into trouble and have problems is wrong. I do not trust them one bit.

We need proper and fair regulation that strikes a balance between treating people like adults and letting them make a conscious decision to spend the money they earn however they choose, and ensuring there are proper restrictions where bookmakers are taking liberties. I do not believe that the Local Government Association and the 100-odd local authorities that are supporting the proposals made under the fantastic leadership of Newham Council are wrong. They know their communities, and they are asking for more Government action and local accountability and support. That is the least we can do to address this very real modern problem.

10.34 am

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): I was delighted recently to be elected the vice-chair of the new all-party parliamentary group on FOBTs. I too congratulate the hon. Member for Strangford (Jim Shannon) on securing this debate. He has said it all, and there have been many excellent contributions, so I will be incredibly brief.

Against the background of what many hon. Members have said, the degree of lax regulation of FOBTs is extraordinary. Two pounds is deemed the correct stake

for machines in arcades and bingo halls—environments that have far higher levels of supervision than bookies. High-stakes gambling should take place only in highly supervised and regulated environments such as casinos. Our lax approach to FOBTs makes no sense, and it sticks out like a sore thumb compared with the equivalent regulations that apply in other European countries.

The Government promised to review stakes and prizes, but to date, they have failed to do so. The longer they prevaricate on this, the greater the damage that will be done to individuals, families, communities and, indeed, our economy. It is time for the Government to get their act together. I look forward to working with hon. Members across the House and with colleagues in the new all-party parliamentary group to ensure that that happens.

10.35 am

Patricia Gibson (North Ayrshire and Arran) (SNP): It is a pleasure to serve under your chairmanship, Sir Alan. I congratulate the hon. Member for Strangford (Jim Shannon) on securing this debate. We have witnessed today the common agreement among most in this Chamber that there is a particular problem with fixed odds betting terminals, which leads those who are vulnerable and seduced by the promise of easy money into all sorts of difficulty.

In my constituency and the neighbouring constituency, there are 135 FOBTs in bookmakers, where gamblers racked up losses of more than £5 million in the year to 2015. Those are two constituencies with some of the deepest pockets of poverty and deprivation in the entire United Kingdom, and they host 37 betting shops. That spend of more than £5 million is set to increase, and campaigners have expressed deep concern.

This problem affects some of the most vulnerable people in communities right across Scotland and the United Kingdom. People who struggle with gambling are drawn in by the glamour, the glitter and the promise of easy wins for the hollow thrill that these machines offer. They promise so much and deliver so little. We have heard today that vulnerable players are gambling as much as £100 in 20 seconds. Who can afford to sustain such losses without facing huge difficulties? It is no wonder that FOBTs are called the crack cocaine of the gambling world.

So far, the approach of the gambling industry has been about self-exclusion, but we know that that does not work. Research has shown there were around 22,000 self-exclusions in 2012-13, but more than two thirds of those who self-excluded cancelled the exclusion after the minimum period expired. As the hon. Member for Congleton (Fiona Bruce) has pointed out, this is an issue of social justice. It is clear that the particular danger of these machines is that so much money can be lost so quickly. We cannot continue to stand aside and watch this problem develop. The casino industry has said in evidence to the Scottish Parliament that these machines are a hard form of gambling and are completely unsuitable, as we have heard today, for the unsupervised environment of a bookmakers shop.

We know that more research needs to be done to inform policy. We need play to be safe and enjoyable. The Responsible Gambling Trust has said there should be further studies so that we can target problem gamblers

using informed research. It is time the Government looked at the recommendations from the Responsible Gambling Trust on these machines.

We have heard today about inconvenient truths, and I would like to point out one such truth. We have all seen areas—usually ones with socially disadvantaged communities—that have bookie after bookie on each street corner. Despite what the hon. Member for Tewkesbury (Mr Robertson) said, 55 of the most deprived boroughs in the United Kingdom have more than twice as many betting shops as those in the most affluent areas. That is an inconvenient truth. Too many local authorities feel powerless to stop that clustering, and the Scottish Government have taken action to tackle the issue through planning policy.

The betting industry has claimed that reducing the maximum stake from £100 to £2 would put betting shops at risk. It is a little known fact that like the hon. Member for St Helens North (Conor McGinn), I, too, once worked for betting shops—for two high street betting shops to put myself through university, working in just about every bookmakers in and around Glasgow. I can tell hon. Members categorically that there were no FOBTs at that time and that profitability for bookmakers was never an issue. There are now about four terminals in each shop.

I want to make a very important point. There has been an attempt to make political points in this debate, which is utterly inappropriate, but they have been raised and therefore must be answered. It was suggested that the Scottish National party did not table any amendments to the Scotland Bill with regard to these machines. I can tell the hon. Member for Hyndburn (Graham Jones), who made that point, that that is utterly untrue. Perhaps he was so busy working with his Tory allies against more powers for Scotland that he missed it. The SNP tabled an amendment on 4 November 2015 to clause 45 on page 47 and it was not accepted. It is true that some power has been devolved under the Scotland Act 2016, but what the Scottish Government are not able to do with the powers is retrospectively re-examine the licences for the number of betting terminals that are already available. The way that the powers have been devolved will create confusion because there will, in effect, be a two-tier system.

We know that these machines are an issue. We know that we need to tackle it, and I ask the Minister—if one thing comes out of today's debate—to seriously consider making the maximum stake £2 so that people can gamble with much more safety and responsibility, and so that they are less open to being preyed upon by these machines and mistaken about the riches that they offer.

10.41 am

Clive Efford (Eltham) (Lab): It is a pleasure to take part in this debate under your chairmanship, Sir Alan, and I start by congratulating the hon. Member for Strangford (Jim Shannon) on securing it; it is important and has certainly attracted a lot of support on both sides of the House.

I get a feeling of *déjà vu* when I come to these debates, particularly when I read the briefings from the Association of British Bookmakers—I think I could have written the opening sentence of the one I have here before I even received it. It says:

“There is no objective evidence from either past British Gambling Prevalence surveys or Government Health surveys that problem gambling levels in the UK are rising.”

We ask the question, “Is there a problem with FOBT machines?”, and we get an answer to a completely different question. This has got to stop. That sort of propaganda does the industry no service whatsoever, and it is not fooling anyone.

Mark Field: Will the hon. Gentleman give way?

Clive Efford: No, I will not, because of the time. I have argued consistently that if we are going to move ahead with any restrictions on FOBTs, we need to do so on the basis of evidence. People are calling for a £2 stake, but there is no evidence that that will be any safer than the existing stake.

However, in terms of the issues confronting us—as many hon. Members have said today—this is about location more than anything else. It is about the proximity of these machines to people who may be vulnerable to developing a gambling habit and to falling foul of their propensity to gamble too much by going into a betting shop and losing more money than they can afford to. There is no denying that a high proportion of these machines are in proximity to socially deprived communities, and a disproportionate amount of the money gambled in them comes from people on low incomes.

We hear the figures about the numbers of betting shops and all the rest of it, but it is clear that the trend in betting shops is for more money to come from B2 machines than from over-the-counter betting on horse-racing, dog-racing or football, as more of that sort of betting moves online. The growth in the gross gambling yield from machines has more than covered the decline in over-the-counter betting, with a combined gambling yield in 2014-15 of £3.74 billion, which is higher than in any previous year recorded by the Gambling Commission. The yield from the machines has been higher than that of over-the-counter betting every year since 2011-12 and now represents 54.2% of the combined gross gambling yield. The number of premises has been in decline since March 2014: there were 299 fewer premises on 30 September 2015 than on 31 March 2014. However, the number of B2 machines has increased year on year since records began in 2008-09 and has now reached 34,500.

We have a growing problem in our communities, given the proximity of FOBTs to locations where, I think, they do not belong. Anyone who has been to discuss these machines with me knows I loathe them. I do not think they belong in our high streets, but they are an unintended consequence of the Gambling Act 2005, and they are now there. Many businesses are predicated on the machines being there and if they were to be removed, people would lose their jobs and livelihoods, which is why we must move forward on the basis of evidence.

We are told that there is no problem, or that the problem lies elsewhere, or perhaps that the problem is not getting any worse, so we should not do anything about it—or a combination of all those arguments. However, the number of people in treatment, according to GamCare, is up by 39%, and the number of people who present problems as a result of playing FOBT roulette machines represent 26% of those who are in

[Clive Efford]

contact with GamCare. The number of calls from people addicted to FOBTs has gone up by 50% over the last five years.

I accept that there is a growing problem online. For the first time ever, the current figures show that the number of people presenting problems to GamCare from gambling online has increased over the number of people who are presenting problems from machine-related abuse. However, that can be explained by the increase in the number of people who are contacting GamCare and does not show a reduction in the problems from FOBTs. It shows an overall increase of people who are presenting with problems, and we have to address that issue going forward.

The Gambling Commission wrote to the Secretary of State in March 2015 about the conclusions of research carried out by the Responsible Gambling Trust and NatCen Social Research. It was based on people who gamble from accounts, because they can be tracked and their gambling behaviour can be followed. There were some interesting factors: 37% of the number of people who have loyalty cards or gambling accounts said that at some time, they had a problem with machine gambling—so a very high proportion are presenting with a problem.

The Gambling Commission says that the betting industry needs to increase the number of people who have accounts, so that detailed research can be carried out on what is going on with these machines. In the letter, it states:

“Consequently, we recommend encouraging operators to promote account-based play with the aim of increasing uptake significantly. If they succeed, playing anonymously might itself become a useful indicator of risk. If operators fail to make sufficient progress with promoting account-based play, then the case for making it mandatory would need very serious consideration.”

Will the Minister therefore consider, in his next discussions with the betting industry, whether that should be made mandatory? If we are not making any progress, we are just not finding out what the problem is. We have the technology. We can do it and we need to make more progress in this area.

I say to the betting industry, “Make this move before it is forced on you, or you will lose the machines completely.” I think that the time is coming when action on these machines will be forced on the gambling industry. If there is not a problem, let us have the data and the account-based play, so that we can demonstrate that there is no harm.

The time has come to apply the precautionary principle. The betting industry says there is no evidence to prove that the machines are harmful, but there is no evidence to prove that they are not, so we should apply the precautionary principle that if it cannot be proved that they are not harmful, let us remove them until there is proof that they are not. It is time to act. The data are available to the Minister so let us move towards account-based playing of the machines and ensure that we satisfy ourselves that it is safe to have them on our high streets. Otherwise, they should be removed.

In conclusion, I want to ask the Minister a few questions. The Government are carrying out a review of the £50 stake, which is why the triennial review has been delayed. When will the former be concluded and when

will the triennial review of stakes and prizes start? What steps is he taking to investigate money laundering—several hon. Members highlighted that this morning—and whether there is a money laundering problem?

There is concern about late-night betting and the fact that stakes on these machines tend to increase late at night. Should we review the opening hours and the rules that allow live racing from Hong Kong to be played and betting shops to stay open even later so that more people can play these machines? Should we mandate account-based play on these machines? Will the Minister support giving local authorities, once and for all, the powers they are demanding so they can control the proliferation of betting shops in our communities?

10.51 am

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Mr David Evennett): It is a pleasure to serve under your chairmanship, Sir Alan. I congratulate the hon. Member for Strangford (Jim Shannon) on securing this debate and on his passionate and thoughtful speech, which I think we all appreciated.

We have had a good, constructive and measured debate. All hon. Members who spoke took a balanced approach, and I am grateful for their informed and helpful contributions to this important debate. I appreciate that gambling is a devolved matter for Northern Ireland, so I shall concentrate on Great Britain.

I start by restating that the Government recognise the concerns around subcategory B2 gaming machines, or fixed odds betting terminals, as they are more commonly known. I assure the hon. Gentleman and all hon. Members here that the Government take the issue seriously and keep it firmly under review. I appreciate the matters that have been raised and share the concerns that the hon. Gentleman highlighted. I have listened carefully to the comments made and take note of the strong views that have been expressed.

I congratulate the hon. Member for Swansea East (Carolyn Harris) on being elected to the chair of the new all-party parliamentary group on fixed odds betting terminals. I welcome its establishment and look forward to hearing from her and her group. Perhaps we can chat later about issues that we cannot cover here. I wish the group well in its work. This is a good opportunity to say that the Government are listening and looking at the whole issue, and will make strong recommendations in due course.

Graham Jones: Will the Minister give way?

Mr Evennett: I cannot give way because I have so little time.

The Government are consistent in their approach to gambling legislation. Any changes in the industry must go hand in hand with enhanced player protection and a genuine commitment to social responsibility. We recognise public concern about the increased visibility of gambling and its potential harm, particularly as regards B2 gaming machines. That is why the Government introduced measures in April 2015 to end unsupervised high-stake play on those machines and gave more powers to local communities, requiring planning applications for new betting shops to be submitted to local authorities. That was a positive move to allow local authorities to make decisions in

their area. The industry and the Gambling Commission introduced additional measures to further the social responsibility agenda at this time, and I will touch on that shortly.

The Government subsequently conducted an evaluation of the regulations on B2 gaming machines, which was published earlier this year. In summary, there has been a significant reduction in the number of stakes above £50 and there are indications that, as a result of these regulations, players on B2 gaming machines may now be making a more conscious choice to control their playing behaviour. In addition, the regulations led to an increase in the use of verified accounts, so the number of people able to track their play through an account and make more informed decisions as a result has increased. Although that is a positive step in the right direction, it is prudent to think carefully about what further player protection measures might be appropriate, particularly in relation to B2 gaming machines.

The coalition Government concluded the last triennial review of stakes and prizes in October 2013. They noted in their public response that the reintroduction of a triennial review system was appropriate and anticipated that the next formal review would conclude by 2016. We are aware that there is an expectation of a review this year, and we will set out our views on a review of the stakes and prizes on gaming machines in due course.

It is important to note the role of the Gambling Commission and the industry in the social responsibility agenda. The Association of British Bookmakers, the trade body representing the vast majority of high street bookmakers, introduced new measures for its members in 2014 under its code on social responsibility, which was further updated in 2015. We have made it clear to the industry that although these measures are welcome, they must be independently evaluated and built on to ensure they are fit for purpose.

The Gambling Commission updated its social responsibility provisions in its revised licence conditions and codes of practice, which were introduced in May 2015. This included requirements that customers of B2 gaming machines make an active choice on whether to set time and monetary limits to help them to control their play.

There is little time left, but I want to highlight the issues of money laundering and crime, particularly money laundering through B2 gaming machines. Crime in the gambling sector is obviously worrying, and we and the Gambling Commission are looking closely at the issue. I assure the hon. Member for Strangford and

other hon. Members that the Government take the issue of money laundering in gambling very seriously indeed.

The Gambling Commission already requires operators to take measures to prevent money laundering through its licence conditions and codes of practice, and it will shortly announce its conclusions following a consultation on proposed regulatory changes to strengthen the fight against crime linked to gambling. In addition, the Treasury is planning to consult shortly on the EU's fourth directive on money laundering, which will seek evidence about the extent of risk in certain sectors, including gambling, of money laundering practices. The combination of these measures represents the Government's continued focus on preventing crime in gambling, including money laundering.

Time is extremely short, but I re-emphasise the fact that the Government recognise the concerns expressed. I welcome the constructive comments of the hon. Member for Eltham (Clive Efford), but time does not allow me to answer all his questions, so I will write to him with my answers. I am grateful for his constructive contribution to the debate. Much has been done, but much more needs to be done. We will certainly look at the matter carefully and monitor it to ensure there is protection and social responsibility, which, as the debate has highlighted, are so important in the gambling industry.

10.59 am

Jim Shannon: I thank the Minister, the shadow Minister and right hon. and hon. Members for their significant contributions. A significant proportion—higher than for any other product—of users of fixed odds betting terminals are problematic gamblers, and that has come out of this debate. Fixed odds betting terminals are the crack cocaine of gambling. They are totally addictive, destroy lives and focus on the vulnerable. What must we do? We must reduce the number of machines from four per shop to one, and we must reduce the maximum stake from £100 to £2. We must remove the table game content from fixed odds betting terminals, because the pace of the games is faster than in real casinos. We must reduce the spend frequency from 20 seconds to 60. Those are some of the things we can do.

I welcome the new all-party group on fixed odds betting terminals, and I thank hon. Members for their contributions. The Minister can be sure that Members here will return to look for change through legislation.

Motion lapsed (Standing Order No. 10(6)).

Lewy Body Dementia

11 am

Sir Alan Meale (in the Chair): Could hon. Members leave quietly? We are about to start the next debate. I would be grateful if you could remove yourselves swiftly and quietly.

Conor McGinn (St Helens North) (Lab): I beg to move,

That this House has considered awareness and recognition of dementia with Lewy bodies.

It is a pleasure to have secured this debate, under your chairmanship, Sir Alan, on dementia with Lewy bodies, or DLB as it is known, and as I will refer to it henceforth. May I start by congratulating the Minister on his very significant achievement on Sunday in completing the London marathon? Well done to him for the moneys that he raised for his charities. In the same vein, it is with some pride that I declare that I was recently appointed an ambassador for the Lewy Body Society, a charity whose mission is to raise awareness of DLB among the general public and educate those in the medical profession and decision-making positions about all aspects of the disease, as well as to support and fund research into it. For 10 years, the LBS has raised awareness, provided support and information, and funded research into DLB, which is the second most frequent cause of age-related neurodegenerative dementia. I am delighted that some of those involved in the campaign are in Parliament today.

It might be helpful if I say a little about DLB. Lewy bodies are abnormal aggregates of protein that develop inside nerve cells in Parkinson's disease, DLB and some other disorders. They were first discovered by Dr Frederick Lewy as far back as 1912, but incredibly, despite that, DLB was virtually unknown until the late 1980s, when advances in techniques made it possible to identify Lewy bodies under a microscope.

Every case of DLB is as individual as the person living with it. Different people show different combinations of symptoms. At present, a diagnosis of DLB can be confirmed only by autopsy, but a careful clinical evaluation of the patient and their symptoms can in many cases form the basis for making a reasonably confident lifetime diagnosis. There are also technological advances in imaging and research into biomarkers that it is hoped will result in earlier and more accurate diagnoses.

The central symptom of DLB is dementia, which is defined as progressive mental decline that is serious enough to interfere with normal daily activities such as eating, washing, dressing, cooking, shopping and managing finances. Significant memory loss may not develop until later. There may also be problems with executive function in respect of attention, problem solving and spatial awareness. This can easily be mistaken for Alzheimer's disease.

Additional symptoms that may lead to a diagnosis of probable DLB are, first, disturbances in REM—rapid eye movement—sleep. The impact of that on a family carer is terrible. The carer is unable to sleep themselves and therefore becomes unable to support the person with DLB. REM sleep is the deep sleep in which people dream. A certain amount of good, REM sleep is necessary

for people to function efficiently. DLB sufferers may talk in their sleep or act out their dreams. Sometimes that is so marked that the sufferer falls off the bed.

Secondly, there is severe sensitivity to neuroleptic drugs. Sometimes people with DLB are prescribed neuroleptic—antipsychotic—drugs to help with their symptoms. That should be done only by someone experienced in the illness, as many of those drugs can be extremely harmful or even fatal to people with DLB. That problem has been recorded.

Despite the importance of correct diagnosis and treatment of DLB, the disease is often not recognised, identified or diagnosed.

Jim Shannon (Strangford) (DUP): I thank the hon. Gentleman for bringing a very important issue to the House. The week before last, I had a debate in this Chamber on dementia and Alzheimer's disease, which a number of hon. Members attended. Dementia has the potential to be the defining condition of this age. Does he think that there should be more research and more partnerships between parts of Government, between universities and between businesses to find a cure for this disease? By finding a cure, we will help to ensure that diagnosis happens earlier, as it should.

Conor McGinn: The hon. Gentleman, whom I would feel comfortable referring to as my hon. Friend, makes the point with his usual eloquence, and I could not agree more. I will say a little more later about some of the research being done.

Dementia is not just about memory. The supportive symptoms of DLB are fainting, falls, problems with swallowing and continence, delusions, depression and hallucinations, including hearing, smelling or feeling things. Some people have benign or pleasant hallucinations of, for example, children or animals. A sense of the presence of someone who is not there is common in many patients. Other sufferers see frightening and disturbing things and may react to them by displaying challenging behaviours that prove very difficult for the family to manage.

