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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Wednesday 8 June 2016**

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# House of Commons

*Wednesday 8 June 2016*

*The House met at half-past Eleven o'clock*

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### NORTHERN IRELAND

*The Secretary of State was asked—*

#### Manufacturing

1. **Nic Dakin** (Scunthorpe) (Lab): What steps the Government is taking to support manufacturing in Northern Ireland. [905248]

**The Secretary of State for Northern Ireland (Mrs Theresa Villiers):** Our long-term plan is delivering a stronger economy across Northern Ireland and the rest of the UK. We are keeping interest rates low by dealing with the deficit, and we are boosting enterprise and investment by cutting corporation tax.

**Nic Dakin:** The manufacturing sector makes up roughly one in four jobs in Northern Ireland, so it is not surprising that 81% of businesses in Northern Ireland want us to stay in the European Union. Are those businesses right, or is the Secretary of State right?

**Mrs Villiers:** The Government's position on this is clear, and we are united in delivering our long-term economic plan to ensure that we deliver economic stability for Northern Ireland. I hope that the hon. Gentleman will welcome confirmation in the Assembly only this week that 80,000 people are working in manufacturing in Northern Ireland—more than at any point since Labour crashed the economy in 2008.

**Mr Laurence Robertson** (Tewkesbury) (Con): Just this morning the Northern Ireland Affairs Committee began an inquiry into the energy sector, in particular the electricity sector, in Northern Ireland, and high energy costs are a problem for the manufacturing sector. No doubt we will speak to the Secretary of State, or perhaps a Minister, about that issue, but does she have any initial thoughts on that problem?

**Mrs Villiers:** I gather that my hon. Friend has been having lively discussions in his Committee on these matters, including on issues relating to the super-connector. It is important that those issues are resolved, so that everything possible can be done to keep energy costs low in Northern Ireland. The UK Government have taken action to support high-energy industries, saving them around £400 million over this Parliament, including exemptions from certain EU obligations.

**Lady Hermon** (North Down) (Ind): The Secretary of State will be well aware that many companies in Northern Ireland are seriously worried about the impact on them of the new apprenticeship levy. In the light of those concerns, what steps is she taking in conjunction with the Northern Ireland Assembly to soften the blow of that new levy?

**Mrs Villiers:** I discussed those matters yesterday with the Minister responsible for apprenticeship and skills. The Government are working closely with the Executive to try to resolve concerns about the levy, and we are determined to minimise any administrative difficulties that come as a result of it. In reality, the levy will deliver a significant sum to support apprenticeships in the whole United Kingdom, including Northern Ireland.

**Bob Blackman** (Harrow East) (Con): It is clearly good news that manufacturing jobs and output are increasing in Northern Ireland. What further steps can my right hon. Friend take to ensure that the Northern Ireland economy is further rebalanced in favour of the private sector?

**Mrs Villiers:** The implementation of the Stormont House agreement, and the measures on economic reform that it contains, are vital, as it is that the Government continue with their long-term economic plan, which is delivering the stability that manufacturing needs to flourish in Northern Ireland.

**Ian Paisley** (North Antrim) (DUP): The Secretary of State recently joined the chief executive officer of Invest Northern Ireland at the successful launch of the "Exporting is GREAT" roadshow, and I thank her for attending. Northern Ireland is the only region of the United Kingdom in which exports have grown by 9% in the past 12 months. What other initiatives will the Government commit to, to ensure that exporting continues to be boosted for companies in Northern Ireland?

**Mrs Villiers:** We will continue with our "Exporting is GREAT" programme which, as the hon. Gentleman said, has a strong focus in Northern Ireland, and we will use our network of embassies around the world to promote Northern Ireland. It is positive that there is a commitment to devolving corporation tax setting powers to the Northern Ireland Executive as soon as finances are sustainable enough to make that possible, and the forthcoming reduction in corporation tax will be an even greater support for exports.

**Deidre Brock** (Edinburgh North and Leith) (SNP): The Secretary of State will know that Northern Ireland exports as much to the rest of the EU as it does to the rest of the world combined. Does she therefore appreciate just how important that makes continued membership of the EU to businesses in Northern Ireland, and will she encourage a remain vote to help those businesses?

**Mrs Villiers:** The Government remain absolutely committed to doing all we can to promote exports from Northern Ireland and inward investment into Northern Ireland. Both sides of the debate are committed to continuing to work together strongly to deliver our manifesto commitments and our long-term economic plan, whatever the outcome of the referendum on 23 June.

**Stephen Pound** (Ealing North) (Lab): Mr Speaker and fellow Europeans, I have no doubt that the Secretary of State will join me and the House in welcoming the latest official trade figures, which show an increase in manufacturing exports. The value of goods exported in the last period was up by £6.6 billion—a 9% increase—from 2015. Interestingly, they also show that the majority of exports—52%—went to the EU, while the largest value increases were to the United States of America and South Korea. Does this not prove the case for remaining? Do we not have the best of both worlds? Do we not have an ideal opportunity to trade with the world's biggest trading bloc and the major economies of the rest of the world? I am sure she will agree with that.

**Mrs Villiers:** I agree with the Prime Minister's statement that trade will continue after the referendum, whatever the result. He was clear that we would continue to trade with the EU if the British people choose on 23 June to leave the EU.

### Security Situation

2. **Tom Blenkinsop** (Middlesbrough South and East Cleveland) (Lab): What recent discussions she has had on the security situation in Northern Ireland; and if she will make a statement. [905249]

**The Secretary of State for Northern Ireland (Mrs Theresa Villiers):** The Government are determined to do everything possible to keep people in Northern Ireland safe. I meet the Chief Constable, the Justice Minister and others regularly to discuss the security situation. I would like to acknowledge the exceptional work of the Police Service of Northern Ireland, which does an outstanding job tackling the terrorism threat.

**Tom Blenkinsop:** Will the Secretary of State join me in praising our security services for helping recently to uncover a cache of paramilitary arms? If she can, will she tell the House whether the armaments found were a historical cache or more modern weaponry?

**Mrs Villiers:** The hon. Gentleman will appreciate that there are limits to what I can share with the House, but I can assure him that the police are doing everything they can to bring to justice whoever was responsible for this cache of arms and that efforts, both north and south of the border, remain intense in seeking to press down on the terrorist threat. Sadly, there continues to be a significant amount of activity from small groupings seeking to pursue their aims by terror, but, thankfully, in the vast majority of cases, their plans do not result in harm being carried out, and that is because of the excellent work of the police.

11. [905259] **Sir Henry Bellingham** (North West Norfolk) (Con): It is obviously excellent and heartening news that the number of shooting incidents has fallen to its lowest level since 1969, but there obviously remains a credible threat from dissidents. Does the Secretary of State agree that even more needs to be done to choke off funding from organised crime and smuggling on both sides of the border?

**Mrs Villiers:** A huge amount of work is being done on these matters, but my hon. Friend is right that more can always be done. I warmly welcome the publication of the report on paramilitary activity by the panel this

week. We have managed to get national security attacks down to 16 in 2015 from 40 at their peak in 2010, but it is crucial that Northern Ireland as a whole moves forward, away from paramilitarism. Many of the recommendations in the panel's report will help us to achieve the goal of ending paramilitary activity.

**Mr Nigel Dodds** (Belfast North) (DUP): I am sure the Secretary of State and the whole House will join me in wishing Northern Ireland and the green and white army all the very best in the Euros, which start this Friday. Indeed, I extend that to all the teams involved from the British Isles.

On a more serious note, on security, the threat level assessment of Irish-related terrorism was recently raised from "moderate" to "substantial" for Great Britain. Has the Secretary of State given further consideration to the calls to increase PSNI numbers by 1,000, as recommended by the Police Federation, and certainly to bring them up to the level recommended by Patten?

**Mrs Villiers:** I share the right hon. Gentleman's sentiments on the Northern Ireland football team and the other teams from the British Isles. I wish them well in the competition.

On the security situation, the Government of course support the efforts by the police, not just through the block grant but through the additional security funding, and further funding will be made available to tackle paramilitarism under the "Fresh Start" agreement. It is crucial that every effort be made in this area. The UK Government will continue to do all they can to support efforts to keep people in Northern Ireland safe and secure.