More than 700,000 people in the UK have dementia. That number is projected to rise to 1 million by 2021 unless significant advances are made; indeed, the figure is expected to double in the next 20 years. As the hon. Gentleman said, the issue now touches the lives of virtually every family in the United Kingdom. It is a big issue for the NHS, but also for all local authorities and, indeed, all public services. In the UK, approximately 100,000 people are thought to suffer from DLB. At least 5% of people aged 85 or older are thought to suffer from this little known, but not uncommon, and devastating disease.

It is important to note that diagnosis rates of dementia across the country are low and incredibly varied. In the UK, less than half of people living with dementia are diagnosed, let alone differentiations being made between the types of dementia.

Dr James Davies (Vale of Clwyd) (Con): I thank the hon. Gentleman for bringing this important debate to the House today. He says that diagnosis rates across the country are patchy, but will he acknowledge that there has been good progress in general with dementia diagnosis,

and that there is increasing awareness through dementia-friendly communities and so on? There is, however, a poor understanding of this type of dementia, and it is vital that we move ahead in informing the public and clinicians about not only dementia, but the various types of dementia.

Conor McGinn: I thank the hon. Gentleman for his intervention. I agree with him and will come later to some of the issues that he raises. I come to this debate in a spirit of co-operation, recognising the good work that has been done, and looking at how we can work effectively together to continue and develop it.

It surprised me that officially there are no data on the diagnosis of DLB. There is, however, an ongoing National Institute for Health Research-funded study examining diagnosis rates of DLB in the NHS. Current findings indicate that the rates are more than 50% lower than expected, with considerable variation, again, between services. I am sure that the Minister will agree that early and accurate diagnosis is of great importance and can allow more people to have as good a quality of life as possible for as long as possible.

As always, it is the human experience of the disease that expresses fully its awfulness and tragedy. My constituent Jacqui Cannon, who is chief executive of the Lewy Body Society, told me:

“In 2007 my darling dad was diagnosed with dementia with Lewy bodies. My father had been behaving increasingly strangely for a few months and I took him to the doctors. He was fortunate that he had a GP who was responsible for GP training in Greater Manchester and who made an immediate diagnosis. He was then referred to an old age consultant, he had an appointment almost immediately due to the ability to be able to pay as a private patient. The diagnosis was confirmed. The GP used him as a case study at a GP conference to put emphasis on the importance on patient centered care. My father had other underlying health issues and the consultant liaised very closely with his other doctors. This does not happen for everyone.

Knowing what I now know; my father had all the hallmark symptoms of DLB. He had hallucinations, he was totally muddled and could not distinguish between what was on the television and what was actually going on around... We struggled to care for my father at home. I was taking over from my mother when I finished working full time... for a major... company. He was very well cared for in a local EMI unit. The caring doesn't stop at this point and I visited every day after work and missed one day in 2 years, often only arriving home at 9:00pm each day. I did a google search and The Lewy Body Society appeared, I have been involved since that point.”

One of the charity's founders, Ashley Bayston, said:

“In 2005 my precious mother was diagnosed with dementia with Lewy bodies. She had been behaving increasingly strangely for 5 years during which my father took her to dozens of doctors before, at my father's suggestion, neurologist 26 made a diagnosis of DLB. I have heard this story so many times in the past decade. The carer, frustrated by the doctors' prevarication and inability to admit they don't know, does extensive search and ends up suggesting the diagnosis.”

Ashley also uses that phrase:

“Knowing what I now know, my mother had all the hallmark symptoms of DLB. She had terrifying hallucinations, she was totally muddled”,

and she says that her mother could not tell the difference between reality and illusion. She continues:

“One time she told me that she had seen me on the telly the night before and liked my outfit. She often thought that there was a cat in the house. Years before she had lost her sense of smell and at the start of her illness suffered from severe...hypotension and

constipation. By the time my mother was diagnosed she was in the final stages of DLB. Totally bedridden and helpless and in and out of consciousness. Fortunately my father was able to keep her at home tended round the clock by angel nurses who treated her with the love and respect they would give their own mothers. This is very unscientific but I do believe that it was love that kept my mother alive after the doctors wrote her off. My parents had been married for 67 years when Mum died.”

There are, however, some grounds for optimism. It should be a source of pride that the United Kingdom has played a significant role in the recognition and management of the disorder. Newcastle University is a centre of excellence in the field and the UK is a major force in understanding the disorder. Indeed, Professor Ian McKeith from Newcastle, who is internationally recognised as the world's leading expert in DLB, is the founding president of the Lewy Body Society. That is important because the society's objective is to bring support and expertise over and above what is offered elsewhere. Additionally, the existence of an organisation dedicated solely to DLB validates those affected by the disease and gives them a sense of community. It is difficult for people to understand this complex and frightening disease unless they have experienced its effects.

Thirty years ago, the concept of DLB simply did not exist. People with the disorder were misdiagnosed and mismanaged to the severe detriment of all concerned. However, the situation has improved significantly. Many patients are now recognised as having the condition early and accurately, and receive appropriate treatment and care, but as always, and particularly in this case, much more needs to be done.

In the previous Parliament, the Prime Minister released “Prime Minister's challenge on dementia 2020”, a five-year plan to improve dementia care and the understanding of dementia in England. The document set out the welcome ambition for England to be

“the best country in the world for dementia care and support and for people with dementia, their carers and families to live; and... the best place in the world to undertake research into dementia and other neurodegenerative diseases.”

The progress made is welcome; the £150 million Dementia Research Institute is set to be up and running by 2020. It is also welcome that more NHS and care staff have had specialist training in the development of dementia, but we are still a long way from getting to grips with the serious issue of DLB, which has often been neglected.

The National Institute for Health Research has supported some DLB research, including the DIAMOND-Lewy study on diagnostic rates and management, run jointly by the University of Cambridge and Newcastle University. However, despite the increase in funding and commitments from the Government, funding for research into DLB has been limited, and although the National Institute for Health and Care Excellence issues guidance and guidelines about the management of dementia, and the Royal College of Nursing has done much to raise practitioner awareness, there are few specific provisions for DLB. The lack of funding available and the lack of guidance around DLB remains a concern.

The fact that DLB is not mentioned once in the entire 2020 dementia strategy means that there is a lack of funding available for the disease. The Lewy Body Society, for example, currently receives no funding from central Government. As a first step, will the Minister consider

[Conor McGinn]

updating “Prime Minister’s challenge on dementia 2020” so that it specifically mentions DLB? Will he also incorporate plans to fund and help sufferers of DLB in the overall strategy? That would mean that the Department of Health could establish training programmes about DLB for GPs and other healthcare professionals. The NHS could then promote the message that, like cancer, dementia is a spectrum of diseases; that would make it easier to diagnose. It would also mean that research could be placed on a sustainable national footing and draw on existing expertise and experience. Recognition of DLB in the strategy will help awareness and lead to better treatment for those who suffer from it, because the more people who know, the fewer people who suffer.

The announcement that I was to become an ambassador for the Lewy Body Society received some media attention, and I received a phone call from my cousin, Patrick McGinn, whose father, my great-uncle Basil, had died some months previously. Like most of our extended family, I thought that Basil had Alzheimer’s or dementia, or was going senile or whatever particular euphemism we had occasion to use when we spoke about him. In fact, Basil had dementia with Lewy bodies. My own family has been touched by the awfulness and tragedy of the disease, and I did not know it. How many others are in a similar position, either suffering from DLB or caring for someone with it? For them and for my uncle Basil, I ask the Government for recognition to aid increased awareness of dementia with Lewy bodies, so that we can begin to help the many people affected by it.

11.18 am

The Minister for Community and Social Care (Alistair Burt): It is a pleasure to serve under your chairmanship, Sir Alan. I congratulate the hon. Member for St Helens North (Conor McGinn) on securing the debate and raising the important issue of awareness and recognition of dementia with Lewy bodies. I thank him for his kind personal remarks about my weekend activities, when I ran the London marathon. He is probably unaware that the Chair and I also have a sporting connection. Many years ago, we took part in a charity penalty shoot-out between English and Scottish MPs at Ibrox stadium in front of 50,000 people. That is not the normal size of crowd that the Chair or I play football before, but we enjoyed the occasion immensely. A sporting connection runs through us all.

I congratulate the hon. Member for St Helens North on his recent appointment as ambassador for the Lewy Body Society, and on the way in which he has raised the debate and brought the issue to the Chamber. As always, I thank colleagues in the House who show an interest. I thank the hon. Members for Strangford (Jim Shannon) and for Foyle (Mark Durkan) as well as my hon. Friend the Member for Vale of Clwyd (Dr Davies) for their attendance.

I agree with the hon. Member for St Helens North about Lewy body dementia touching many families. My wife’s uncle has recently been diagnosed, and I would like to thank her and all the other members of the family who are caring for her uncle as well as the staff at the care home and social services, who have also been involved. That brings home that dementia and its variants

is something that many families can expect to experience. The debate is therefore timely and raises issues that are important to all of us.

The hon. Gentleman set out well some of the symptoms of DLB and issues relating to diagnosis. I cannot better that; I will not describe the symptoms because he did that extremely well. Diagnosis can be difficult. A GP can do some simple checks to see whether there is a chance that someone could have dementia and then refer them to a memory clinic or other specialist clinic if necessary. At the clinic, the person will be asked about symptoms and have a physical check-up and memory test, and they may also have blood tests and brain scans. The results of those checks and tests will give the doctor a good idea as to whether the symptoms are caused by dementia with Lewy bodies, another type of dementia or something else entirely. It is complex and, as the hon. Gentleman said, it is reckoned that perhaps 4% of all recorded dementia may be accounted for as DLB, but it may in fact account for 10% of all cases because it tends to be mistakenly diagnosed as another condition.

That brings up the question of research, which I will turn to before more general remarks about our approach to dementia generally because the hon. Gentleman raised that as a matter of some importance. The 2020 challenge sets out the aspiration to see research funding in dementia double by 2025 and relates to funding from all sources, including industry and charity. Through initiatives including Dementias Platform UK, the Dementia Research Institute, Join Dementia Research, the international drug discovery fund and the accelerated access review, we are creating a highly attractive environment for industry investment, including new targets for drug development. We also anticipate that greater public awareness achieved through the 2020 challenge and charity campaigns will lead to increased philanthropic donation to research charities.

On how particular funding is determined and which research projects are selected, funding panels made up of academic researchers, subject experts and patient and public advisers advise on decisions as to which projects should be funded within NIHR funding programmes, within the remit of each programme, determined by quality. On DLB specifically, as the hon. Gentleman said, the National Institute for Health Research funds the NIHR Newcastle biomedical research unit in Lewy body dementia, which is part of the NIHR dementia translational research collaboration, TRCD. However, other biomedical research units and centres that make up TRCD also do research in the area, including the NIHR Maudsley biomedical research unit. That accelerates the translation of dementia research from basic science to early-phase clinical trials, focusing on the three common late-onset dementias—Alzheimer’s, vascular and Lewy body dementia—and on fronto-temporal dementia with motor neurone disease.

Other major NIHR investments include improving the diagnosis and management of neurodegenerative dementia of Lewy body type in the NHS DIAMOND-Lewy study, which the hon. Gentleman mentioned. The chief investigator, to whom we pay tribute, is Professor John O’Brien of the University of Newcastle. Funding for that major programme of work is just over £1.9 million, which lasts from January 2014 to December 2018, and it is expected to result in an increase in the number of dementia with Lewy bodies cases diagnosed and to improve their care considerably.

We are very keen to see NIHR research programmes and to fund high quality proposals in dementia where those are within remit. In terms of future spending, there will be announcements on the Dementia Research Institute in due course about competition for membership. The content of the scientific programme will depend partly on the composition and directorship of the DRI, which is to be determined by competition, but I will ensure that the hon. Gentleman's specific pleas in relation to DLB are passed through into the process and go to the Minister who is primarily responsible.

Let me say a little about further recognition of dementia into which this fits, because that is important. The hon. Gentleman was gracious enough to recognise that this issue continues to be of the highest priority for the Government. It is not a party matter in any way, as he made clear. In 2015, the Prime Minister set out his vision for dementia over the next five years, with his challenge on dementia 2020. The implementation plan, which was published last month, sets out the actions that partners—including those across health and care—will take to ensure that those commitments are delivered.

An accurate diagnosis of dementia is key to helping people live well with the condition. As my hon. Friend the Member for Vale of Clwyd said, more people now receive a diagnosis of dementia than ever before and it is reassuring to know that in the constituency of the hon. Member for St Helens North, 87.9% of people with dementia have received a diagnosis, which is significantly above the national average. I commend and praise the relentless efforts of those providing care and support to people with dementia. Again, he set out a moving case in relation to that.

Mark Durkan (Foyle) (SDLP): In the context of the Prime Minister's commitment in challenge on dementia 2020, which is very welcome, he has committed to roll out a national standard for tailored packages of post-diagnosis support. Will the Minister commit to ensuring that, when that standard emerges, it will be articulate enough to address DLB specifically?

Alistair Burt: It would be best for me to take specific requests on DLB back to the Department. I will write to hon. Members who have taken part in the debate with a response to that in due course. I hear and understand the hon. Gentleman's point, but let me reflect and come back.

I return to those who are looking after people. The families and carers and the hundreds and thousands of health and social care staff who work tirelessly to deliver high quality, compassionate, personalised care always require and deserve a mention in any discussion of dementia and those involved.

The work we have done to improve diagnosis rates has meant that more people than ever can access the advice, care and support they need to help them, their carers and families live well with the condition. We now need to focus our efforts on reducing local variation in diagnosis rates and the care and support that people require. The diagnosis is only the start. We also need to ensure that every person diagnosed with dementia, and

their carers, receive meaningful care following their diagnosis. To be clear, the needs of the person with dementia, their family and carers, should be at the heart of everything we do. We therefore want to see more consistent provision of innovative and high-quality dementia care delivered in a way that is personalised and appropriate to the specific needs of the individual. I have been fortunate enough to see at first hand some of the high-quality dementia care provided across the country and have been impressed with the culturally sensitive care and support, catering for a diverse range of dementia needs.

We also want people across England to have a greater understanding of dementia and what they can do to make a real difference to people living with the condition. I am pleased to say that there are now more than 1.5 million dementia friends in England and the Alzheimer's Society is working to deliver an additional 3 million by 2020. I am grateful to the representative who talked to me and gave me some basic advice to help me become a dementia friend. In St Helens North there are reckoned to be over 6,500 dementia friends. Furthermore, local work such as that undertaken by the Dementia Action Alliance, the Life Story Network and National Museums Liverpool in neighbouring cities is helping support people, their families and their carers live well with dementia in their local communities.

I thank the hon. Gentleman for raising the nature of the debate and for being so specific, mentioning the work of the Lewy Body Society. I note that when he was appointed as an ambassador to it, he was quoted as wanting

“a commitment from the Department of Health to ensure that recognition for DLB is an integral part of strategies to tackle dementia.”

I assure him that we want everyone diagnosed with dementia to receive meaningful care following their diagnosis, and that very much includes those with dementia with Lewy bodies.

The fact that the hon. Gentleman has taken the trouble to raise the issue for debate, that he did so in the way in which he did and that he paid tribute to those who work in this area has done an immense amount just in this debate to raise the profile of Lewy body dementia and to secure commitment and recognition from the Department.

As a result of the debate, I will write to the hon. Gentleman with some answers to the specific questions he asked. I thank him for the way in which he did that and I hope that, through what we have said this morning, our commitment to dementia—to those suffering from it, to those who care for them and to all those involved in its research and treatment—has been made clear. This is a Parliament-wide commitment, which we all share. I am pleased to have had the chance to answer the debate.

Motion lapsed (Standing Order No. 10(6)).

11.30 am

Sitting suspended.

Antibiotics: Research and Development

[MR NIGEL EVANS *in the Chair*]

2.30 pm

Julian Sturdy (York Outer) (Con): I beg to move,

That this House has considered incentivising research and development of new antibiotics.

It is a pleasure to serve under your chairmanship for the first time in this hall, Mr Evans. I am delighted to have secured the opportunity once again to introduce a debate on the increasingly urgent issue of antibiotic resistance. I first debated this issue back in October 2014, when I discussed the wide-ranging causes of antimicrobial resistance—AMR—and our urgent need to address the problem head-on.

Today, I will focus on the most pressing elements of the issue: the need to incentivise more research and development of new antibiotics so that we have new drugs coming on stream to meet our future needs. Before I discuss the development of a new funding model for antibiotics, I will briefly explain exactly why AMR is such a pressing issue. This is far from being a problem only for the future; it came as a shock when, before my last debate, doctors in my constituency told me that patients were already experiencing the devastating effects of AMR. Across the country, we are seeing an increasing number of patients in intensive care units who have resistant infections, meaning that there is no effective treatment available. Antimicrobial-resistant infections already kill some 50,000 people every year across Europe and north America, but sadly the reality of AMR today is nothing compared with the nightmarish scenario of the future. The initial paper of Lord O'Neill's AMR review concluded that

“a continued rise in resistance by 2050 would lead to 10 million people dying every year”.

That is more than the number of people who will die of cancer, and it is double the number of people who will die of cholera, diabetes, diarrhoea, measles, tetanus and road traffic accidents combined. Some might say that AMR is the biggest threat to mankind.

We have also been warned that the secondary health effects of AMR could result in a return to the dark ages of medicine. Our national health service and other modern health systems across the world rely heavily on antibiotics. When surgery is undertaken, for example, patients are given antibiotics to reduce the risk of infection. In a world in which antibiotics do not work, surgery will become far more dangerous. Many routine procedures, such as hip operations, will become too risky for many elderly patients, depriving them of their mobility and their active lives. Cancer treatments such as chemotherapy suppress patients' immune systems, making them more susceptible to infections. Without effective antibiotics to prevent those infections, such life-saving treatment could no longer be an option. As Jeremy Farrar, a director of the Wellcome Trust, said:

“We are sleepwalking back into a time where something as simple as a grazed knee... will start to claim lives.”

Thankfully, medical opinion is, in the vast majority of cases, that the looming global crisis can be avoided if we take action, but it must be taken sooner rather than later. It is encouraging that there have been numerous

positive developments since this topic was last debated in Westminster Hall. The £20-million Fleming fund was announced in March 2015, and it will support the delivery of action plans for AMR laboratory surveillance across the world, with a particular focus on low-income countries. Just before the 2015 general election, I was delighted that the Conservative party manifesto said:

“Antibiotic resistance is a major health risk so we will continue to lead the global fight against it, taking forward the recommendations of the independent review launched by the Prime Minister”.

I promise that that will be my last reference to party politics, because this issue has the support and attention of every party in this House. AMR is such a huge issue that it transcends party politics.

Chi Onwurah (Newcastle upon Tyne Central) (Lab): I thank the hon. Gentleman for securing this debate on an important subject. Before he completely passes on from party politics—I agree that this issue cuts across all party politics—does he agree that the nature of antibiotics, and the fact that we want to use them as little as possible when they are discovered or invented, drives against the free market system, in which new products and services are used as much as possible? For that reason, the Government and the public sector must take action, because to be effective, antibiotics should be used not as much as possible but as little as possible.

Julian Sturdy: I agree with the hon. Lady's last comments. She is right that antibiotics must be used as a last resort, which is why, as I will say, the current funding model for antibiotic research is broken, and why we have to correct it.

Maggie Throup (Erewash) (Con): I take the point raised by the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), with which my hon. Friend the Member for York Outer (Julian Sturdy) has just agreed. This is also about having the right diagnostic tests to ensure that people who need antibiotics receive them while ensuring that they are no longer handed out like sweets.

Julian Sturdy: My hon. Friend is right. Later in my speech, I will discuss the model of how antibiotics are used across the country. It is chilling how antibiotics are used in different parts of the country. Testing to find out resistance to certain antibiotics is also important before any antibiotics needed are used. It is not just a matter of how we bring new antibiotics to market, which can take 15 years; it is also about how we protect our existing armoury of antibiotics to buy us time for those new antibiotics to reach the market.

The £1 billion Ross fund was announced by the Chancellor in the spending review of November 2015. Some £350 million will be spent fighting AMR by strengthening surveillance of drug resistance and laboratory capacity in developing countries, and by delivering the new global AMR innovation fund with China. In January 2016, at the World Economic Forum in Davos, 85 major pharmaceutical and biotech companies agreed to the declaration on combating antibiotic resistance, which demonstrates the industry's willingness to take up the challenge. Earlier this month, the Chancellor addressed the issue once again by highlighting the importance of AMR at the International Monetary Fund in

Washington DC. He confirmed what the industry has long been telling us: that the reimbursement models for antibiotics are broken. I entirely agree that a global overhaul is required, and I will focus on that issue today.

Lord O'Neill has also backed proposals to change the way we develop new antibiotics for the marketplace. We all look forward to the AMR review publishing its final set of recommendations in the months ahead, and the Minister might be able to give us a firmer timescale for that review. In my previous debate on antibiotic resistance, I raised the key issues at stake in the growing challenge of this continuing problem. We know that using antibiotics inappropriately increases resistance and the risk associated with routine treatments. In the last debate on the subject, I mentioned that in India, many prescriptions are purchased over the counter to treat a wide variety of unsuitable illnesses, often with no professional diagnosis. Such practices compound the problem. However, it is greatly encouraging that many countries around the world have now woken up to the impending disaster that we could face if we simply do nothing.

As a consequence, things are starting to move forward, which must be seen as positive. However, the central challenge of getting new antibiotics on stream remains. As the Chancellor said earlier this month and as we have heard, the current funding model is no longer fit for purpose. The O'Neill report makes it clear that it typically takes about 15 years for an antibiotic to go from the initial research stage to final delivery to the marketplace. For that to happen, a large amount of money is required up front to fund the project, at a stage when the company has absolutely no idea whether the drug will succeed. Astonishingly, only about 2% of products, or one in 50 proposed new antibiotics, successfully make it to the marketplace. In the vast majority of cases, large sums of money are invested with no financial return whatever.

Although to a certain extent that is true of the manufacture of all new drugs, the problem is far worse for antibiotics. Conditions such as cancer or diabetes often closely follow demographic trends, so new drugs are also used as the medication of choice for cancer or diabetes, as they are more effective than the older prescriptions. In the case of antibiotics, however, generic products can treat infections as well as new drugs for far less money, except where there is resistance. Furthermore, in the attempt to slow the development of resistance, new antibiotics are often held back and are prescribed only when everything else has failed. That is the right thing to do. The market for new antibiotics is therefore limited to a small section of patients, as new drugs are used only when existing drugs are no longer effective. They will be required as a first-line treatment only many years after their introduction, by which time their exclusive patents have often expired.

That may explain why so many pharmaceutical companies have, sadly, exited the market over the years. Of the 20 pharmaceutical companies that were the main suppliers of new antibiotics back in the 1990s, only four remain. Furthermore, only five new classes of antibiotics have been discovered in the last 15 years. Sadly, some companies are waiting for resistance to rise before they even explore the viability of investing in a new product, which is clearly not in the best interest of patient health and wellbeing, or of the future of health care as we know it. Under the current funding model, the profitability of any new drug depends entirely on

how many units are sold. As discussed, that is not suitable for the development of new antibiotics. Incentivising the increased use of antibiotics only increases resistance in patients, which can have devastating consequences.

The O'Neill review therefore proposes the creation of a more predictable marketplace that will sustain commercial investment in antibiotic research and development. A key proposal that has the full support of many pharmaceutical companies is for profitability to be de-linked from volume of sales for new antibiotics. That would guarantee developers an acceptable return on their investment when they produce a new antibiotic that fulfils an unmet clinical need. That is especially important when volume would not be sufficient to make the product commercially viable, despite its value to the NHS. A de-linked model also has the added benefit of eliminating any incentive to oversell antibiotics needlessly as cure-all miracle drugs, which, sadly, still occurs.

Before being elected as a Member of this House, as many know, I was a farmer—a farmer who produces food, not a pharma who is part of the prescription sector—so I do not pretend to know exactly what model is right for our national health service. However, it seems to me that an insurance-based approach that shares financial risk is certainly worth the Government's consideration. Providing developers of the most important antibiotics with a fixed fee would remove the current financial uncertainty from the marketplace. It would also limit financial uncertainty for the NHS: if there were an outbreak of an infection requiring the antibiotic, the costs would be capped at an agreeable level.

I understand that AstraZeneca and the Association of the British Pharmaceutical Industry have been working closely with the Department of Health to develop such a model. We must continue to encourage innovation while doing what we can to remove the financial uncertainty of developing key new antibiotics. At the same time, it is essential that any new funding model provides the best possible value to the taxpayer. There should be no additional support in areas that are already adequately supported by the marketplace.

Chi Onwurah: I thank the hon. Gentleman for being generous in giving way a second time, and for making an excellent summary of the case. Although the state—the national health service—should share the risk, does that not mean that it should also share the benefits and returns? As the economist Mariana Mazzucato sets out in “The Entrepreneurial State”, where the state invests, particularly in services such as this one, there should perhaps be a return to us as well, so that the upside as well as the downside is shared.

Julian Sturdy: I do not disagree at all. There must be a return, in the first place, for the companies looking to develop drugs, or they will not come forward. Delivering new antibiotics must be viable. At the same time, it is absolutely right that if the Government, the NHS or, ultimately, the taxpayer invests in those drugs, they also must see the benefit and the return. When we talk about risk, we are talking about shared risk, and if we are talking about shared risk, we should be talking about shared return.

I hope to receive the Minister's undertaking that he will continue to work closely with companies such as AstraZeneca and with the Association of the British

[Julian Sturdy]

Pharmaceutical Industry to develop a model that supports innovation and removes financial uncertainty. The industry has asked for a clear timetable of action on the development of a new funding model, as it is essential that we turn our positive words into meaningful change.

However, it is worth saying that pharmaceutical companies do not have a monopoly on innovation, and they alone cannot solve the colossal problem of AMR. Within our rich medical marketplace across the country, there are a range of other organisations that are well positioned to offer invaluable assistance in this exciting area of discovery. In fact, the O'Neill review makes it clear that the research and development of antibiotics must be opened up, offering new opportunities for small and medium-sized enterprises, academic research teams and not-for-profit entities to compete with established players in the market.

I am proud to say that one such charity is based in my constituency: Antibiotic Research UK, or ANTRUK, is the first charity in the world set up to tackle the challenge of the scarcity of new antibiotics to treat resistant bacterial infections. Some of the country's leading scientific and clinical experts form part of this team, and they all share the same concern about the slow progress made in combating AMR, as well as a passion for taking practical steps to take up the challenge.

The charity has three key missions: first, to develop a new antibiotic therapy by the early 2020s; secondly, to educate both practitioners and the public alike about the threat of AMR; and thirdly, to provide support to patients with antibiotic-resistant infection. In less than two years, ANTRUK has raised over £400,000, and it is working towards a programme of developing antibiotic resistance breakers. This technique reverses the resistance and extends the life of existing antibiotics. ANTRUK believes that is the best hope of finding a way of breaking AMR in the short term. Basically, it is a way of buying us more time to develop new antibiotic drugs.

Charities such as ANTRUK are ideally placed to work with both the Government and large pharmaceutical companies in finding a solution to AMR. However, to maximise its effectiveness, ANTRUK needs our support. Despite being a new player in the industry, it is already demonstrating the innovative ways in which it can help to inform public policy on AMR, an issue touched on earlier in an intervention.

In co-operation with an analytic database company, ANTRUK has published a heat map of England that shows how the number of antibiotic prescriptions varies across the country. I am happy to show this map to interested Members. The results are absolutely fascinating. The research demonstrates that the number of antibiotic prescriptions being given is rising at an alarming rate in some of the most hard-pressed areas of England. The key findings are that there is a widening gap in antibiotic prescription. For example, doctors in London prescribe 20% less antibiotics than doctors in the north, and doctors in the most hard-pressed coastal towns in Lincolnshire, Norfolk and Essex are prescribing the most. In Clacton-on-Sea, the number of antibiotic prescriptions by doctors is almost double the national average. Furthermore, doctors prescribe almost 60% more antibiotics in December than they do in August. At first glance, that might not seem surprising, but

many illnesses treated by antibiotics are not seasonal in nature. Is this another example of the potential misuse of antibiotics? On a positive note, it appears that the number of prescriptions peaked at 3.4 million in 2012 and has since dropped by more than 5%.

Such research is absolutely vital in the fight against AMR. It demonstrates how charities can complement the vital work of Government and the large pharmaceutical companies. Consequently, I would be most grateful to the Minister if he would agree to meet me and a delegation from ANTRUK to discuss how the Government can assist it with its mission to combat AMR. A key request is for a relatively small amount of funding from the £12 billion foreign aid budget to assist ANTRUK's work, which could have a revolutionary impact across the world, particularly in developing countries.

I have already had one such meeting with the Under-Secretary of State for Health, my hon. Friend the Member for Battersea (Jane Ellison), who has responsibility for public health, along with my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), who is also my neighbour. Sadly, he could not attend today's debate. That meeting proved to be immensely helpful, and I hope that the Minister will agree that charities, and not just the large pharmaceutical companies, have a key role to play in the fight against AMR.

Ultimately, antibiotics are often woefully undervalued, in the sense that their price often bears no resemblance to their overall value to society. Since Dame Sally Davies published her report on the threat of AMR back in 2013, there has been an unprecedented focus on the need to change how we tackle the threat of resistance. However, this concern and the widespread discussion of the topic need to be translated into action if we are to tackle the problem head-on.

Antibiotics are the fire department of our health service, and they need a better funding model. We do not pay our firefighters only when they put out a fire; nor do we think that it is a poor return on our investment when they are not in action. Instead, we ensure that we have a well-funded fire service in place at all times, to protect us in our hour of need. It is a service that we all take for granted, and exactly the same is true of our use of antibiotics.

It is probably fair to say that whoever discovers the cure for cancer will go down in history, but the pioneer who prevents a return to the dark ages of medicine through a new antibiotic discovery will probably be forgotten. Nevertheless, the clock is now ticking, and producing positive noises without taking action is simply not an option. I hope the Minister will agree to publish a clear timetable on reforming the antibiotic funding model, and I also ask him to meet me and representatives of ANTRUK, who I know have so much to offer in furthering the process of making our next great discoveries.

I hope that the Minister will work with Departments across Government to give due consideration to the idea of allowing a greater proportion of our generous foreign aid budget to be used in this vital area of study. We have the potential to be world leaders in this field. I have heard, as other Members probably have, reports that Sweden is exploring options for changing its funding model. We must not let Sweden steal a march on us.

It was British innovation that ushered in the golden era of medical discovery. Without action, we risk squandering that legacy for future generations, who

may not have the benefit of antibiotics as we know them today. It is absolutely right that global action is required to solve what is ultimately a global problem, as drug-resistant bacteria do not recognise national boundaries. We have the opportunity to safeguard the future of medicine as we know it. To achieve that goal, we must both set the standard and rise to the challenge, and hopefully the rest of the world will follow us.

Several hon. Members *rose*—

Mr Nigel Evans (in the Chair): Did I see four people standing just now? Good. I intend to call those making the winding-up speeches from 3.30 pm. If everybody else could keep to about seven minutes for their speeches, that would mean everybody would get a fair share of time.

2.57 pm

Jim Fitzpatrick (Poplar and Limehouse) (Lab): It is a pleasure to see you in the Chair, Mr Evans, and I certainly hope to follow your request without any difficulty; I do not expect to speak for too long.

I congratulate the hon. Member for York Outer (Julian Sturdy) on securing this debate and on his comprehensive introductory speech. As a former firefighter myself, I had to chuckle a little bit about his fire analogy. Also, in the main Chamber now, new clause 20 of the Policing and Crime Bill, which deals with the role of the fire brigade under police and crime commissioners, is being debated. So there is a little bit of continuity between the two Chambers in that regard.

I also speak as a member of the all-party group on global tuberculosis and because my previous constituency of Poplar and Canning Town had the highest TB rate in the UK and one of the highest TB rates in the world, despite being situated in central London. I congratulate Barts Health NHS Trust, which includes the Royal London hospital, as well as the local authorities of Tower Hamlets and Newham, on the work that they have done in tackling that problem and the efforts that they are making to address these issues.

I am very grateful to Dan Sharp, the policy adviser for the all-party group on global TB, for the briefing that he has sent me; I will quote from it extensively. The first quote is from Dr Margaret Chan, the director general of the World Health Organisation:

“antimicrobial resistance is a crisis that must be managed with the utmost urgency. As the world enters the ambitious new era of sustainable development, we cannot allow hard-won gains for health to be eroded by the failure of our mainstay medicines.”

The report goes on to congratulate the Government on the lead they have taken, as referred to by the hon. Gentleman. It states:

“The UK Government prioritised tackling drug-resistance within its aid strategy, published last November, and created the related Ross Fund. In addition, it brought the issue to the attention of the international community by commissioning the independent Review on AMR in 2014”,

as mentioned by the hon. Gentleman. The report continues:

“The Ross Fund is a commitment to spend £1 billion over the next five years on research and development...including £315 million to fight AMR.”

As the hon. Gentleman mentioned, the Prime Minister appointed Lord O’Neill to lead a review, and its recommendations are expected next month. The Chancellor highlighted the issue of AMR in a speech to the IMF. He said:

“Unless we take global action, antimicrobial resistance will become an even greater threat to mankind than cancer is”.

TB, as we know, is the leading infectious killer. It kills 1.5 million people in a single year—4,000 every day—and is the biggest killer of people with HIV. I met Dr Chan in Brazil in November last year at the UN World Health Organisation second world summit on road crashes; road crashes kill 1.25 million people a year. The Government are committed to sustainable development goals 3.6 and 11.2. It is to their credit that they are leading on TB also.

The number of cases of drug-resistant TB is increasing, with nearly 500,000 new cases last year, and almost 200,000 deaths. Multi-drug-resistant TB already accounts for one third of the 700,000 annual deaths from AMR. The all-party group produced a report last year entitled “The price of a pandemic: Counting the cost of MDR-TB”, which called for several measures: a pooled research development challenge fund to support innovative approaches such as the Médecins sans Frontières 3P proposal to incentivise the pharmaceutical sector, as mentioned by the hon. Gentleman; and investment in basic research to address key gaps that remain in our fundamental understanding of the biology of the TB bacterium.

I have questions for the Minister. When will funding provided through the Ross fund be allocated? Investment in TB diagnostics, drugs and vaccines through the fund is critical, as he knows. Which Department is ultimately responsible for the commitments pledged through the Ross fund, given that the remit is cross-departmental? I assume from the Minister’s presence here today that his Department will lead.

The Government recognise the serious threat posed by TB within the frame of AMR. In addition to the Ross fund, the Government’s aid strategy included the creation of a global challenges fund. Will that be used to address AMR? Can the Minister provide further details on that? Finally, what discussions have the Government had with pharmaceutical companies on addressing the challenge of AMR? I note the request by the hon. Member for York Outer to lead a delegation of pharmaceutical companies that he is associated with. What does the Minister say about that?

The Government have provided a positive lead on this matter, and more information will be reassuring. I look forward to hearing the Minister’s comments and those of the shadow Minister, my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders), and of the Scottish National party spokesperson, the hon. Member for Glasgow North West (Carol Monaghan), in response to contributions to the debate.

3.3 pm

Maggie Throup (Erewash) (Con): It is a pleasure to serve under your chairmanship, Mr Evans. Like my hon. Friend the Member for York Outer (Julian Sturdy), I have also held a debate—an Adjournment debate—on the subject of AMR to look at the use of antibiotics in primary care. The UK, as we all know, is the envy of the

[Maggie Throup]

world when it comes to research and development into new drugs and new drug technology. Antibiotics have been widely used to treat infections for more than 60 years. Without doubt they have saved many millions of lives, as my hon. Friend said. I doubt whether there is any hon. Member who has not taken antibiotics at some time in their life. It is extensive use that has created the problem that we have today.

Although new infectious diseases have been discovered nearly every year over the past 30 years, very few new antibiotics have been developed in that time. This means that the existing pool of antibiotics are used to treat more and more infections. My hon. Friend the Member for York Outer has eloquently outlined the problems in developing new antibiotics, but one of the consequences of their widespread availability and the relatively low cost of the current antibiotics is the extensive inappropriate prescribing of the drugs for conditions on which they will have no effect. That adds to the increasing resistance to these life-saving drugs.

In preparing for the debate today, I found out that treatment-resistant bacteria are responsible for approximately 25,000 deaths across Europe each year—similar to the number of deaths from road accidents. The “National Risk Register of Civil Emergencies” estimates that a widespread outbreak of a bacterial blood infection could affect 200,000 people in the UK, and if this could not be treated effectively with our existing drugs, approximately 40% of those affected could die: 80,000 people.

There is an urgent need for action to slow the spread of antimicrobial resistance. My hon. Friend the Member for York Outer referred to buying time to allow for the development of new antibiotics to catch up with need. I talked about the number of deaths due to road traffic accidents. We have seen widespread campaigns for road safety, and we need more campaigns to highlight the dangers of the overuse of antibiotics.

In the UK, 74% of antibiotics are prescribed in a primary care setting, and a staggering 97% of patients who ask for antibiotics are prescribed them whether they need them or not. Studies have shown that antibiotic resistance rates are strongly related to use in primary care. They have also shown that more than half of the antibiotics used in primary care are for respiratory tract infections, most of which are either viral in nature or self-limiting.

As this debate indicates, one method of tackling antimicrobial resistance is by incentivising research and the development of new antimicrobials. My hon. Friend made an excellent case for that. That obviously takes time and a huge amount of financial investment. We should also look at the role that diagnostics can play. Diagnostic tests can often be carried out rapidly, giving results in minutes. This allows immediate diagnosis and treatment choices. Such tests also prevent the need for over-prescribing and ensure that patients have the right drugs at the right time.

A couple of years ago, the chief medical officer described the threat of antimicrobial resistance as being

“just as important and deadly as climate change and international terrorism.”

On that basis, and taking all the evidence into consideration, it is vital that the Government do whatever they can to tackle this major threat. If I may be so bold, I will suggest to the Minister that in addition to measures such as incentivising research and development of new antimicrobials, the Government should consider improving access to diagnostic tests in primary care, and focusing research and development funding on diagnostics as well as on drug development.

3.8 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to be called to speak to speak in this debate, Mr Evans. I congratulate the hon. Member for York Outer (Julian Sturdy) on securing this debate on an increasingly important issue that we are more aware of today than ever before. He set out a comprehensive scene, which has been most helpful. He covered many of the issues involved, which will probably take away from other contributions, but he added to the debate, and that is the important thing.

The discovery of antibiotics revolutionised healthcare, allowing for the effective treatment of illnesses, including TB, that had previously been commonplace and frequently deadly. The hon. Member for Poplar and Limehouse (Jim Fitzpatrick) referred to the increase in TB in his constituency, which I am aware of because of events that have taken place here in Westminster. The incidence of TB in the United Kingdom has risen sharply in certain areas, and there is a tie-in between how we address TB and HIV. It is important that we look at the bigger picture.

Pathogens have evolved to resist new drugs. Resistance has increasingly become a problem as the pace at which new antibiotics are discovered has slowed and antibiotic use, including misuse and overuse, has risen. Antimicrobial resistance presents arguably the most serious threat to global health security and is threatening to undo major gains in the control of infectious diseases. If it is left unaddressed, 300 million people will die prematurely because of AMR by 2050 and the world’s GDP will be 2% to 3.5% lower. This year, the World Health Organisation and the G20 are considering AMR, providing the UK Government with an opportunity to build on the leadership they have shown to date. The UK Government prioritised tackling drug resistance in their aid strategy published last November. They also created the related Ross fund, which they are to be congratulated on. In addition, they brought the issue to the attention of the international community by commissioning the independent review on AMR in 2014.

The Ross fund is a commitment to spend £1 billion over the next five years on research and development on infectious disease, including £315 million to fight AMR. It is jointly administered by the Department of Health and the Department for International Development. Will the Minister give us some indication of how those Departments are working together to achieve the goals set? Commitments under the Ross fund are yet to be detailed. The all-party group played an instrumental role in securing the Conservative party’s manifesto pledge to create the fund. Given the urgency of tackling the TB epidemic, it is important that TB is prioritised within the Ross fund. Will the Minister tell us—I am sure he will—how that will happen? Although the Government’s steps are welcome, we must ask when the funding provided through the Ross fund will be allocated, because

many of us are keen to see that happen. The hon. Member for York Outer also asked that question. Investment in TB diagnostics, drugs and vaccines through the fund is critical, and we need to see where the money is being spent and what the feedback is.