**Mr Dodds:** The Secretary of State will be aware that the panel set up under the "Fresh Start" agreement reported today on ways to tackle paramilitarism. Some of the recommendations fall within the remit of the Northern Ireland Office. Will she give an initial response to the report, and will she join me, the Northern Ireland Executive and all the parties in Northern Ireland committed to ensuring that the choice for people in Northern Ireland is now clear—either a democratic, peaceful way forward, or facing the courts and prosecution by the police?

**Mrs Villiers:** I can certainly agree with the right hon. Gentleman on those sentiments. It is a continuing tragedy that so many people in Northern Ireland are injured or murdered as a result of these brutal paramilitary-style assaults. My initial reaction to the panel's report is to welcome it. I think it makes many good points, and I very much look forward to working with the Northern Ireland Executive as they develop their strategy in response to this important report.

**Tom Elliott** (Fermanagh and South Tyrone) (UUP): Following on from that, yesterday's panel report publication suggests that the PSNI has chosen to engage with some known terrorists rather than arrest them. How concerned is the Secretary of State about that assertion?

**Mrs Villiers:** The panel makes reference to certain contacts that have taken place on an informal basis with some of these groupings. The panel's report sets out a

road map to seeing an end to those kinds of interactions. It is something that we shall work towards in the future because we do not want these organisations to exist any more.

### EU Referendum

3. **Geraint Davies** (Swansea West) (Lab/Co-op): What discussions she has had with the parties in the Northern Ireland Assembly on the referendum on the UK's membership of the EU; and if she will make a statement.

[905250]

5. **Peter Kyle** (Hove) (Lab): What discussions she has had with the parties in the Northern Ireland Assembly on the referendum on the UK's membership of the EU; and if she will make a statement.

[905252]

**The Parliamentary Under-Secretary of State for Northern Ireland (Mr Ben Wallace):** Ministers have regular meetings with representatives of the Northern Ireland parties to discuss a range of issues. The Government's position is clear: we are safer, stronger and better off in a reformed European Union.

**Geraint Davies:** Only two countries in the EU run a trade surplus with Britain: Holland and Germany, and the rest have a deficit. If there is Brexit, the rest will vote for tariffs, which would lead to inward investment moving from Northern Ireland into southern Ireland, and it will be the same for extra opportunities and jobs. How can the Minister and indeed the Secretary of State justify supporting Brexit when it will lead to a movement of jobs to the south, along with advancing the cause of unification and the rising of sectarian tensions?

**Mr Wallace:** If I may correct the hon. Gentleman, I fully support remaining in the European Union, and so do the United Kingdom Government. We are acutely aware of the points he raised, as 87% of the agricultural exports of Northern Ireland go south to the Republic, and we do not want to see any trade barriers put in the way. That is why we want to remain in the European Union.

**Peter Kyle:** There has been a period in which both Ireland and Britain have been outside the European Union and a period in which they have both been inside it, but if we vote to leave, it will be an historically unprecedented period in which one is out and the other is in. What assessment is the Department making of the impact of that on the border between our great nations?

**Mr Wallace:** The Government are clear that, should the United Kingdom leave the European Union, the border between the EU and UK will be the land border in Northern Ireland. That will place us outside the customs union, which will mean delay, checks and other reforms that will hamper our ability to export to and import from the Republic of Ireland.

**Mr David Nuttall** (Bury North) (Con): Does the Minister not agree that the reality is that trade between Northern Ireland and the Republic of Ireland will continue very much as it has for centuries—regardless of whether we are in or out of the European Union?

**Mr Wallace:** What my hon. Friend misses is that export into the Republic of Ireland is also a gateway into the rest of the European Union and provides access to 500 million customers for United Kingdom goods. If we leave the European Union, that will, of course, be hampered; there will be a customs union on our borders, which will mean delays and barriers to our trade.

**Dr Alasdair McDonnell** (Belfast South) (SDLP): The Secretary of State will have noticed the recent significant slowdown in foreign direct investment into Northern Ireland because of the uncertainty about the outcome of the referendum. Has the Secretary of State made any assessment of the impact of a UK exit on the future of job creation and specifically of a British exit decision that might arrest foreign direct investment and render the reduction in corporation tax as of little benefit?

**Mr Wallace:** It is certainly the view of the United Kingdom that if we leave the European Union, that foreign direct investment would be put under threat. It might go elsewhere in the EU rather than in the UK. We do not want to see that happen; we want to continue to remain in the EU. Luckily, I think for all of us, there is not long to go before we can cast our votes.

**Danny Kinahan** (South Antrim) (UUP): The EU debate has focused over the last few days on migration. Does the Minister agree that migrants have brought in great skills to Northern Ireland, and will he clarify how he sees migration working after Brexit, if we leave?

**Mr Wallace:** What is often missed by people who want us to leave the European Union is the fact that, owing to our United Nations obligations under the 1951 treaty, the 1967 appendix and the 1984 and 1989 convention rights, if we did leave we would have to continue to take people who come to our shores seeking asylum and refuge. We would still not be able to decide 100%. Only North Korea can do that, and I do not fancy following North Korea.

**Vernon Coaker** (Gedling) (Lab): During his discussions with the Northern Ireland parties, has the Minister said whether he thinks that it would help the police if we left the European Union, given that, before the introduction of the European arrest warrant, extradition took, on average, a year rather than the 48 days that it takes now, and given that 162 criminals have been removed from Northern Ireland since 2009 through the use of the arrest warrant?

**Mr Wallace:** The hon. Gentleman is absolutely correct. The ability to remove people whom we do not want so that they face trial elsewhere in Europe is a very powerful tool for our forces of law and order in Northern Ireland. We have deported 190 people to face trial, including terrorists from Spain, and we have managed to bring back 34 people to face justice in the United Kingdom. That is a tool that we need: it keeps people safe in Northern Ireland and in the United Kingdom as a whole, and to turn our backs on it would be foolish.

**Vernon Coaker:** I agree with what the Minister has said, even if his own Secretary of State does not.

Both the Chancellor and the Northern Ireland Office have spelt out the consequences for the border of leaving the EU. Moreover, I have a copy of a letter to the Newry Chamber of Commerce & Trade in which the Home Office also spells out the potential consequences for the common travel area, given that an estimated 30,000 people cross the border every day. The letter states:

“If the UK left the EU these arrangements would be put at risk.”

Does the Minister agree, and has he told the Northern Ireland parties that?

**Mr Wallace:** The common travel area existed before the European Union, but the hon. Gentleman is absolutely right. It is totally unclear what arrangements would exist after a Brexit. That is why the best solution is to remain in the European Union, so that we can take advantage of both the single market and the free travel of people, skills and trade that we enjoyed before membership.

### Terrorism Threat

4. **Maria Caulfield** (Lewes) (Con): What steps the Government is taking to tackle the increased terrorism threat in Great Britain from Northern Ireland. [905251]

**The Secretary of State for Northern Ireland (Mrs Theresa Villiers):** Our first duty is to keep people safe, and we give our full support to the police and the intelligence services. The threat level in Great Britain recently changed to “substantial”, meaning that an attack by dissidents is a strong possibility. People should be vigilant and alert, but not alarmed.

**Maria Caulfield:** Police and prison officers who tirelessly serve the community day in and day out are often the targets of republican dissident activity. What measures are being taken to mitigate the risk that they face?

**Mrs Villiers:** An extensive range of measures are being taken. The protection of police and prison officers is at the heart of our efforts to counter the terrorist threat in Northern Ireland, because the threat that they face is one of the most serious faced by any profession. The additional security funding provided by the Government under the “Fresh Start” agreement is contributing to necessary protections for the police and prison officers who do such an important job for our whole community, and we will continue to do all that we can to protect them.

**David Simpson** (Upper Bann) (DUP): Does the Secretary of State agree that, while we face a threat from dissident republicans in Northern Ireland, the greatest such threat comes from the Republic of Ireland, as has been demonstrated by the recent arms and explosives finds and arrests, and does she agree that those dissident republicans have the capacity to launch campaigns on the UK mainland?

**Mrs Villiers:** It is certainly true that dissident republican terrorist groupings have the aspiration to attack in Great Britain. Their main focus remains Northern Ireland, but they do have that capability and lethal intent. Every effort is being made to counter their activities, including

their activities south of the border, through the co-operation that now exists between the police services and other security organisations in the north and the south.