TB is the world's leading infectious killer, killing some 1.5 million people every year, or 4,000 every day. TB is the biggest killer of people with HIV, as I mentioned earlier with reference to London. As the only drug-resistant infections spread through the air, multi-drug-resistant and extensively drug-resistant TB pose a serious threat to global health security. When we think about what is happening in London with TB and HIV, we should also think about what is happening in other parts of the world, where greater numbers are affected and there could be even more deaths.

Multi-drug-resistant TB—MDR-TB—is resistant to certain drugs. It can take more than 4,000 pills over a period of six months to cure someone with TB, and the drugs are often associated with severe side effects that can make treatment unbearable. As a result, patients often do not finish treatment, which increases the likelihood of drug resistance. I do not know whether any research is happening into how to make the drugs more palatable, if that is possible.

As well as treatment failure, inferior treatment and infection with resistant strains are drivers of MDR-TB. The number of cases of drug-resistant TB is increasing. There were nearly half a million new cases of MDR-TB last year and almost 200,000 deaths. One quarter of MDR-TB cases are in the WHO European region. MDR-TB requires patients to take a course of drugs over an 18 to 24-month period, including eight months of daily intravenous injections. That would be quite hard for anybody. Fewer than half of people who start treatment successfully complete the course due to the unbearable side effects, which can include permanent deafness. We have to be aware of not only what is done to treat people medically but the side effects.

The treatment of MDR-TB can cost 450 times the amount usually required to treat TB. In the UK, treatment of MDR-TB costs about £70,000, which is quite a lot of money, but if it addresses the issue, it has to be done. Due to stigma, lack of access to services and poor understanding, 3 million people—more than a third of those who fall ill with TB each year—fail to be diagnosed. MDR-TB already accounts for one third of the 700,000 annual deaths from AMR, and if it is left unaddressed, an additional 2.59 million people will die each year from the disease by 2050. It is imperative that TB is included in the AMR review's recommendations to be published this year and considered in any international negotiations that follow. The G20 and the WHO will consider AMR this year.

I will finish with one more point—I am conscious of the suggested time for speeches, Mr Evans, but it is important that Members hear this. Although there may be a natural inclination to focus on the impact of increasing resistance to antibiotics on people, there is great work happening within the livestock industry, and particularly the poultry industry. The British Poultry Council has managed to achieve some encouraging results with its antibiotic stewardship scheme. It is the first UK livestock industry to pioneer a data collection mechanism to record antibiotic usage, which covers 90% of production across the chicken, turkey and duck

sectors. It is important to record that since the scheme began monitoring overall use, it has demonstrated an encouraging downward trend. Between 2012 and 2015 production increased by 5%, with UK poultry meat accounting for 44% of total UK meat production. The total quantity of antibiotics used by scheme members in the same period decreased by 44%. In 2012, the scheme introduced a voluntary ban on the use of third and fourth-generation cephalosporins and a commitment to reduce the use of fluoroquinolone antibiotics. In 2016, the scheme made a further commitment not to use colistin.

Those encouraging results within the poultry industry should be recognised and encouraged, but as we have seen, when it comes to antibiotics for people, we need to wake up to the issue sooner rather than later. We need the Government to commit to delivering on the Ross fund and to continuing to look for further ways in which they can help address this issue.

3.16 pm

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve under your chairmanship, Mr Evans. I congratulate the hon. Member for York Outer (Julian Sturdy) on securing this debate on an issue he has long championed. I became interested in the issue having listened to presentations by clinicians and scientists in my constituency. They made it absolutely clear that incentivising research into and the development of new antibiotics is essential not only for our generation but for future generations. Antimicrobial resistance and its consequences are happening now. The World Health Organisation has cautioned:

“A post-antibiotic era—in which common infections and minor injuries can kill—far from being an apocalyptic fantasy, is instead a very real possibility for the 21st Century.”

Last year, antimicrobial resistance was added to the Cabinet Office's national risk register for civil emergencies. The Government rightly warned that without effective antibiotics, even minor surgery and routine operations could become high-risk procedures.

Long lead times for developing new medicines and the relatively low commercial returns on investments have unsurprisingly hampered investment in antibiotic development. In 2014, the Select Committee on Science and Technology highlighted the fact that only 22 new antibiotics have been launched since 2000. The Association of the British Pharmaceutical Industry—I thank it for its help in preparing for this debate—points out that whereas 18 large pharmaceutical companies were actively involved in antimicrobial research and development in the 1990s, that number had fallen to four by 2010.

To ensure that new antibiotics are developed, it seems that we need a new reimbursement system, as other Members have said. Unless the environment for companies to invest in antibiotic development becomes more attractive, the problem will continue to grow. Looking at the wider field of the development of new drugs, I fear that some indicators suggest we may be going in the wrong direction. In 2010, 6% of international clinical trials were based in the UK, but the figure now stands at a mere 2%.

There are a wide range of suggestions for what we might do, including altering the regulatory framework to incentivise innovation and developing new economic models, perhaps through innovative pricing and reimbursement mechanisms to incentivise more

[Daniel Zeichner]

investment in researching new antimicrobials. There may be possibilities through the emergence of what is termed venture philanthropy, which is an exciting development for some of the big research charities.

It has to be said, however, that if there is not enough money in the system as a whole, it is hard to see a way forward. Some caution that whatever the accelerated access review brings, chronic funding shortages will continue to hamper innovation. If we add to that the changes in capital allowances that make other countries more attractive and the uncertainty over the replacement of the political fix known as the cancer drug fund, it is easy to become pessimistic.

The industry needs to think hard about the future. As the independent O'Neill review said:

"Big pharma...needs to look beyond short-term assessments of profit and loss, and act with 'enlightened self-interest' in tackling AMR, recognising that it has a long term commercial imperative to having effective antibiotics, as well as a moral one."

The fact remains that the Government must position the UK as the most compelling global location to develop new treatments. Methods for doing that might include committing to, and funding, a reimbursed early access to medicines scheme; and ensuring that there are sufficient funds to continue funding some of the important schemes focused on innovation, such as the biomedical catalyst. Indeed, the World Health Organisation recommends that policy makers can help to tackle antimicrobial resistance by rewarding innovation and the development of new treatment options. A global innovation fund was one of the preliminary recommendations of the O'Neill review, and we await the final recommendations, which are due to be published this summer.

In addition to incentivising research and the development of new antibiotics to tackle antimicrobial resistance, as we have heard, the Government must focus on preventing the inappropriate prescription of antibiotics, which is causing resistance to spread. The Science and Technology Committee has said that the Government

"needs to set clear responsibilities at all levels of the NHS and veterinary medicine to achieve better stewardship of the antimicrobial drugs vital in modern medicine."

Indeed, the National Institute for Health and Care Excellence has warned that more than 20% of prescriptions issued for antibiotics are likely to be unnecessary. That is about 10 million prescriptions.

Another problem that is contributing to growing antimicrobial resistance is the use of antibiotics in livestock production. Other European countries have already set targets for reducing the use of antibiotics in farming, but the UK Government have not. Considering that farm animals account for almost two thirds of antibiotics used in Europe, and about 40% of those used in the UK, it is hard to overestimate the significance of that in the increasing problem.

Antimicrobial resistance is a grave threat that is only going to grow and intensify. The Government must act now to tackle the barriers to the development of new antibiotics and make the environment for researching and developing new drugs less challenging. The alternative, to go back to a world without antibiotics where almost half of people in this country died of infection, must be avoided at all costs.

3.21 pm

Carol Monaghan (Glasgow North West) (SNP): It is a pleasure to serve under your chairmanship, Mr Evans. I congratulate the hon. Member for York Outer (Julian Sturdy) on securing this important debate on an issue that is not well enough known or understood.

Tackling the over-consumption of antibiotics is one of the greatest health challenges of this generation. Alexander Fleming warned in 1945 that micro-organisms could develop resistance to antibiotics. Unfortunately his prediction proved to be correct. A report published by the World Health Organisation in 2014 said antibiotic resistance was now "a global threat". The hon. Member for Strangford (Jim Shannon) described that threat to global security as being on a par with other, better-known threats. The US Centres for Disease Control have pointed to the emergence of "nightmare bacteria", and Professor Dame Sally Davies has evoked parallels with the apocalypse. The hon. Member for York Outer mentioned that antimicrobial resistance is estimated to kill more than 700,000 people globally every year—a horrifying figure to us all, I think.

A number of hon. Members, including the hon. Members for Erewash (Maggie Throup) and for Cambridge (Daniel Zeichner), discussed the inappropriate prescription of antibiotics. The picture in Scotland reflects that in the rest of the UK. In 2014, 55,000 people—1% of the population—were taking antibiotics at any one time, and in up to 50% of cases, they were for conditions that would have got better without them.

Resistance is a natural biological phenomenon, but it is increased and accelerated by various factors, such as the misuse of medicines, poor infection control and global trade and travel. That is a particular concern with antibiotics. Many of the medical advances of recent years, such as organ transplantation and chemotherapy, need antibiotics to prevent and treat the bacterial infections that can be caused by the treatment. Without effective antibiotics, even minor surgery and routine operations could become high-risk procedures. The hon. Member for York Outer talked about a grazed knee becoming a serious condition, and I have personal experience of that, because a small cut to my knee did not respond to antibiotics, and I ended up in a serious situation, needing an operation and fairly strong antibiotics to save my leg. The situation we are talking about is a real one, and a major threat.

Inaction could mean the loss of effective antibiotics, which could undermine our ability to fight infectious diseases. The hon. Members for Poplar and Limehouse (Jim Fitzpatrick) and for Strangford both talked about TB, and the hon. Member for Poplar and Limehouse spoke of the high rates in his previous constituency. As he said, it is a devastating disease, causing 1.5 million deaths worldwide every year. Of most concern are the cases of drug-resistant TB that hon. Members have highlighted.

Action is needed at local, national and global level to improve the knowledge and understanding of antimicrobial resistance, to steward the effectiveness of existing treatments, and to stimulate the development of new antibiotics, diagnostics and therapies. The Scottish Government are taking the issue seriously. In March they announced a £4.2 million research grant to investigate the prevention and control of healthcare-associated infections, and to

research new ways to use existing antibiotics more effectively and efficiently. The hon. Member for Strangford spoke about the use of antibiotics in farming and mentioned that some advances had been made in reducing their use. That is certainly positive and praiseworthy.

I welcome the UK Government's focus on AMR, including the establishment of the independent review led by Lord O'Neill to explore the surrounding economic issues, and I look forward to seeing the review, which I hope will be published next month. It is important to acknowledge that we are simultaneously dealing with a health problem and an economic problem. The Association of the British Pharmaceutical Industry has argued that it would like a clear set of actions to be taken on developing new economic models, in particular through innovative pricing, and reimbursement mechanisms incentivising more investment in the search for new antibiotics.

There are many challenges in the current antibiotic funding landscape. The hon. Member for York Outer talked about the timescale for getting new treatments to market. I think that we would all agree that 15 years is far too long, in both economic and healthcare terms. The expected returns and associated risk with antimicrobials mean that they are not competitive with other therapeutic areas. New, innovative antibiotics often have a low price, as society expects generic antibiotics for treating large numbers of patients to be economical. The hon. Member for York Outer also talked about a fixed price for antibiotics, and perhaps that could be investigated further. The hon. Member for Cambridge talked about the drop in the number of trials of new drugs in the UK. We must ask what the reason for that is. Why cannot trials be carried out in the UK? We must look at the funding for that. I would like the UK to accelerate its leading role in developing solutions to incentivise the development and management of new antibiotics; that would promote investment in antibiotics as well as their appropriate use, and reduce the risks for both the payer and the investor.

Total antibiotic prescribing, measured using daily doses, continues to increase. The Scottish Government have been encouraging everyone to play their part by reducing the unnecessary use of antibiotics, raising awareness, and pledging to be an antibiotic guardian. That campaign aims to increase knowledge of antibiotic prescribing and resistance. It has reached more than 12,000 individuals in the first six months. Those were predominantly healthcare professionals, but everyone can pledge to become an antibiotic guardian at www.antibioticguardian.com. I did it earlier today, and I hope that many hon. Members will do so, too.

The hon. Member for Erewash discussed future public engagement work and how we raise awareness of antibiotic resistance. It is essential that we educate people about when and why antibiotics are needed. That should include helping patients to understand the duration of illness and alternative treatments for common viral infections, such as colds and flu, that do not require antibiotics.

In November 2015, Scotland's Cabinet Secretary for Health, Wellbeing and Sport, Shona Robison, said that the rise of drug-resistant infections must be tackled around the world. She marked European Antibiotic Awareness Day by pledging to be an antibiotic guardian. The Scottish Antimicrobial Prescribing Group and UK

partners have launched their target. Is the Minister willing to sign up to be an antibiotic guardian? When does he plan to launch his public awareness campaign?

3.30 pm

Justin Madders (Ellesmere Port and Neston) (Lab): It is a pleasure to serve under your chairmanship, Mr Evans. I congratulate the hon. Member for York Outer (Julian Sturdy) on securing this extremely important debate, and on the knowledgeable and measured way in which he introduced it. I also commend his ongoing efforts to bring antibiotic resistance to the House's attention since his election in 2010. As he said, he secured a Westminster Hall debate in October 2014 in which he called for co-ordinated action to be taken to tackle this issue. Today's debate offers a valuable opportunity to take stock of progress since then, and to redouble our efforts to ensure that the right conditions are created to incentivise the development of the next generation of antibiotics.

The hon. Gentleman rightly said that something as minor as a grazed knee could claim lives. It is difficult to comprehend how that could happen, but there is a real risk that incidents of that sort will become commonplace in future. He cited the staggering statistic that of the 20 pharmaceutical companies that were originally developing antibiotics, only four are now in operation. He highlighted the tension between the need to encourage innovation and the financial uncertainty in this area of research. He also gave some interesting facts about regional variance in antibiotic prescription, about which I would like to learn more after the debate.

It was a pleasure, as always, to hear from my hon. Friend the Member for Poplar and Limehouse (Jim Fitzpatrick). He discussed tuberculosis from the perspective of both a member of the all-party group on global tuberculosis and the representative of a constituency that historically had severe problems with TB. He highlighted the increasing incidence of drug-resistant TB, and raised important questions that I look forward to hearing the Minister answer.

The hon. Member for Erewash (Maggie Throup) discussed the obstacles to the development of new antibiotics and the issue of inappropriate prescribing. She made a fair analogy with road deaths, as did my hon. Friend the Member for Poplar and Limehouse. The hon. Member for Strangford (Jim Shannon) made a valuable contribution. He was right to acknowledge and encourage the political leadership that is needed on this issue. He also made an important point about the side effects from treatments.

It was good to hear from my hon. Friend the Member for Cambridge (Daniel Zeichner), who brought a great deal of knowledge from his constituency and revealed the alarming statistic that the UK has gone from having 6% of the world's clinical trials in 2010 to just 2% today. He echoed Jim O'Neill's comments about pharmaceutical companies needing to look beyond the short term; I think we would all agree that that is an important challenge that we face. He also stated clearly that he believes that more should be done to encourage research and development in this country. We have been a leader for many years, and it would be a real shame if that position was under threat.

[Justin Madders]

The debate is timely, as the Government-commissioned review on antimicrobial resistance is due to report next month. I pay tribute to the huge amount of work that Jim O'Neill and his team have undertaken. I hope that the conclusions of the review will lead to the far-reaching changes that we know are necessary, both in this country and around the world. Antibiotic resistance has been described by the World Health Organisation as the

“single greatest challenge in infectious diseases today, threatening rich and poor countries alike.”

The hon. Member for York Outer referred to the future as a nightmare scenario, and the WHO has also said that if we fail to act on antimicrobial resistance, by 2050 an additional 10 million lives will be lost each year to drug-resistant strains of malaria, HIV, TB and certain bacterial infections, at a cost to the world economy of \$100 trillion.

As Dame Sally Davies set out in the foreword to the “UK Five Year Antimicrobial Resistance Strategy 2013-2018”:

“The harsh reality is that infections are increasingly developing that cannot be treated. The rapid spread of multi-drug resistant (MDR) bacteria means that we could be close to reaching a point where we may not be able to prevent or treat everyday infections or diseases.”

Despite that, so far, drug-resistant bacteria have not had anything near sufficient attention in terms of medical research.

It is easy to forget that it was less than 100 years ago that Alexander Fleming discovered penicillin after a piece of mould contaminated a petri dish at St Mary's hospital, and it was not until the 1940s that the true era of antibiotics began. Despite an exponential increase in the use of antibiotics and an increasing awareness of the threat posed by antimicrobial resistance, since the year 2000 just five new classes of antibiotics have been discovered, most of which are ineffective against a number of resistant strains of bacteria, including Gram-negative bacteria.

We need to take a wide variety of steps to get to grips with the problem, including, of course, looking at how we address the long-term decline of the pipeline for new antibiotics through incentivising research and development, which I will come to shortly. We must also improve our focus on disease prevention, improving surveillance over drug resistance and tackling unnecessary antibiotic consumption. I will briefly address each of those matters in turn.

First, disease prevention, particularly in hospitals and care environments, is vital if we are to tackle antimicrobial resistance. Around 300,000 people a year get an infection while being cared for by the NHS in England—that is one in every 16 people treated by the NHS. As the Royal Society for Public Health said,

“it is alarming that the very place you would expect public health to be a high priority remains a breeding ground for life threatening infections.”

Despite improvements in recent years, the rate of healthcare-acquired infection in England has remained stubbornly high, while checks on compliance with hand hygiene best practice can only be described as inadequate. On 13 January, hand hygiene was the subject of a

Westminster Hall debate, to which I responded on behalf of the Opposition. Will the Minister set out what additional steps have been taken since then to improve hygiene in all care settings? There is still a lot we can do to deny superbugs such as MRSA the opportunity to spread.

Secondly, we need to tackle surveillance blind spots in all parts of the world. As Jim O'Neill made clear, “if we can't measure the growing problem of drug resistance, we can't manage it.”

We know that the technology exists to combine rapid diagnostics with data sharing, but we need to build consensus on precisely how that will take place. I would welcome any comments from the Minister on the steps being taken to improve surveillance, both in the NHS and internationally.

Thirdly, as the Science and Technology Committee found in July 2014, there is an urgent need to tackle unnecessary antibiotic consumption in healthcare and in farming, which is one of the key causes of antibiotic resistance. The Chair of the Select Committee at the time, Andrew Miller—my predecessor as MP for Ellesmere Port and Neston—called on the Government to take “decisive and urgent action to prevent antibiotics from being given to people and animals who do not need them.”

Nearly two years on from that report, there is little evidence that such decisive and urgent action has taken place, or that all the Committee's recommendations have been implemented. When the Minister responds, will he update us on what steps have been taken to reduce the unnecessary use of antibiotics? Although at the time of the report the Committee welcomed the launch of the O'Neill review by the Prime Minister, it cautioned against using that as an excuse or a reason to delay any progress. I hope the Minister will assure us that that has not happened.

The need to

“stimulate the development of new antibiotics, rapid diagnostics and novel therapies”

was one of the three strategic aims set out in the chief medical officer's September 2013 report on the five-year antimicrobial resistance strategy. It was also one of the key recommendations of the Science and Technology Committee report. Although I welcome the renewed focus that today's debate brings, I fear we are no closer to a solution than we were two and a half years ago. The barriers that existed to the development of new drugs have still not been addressed. I hope that today's debate, and the final report of Jim O'Neill's review, will provide the catalyst needed for meaningful action finally to be taken. As the hon. Member for York Outer said, a firm timetable from the Minister would be helpful.

The key issue is that in other medical fields, once a new drug is developed that significantly improves on previously available drugs, it quickly becomes the standard first choice for patients once it comes to market. However, as we have heard, a new antibiotic might not become the first choice until there was resistance to previous generations of drugs. Indeed, health officials logically seek to limit prescribing a new antibiotic drug, with the goal of delaying resistance for as long as possible. By the time that a new antibiotic becomes the standard line of care, many years or even decades are likely to have elapsed, bringing it near to or beyond the end of its patent life. If a company has spent tens of millions of

pounds on its development, that would leave it unable to generate sufficient revenue and to come close to recouping its original investment. As the hon. Gentleman said, from that perspective, the system is certainly broken.