### Organised Crime and Terrorism

6. **Tom Pursglove** (Corby) (Con): What discussions she has had with the Irish Government on cross-border efforts to stop organised crime and terrorism. [905253]

**The Secretary of State for Northern Ireland (Mrs Theresa Villiers):** In December, as part of the implementation of the “Fresh Start” agreement, I attended a meeting with the Irish Government and Northern Ireland Executive at which we agreed on new measures to enhance co-operation on cross-border organised crime.

**Tom Pursglove:** I strongly welcome the arrangements that have been agreed as part of the “Fresh Start” agreement, but does the Secretary of State agree that there must be both strategic and operational co-operation to dismantle gangs and their activities?

**Mrs Villiers:** I would agree, and that is exactly what is happening. The new joint agency taskforce established as a result of the “Fresh Start” agreement enables exactly that kind of operational co-operation on cross-border crimes such as fuel laundering, human trafficking and drug smuggling, and I welcome the progress that has been made on that.

**Mr Jeffrey M. Donaldson** (Lagan Valley) (DUP): Does the Secretary of State agree that is really important that cross-border crime should be tackled as part of the follow-up to the panel’s report on paramilitary activity? It will continue whether we are in the European Union or outside it, and it must be tackled head on.

**Mrs Villiers:** There is absolute determination on the part of the Governments of the UK and Ireland and the law enforcement agencies of both countries that we should continue to do everything we can to co-operate in countering the terrorist threat and the criminality associated with terrorist and paramilitary groups.

**Mark Durkan** (Foyle) (SDLP): The Secretary of State must recognise how much organised crime—including cross-border crime—is derived from paramilitarism, and how much it uses networks and assets that have been accrued under paramilitary campaigns. Does she therefore agree that any serious effort to eradicate paramilitarism on a whole-community and whole-enforcement basis cannot ignore such criminal enterprises with menaces, which are the vestiges of paramilitarism?

**Mrs Villiers:** I agree, and it will be well worth considering the views in the panel’s report on the laws that apply to organised crime in Scotland and the ways of cracking down on this kind of criminality there. It will be worth considering whether we could learn lessons from Scotland and impose statutory changes of that nature in Northern Ireland.

### Implications of the UK Leaving the EU

7. **Gavin Robinson** (Belfast East) (DUP): What assessment she has made of the potential implications for border controls and security in Northern Ireland of the UK leaving the EU. [905254]

**The Parliamentary Under-Secretary of State for Northern Ireland (Mr Ben Wallace):** Having the UK and Ireland in the EU guarantees the free movement of people and goods across the border, boosting cross-border co-operation and trade. The UK and Ireland will always co-operate closely on security matters, but membership of the EU enhances our ability to co-operate with member states to combat crime and terrorism and keep our country safe.

**Gavin Robinson:** The most passionate Europhile I know is the Irish ambassador to the UK, Dan Mulhall. He says that, in the event of Brexit, the principles of the Good Friday agreement and the common travel area would be maintained. Rather than inflating fears about the border, is it not incumbent on our Minister to de-escalate and deflate those straw men?

**Mr Wallace:** I know that the hon. Gentleman is a keen campaigner for Brexit and he no doubt also wants to control his borders. He cannot have it both ways. He cannot want to control his borders and make checks while letting everything just carry on as normal. With all due respect to the Republic of Ireland, it would be up to the European Union to decide what it did on the border of its customs union and not necessarily up to individual states. That is why Brexit would put our safety at risk and put barriers to trade across that border.

**Kevin Foster (Torbay) (Con):** As has been mentioned, we have had a common travel area between southern Ireland and Northern Ireland and the United Kingdom as a whole for 100 years. What reassurances can the Minister give me that, regardless of the outcome of the referendum—he will know that I back remain—cross-border co-operation and security will remain a priority in Westminster and in Stormont?

**Mr Wallace:** We will of course seek continued security co-operation. No one is alleging that that would stop, but we would perhaps lose the European arrest warrant, Europol and all the organisations that allow us to build trust and to carry out successful intelligence work in order to counter terrorism.

**Conor McGinn (St Helens North) (Lab):** Does the Minister agree that it is inconceivable that there would be no changes to the current cross-border arrangements if the UK were to leave the EU? Will he urge the Secretary of State finally to admit that she is wrong to say that there would be no such changes, primarily because this is a matter not just for her but for the Irish Government, and Ireland would still be in the European Union?

**Mr Wallace:** The hon. Gentleman is correct. There are two options for what happens at the border: either there would be more controls at the UK's border with the Republic of Ireland and the European Union, or there could be an internal border within the United Kingdom similar to the one we had after the war, but I do not think that the Unionists in Northern Ireland would want that at all.

**Jim Shannon (Strangford) (DUP):** Will the Minister of State assure me that the amicable relationship between the United Kingdom and the Republic of Ireland will

continue, no matter what the outcome of the referendum, and that any adjustments that need to be made when we vote to leave the EU will be decided through mutual agreement between the two nations? That is the way in which all business should be done.

**Mr Wallace:** Were the United Kingdom to choose to leave the European Union, the negotiations about what would happen between the sovereign state of the United Kingdom and the European Union would be done between the European Union and that country. The Republic of Ireland would therefore have a say in that, but it would not have an overall say on the terms of our exit. That is why the best solution is to remain in the European Union and to take advantage of its security, because we are better, safer and stronger in it.

**Martin Docherty-Hughes (West Dunbartonshire) (SNP):** Given that Brexit will threaten policing and security in the communities of the United Kingdom of Great Britain and Northern Ireland and in the communities of Ireland, will the Minister advise the Secretary of State to get out and campaign for the European arrest warrant to remain in place and for a remain vote on 23 June?

**Mr Wallace:** It is delightful to hear the Scottish National party talk about Great Britain from time to time. We will of course be delighted to ensure that we maintain the European arrest warrant and our membership of Europol by staying in the European Union, so I suggest that we all get out and campaign.

## PRIME MINISTER

*The Prime Minister was asked—*

### Engagements

Q1. [905133] **Mims Davies (Eastleigh) (Con):** If he will list his official engagements for Wednesday 8 June.

**The Prime Minister (Mr David Cameron):** This morning I had meetings with ministerial colleagues and others, and in addition to my duties in this House, I will have further such meetings later today.

**Mims Davies:** Emily Davison died on 8 June 1913. Yesterday, we commemorated women's suffrage and the importance of votes for women—and women voting for women, of course. Thousands wanted to register to vote yesterday but were unable to due to massive demand. Will the PM update the House on what he is doing to ensure that everyone has the chance to register to vote and can do so in this vital vote for a generation?

**The Prime Minister:** First of all, let me join my hon. Friend in remembering what the suffragettes stood for, what they achieved and the fact that we achieved universal suffrage in this country. She raises voter registration and I am sure that the whole House will want to know what the situation is. Look, it is extremely welcome that so many people want to take part in this massive democratic exercise and in this vital decision for our country. Last night, there was record demand on the

gov.uk website from people concerned that they might not be registered to vote in the referendum, which overloaded the system. I am clear that people should continue to register today. The Electoral Commission made a statement this morning, urging the Government to consider options that would effectively extend the deadline, which should include legislative options, and we are doing that and discussing it with the commission today. We are working urgently with it to do just that and to ensure that those who register today and those who registered last night will be able to vote in the EU referendum.

**Jeremy Corbyn** (Islington North) (Lab): I think it would be appropriate if the House recognised and remembered the life of Muhammad Ali. He was not only the greatest in his chosen field, but someone whose courage and wit inspired so many. Indeed, I had the honour of meeting him in London in the 1980s and met his wife Lonnie with Doreen Lawrence only a couple of weeks ago. I think we should commend his bravery in facing Parkinson's disease and his courageous campaigning on civil rights, anti-racism and peace. Truly, all of us have lost one of the greatest.

Yesterday, I met some workers from Sports Direct who were coming to Parliament to give evidence to the Select Committee on Business, Innovation and Skills about the company's shocking behaviour, including non-payment of the minimum wage and a culture of intimidation and fear on top of the insecurity and exploitation of zero-hours contracts. Philip wrote to me this week with his concerns and said that the scandalous scourge of zero-hours contracts is blighting the lives of many already low-paid people. Will the Prime Minister do what some other European countries have done and ban exploitative zero-hours contracts here?