In the review, “Securing New Drugs for Future Generations: The Pipeline of Antibiotics”, Jim O’Neill suggests a number of interventions to tackle the systematic issues that prevent the development of new antibiotics. He says that those interventions, which require political leadership at a global level, have the potential radically to overhaul the antibiotics pipeline. Will the Minister assure us that the Government will do everything they can to secure an international consensus? We have been told by report after report over the past decade how important tackling antimicrobial resistance is. I am sure Members from all parties will agree that it is time we started to put those findings into action. If the Government do the right thing and take action, they will have our full support.

Members have talked about the challenges, which are on a par with climate change, global terrorism and various other apocalyptic scenarios. It is a sad fact that generally our constituents talk about these issues only when they become everyday concerns. If that happens with antimicrobial resistance, we will have failed. We are all committed to ensuring that that does not happen; we certainly have a duty to do so.

3.41 pm

The Parliamentary Under-Secretary of State for Life Sciences (George Freeman): It is a great pleasure to serve under your chairmanship, Mr Evans. I believe we are expecting a vote, so my speech may be interrupted. I shall crack on, awaiting the bell.

I congratulate my hon. Friend the Member for York Outer (Julian Sturdy) on securing the debate and on the tenacity with which he has raised this issue in the House in recent years. It is a great opportunity to have this debate today, when so much is going on this week in London on international health leadership. My hon. Friend’s speech and the informed and constructive comments that he and others have made highlight how seriously this issue is taken throughout the House. Last Monday we had more than 60 Members of Parliament in this Chamber. The fact that we have a dozen today does not suggest that there is any less interest; many Members are tied up in other debates. I know that Members from all parties are concerned about this issue.

The debate is timely, because it coincides with a two-day international summit on antimicrobial resistance convened by the Wellcome Trust in London, which brings together a global gathering of scientists and policy makers to explore key areas for action. I thank the Wellcome Trust and pay tribute to it for its leadership. In so many areas of public policy, it has put its money and expertise to work for us. I also pay tribute to Jim O’Neill and his team, as others have done, for their work on the issue.

I will set out the context of the debate, as a number of other hon. Members have done. Antibiotics play a crucial role not just in human health but in animal health and welfare—my hon. Friend is a doughty campaigner for agricultural causes—and so are of great strategic interest in the wider field of biosecurity. We have

seen the impact of diseases in domestic and agricultural poultry and in some of our tree species, and we are trying to view this issue in the wider global context of biosecurity from infectious diseases.

Jim Shannon: There have been some marvellous steps forward in addressing the use of antibiotics on poultry, as I indicated in my speech. Many people are trying to move that forward. If we take steps forward with poultry and other animals, we can transfer that work to humans too.

George Freeman: The hon. Gentleman makes an excellent point. As ever, Belfast University and the Northern Ireland life sciences cluster are doing good work in agriculture and in the medical space.

For the reasons that I outlined, the growth of resistance presents a genuine strategic global threat, which, as hon. Members from throughout the House have gratifyingly acknowledged, the Government have taken a strategic grip of. Globally, some 700,000 people will die this year because of antimicrobial resistance. In Europe, the healthcare and societal costs of resistance are estimated to be of the order of €1.5 billion per annum. That translates into a verifiable and measurable cost to the NHS of £180 million, but it may well be an awful lot more. Meanwhile, we face an antibiotic discovery void. The golden age of discovery ended in the 1980s. We have had very few new antibiotics since then and no new class since 1987.

I had a 15-year career in the sector and spent one chunk of it starting, financing and managing a small anti-infectives company that was spun out of Hammersmith and Imperial College and used some phenomenally powerful technology to look at the genetics of how microbes reproduce. We spent a lot of money on some elegant science, but we did not produce a new anti-infective. The truth is that these bugs are very difficult targets in biomedicine. It is difficult to go after the cell wall of Gram-positive and Gram-negative bacteria. Their ability to reproduce and develop resistance to drugs—they are moving targets, as it were—makes it particularly difficult to design effective drugs for them.

The good news—if I may put it that way—is that we can do things that will make and are making a real difference. The chief medical officer outlined the scale of the issue and its implications for public health in her 2013 annual report. She called for urgent action at a national and international level. The UK responded by publishing our five-year antimicrobial resistance strategy, the core aims of which were to improve understanding of resistance, to ensure that existing medicines remain effective and to stimulate the development of new antibiotics, diagnostics and therapies. Three years on, we have made considerable progress. We have put the building blocks for success in place, including better data, guidance and a strengthened framework—

3.46 pm

Sitting suspended for Divisions in the House.

4.30 pm

On resuming—

[MR PHILIP HOLLOBONE *in the Chair*]

George Freeman: I leave Mr Evans for five minutes and he transforms into you, Mr Hollobone. I am grateful for the opportunity to serve under your chairmanship.

We are three years into our strategy and we have put building blocks in place, including better data and guidance and a strengthened framework for antimicrobial stewardship. I want to highlight one or two areas of progress. The first is surveillance. The UK has one of the most comprehensive surveillance systems in the world. We collect baseline data from which antibiotic prescribing and trends in antibiotic resistance can be monitored, and we are continuing to improve those data so that we can identify problems early and take action.

Alongside that, we have published outcome measures against which the UK will assess progress, and we have produced a range of tools and guidance to support best practice on antibiotic stewardship. We have introduced incentives for the NHS to improve the prescribing of antibiotics and the quality of data, which will be supported and enhanced by a set of AMR indicators that will provide NHS teams with local data on infections, resistance rates and prescribing, so they can set their own ambitions to take action and drive improvement locally.

Of course, it is simply not possible to look at the challenge presented by AMR without examining it from a global perspective. AMR is a global problem and no one country can tackle it alone. The UK has played and continues to play a major part, if not the major part, in raising awareness and pushing forward international commitment and action, as several colleagues throughout the House have acknowledged. We sponsored the World Health Organisation's 2015 global action plan on AMR, we created the £265 million Fleming fund specifically to help poorer countries tackle drug resistance, and we are promoting work on AMR through the G7, the G20 and the United Nations.

The other, perhaps obvious point to make is that there is no single solution to antimicrobial resistance. We must prevent infection, conserve the antibiotics we have, develop new diagnostics and promote the development of new drugs. The UK's strategic approach rests on those pillars, and they resonate across the world.

I turn briefly to the Jim O'Neill review. It is widely recognised that the systems on which drug discovery and development currently depend cannot and will not deliver the new antibiotics the world needs. Hon. Members have made that point clearly. That is why my right hon. Friend the Prime Minister established the independent review. It has run for two years and has made a comprehensive and highly informed assessment of the AMR challenge. Hon. Members will have seen some of the authoritative and readable papers the review team has published, setting out its thinking on a number of key areas, stimulating debate here and globally, and paving the way for the final report, which we all await and which is due to be published next month.

Not surprisingly, research and development has received much attention from Lord O'Neill's team. It featured particularly in their paper on AMR and the antibiotic pipeline, which appeared in May 2015. That paper argued for the establishment of a global payer fund and an innovation fund to boost funding for blue-sky research

into antibiotic drugs and diagnostics. Elsewhere in their publications, the review team identify some of the neglected areas of research that they believe such a fund could help address.

The Government's response to the review team's work will rightly follow the publication of its final report, which we eagerly anticipate. In line with our manifesto commitment to take forward the review team's recommendations, that response will be positive, ambitious and timely, building on what we have already achieved. We do not intend to delay in a sector that needs urgent action.

One reason why the review team published their series of thematic papers was to stimulate international debate. The value of that approach was made very clear when the President of China came to the UK in the autumn, which led to agreement on a joint UK-China innovation fund modelled on the very proposal that Lord O'Neill set out. We have committed £50 million to that fund and are now in discussion with the Chinese on how it can be taken forward. We hope at the end of it not only to have increased financial collaboration in antimicrobial research and development, but to have brought together the best research teams from industry and academia in the search for practical solutions.

The review explored how the disincentive to antibiotic research and development presented by the absence of a viable commercial market could be tackled. Hon. Members will know that, as I have painfully experienced in the industry, there is an irony in the anti-infectives field. If a new class of anti-infectives is developed, they will tend to be used as a last line of defence, so the level of usage is quite low and patent protection is often not as significant as is required or justified by other drug discoveries. The fundamentals are not the same with anti-infective drug discovery, which is one reason why the standard model does not work as well as in other areas.

The Government are convinced of the need to look again at how we fund antibiotic development, based on Lord O'Neill's groundbreaking work. It seems clear from that work and other studies that a global solution will be needed, although I cannot, of course, pre-empt what Lord O'Neill will recommend.

Inevitably, global solutions take some time to come to fruition, and for that reason my officials have had meetings with a number of pharmaceutical companies, including AstraZeneca, to discuss alternative approaches to reimbursement. They include the insurance model and a number of others that have been widely discussed. Progress is being made and the discussions are continuing. We do not intend to allow the potential delay in global discussions to get in the way of this country taking all the steps it can to facilitate our leadership in this space.

Meanwhile, Government investment in antimicrobial-related research here in the UK continues to grow. The Medical Research Council funds an AMR research funders forum, which we established to co-ordinate research across different funding bodies. The forum has set up a number of AMR-themed research programmes, and its members have together allocated some £36 million to them. Themes include resistant bacteria and how they interact with their hosts, and projects to speed up the development of therapies and diagnostics. At the applied end of the spectrum, the National Institute for Health Research is funding health protection research

units at Oxford and at Imperial College. An NIHR research call has led to the allocation of around £15 million in support of some 16 projects.

I want to reinforce the point made by my hon. Friend the Member for York Outer and others about the important role of charities—not just the Wellcome Trust, which leads, but in the sector in general. In my reform of the life science space, I have made a clear offer to charities to come to the top table as we set out the policy and reform landscape. Medical research charities in the UK now invest £1.4 billion in research every year, which puts them at the top table alongside the biggest pharma companies. I am determined to ensure that they have a voice in policy setting to reflect their increasing voice in the research landscape. We are especially fortunate in this country to have the Wellcome Trust, whose work this week is timely.

My hon. Friend referred to the Antibiotic Research UK charity, which has been set up in his constituency. It is very encouraging to hear about that initiative and its work and ambition. He has had meetings about it with the Minister with responsibility for public health, my hon. Friend the Member for Battersea (Jane Ellison), and with the Prime Minister, and is being typically diligent in ensuring that its existence and profile are raised. He knows that I cannot pre-empt the outcome of the O'Neill report, but it is incredibly encouraging to see a charity coming forward in this space. We look forward to continuing to work with that charity and others in our response to the O'Neill report.

Antibiotic Research UK is, understandably, enthusiastic about what it has to offer. My hon. Friend the Member for York Outer and other hon. Members will understand that the NIHR does not award research money by particular therapeutic area. There are good reasons for that, which I will not go into in the few moments I have left. We fund the infrastructure and are open to research bids, and I encourage that charity and others to put bids together in conjunction with industry. We stand ready to support them. I have no doubt that when we respond to the O'Neill report we will look at how we can do more to encourage and support those bids.

In the time remaining, I want to deal with some of the questions that have been asked. My hon. Friend asked whether I would meet Antibiotic Research UK. I would be delighted to do that. It would probably be sensible to do so with my hon. Friend the public health Minister after publication of the O'Neill report, but I am happy to meet them before that.

My hon. Friend made a point about the foreign aid budget. He and other observers will have noticed that in the autumn statement we announced yet more funding from the prosperity fund to go into global public health. Whether in relation to vaccines or anti-infectives, we are determined to ensure that our international development spend addresses global public health issues, and we are harnessing UK science to that end.

My hon. Friend made a point about Sweden. We are trying to strike a balance between global leadership and supporting global collaboration. My position on that, as on wider EU affairs, is that I am ambitious for the UK life sciences sector, ambitious for life sciences in Europe and ambitious for the European single market in a global race for investment. We need every collaboration network we can get.

My hon. Friend the Member for Erewash (Maggie Throup) mentioned diagnostics, and she was absolutely right. She brings to the debate her experience and professional background. Diagnostics are key, and there is some very exciting work in that field. It is fair to say that the diagnostics sector is probably ahead of the therapeutic sector on this one.

The hon. Member for Poplar and Limehouse (Jim Fitzpatrick) asked about the Ross fund, as did a number of other hon. Members. It is good to hear the level of support for the fund, which is aimed at developing, testing and delivering a range of new products, including vaccines, drugs and diagnostics, to help combat the most serious infections in low-income countries. My right hon. Friend the Chancellor of the Exchequer announced the Ross fund with added detail in January, with a portfolio of projects and programmes led by DFID and the Department of Health. The hon. Gentleman asked which Department is responsible for that, and I can confirm that it is the Department of Health through the health research budget and portfolio, for which I am responsible.

Time is against me, but I want to deal with the point made by the hon. Member for Cambridge (Daniel Zeichner) about clinical trials. As a result of an awful lot of hard work across the Department, led by the chief medical officer and the NIHR, we are turning the corner on trials—we got recruitment to trials in the NIHR clinical trials network up from 200,000 to 600,000 last year. We are starting to see an increase in the number of first-in-human trials globally, which is an indicator of cutting-edge clinical science, and we have reduced the rate of time to first patient recruitment. We are never complacent—there is more to do—but we are turning the corner on global trial recruitment.

I believe that 2016 is set to be a critical year for the AMR challenge. The O'Neill report is shortly to land, as is my accelerated access review. We have secured a historic science budget for capital and revenue and a series of initiatives in global public health. We are well placed to convene and pull together that international leadership and ensure that British science is leading in what is ultimately, and needs to be, a global endeavour. I look forward to Lord O'Neill's report and to working with colleagues across Government to implement it as speedily as we can to ensure that the momentum is maintained. I want this country to lead in what must ultimately be a global effort to find models to ensure that we bring all our science to bear to generate new diagnostics and new treatments. We must prevent the appalling situation, which a number of us have discussed today, of antimicrobial resistance becoming one of the great scourges of the 21st century.

4.42 pm

Julian Sturdy: I thank the Minister for his comments. He is absolutely right to say that 2016 is a crucial year. There have been many detailed and thoughtful contributions this afternoon, especially about the devastating impact of TB and drug resistance. I want to finish by going back to the firefighter analysis, just to please the hon. Member for Poplar and Limehouse (Jim Fitzpatrick). If we have a chip pan fire, we put it out to prevent a house fire. Antibiotics put out the chip pan fire by preventing the spread of infection, but they also go on to prevent a house fire, because without them we would have widespread

[Julian Sturdy]

outbreaks of infection. Without antibiotics, we could have widespread outbreaks running right across the country, uncontrolled, like wildfires. As many hon. Members have said, a world without antibiotics is a very—

Motion lapsed (Standing Order No. 10(6)).

Quiet Cities

4.44 pm

Mr Philip Hollobone (in the Chair): Will all those who are not staying please leave quickly and quietly, as we are moving on to the intriguingly titled but no doubt important debate on quiet cities?

Mark Pritchard (The Wrekin) (Con): I beg to move,
That this House has considered quiet cities.

I am grateful for the opportunity to speak on this topic; I believe this debate is a parliamentary first, certainly in the UK. There has been much debate in this place and outside, and within the legislative process in this place and outside, on green cities and smart cities in recent years. I am delighted that the Minister will answer the debate on behalf of the Government, though I am not sure whether he is delighted. He has clearly drawn the short straw today, but he has, I think, an appreciation of the aesthetics of politics.

In Shropshire, we do not have large cities—in fact, we do not have a city, and I hope that we will not have a city—but we do have slow towns. We have in the county the slow town of Ludlow, just a few miles from my Shropshire constituency. However, there has been very little public discourse or political dialogue about quiet cities—making our cities and towns quieter, and in so doing, improving the quality of life for millions of city dwellers.

Noise pollution in UK cities is becoming a greater problem, and loud cities do have an impact on the quality of life of millions of people. They also have an impact on our health. A scientific report by Chalmers University of Technology in Sweden suggests that prolonged exposure to high noise levels can be associated with elevated blood pressure; an increased heart rate; sleep deprivation; in extremis, hearing loss; tinnitus; cardiovascular disease; and cognitive impairment. The US Centres for Disease Control and Prevention estimate that 20 million US citizens struggle with tinnitus at some point in their lives. A 2011 report by the World Health Organisation concluded that noise pollution is a direct threat to public health. Further symptoms of exposure to noise pollution include constriction of blood vessels, unhealthy tightening of muscles, and increased anxiety and stress.

What can be done? According to the World Health Organisation, national Governments, local authorities and urban planners can take some relatively low-cost action. In the case of the United Kingdom or England, that could involve Highways England and local highways authorities and agencies procuring better low noise emission road surfaces; quieter pavements; designing cities to encourage more safe use of bikes and pedestrian areas—I recognise and am glad that the Government are doing a lot in that area—encouraging the building of noise buffers when new environments are being built, which would involve landscaping and tree planting to alleviate noise; ensuring that all new public transport systems are as quiet as possible; and Government and local authorities asking, “Does this new bus or train service reduce noise in this particular city; does it make a difference?” For example, in relation to the train operating companies, let us take the Virgin Pendolino train, which I know the Minister literally takes, as do I.

People will notice the difference between the Virgin Voyager train and the Virgin Pendolino. Modern technology can make a difference; making the right choice can make a difference.

Many of the WHO recommendations complement the Government's targets on climate change, but the right to some respite from constant noise needs to be a central feature of Government policy—part of their strategy—not a by-product or consequence of another Government policy.

My own observations are these. The Government should work with motor manufacturers to encourage all cars and vehicles to have linings that stop the doors making a noise when they are slammed shut. A simple rubber lining would make a huge difference; metal on metal makes noise. Slamming doors are even an issue in the House of Commons. Where the doors are lined, they close quietly; where they are not lined, they slam and create noise pollution.

Emergency vehicles should reduce the use of their very loud sirens after midnight. The blue flashing lights are enough to alert people to their presence in the dark. Of course discretion should be allowed. That is an issue even when walking down the streets here in Westminster. The ambulances are going out to save lives; we respect that and recognise it, and they have to get through heavy traffic. But some of the sirens are so ear-piercing compared with those of other emergency vehicles. Ambulances do seem, anecdotally, to be far louder than police vehicles. Perhaps there is a reason for that, but do the sirens need to be used after midnight when the blue lights can be seen? That is a public debate I think we should have, because it does impact on people's lives in cities and towns up and down the country.

Perhaps we should put polite notices on public transport systems. We cannot compel people to do things, but we can encourage people, through polite notices, to set their phones to vibrate or silent, as I know you do from time to time, Mr Hollobone, when you are in the Chair. I hope that we all have our phones on silent or vibrate at the moment.

There needs to be a national conversation about how to make the country—our cities and towns—quieter. We could even use polite notices about loud conversations on telephones, which I am sure have been an irritant to us all. I confess that I probably have had such conversations myself. I should do so less, and now that I have made this speech, I probably will. [*Interruption.*] I have proved my point, because the phone of one of the officials has just gone off. Although it is a nice tune and not an irritant, it should be on vibrate or silent. The point is that noise pollution has an impact on and makes a difference to our lives every day.

What about urban design? The concept of green buildings and skyscrapers has been around for some time. We need to encourage that more. Many years ago, a friend of mine whom I have not seen for some time—Dr Kenneth Yeang, a Malaysian-based, but Cheltenham College and Cambridge-educated green skyscraper architect—was one of the originators of green design, by which natural air cooling, instead of costly and noisy air conditioning units, is built into the building.

Space should be designed with sound in mind, so that we reduce noise pollution. Utility companies should be made to replace manhole covers in a way that does not

increase noise. Loose-fitting metal covers crack or clank every time a vehicle goes over them. As hon. Members walk down the street tonight, they might hear that same noise. Imagine being an office worker or somebody living nearby, hearing that clank every few seconds on a busy road. Very low-cost, simple measures can be put in place. These problems are a noise nightmare for many local residents and office workers in this city, and in many towns and cities around the country.

A social survey by the City of London assessed that general attitudes to noise suggested that alarms and aircraft noise are the two most common causes of noise complaints. I will not comment on aircraft noise today, as that has been done many times in this place and, no doubt, will be done again. I do not want to be drawn into the third runway debate. Nevertheless, the Government can work with the security trade bodies to seek out ways of countering noise pollution from alarms. They can also recognise and work with what aircraft manufacturers are also doing to reduce noise from aircraft.

The Government—the Department for Business, Innovation and Skills and other Departments—could work with car manufacturers to encourage the increased production of low-noise tyres, and the Department for Transport and the Department for Communities and Local Government could do more to work towards procuring silent road surfaces. I pay tribute to the Transport Secretary, who has done a lot in that area, but I hope the Government can do more. The silent road surface that covers some parts of the M54 in Shropshire has made a real difference to the quality of life of my constituents and those transiting through the constituency—both those inside and outside vehicles. Let us move towards that nationally, and make a national difference, not just a local one.

The Government could get London black cabs to convert to quieter vehicle models. I believe that that is in the Mayor of London's strategy. I live in London as well as in Shropshire, and there is a big difference between a London black cab going by, accelerating, puffing out lots of diesel and making a noise, and the cars of the much criticised Uber drivers. I am not here to promote Uber, but most Uber drivers drive electric vehicles that are greener, cleaner and quieter. When they accelerate off, they can hardly be heard. They are making a difference. The cab trade in London generally needs to work towards using more environmentally friendly and quieter vehicles. That is the point of the debate.

Another example is the London Duck Tours. Has anyone seen the London Duck? It is a converted military vehicle that is so noisy and polluting. Throw on top of that the microphone of the person talking about the delights of central London, and it makes a real disruption to the lives of residents not only of central London in SW1, but of SE1, down in Vauxhall. Such things can be changed. It would not be of huge cost, but it would be of great benefit to many people.

Peter Dowd (Bootle) (Lab): A website that I read stated:

“Motorcycle owners value the loud revving noise produced by their engines: this noise is part of what completes the experience of riding vehicles.”

Does the hon. Gentleman agree that that sort of inconsiderate and selfish behaviour does not do sensible motorcyclists any good?

Mark Pritchard: I have ridden a motorbike and I like riding motorbikes, albeit mostly abroad rather than here, although I have friends that ride motorbikes here. Modifications that make motorbikes or other motor vehicles noisier is inconsiderate, but as long as those motorcycles abide by the environmental guidelines and the manufacturer's model, I do not have an issue with that. I am conscious of the time, so I will have to speed up.

City and town planners should noise map their cities in more detail, creating anti-noise or counter-noise policies. There should be more enforcement by local councils, DCLG and other Government Departments. The national planning policy framework should include a requirement for new home builders to factor noise abatement into their designs—for example, no wooden floors in apartment blocks unless they are on the ground floor. People walk on wooden floors without carpets and it hugely stresses people in apartment blocks.

We should introduce a quiet homes standard and a single national acoustic standard across all new home building, and encourage the Royal Institute of British Architects, working with the Institute of Acoustics, to include training modules on acoustic design in all architect training courses. Certainly all public buildings should meet a minimum noise requirement, especially schools and hospitals where, perhaps, noise pollution creates the most anxiety and disruption. Public buildings should also seek to work towards a quiet mark—the international eco-award scheme for excellence in designing quiet buildings and products.

If central Government and local government cannot move quickly towards having quiet buildings, perhaps we could have quiet policies. That could be done in quite a short space of time. Within some of those noisy public buildings, quiet policies could be implemented and achieved much more speedily and readily. I ask the Government to do more to work with organisations such as the Noise Abatement Society and Environmental Protection UK to help to reduce noise in towns and cities. The police should do more to take action against motorcyclists or vehicle drivers who increase noise by illegally modifying their vehicles. We need to update our environmental laws and the Noise Abatement Act 1960 to recognise new generators of noise pollution, with a defined schedule for offending and common noise pollutions in cities.

Noise, not sound, is an unnecessary form of negative energy—a negative vibrating energy that reaches our ears and causes a sensation of hearing through our nervous system. It is that direct kinetic energy that can, so significantly, have an impact on the quality of life of millions of people in the country. The national nervous system is being attacked every day. Silence matters, and the Government need to recognise that there is a huge difference between sound and noise. Noise is unwanted. Sound, such as that of nature, birdsong in the morning, or even church bells—although some people do not like bells—may be wanted. However, the illegal hooting of horns and overly loud emergency sirens create stress.

Calm matters. It is possible to work towards quieter cities, but unless there is an overall national strategy led and implemented by the Government, local councils and other public bodies, it might never happen. In our increasing technological advancements, let us not shut out silence, time to think and an alternative to noise.

My call today is quite revolutionary—a vision for cultural and political change in the built environment of cities and towns—but I believe it would be almost universally popular. It would have a huge positive environmental impact and huge health benefits.

Change can come. My ambition is for London to become the quietest city in the world. It is a big vision, but a big city needs a big vision. With the Government leading, let us all work together towards quieter cities and quieter lives. The one sound that people want to hear in the city is the sound of silence.

5 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rory Stewart): It is a great privilege to serve under your chairmanship, Mr Hollobone. It is also a great privilege to respond to the speech by my hon. Friend the Member for The Wrekin (Mark Pritchard). I pay tribute to him for raising quiet cities, a striking and original subject that has not previously come across the Department for Environment, Food and Rural Affairs desk.

Quiet cities are interesting because, as recently as the 1960s, noise was not considered within Britain's policy framework. In fact, a man called John Connell, an earlier incarnation of my hon. Friend, made it his personal campaign to put noise on the agenda. He led a great campaign, which began by addressing the issue of noisy dustbin lids. His big thing was to introduce rubber dustbin lids, instead of metal ones. His next revolutionary move was to introduce rubber milk bottle stands, so that people were not woken in the morning by the milk being put on their doorstep. He became interested in the issue of airport noise, and he was the first great champion of what is now known as the Boris island project—he tried to get the Japanese to buy into the estuary island. He succeeded in making the British Government and British law take noise more seriously. I am sure that my hon. Friend's efforts, following that great tradition, will inspire us to look at quiet cities.

Although quiet cities have not previously been done in Britain, as my hon. Friend says, we have green cities, smart cities and slow towns. Yinchuan, in north-west China, is an example of a quiet city, as are Brisbane in Australia, and Hartford in Connecticut. Those places have tried to brand themselves around the idea of peace and silence, as has my hon. Friend. The website of Brisbane, Australia, for example, lists a series of things that are prohibited, all the way from A for air conditioners to R for refrigerators, with dogs sitting at D.

The Government are engaging with the idea, but it is a local authority lead. It is important that the idea of a smart city, a green city or, in this case, a quiet city is locally driven. It is about how an area brands itself and thinks about itself and what its values might be. Someone like my hon. Friend can inspire a city or a town to take that lead, and I know that he has been having conversations with the candidates for Mayor of London about how the idea could be part of the agenda for London. Our colleagues in the Department for Communities and Local Government have proposed coinciding the idea of pocket parks and green areas in cities with the idea of quiet areas, where there would be prohibitions on creating noise.

As the hon. Member for Bootle (Peter Dowd) suggested in his intervention on motorcycles, there are a number of difficult balances to be struck: one person's noise is occasionally somebody else's joy; one person's noise may be somebody else's music; one person's noise may be somebody else's supercar; and one person's noise may be a vibrant city. We have to balance such things, and we have to get that balance right, which is why local leadership and local ideas will be important.

The Government have adopted a number of measures over the years to address noise, and I will tick off some of the issues that have been raised. On railway noise, there has been a massive rail grinding programme across the country, which is primarily for public safety and energy but is also significantly reducing the decibel levels created by trains. We have heard a little about laying new road surfaces, and we now have a £300 million programme, of which a significant proportion will be directed towards reducing noise and new highway roll-out. We have Euro 6 standards for engines, which will reduce the decibel levels created by individual engines. We have product standards, so when people go into a shop and buy, for example, a lawn mower, they will be able to see how many decibels that particular lawn mower emits. We have building regulations that have reduced the amount of noise emitted in the construction of hundreds of thousands of houses, as well as reducing the amount of noise heard by people inside by moving bedrooms away from the front and by installing triple glazing.

All of that reflects the common understanding in this room that noise matters. Why does noise matter? We put a value of approximately £6 billion to £7 billion a year on the damage done by noise to health and quality of life. That will remind hon. and right hon. Members of the kinds of calculations we do on air pollution, which causes some £14 billion or £15 billion a year of damage, but in fact noise is different from air pollution. Air pollution, as the hon. Member for Hackney North and Stoke Newington (Ms Abbott) has said in a previous debate, is a silent killer; people are often barely conscious of it.

Noise pollution causes significant health damage, largely driven by the effect on sleep and the stress that comes from loss of sleep. My father was severely deaf, and I was in a meeting this morning with a man who, through driving a vehicle in the 1960s, lost 70% of his hearing. He pointed out that the NHS spends £1,000 a year buying him new hearing aids. He sees three consultants a year, and the batteries of his hearing aids have to be replaced. His productivity in the workplace has been significantly affected by the fact that he cannot hear anything in meetings. The decision in the 1960s to save £500 by not putting a silencer on that vehicle has probably cost the public purse £20,000 or £30,000 over the life of that individual. There is not only a health impact; it is irritating, distracting, frustrating and infuriating to be disturbed by noise when tranquillity is at the core of what we care about.

Peter Dowd: We can talk in the abstract, but in my constituency the A5036, which leads down to the docks, is very loud. About half a dozen households on that

road have been trying to get Highways England to provide acoustic amelioration. Will the Minister have a word with his colleagues in the Department for Transport and try to get Highways England to pull its finger out, if possible?

Rory Stewart: I would be delighted to set up a meeting with transport colleagues on that issue, which I thank the hon. Gentleman for raising. That issue is a microcosm of the issues that we are facing across the country, and there is often a difficult balance to be struck. We want infrastructure, we want roads, we want railways and we want planes, but all of our infrastructure, all of our communications and all of our industrial heritage are causing noise issues.

Mark Pritchard: I realise that the Government and local councils cannot do everything. Local council finances are being pressed, and we know the reasons and the background, but we can encourage a change in behaviour by incentivising councils, and by rewarding new home builders by giving them recognition, such as a quiet mark or the environmental awards that they seek. Government Departments and local councils should be leading nationally on setting the standard for quiet mark awards. Does the Minister agree?

Rory Stewart: My hon. Friend is in tune with a whole movement. He will be aware of the Noise Abatement Society, which now runs the annual John Connell awards. I am proud to have participated in those awards for two years in a row. They are a fantastic initiative, doing exactly what my hon. Friend is pushing for. We can probably work with the Noise Abatement Society, which has a lot of innovative ideas, on taking the awards further.

We are also making a large £600 million investment in developing ultra-low emission, particularly electric, vehicles, which will make a revolutionary difference. In fact, one of the issues with electric vehicles, of which colleagues will be aware, is that some people feel that they may be becoming dangerously quiet as they move through the streets. Huge progress can be made on electric vehicles, and we have new funds available to lay quieter roads in future.

I finish with a tribute. Parliament, and Westminster Hall, is a peculiar place. It is often difficult to work out how to come up with and drive through inspiring new ideas, and I pay tribute to my hon. Friend for the novel idea of the quiet city. I encourage cities and towns across the country to think seriously about how different towns, ranging from Yinchuan to Hartford to Brisbane, have managed to create a culture around tranquillity, and the ways in which British towns and cities could take the lead in creating such a culture. In doing so, they would be accepting that from the very beginnings of human language, perhaps the most fundamental word—spiritually, emotionally and physically—has been the concept of peace.

Question put and agreed to.

Social Security (Equality)

Mr Philip Hollobone (in the Chair): Will those leaving after the quiet cities debate please do so in complete silence?

5.10 pm

Christian Matheson (City of Chester) (Lab): I beg to move,

That this House has considered the effect of social security changes on equality.

It is a great pleasure to serve under your chairmanship, Mr Hollobone. When the benefits system was established, it had a couple of main aims: to provide a safety net for people in work if they lost their jobs, and to provide a springboard back into employment. Surely no one could argue with those aims; they both remain relevant today. To listen to Government rhetoric, hon. Members would be forgiven for thinking that all was fine and well, but there are two other principal aims of the system that I believe should also be considered. One is surely to give comfort and dignity to those who are unable to work for themselves, and the second is to use the levers of government to reduce inequality and make ours a more equal society.

I start by asking the Minister this: is it this Government's view that it is their role to use the tax and benefits system to achieve a more equal and less extremely divided society? Taxation can be used to raise revenue and to nudge citizens' behaviour—through, say, taxes on alcohol, tobacco or even sugary drinks—but also to level off the harshest divides by supporting those who cannot support themselves. For all this Government's rhetoric, the UK is at best as unequal now as it was at the start of this decade, and according to the Institute for Fiscal Studies, it is likely to become more unequal towards the end of the decade. Perhaps that is acceptable to the Government. If the Minister concedes that equality is not a top priority, that is fine; we can accept his honesty and have a difference of opinion.

We have heard that the recent Budget will impact women most harshly, and there is still no fair transitional pension settlement for the 1950s women affected by pension changes. Young people are excluded from housing benefit and from the so-called national living wage—although, to be fair, as it is not actually a living wage, that is not much of an omission. Scandalously, state support for those affected by contaminated blood transfusions is being slashed. However, with your permission, Mr Hollobone, I will focus on the combined impact of changes to the benefits system on people with disabilities.

The Government have sought from the outset to justify cuts to benefits by demonising claimants, introducing a them-and-us atmosphere and creating a stark but false division between—in the Prime Minister's words—shirkers and strivers. Or was it skivers and strivers? I cannot remember the exact words, but the sentiment is the same. Let me make it clear that I have absolutely no time for those who can work but do not, relying on everyone else's work but not contributing themselves. They should be dealt with individually. However, those people are a tiny minority. Around 0.3% of the total benefits bill is spent on out-of-work benefits to those who could be working—the real shirkers or skivers—yet

the Government have tarred all claimants with the same brush. I believe that they have done so deliberately, to make cuts to support for disabled people more palatable to the general public.

Nobody chooses to have a disability. Nobody chooses to have a long-term debilitating illness. I can guarantee that every single one of the people whom we are talking about would rather not be in the situation that they are in. People have disabilities for a variety of reasons, including genetic defects, pre-natal or ante-natal complications, serious illness and accidents. However, one common factor runs through all of those situations: blameless misfortune, or bad luck. It is surely the duty of the modern, compassionate state not to compound that bad luck, but to compensate for it.

Scope's extra costs commission estimates that disabled people face average extra costs of £550 a month due to their disability. The personal independence payments system introduced to address those additional needs is failing. The extra costs are not being met, claimants are routinely being turned down, and 60% are being reinstated on appeal, but in the meantime, their worry and debt are growing exponentially.

This week I spoke to a constituent of mine, Kevin, whose wife has kidney failure and is on dialysis, as she has been for several years. It is unclear why she has kidney failure, though it could be linked to complications at the birth of her children. She receives dialysis in the morning, has something to eat and then goes to bed and sleeps until the next day. There is no possibility that she could hold down a job, and the support that she receives from the state is essential, yet when she applied for PIP after moving over from disability living allowance, she was turned down. My constituent is appealing the decision, which of course takes months. In the meantime, she and her family are being driven further into poverty, and probably into debt.

That brings me to my next main point. When PIP was introduced in the Welfare Reform Act 2012 to replace disability living allowance, we were told that it was to ensure that benefits were focused on those who needed them most. Indeed, the impact assessment for the 2012 Act said that under PIP, the number of claimants would fall by 500,000. I understand that it was designed to deliver a 20% cut to the total cost.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The Prime Minister expressed surprise and disappointment when the former Secretary of State, the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith), resigned this year. Does my hon. Friend not think that if the former Secretary of State believed in what he was saying about disabled people being affected, it would have been more appropriate for him to have resigned when he introduced PIP to begin with?

Christian Matheson: That certainly would have prevented a lot of heartache and difficulties for those who have been affected. My hon. Friend, who sits on the Select Committee on Work and Pensions, is an expert in this area, so I will take his word for it.

On his recent appointment, the new Secretary of State immediately used the justification of focusing benefits on those who need them the most. I admit that even previous Labour Governments have used that as an excuse. However, I believe that it is a bogus argument,

and a sham to give cover to further cuts. Why should a disabled person placed in the group of greatest need when PIP was first introduced suddenly be deemed not to be in the greatest need, just a couple of years later? Are the Government seriously suggesting that someone with a lifelong disability or chronic illness can be cured of that disability? Why is my constituent who is on dialysis with double kidney failure suddenly considered not to require PIP, when there has been no change in her condition and she has not yet received a transplant?

The situation does not only economic harm by forcing the vulnerable into even greater poverty, but psychological harm by increasing their stress, and their worry that their lives will be further impoverished by reductions. My constituent Lynda Hesketh, who is wheelchair-bound and who runs the Chester People Have Abilities group, describes to me her terror—that is her word—whenever a brown envelope drops through her letterbox; she worries that it is announcing a further cut to her support.

Of course, many people with disabilities want to work and are capable of doing so, but they face cultural or physical barriers. The Government have made some progress in helping disabled people into work, but the disability employment gap has nevertheless widened slightly in recent years.

Peter Dowd (Bootle) (Lab): Does my hon. Friend agree that having listened to the debate about quiet cities, we should listen to the quiet man, the former Secretary of State for Work and Pensions, who was scathing about the current Government's policies in this developing area?

Christian Matheson: We should listen to him. As my hon. Friend the Member for Bermondsey and Old Southwark (Neil Coyle) mentioned, it might have been more help if he had spoken up a little sooner, but none the less, better late than never. The advice that he gives is absolutely valid.

Of the 12 million people in the UK living with a disability, impairment or chronic illness, around 7 million are of working age. We know that 47% of working-age disabled people are in work, compared with almost 80% of working-age non-disabled people—a disability employment gap of more than 30%. That is important because it indicates not only the waste of the potential talent of disabled people who want to get into work but the fact that those forced off PIP and other benefits will have far less opportunity to make ends meet through their own efforts than through benefits. I welcome the Government's determination to address those issues in the forthcoming White Paper, and I hope that the Minister might be able to give us a sneak preview today if at all possible.

I turn to employment and support allowance. The Government's stated aim was to ensure that work became a way out of long-term illness and that benefits were focused on what a person can do as opposed to what they cannot do. That is all very laudable, of course, but again the reality was detached from the rhetoric. As the Work and Pensions Committee recognised, the focus on a return to work in such a short time was not appropriate for many claimants, and the work capability assessment failed to provide an accurate assessment of a claimant's individual health-related employment barriers or distance from the labour market.

Through announcements by Lord Freud, the Government have now moved to make additional cash available to help disabled people return to work. That indicates that they accept that there was and remains a problem. Indeed, the Government's intention to produce a White Paper, which I have just referred to and which is keenly if nervously awaited by disability charities and campaign groups, demonstrates that there is still a way to go.

Chester was one of the first areas to move to universal credit. We now hear that further cuts to the universal credit rate are likely to be coming down the line, to make up for the cost of the Government's U-turn on tax credits. Such cuts will inevitably have a still further impact on those at the bottom of the pile. Indeed, from its inception, universal credit included the abolition of the severe disability premium of £61.85 a week, which was a massive and largely unpublicised cut in the benefit levels of the most severely disabled people, although, to be fair, it was mitigated by a degree of transitional protection for existing recipients. Consequently, many of the effects of the changes to universal credit are yet to be seen.

That brings me to my main point. With the combination of the changes to PIP, universal credit, ESA and other benefits, disabled people in particular are experiencing increasing insecurity and inequality. The effect on them and their friends and families is becoming tangible. We talk about the cutting of individual benefits, but when a combination of cuts falls on individuals or families, that has a greater effect. I therefore make one further request to the Minister, which is that the Government consider instituting a cumulative impact assessment to evaluate the overall combined consequences of the many different changes.

I will finish with two brief quotes. The first is somewhat truncated and is from July 2009:

"I do believe that you judge a society by the way it treats its most vulnerable... together we can create a society we are all...proud of."

That was said by the then Leader of the Opposition, who is now our Prime Minister. Sadly, those pre-election words have come to nothing, as shown by my second quote, which is from Richard Atkinson, a disability rights adviser at DIAL House, which is Chester's disability rights centre. He says:

"What we do know though, is that the barrage of cuts and their accompanying media offensive—orchestrated and encouraged by the government—have had a real effect on the security, self worth and confidence of millions of disabled people. Here at DIAL West Cheshire, we see people every day who have become frightened and apologetic about their disability. They say to us, 'I'm not one of these scroungers but...', and they are afraid of being judged, reassessed and found wanting. I myself have MS and can't walk well—but can and do cycle albeit on a tricycle. As well as being apprehensive about being transferred from DLA to PIP, I have had to become inured to comments like, 'Why's he carrying a crutch if he can cycle—to get benefits!'"

It is time for Government rhetoric and philosophy to change, to create the caring society that the Prime Minister claimed he wanted to see. It is time to treat disabled people with a dignity not currently afforded to them either in the benefits system and the process for accessing benefits or in the wider cultural context in which they live and we operate. It is time to take away

[*Christian Matheson*]

the sword of Damocles that is dangling above people who live every day with a disadvantage simply because they have been unlucky in life.

Mr Philip Hollobone (in the Chair): We now have until 6.14 pm. When we get to the Front-Bench speeches, the recommended time limits for an hour-long debate are five minutes for the Scottish National party, five minutes for the official Opposition and 10 minutes for the Minister.

5.24 pm

Alison Thewliss (Glasgow Central) (SNP): It is a pleasure to serve under your chairmanship, Mr Hollobone.

I had not intended to speak in this debate, but unfortunately my hon. Friend the Member for Glasgow South West (Chris Stephens) was called away and he has left me a pile of unreadable notes here, which was his speech. So I am sorry that I will not be able to read what he wanted to say—

Jim Shannon (Strangford) (DUP): They are in Scots Gaelic.

Alison Thewliss: They could be in any language—I am not quite sure.

This opportunity to speak about the effect of social security changes on equality gives me the chance to mention something that I have mentioned several times before in the House, which is the impact on women of the proposed benefit changes, with particular reference to the two-child policy in tax credits and the rape clause that the Government have proposed. I have raised the two-child policy on several occasions; I am not sure whether I have yet raised it directly with the Under-Secretary of State for Disabled People, who is here today, but I am certainly yet to have an answer from the Government on it.

The two-child policy in tax credits perhaps sounds like a reasonable idea—people should not have unlimited access to benefits, and they should have the children that they can afford. However, that is not actually how life works or how families work. The policy does not really take into account the fact that someone may have had three or four children at a time when they could well afford them, but then real life gets in the way and they lose their job or their partner dies or takes ill. There is no means of recognising such a change in circumstances within the tax credit system. The system simply says that the benefit is calculated on the first two children somebody has, which, as I said, does not take into account how real life works.

With regard to equality, the policy does not take into account the impact that there might be on people of particular faith backgrounds, for whom larger families would be the norm. Those people may choose to have larger families because of their religious beliefs, and the policy has not been tested in that regard either. The Government have not done an impact assessment of the policy's effect on people of a particular religion—be they Orthodox Jews, Catholics or Muslims—who may wish to have larger families for historical reasons. They have not taken that issue into account.

I also believe that the two-child policy does not take into account our obligations under the UN convention on the rights of the child, because it does not treat all children within a family equally. It says that the first two children in a family are somehow of greater value to the Government than the others. I believe that we should support all children within a family and make sure that each of them has enough to live on.

Mark Durkan (Foyle) (SDLP): On the subject of the inequality of treatment under the two-child rule, does the hon. Lady note the contrast between what is happening on tax credits and the childcare element of universal credit, which are to be limited to two children, and what is happening on childcare allowances? The latter are to be paid for as tax allowances of up to £2,000 a year, or up to 20% of £10,000 costs. They will go to better-off families, will not be limited by a two-child rule and will be bankable allowances, unlike what people will get under the childcare element of universal credit.

Alison Thewliss: I absolutely agree with the hon. Gentleman. There are a great many inconsistencies within the policy and a great many unanswered questions about it.

The rape clause puts particularly vulnerable women in an extremely difficult position, because the Government do not seem to realise that rape can happen within marriage as well as outside marriage. A woman may be in a relationship where she cannot tell the police about a rape, and no proof that she was raped can be found, but the Government somehow expect her to nip down to the benefit office and say, “Oh, this third child that I'd like to claim benefit for came about as the result of rape.” That is not something that many women would want to do, and I do not think that the issue has been fully thought through. There is also a problem if, as soon as the woman goes and claims that money, the man in the relationship, who has the power, knows that she has done so. Again, that will put her in a vulnerable position.

There is a similar situation with household payments under universal credit. The Government say that women can request split payments instead of the single household payment, but if a woman makes that request at her local Department for Work and Pensions office, the man will know it almost instantly, when the money that he is expecting does not come in. That woman will then have to suffer the consequences of that. Should she then leave that abusive relationship, if she has more than two children the tax credits system has no means of taking that into account. The system will not see that she could do with some extra support because she has left an abusive relationship. She may be in financial hardship, and she may have to put up with working extra hours or cutting her hours to look after her children. There are no means within the system to take into account that woman's change of circumstances.

I appeal to the Government to consider the matter more carefully. It is an issue of inequality. Women are already not being treated equally under the system, and they are being further punished by the circumstances they are in. I urge the Government to take account of the religious aspects and the impact on women of their changes to benefit policy.

5.30 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to be called to speak in this debate, Mr Hollobone. First, I congratulate the hon. Member for City of Chester (Christian Matheson) on securing the debate. In Northern Ireland, we are shortly to come into the PIP system, and I will make some comments about that. It is always a pleasure to see the Minister and the shadow Minister in their places. I look forward to their comments.

When the new Secretary of State for Work and Pensions took over, he said that he wanted

“to start a new conversation with disabled people, their representatives”—

that is us in this room, councillors, Assembly Members, Members of the Scottish Parliament and so on—as well with healthcare professionals, who are the people who know best, and employers, in order to shape future policy. He also wanted

“to take time to reflect on how best we support and help transform people’s lives.”—[*Official Report*, 21 March 2016; Vol. 607, c. 1269.]

With that in mind, the conversation started a long time ago. The Minister knows the respect I have for him and I know he is interested in this matter, and I know that we will have a full and detailed response to our concerns. I honestly believe that his concerns are our concerns too.

Most of my comments will relate to my knowledge of the system and its shortcomings. It is unfortunate that in debates such as this we sometimes have to say what is wrong with the system, but the fact is that as elected representatives, people do not necessarily come to our advice centres and say, “You’ve done a great job. Have a nice day. How’s the football?” They come in to make their complaint. We have to put serious complaints to the Minister and make him aware of what is happening.

One concern that I have about the work capability assessment for ESA—I do not know how this happens—is that some of my constituents have to fill in ESA forms up to three times a year. My goodness me, how does the Department expect someone’s health to deteriorate or get better within four months? It is illogical. The assessment has to happen between three and six months before, so why does that happen? I stand to be corrected, but I am not aware of anyone who was receiving incapacity benefit in my constituency who was not turned down automatically when they were moved to ESA. I see that happening all the time. After being turned down automatically, they go to appeal and win it. There almost seems to be a presumption that individuals should not have been getting incapacity benefit and they certainly should not get ESA. I have to express that concern.

Another thing that comes to mind is the number of claimants with serious health conditions or disabilities who are found fit for work. I have one staff member who works full time on benefits cases. The role of the advice centre in my office has changed—its role was once about housing and planning, but now benefits are right up there next to those issues. I am sure that situation is replicated in the office of every Member. One problem is the number of people who are found fit for work or placed in the wrong ESA group due to deficiencies in the descriptors used or the assessment process. How can we do better on that?

The focus on returning to work within a relatively short period of time is not appropriate for many claimants. In England, 36% of all fit for work decisions in a given period were appealed against, and 52% of those appeals were won. We cannot ignore that fact. I make these points not to be aggressive or adversarial; I am trying to raise issues in a constructive fashion. There are deficiencies in the process, and other Members will no doubt speak about them.

As the Minister knows, this matter is devolved to Northern Ireland. The Northern Ireland Assembly has set aside £500 million for a further series of supplementary payments to carers, people suffering from ill health and families on low incomes. We have recognised that a number of issues have to be addressed. Will the Minister give his thoughts on that? Some 50,000 people in Northern Ireland receive the mobility component of the disability living allowance, and they are worried about the impact of PIP. Honestly, I sometimes wonder whether anyone sees the emotional effect that such things have on people. If they did, they would say, “The system needs to be changed.”

DLA will end in Northern Ireland on 20 June, and PIP will take over. The same contractor that looked after the system on the UK mainland will be taking over in Northern Ireland. I say this very respectfully, but we seek an assurance that the contractor is fit for purpose, fit to do the job in Northern Ireland and fit to do the job better. How will that company be monitored?

Families that include disabled people are more likely to be in receipt of state benefits than families with no disabled people. That fact should be recorded. The Government have announced further welfare measures that will affect disabled people, including a four-year freeze on most working-age benefits, changes to tax credits and universal credit and the abolition of the work-related activity component for new ESA claims from 2017. I am trying to be constructive, but can we have some assurance for those who are disabled? They are very worried about what will happen.

In Northern Ireland, more than 200,000 people receive disability living allowance. In a population of 1.8 million, that means that one in every nine people are receiving DLA. That compares to a figure of one in 20 on the UK mainland.

Mark Durkan: I know that the hon. Gentleman is entirely sincere in registering his concerns, but they are contradicted by the fact that his party voted in the Assembly for a legislative consent motion that endorsed all the clauses of the Welfare Reform and Work Act 2016 as originally tabled. He and his colleagues also voted down amendments to the Northern Ireland (Welfare Reform) Bill when we proposed them in the Chamber. Those amendments would have addressed exactly these issues.

Jim Shannon: I thank the hon. Gentleman for his intervention—at least, I think I thank him. We know how the system works. We have made some changes to the system in Northern Ireland and made some concessions. If we want to change it more, we have to pay for it. I am sure that he can tell us where the money would come from. We need to make those decisions as well, and in Northern Ireland, those decisions are made by those in government who are responsible. They must make decisions

[Jim Shannon]

that do not run us into debt or extra problems. We agreed to that legislation because we cannot change everything that comes across from Westminster. The things we can change we do change—I will not comment on them now.

Kevin Doherty, the chief executive of Disability Action, has said that the growing number of people in receipt of DLA should be a sign to the Government that better services are needed. He stated:

“Disability Action would strongly recommend that the Government take heed of the rise in DLA recipients and continue to implement adequate and sustainable services that enhance the lives of disabled people.”

The number of people in receipt of DLA—or PIP, as it will be from 20 June—will continue to rise, and the number is greater in Northern Ireland than anywhere else in the United Kingdom. That cannot be ignored.

Some people have argued that people take advantage of the system, but from my experience, I can confirm that all those who come to my office needing help with DLA forms are genuine and deserving individuals, and DLA and PIP are intended for those people. I am honestly not aware of anyone who has come to my office who did not deserve support, and my staff work very hard to ensure that those who need it get it. I am ever mindful that we are nobody’s judge in this world. We are here to help anyone who comes to our offices, and we do that.

It is important to say that the Northern Ireland Assembly has set aside money out of its block grant, money that we all agreed to—or at least the parties with responsible minds in Government agreed to it—so that we could look after those hit by the bedroom tax or the spare room subsidy, which is completely discriminatory towards those most genuinely in need. Where did that money come from? The direct budget. We set that money aside because we are a responsible Government, which is why, looking forward to the elections on 5 May, the Democratic Unionist party can honestly say, with no fear of contradiction, that we are building a better future for everyone in Northern Ireland. We are doing that through responsible governance, paying our way and looking after the vulnerable, those on low incomes and in poverty, and the disabled. We are doing our best to ensure that they are looked after. I am sure that, when they respond, the Minister and shadow Minister will accept those points.

Mr Philip Hollobone (in the Chair): We now come to the Front-Bench speakers, after whom we will be able to hear again from Christian Matheson, who can sum up the debate at the end.

5.41 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): It is a pleasure to serve under your chairmanship, Mr Hollobone. I thank the hon. Member for City of Chester (Christian Matheson) for securing this important debate and congratulate him on having done so. I listened with a sense of admiration to the dignified way he made his case this afternoon. I know that he is a son of An t-Eilean Sgitheanach—for the non-Gaelic speakers, that means a son of the isle of Skye—and he very much conducts himself in the manner of a highland and island gentleman, if I can put it that way.

The hon. Gentleman discussed the use of taxation to create a more equal society, which is something with which the Scottish National party would very much agree. He asked the Minister whether he agrees; I must say that the evidence from the Government is that they certainly do not believe in the kind of things many of us do. My hon. Friend the Member for Glasgow Central (Alison Thewliss) has been fastidious in highlighting the rape clause. I think she did so on Budget day last year when it came up, and I congratulate her on how she has pursued that case. She also addressed the issue of support for all children.

The hon. Member for Strangford (Jim Shannon) spoke passionately about the failings of ESA and PIP and the percentage of people who have won their appeal. There are real questions for the Minister to answer there.

Jim Shannon: If I may make one quick point, use of food banks is up 50% in Northern Ireland. We cannot ignore that fact. Disabled people, who need money the most, are using food banks more than ever. Why is that happening?

Ian Blackford: I thank the hon. Gentleman for that intervention and agree wholeheartedly with what he said. The Government must address not only the issue of those who are on benefits using food banks, but the fact that those in work are having to rely on them as well.

As the hon. Member for City of Chester said, it is noteworthy that the Resolution Foundation said last night that inequality in the UK has been falling recently but is projected to rise over the Parliament. That is a direct consequence of the Government’s policies. It is little wonder that the right hon. Member for Chingford and Woodford Green (Mr Duncan Smith) said, in the letter he sent to the Prime Minister to resign as Secretary of State for Work and Pensions:

“I hope as the government goes forward you can look again...at the balance of the cuts you have insisted upon and wonder if enough has been done to ensure ‘we are all in this together’.”

That is exactly the point. Social security should lift people out of poverty and give the disadvantaged equal opportunities. That is what the Opposition are asking for. Instead, the Government have created a system that breeds inequality and institutionalises unfairness. The relentless attacks on sick and disabled people show how callous the Tories have become. As we say in Scotland, we are fair scunnered at the policies of this Government.

Jim Shannon: We use the same words in Northern Ireland.

Ian Blackford: I am glad that my friends in Northern Ireland use the same words. We use other words as well.

Families with disabled people are more likely to be in receipt of state benefits than families with no disabled people. In 2013-14, 83% of families in the UK with at least one disabled adult and no disabled children were in receipt of state support, and 38% claimed an income-related benefit. Almost 75% of families with a disabled child and no disabled adults received state support, and 37% received an income-related benefit. Some 46% of families with no disabled adults or children received state support, and 12% received an income-related benefit.

We can see exactly how those who are looking after either disabled children or disabled adults rely on the state's support; it is necessary.

It is little wonder that there is widespread fear among those in the disabled community about their vulnerability to an assault on social security, which often provides recipients with a level of dignity that the Government seem to want to undermine. The arbitrary £30-a-week cut to ESA is a regressive measure that is part of this Government's continued attack on disabled people. The Government continue to peddle the line that such cuts will incentivise disabled people to work. That is a cruel and completely misjudged justification. A review conducted by the House of Lords in December 2015 found no evidence that such cuts will incentivise work, and surveys by the Disability News Service and Mencap show that cuts will force sick people backwards and further away from getting back to work. Social security should lift people out of poverty and give the disadvantaged equal opportunities. Instead, we are breeding inequality and unfairness.

The Resolution Foundation recently called universal credit

“a post-code lottery on steroids”

because it has continued to be cut while similar cuts to tax credits have been scrapped. Universal credit will now be less generous than the benefit that it replaces. Where someone is in the country will determine whether they are eligible for universal credit or the existing system.

As my hon. Friend the Member for Glasgow Central has said, women have been bearing the brunt of Tory welfare cuts, as they are twice as likely as men to rely on income from social security payments. Since 2010, £26 billion has been taken away from benefits, tax credits, pay and pensions, 85% of which has been taken from women's incomes. That disgraces all of us.

Because of the time constraints, I will cut my remarks short, but I want to refer to the different agenda that we have in Scotland. The Scottish National party has pledged to restore housing benefits to 18 to 21-year-olds, giving back to Scotland's young people what the Tories have taken away. That will protect 2,000 unemployed single people under 21. The SNP is also committed to treating disabled people with dignity and respect. Responsibility for disability benefits will be devolved to Scotland in 2018, and the SNP has pledged to chart a different course. The SNP's compact with disabled people will treat everyone with fairness, respect and dignity. We will abolish the bedroom tax and increase carer's allowance. We will continue the £52 million independent living fund, which was scrapped by the Tories. We will support disabled people into employment with a £20 million fund. We will maintain disability benefits when they are devolved to Scotland, not cut them. That is the difference that a caring Government who are on the side of the people will make. The Government in London must go back to the drawing board on social security to protect the disadvantaged and build a system based on equality, dignity and respect—all currently sadly lacking.

5.48 pm

Debbie Abrahams (Oldham East and Saddleworth) (Lab): I sincerely congratulate my hon. Friend the Member for City of Chester (Christian Matheson) on

securing the debate and his excellent contribution, and all Members on their contributions on such an important topic.

The hon. Member for Ross, Skye and Lochaber (Ian Blackford) mentioned the Resolution Foundation paper that was published yesterday. I used to work on inequality and there are a variety of ways of measuring it. He was probably talking about the Gini coefficient, which has been relatively flat over the past decade or so, but other data, such as those on the extremes of wealth in the top 1% compared with the bottom 1%, vary considerably. I will look at those data in a moment, but they show inequalities that hark back to the Victorian age. In fact, the International Monetary Fund has said that income inequality is

“the defining challenge of our time.”

In the UK, 40 years ago, 5% of income went to the highest 1% of earners; today, 15% does. But this issue is about not just income but wealth. If we think back a few weeks to when the Panama papers were published, they revealed the shocking extent to which the assets of the richest are kept in offshore tax havens, where tax is avoided and evaded. According to the Equality Trust, another good source of data, in the past year alone the wealth of the richest 1,000 households in the UK increased by more than £28.5 billion. Today, their combined wealth is more than that of 40% of the population, which is equivalent to 10.3 million families—so, the wealth of 1,000 families is equivalent to that of 10.3 million families. While the wealth of the richest 1% has increased by 21%, the poorest half of society saw their wealth increase by less than a third of that. I could go on, but I have set the context.

Looking over the past six years at the regressive Budgets of this Government and the previous coalition Government, we should not be surprised. As the Institute for Fiscal Studies has shown, last month's Budget left people on low and middle incomes proportionately worse off as a result of tax and social security changes, which is what we are discussing today. Regressive economic policies that mean that the total tax burden falls predominantly on the poorest, combined with low levels of public spending, especially on social security, are key to establishing and perpetuating inequalities. In particular, those on low incomes, the sick and the disabled have been hammered by this Government.

Since the Welfare Reform Act 2012, according to analysis by Demos and Scope, 3.7 million sick and disabled people have had approximately £28 billion in social security support cut. That does not include the cuts that we have seen to social care, access to transport and support for disabled children in schools—right across the piece, disabled people have been hammered. The Welfare Reform and Work Act 2016, which has only just been given Royal Assent, will compound the effects of those cuts. The cut of £1,500 a year for people on ESA WRAG—the work-related activity group—and the UC equivalent who have not been found fit for work is an anathema.

There is clear evidence from the Extra Costs Commission, as we have heard, that sick and disabled people face additional costs—estimated at £500 a month—because of their condition. The effect of further cuts in support will be to plunge even more sick and disabled people into poverty. We know that 5 million sick and disabled people are already living in poverty; what we do not

[Debbie Abrahams]

know is how many more will be pushed into poverty as a result of those measures, because the Government have not assessed that. It is shameful that the Government have not done so, or even looked at the implications for people's condition.

I am sure that the Minister will respond by saying that the Act is about incentivising sick and disabled people into work, but again we have contradictory evidence from various reports. In connection with the disability employment gap, which remains stubbornly high, only 124 employers signed up to the Disability Confident campaign—

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson) *indicated dissent.*

Debbie Abrahams: That is the latest figure from the website. Also, last year, fewer than 37,000 disabled people received support from Access to Work, out of the 1.3 million disabled people who are fit and able to work. Much, much more needs to be done. It does not stop there. Other cuts have included the bedroom tax, cuts to supported housing through the local housing allowance and the 1% cut in housing benefit—there has only been a reprieve for the next 12 months. I could also mention other cuts and policies such as sanctions. Those are all having and will continue to have an adverse effect on the sick and disabled.

This is the first time that the Minister and I have debated since the recent change in leadership at the Department. The new Secretary of State made sympathetic overtures in his statement to the House, and I welcome the Government's U-turn on the cut to the personal independence payment proposed in last month's Budget, but as the Channel 4 "Dispatches" programme a couple of weeks ago showed, the PIP assessment process is clearly not fit for purpose. According to a number of my constituents—if I have time, I would like to mention a couple of them—

Mr Philip Hollobone (in the Chair): Order. The hon. Lady does not have the time. She has already gone well over her five minutes. I know she only has a page and a half to go. If she wants to quickly go through that, that will be fine, but she will have to draw her remarks to a close pretty quickly.

Debbie Abrahams: I am grateful for that, Mr Hollobone. I am sorry; I thought we were finishing at 6.14 pm.

Mr Philip Hollobone (in the Chair): Order. We are finishing at 6.14 pm. I have to work within the recommended time limits given to me by Mr Speaker. In an hour-long debate, the limit is five minutes for the SNP Front-Bench spokesperson, five minutes for the Opposition Front-Bench spokesperson and 10 minutes for the Minister. The hon. Lady has now had the same time as the SNP Front-Bench spokesperson, who went over. If she can draw her remarks quickly to a close, that will be fine.

Debbie Abrahams: I am grateful, Mr Hollobone, and will take your comments on board.

I would be grateful if the Minister could respond to the details I have sent him in writing regarding an

inquiry to investigate the qualifications, training and behaviour of assessors; just how widespread the appalling behaviour we witnessed on that Channel 4 programme is; the validity and efficacy of the assessment tools—the Royal College of Psychiatrists was dismayed at the inappropriate standards and tools being used—particularly for people with chronic, fluctuating and mental health conditions; and the performance monitoring of contracts, not only in terms of activity levels but to ensure ethical standards of practice.

I have met many sick and disabled people since I was elected in 2011. Some are barely surviving and are hanging on by their fingertips. I genuinely fear for them. Of course, we know that many have not survived and have taken their own lives or just faded away.

Governing is about choices. The revenue lost to the Exchequer every year as a result of tax fraud is equivalent to what we spend on disabled people through DLA and PIP—£16 billion. If the Government truly believe in fairness and in addressing the real inequalities in this country, they need to reflect that in their policies. They need to clamp down on tax fraud and ensure that our most vulnerable in society are looked after properly, not plunged into poverty or worse. The Government should not just talk the talk, but walk the walk.

5.57 pm

The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson): It is a pleasure to serve under your chairmanship, Mr Hollobone. I pay tribute to the hon. Member for City of Chester (Christian Matheson), who I know is widely respected in his local community. He is very passionate about this issue and raised a number of powerful points, as did many of the other hon. Members who contributed to what has been a good, constructive debate. In true tradition, I have not brought a pre-written speech but will do my best in 10 minutes to respond to as many of the points raised as possible.

I will start with PIP. A lot of the issues raised cut across many different Ministers' areas, so I will spend the majority of my time on the areas for which I am responsible. PIP is my area. Time and time again, hon. Members say that life would have been better under DLA. The fact is that under DLA, 16% of claimants qualified for the highest rate of benefit. Under PIP, it is 22.5%. We are getting money to those who are most in need. That figure is even more stark if we look at things such as hidden impairments, including mental health issues. Under DLA, 22% of claimants with a mental health condition would expect to get the highest rate. Under PIP, that figure is 68%.

We continue to work with stakeholder groups and those with front-line expertise in order to continue improving the PIP assessments. It is fair to say that when PIP was introduced, Ministers were often in this Chamber explaining why things were not going right, but we have now been in a settled position for about a year. Currently, someone would be looking at an average of seven weeks to get an assessment, and 13 weeks end to end. That is widely respected as a settled and positive position. To put into context the extent of the improvement, there has been a three-quarter reduction since June 2014 in the time waiting for an assessment. Improvements are ongoing. I regularly meet with stakeholder groups and policy teams and am very much engaged with them.

Not unreasonably, Members have raised the issue of high appeal rates. That was one of the very first questions I asked when I became a Minister. On day one, I said, "Clearly there is something wrong, given the high appeal rates. Everybody down tools immediately and analyse what has gone wrong." The vast majority of successful appeals, which account for only 2% of total claimants under PIP, are due to additional late submitted evidence, either written or oral.

When we send out a communication to tell somebody that they have not qualified for the level of benefit that they perhaps thought they were entitled to, we try to set out why very clearly. In some cases, those claimants realise that they have not submitted a piece of evidence. We then give them two further opportunities to submit that evidence: one is the mandatory reconsideration, and if they are still unhappy, there is the independent appeal process. We try to be as clear as we can be.

In a utopian world we would have a big supercomputer—a former Labour Government tried their best to deliver this; unfortunately, from our perspective, that did not work—and a claimant would phone and give their national insurance number, and we would have access to all of their medical records. We would not have to rely on late submitted evidence. We are trying to improve that; we have just announced that assessors will get an additional 10 working days to help claimants gather that evidence.

I also gently remind Members that, under the DLA, 70% of claimants were given an indefinite award. That sounds good, but the reality is that the condition of one in three claimants changes significantly within 12 months. If they are on an indefinite award, they may not necessarily pick up the phone and ask for a review. We were seeing more and more people staying on a lower rate of benefit indefinitely, because that is the point at which they entered, when in fact they were entitled to a higher rate. That is another reason why we are seeing the difference between the 16% and the 22.5%.

We all support the principle of halving the disability employment gap. Giving those with a disability the opportunity to work is good for them. On my visits with stakeholder groups—particularly with young ambassadors—I say, "You are the Minister for the day. What would you like to do?" Time and again they want the same opportunities that their friends take for granted. We are making progress: 152,000 more disabled people are in work in the last year, and 292,000 in the last two years. There is still a significant way to go.

We have secured additional funding for access to work, which helps about 36,500 people a year; we have funding to help a further 25,000 per year. That is the Government contributing to remove barriers to help people with disabilities into work. We are doing a lot of work at the moment on how we can promote the scheme, particularly to small and medium-sized enterprises that are often too busy to notice Government initiatives. I want to see a lot more business engagement, so that they understand the importance of this. We are keen to make sure that that money is well utilised. There are further opportunities. A lot of emphasis is going into providing jobcentre staff with additional training, particularly with things such as the hidden impairment toolkits, which the stakeholder groups are helping to design.

The hon. Member for City of Chester used the phrase "waste of talent". That is absolutely spot on. Businesses that are struggling to fill skill gaps are missing out. I say this as somebody who benefited directly from employing disabled people in my former life, when I ran my own small business. The White Paper is a real opportunity to make some of those significant differences.

Many Members have raised concerns about the ESA work capability assessment. That is not directly my responsibility, but I understand the points raised. As it stands today, typically 1% of those on ESA will come off the benefit every month. That is the same for this Government as it was for the coalition Government, and the Labour Government who introduced it in the first place. There is no way of describing that as anything other than unacceptable, and the White Paper is a real opportunity for us to look at that. I was asked if I could give a sneak preview; I genuinely cannot.

We want to work with those stakeholders. The new Secretary of State has made it very clear that they will be at the heart of what we do. I personally know from my regular meetings with them that they have fantastic policy teams. There is no point in reinventing the wheel when often they have some very good, constructive ideas. The themes that we will be building around are those localised solutions, tailored to the individual, and recognising that everybody has their own unique challenges and opportunities.

From my perspective, we need to make sure that we do not forget that we need businesses to engage. It is one thing getting the individuals looking for work to play by the rules and engage in the different work programmes, but if there are not job opportunities at the end they will continue to loop through the system, attending yet another 12-week programme, during which their enthusiasm will further wane.

Many Members touched on universal credit. Again, I think there is accepted support for the principle. It is simplified—someone would have to be a nuclear physicist to navigate the current complex array of benefits that they might or might not be entitled to. We all know through our casework that individual constituents often miss out.

However, the area that most excites me is that for the first time ever, people will have a named coach. Time and again, people are frustrated that they have to go and explain their challenges to another person, which creates further frustration and reasons not to engage. That named coach will be there to provide support, helping people to navigate not only their opportunities to get into work, but other challenges that they might have—such as accessing child care, additional support and dealing with issues such as personal debt—and signposting them through to additional training. For the first time ever, that named coach will continue to support people when they go into work. If someone goes into their first job, perhaps on the national living wage, and keeps turning up and doing the right thing, the named coach might say, "Do you want me to speak to the supervisor to see if you can get promoted to other roles?"—doing things that we would often take for granted and helping people with opportunities.

We all quote different papers with figures that suit our argument, but the Office for Budget Responsibility has said that households will be £100 billion a year better off by 2020. We have introduced the national

[Justin Tomlinson]

living wage. I know that some hon. Members will question—perhaps tongue in cheek—whether that is genuinely a national living wage, but we are anticipating it to be more than £9 by 2020. I seem to recall from my opponent's election leaflets that he was advocating just over £8, so it is £1 higher than the Opposition proposed.

Rightly, we have been increasing the personal allowance. It will go up to £11,500 by April 2017 and will continue to rise to £12,500. We have legislated that it will then follow inflation. Living standards reached their highest ever level in 2015 after growing at their fastest rate in 14 years. Living standards have improved by 2.6% over the last year and employment has gone up by 2.4 million since the 2010 election.

Debbie Abrahams: Will the Minister give way?

Justin Tomlinson: I am very short of time, and I want to deal with a few more specific points that Members have raised.

I pay tribute to the hon. Member for Ross, Skye and Lochaber (Ian Blackford) because, although we may disagree on many of the points raised, he makes very clear alternative suggestions. It is one thing to criticise the Government but, to his credit, he sets out how his party would do things differently. I have always said that I will look very closely at what our friends in Scotland do. If something works there, we will be first in the queue.

The hon. Member for Glasgow Central (Alison Thewliss) made a very powerful point—and has done so consistently for a period of time—to do with rape. Lord Freud has said that he is going to look further at that, and I pay tribute to the hon. Lady for making powerful points in that area.

On the points made by hon. Members about women, I would say that tax-free childcare for working families—30 hours a week of free childcare for three and four-year-olds—will make a significant difference. Two thirds of the 2.8 million people who have directly benefited from the national living wage are women, and, on the increased personal allowance, 59% of the people who have been taken out of paying any tax at all are women. These are key issues.

There is still much more to do. My door is always open to Members who have constructive suggestions and ideas on how we can make improvements. I want finally to pay tribute to the hon. Member for Strangford (Jim Shannon); he has often taken up that opportunity and those are the sorts of things that shape the way in which the Government are helping to support the most vulnerable in society.

6.8 pm

Christian Matheson: I thank the Minister, the shadow Minister and all hon. Members for having taken part in the debate. I confirm to the hon. Member for Ross, Skye and Lochaber (Ian Blackford) that my grandfather was indeed from Skye, so I am a proud grandson, at least, of Skye.

I am grateful to the Minister for his response. My one concern, which I ask Members to dwell on as we close, is that the system does not take into account how real life works, as the hon. Member for Glasgow Central (Alison Thewliss) mentioned. The hon. Member for Strangford (Jim Shannon) talked about the fact that he sees nobody coming into his constituency surgeries or his constituency office who is somehow a bogus claimant. My hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams) mentioned problems in the assessment procedures and qualifications for assessment.

In thanking the Minister for his response, I ask him to ensure that the reality on the ground matches the aspirations that he has set out in his speech today, and which, as hon. Members have mentioned, often does not match the hopes that Ministers have. I am grateful to you for your chairmanship, Mr Hollobone, and I am most grateful to hon. Members for their participation today.

Question put and agreed to.

Resolved,

That this House has considered the effect of social security changes on equality.

6.10 pm

Sitting adjourned.

Written Statements

Tuesday 26 April 2016

BUSINESS, INNOVATION AND SKILLS

Higher Education Student Support: England

The Minister for Universities and Science (Joseph Johnson): Today I am announcing that the Government will extend student support in England to an additional group of students.

This decision follows a ruling of the Supreme Court on 29 July 2015 that it was unlawful to refuse an individual student, Ms Beaurish Tigere, a loan solely on the basis that she was not settled in the UK. Most students secure support by virtue of their having such status. Ms Tigere did not, but had as a matter of fact been resident in the UK from an early age and had completed her primary and secondary education here.

The Government have consulted on the creation of a new category of eligibility for student support based on long residence in the UK to implement the Supreme Court's judgment in respect of students in a materially identical position to Ms Tigere. I am grateful to those who responded to the consultation which closed in January 2016. The comments we received were taken fully into account, and helped us to refine the initial proposals.

Settled status will remain the most common route for students to become eligible for student support, but those with a period of long residency in the UK will now also become eligible.

Student support will now be available for those persons who are:

under 18 years of age and who have lived in the UK for at least seven years prior to the first day of the first academic year of their course; or are

aged 18 years and above who have either spent at least half their life in the UK or at least 20 years in the UK prior to the first day of the first academic year of their course.

In all cases, the students would also need to demonstrate three years' ordinary lawful residence in the United Kingdom immediately preceding the start of their course, and meet other relevant eligibility criteria, to be able to access student support.

We are planning to lay amending regulations shortly so that this change can take effect for the 2016-17 academic year.

We also plan to make identical changes to the regulations setting out the residency rules for advanced learner loans and the postgraduate masters loan for the academic year 2016-17.

These changes will enable students who have lived in the UK for a long period of time to continue their studies.

Higher education is a devolved matter and therefore the devolved Administrations will need to consider how the Supreme Court's ruling affects their funding systems.

[HCWS701]

TREASURY

UK Bilateral Loan to Ireland

The Financial Secretary to the Treasury (Mr David Gauke): HM Treasury has today provided a further report to Parliament in relation to the bilateral loan to Ireland as required under the Loans to Ireland Act 2010. The report relates to the period from 1 October 2015 to 31 March 2016.

A written statement on the previous statutory report regarding the loan to Ireland was issued to Parliament on 15 October 2015, *Official Report*, column 22WS.

[HCWS704]

Countesswells Development Limited: UK Guarantee

The Chief Secretary to the Treasury (Greg Hands): The UK Guarantees scheme was announced in July 2012 with spending cover provided through the Infrastructure (Financial Assistance) Act 2012, receiving Royal Assent on 31 October 2012. The scheme provides a sovereign-backed guarantee to help infrastructure projects raise debt finance. Guarantees for up to £40 billion in aggregate can be offered under the initiative.

The Government are confirming that they have approved the provision of a guarantee for up to £86 million to the Countesswells project for the construction of over 3,000 homes on the Countesswells site in Aberdeen.

The Government will report to Parliament on the financial assistance given in line with the requirements set out in the Infrastructure (Financial Assistance) Act 2012.

[HCWS703]

HOME DEPARTMENT

Hillsborough

The Secretary of State for the Home Department (Mrs Theresa May): The determinations and findings of the fresh Hillsborough inquests are being announced today. The jury are responding to 14 questions as part of a general questionnaire and responding to two questions in an individual questionnaire related to each of the 96 people who lost their lives in the tragedy. The questions in the general questionnaire and the individual questionnaire are listed below. It is my intention to make a full statement to Parliament tomorrow.

Question 1: Do you agree with the following statement which is intended to summarise the basic facts of the disaster?

"Ninety-six people died as a result of the Disaster at Hillsborough Stadium on 15 April 1989 due to crushing in the central pens of the Leppings Lane Terrace, following the admission of a large number of supporters to the Stadium through exit gates."

Answer "yes" or "no".

Question 2: Was there any error or omission in police planning and preparation for the semi-final match on 15 April 1989 which caused or contributed to the dangerous situation that developed on the day of the match? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. Was there any error or omission in police planning and preparation for the semi-final match on 15 April 1989 which may have caused or contributed to the dangerous situation that developed on the day of the match? Answer "yes" or "no".

Question 3: Was there any error or omission in policing on the day of the match which caused or contributed to a dangerous situation developing at the Leppings Lane turnstiles? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. Was there any error or omission in policing on the day of the match which may have caused or contributed to a dangerous situation developing at the Leppings Lane turnstiles? Answer "yes" or "no".

Question 4: Was there any error or omission by commanding officers which caused or contributed to the crush on the terrace? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. Was there any error or omission by commanding officers which may have caused or contributed to the crush on the terrace? Answer "yes" or "no".

Question 5: When the order was given to open the exit gates at the Leppings Lane end of the stadium, was there any error or omission by the commanding officers in the control box which caused or contributed to the crush on the terrace? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. When the order was given to open the exit gates at the Leppings Lane end of the stadium, was there any error or omission by the commanding officers in the control box which may have caused or contributed to the crush on the terrace? Answer "yes" or "no".

Question 6: Are you satisfied, so that you are sure, that those who died in the disaster were unlawfully killed? Answer "yes" or "no".

Question 7: Was there any behaviour on the part of football supporters which caused or contributed to the dangerous situation at the Leppings Lane turnstiles? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. Was there any behaviour on the part of football supporters which may have caused or contributed to the dangerous situation at the Leppings Lane turnstiles? Answer "yes" or "no".

If your answer to either of the questions above is "yes", please answer the following question. Was that behaviour unusual or unforeseeable? Answer "yes" or "no".

Question 8: Were there any features of the design, construction and layout of the stadium which you consider were dangerous or defective and which caused or contributed to the disaster? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. Were there any features of the design, construction and layout of the stadium

which you consider were dangerous or defective and which may have caused or contributed to the disaster? Answer "yes" or "no".

Question 9: Was there any error or omission in the safety certification and oversight of Hillsborough stadium that caused or contributed to the disaster? Answer "yes" or "no".

If your answer to the question is "no", please answer the following question. Was there any error or omission in the safety certification and oversight of Hillsborough stadium that may have caused or contributed to the disaster? Answer "yes" or "no".

Question 10: Was there any error or omission by Sheffield Wednesday FC (and its staff) in the management of the stadium and/or preparation for the semi-final match on 15 April 1989 which caused or contributed to the dangerous situation that developed on the day of the match? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. Was there any error or omission by Sheffield Wednesday FC (and its staff) in the management of the stadium and/or preparation for the semi-final match on 15 April 1989 which may have caused or contributed to the dangerous situation that developed on the day of the match? Answer "yes" or "no".

Question 11: Was there any error or omission by Sheffield Wednesday FC (and its staff) on 15 April 1989 which caused or contributed to the dangerous situation that developed at the Leppings Lane turnstiles and in the west terrace? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. Was there any error or omission by Sheffield Wednesday FC (and its staff) on 15 April 1989 which may have caused or contributed to the dangerous situation that developed at the Leppings Lane turnstiles and in the west terrace? Answer "yes" or "no".

Question 12: Should Eastwood & Partners have done more to detect and advise on any unsafe or unsatisfactory features of Hillsborough stadium which caused or contributed to the disaster? Answer "yes" or "no".

If your answer to the question is "no", please answer the following question. Should Eastwood & Partners have done more to detect and advise on any unsafe or unsatisfactory features of Hillsborough stadium which may have caused or contributed to the disaster? Answer "yes" or "no".

Question 13: After the crush in the west terrace had begun to develop, was there any error or omission by the police which caused or contributed to the loss of lives in the disaster? Answer "yes" or "no".

If your answer to the question above is "no", please answer the following question. After the crush in the west terrace had begun to develop, was there any error or omission by the police which may have caused or contributed to the loss of lives in the disaster? Answer "yes" or "no".

Question 14: After the crush in the west terrace had begun to develop, was there any error or omission by the ambulance service (SYMAS) which caused or contributed to the loss of lives in the disaster? Answer "yes" or "no".

If your answer to the question above is “no”, please answer the following question. After the crush in the west terrace had begun to develop, was there any error or omission by the ambulance service (SYMAS) which may have caused or contributed to the loss of lives in the disaster? Answer “yes” or “no”.

The questions in individual questionnaire are:

Question 1: What was the medical cause of the person's death?

Question 2: Please state the time of death for the person. This should be stated as a bracket between (i) the last point in time when it can be established that the person was probably alive and (ii) the point in time by which it can be established that the person had probably died.

[HCWS702]

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