**The Prime Minister:** Let me join the Leader of the Opposition in paying tribute to the life of Muhammad Ali. He was a hero in the ring and an enormous role model outside the ring. What he did in terms of breaking down barriers and encouraging integration is something we should all celebrate. When standing at this Dispatch Box, I am sure that we all try to float like a butterfly and sting like a bee, although that is not always possible in the circumstances that we face.

On Sports Direct, I absolutely abhor the appalling practice of not paying the minimum wage, and this Government have done more than any previous Government to crack down on non-payment. We have levied almost 5,000 penalties since 2010. We continue to name and shame eligible employers when the investigation has been closed, something which did not happen before. Penalties for not paying the minimum wage are at a record high, and the total value of penalties last year was over 15 times bigger than in 2010. On top of our national living wage, we are going after unscrupulous employers and making sure that people get the deal that they deserve.

On the issue of zero-hours contracts, we legislated in the last Parliament to stop exclusive zero-hours contracts, but we followed the conclusions of our consultation, which said that we should not go further than that and that some people want to have the choice of those contracts.

**Jeremy Corbyn:** The case of Sports Direct shows that Mike Ashley certainly is not Father Christmas. Indeed, he makes Scrooge look like a good employer. I think we should commend Unite the union and its members for exposing what went on. It shows that we must strengthen, not weaken, workers' rights, particularly when criminal activity is involved.

However, the Government's Employment Minister, the right hon. Member for Witham (Priti Patel), said that if we leave Europe,

"we could just halve the burdens of the EU social and employment legislation".

Perhaps the Prime Minister can help us. Does she speak on behalf of the Government when she promises to reduce the "burdens", as she describes them, of employment legislation, or on behalf of whom does she speak?

**The Prime Minister:** The Government are in favour of staying in a reformed European Union because we are stronger, safer and better off. One reason that many people will want to stay in the European Union is that they believe it provides an underpinning of rights for workers and employment rights. I would make the point, in addition, that we in this House have repeatedly chosen to go over and above those rights: we have had the right to request flexible working for all workers since 2014; we went well beyond the EU directive on maternity leave by giving 52 weeks' maternity leave; we have provided shared parental leave; and we give eight days more annual leave to full-time workers than the EU working time directive. I believe that this modern, compassionate Conservative Government have an excellent record on these things, underpinned by our membership of the European Union.

**Jeremy Corbyn:** If this is a modern, compassionate Conservative Government, as the Prime Minister describes them, why do they have an Employment Minister who wants to reduce the "burdens", as she describes them, of employment legislation and make work less secure? I will quote one other person who has given some opinions on these matters:

"I can't guarantee every person currently in work in their current job will keep their job."

That was the right hon. Member for Surrey Heath (Michael Gove), who is the Justice Secretary. He seems equally relaxed about employment rights. The Prime Minister has an Employment Minister and a Justice Secretary who want to reduce workers' protections, which they describe as a "burden". Can't he do something about that?

**The Prime Minister:** As the right hon. Gentleman knows, we are holding a referendum. That is what is happening. The Government have a very clear position, which is that we are stronger, safer and better off inside the European Union. That is the advice that we are giving to voters in our country, but of course there are Ministers in the Government who, in a personal capacity, are campaigning on another side of the argument. I do not agree with them—I do not agree with what my right hon. Friend the Member for Surrey Heath (Michael Gove) said and I do not agree with what my right hon. Friend the Member for Witham (Priti Patel) said. I could not be clearer about that. The Government have a clear position.

On this issue, not only do the right hon. Gentleman and I agree—not only do the Conservative Government and the Labour party agree—but we have the support of the Liberal Democrats, the support of the Ulster Unionist party and the support of the Green party. This is one occasion when business, large and small, and the trade unions are on the same side. I think that we should celebrate that, and get out and campaign as hard as we can.

**Jeremy Corbyn:** What I do celebrate is the work done by trade unions all across Europe that persuaded the European Union to bring in four weeks' paid holiday, laws against sex discrimination, rights for part-time workers and rights for agency workers.

Two weeks ago, I raised with the Prime Minister the proposed amendment to the posting of workers directive, which would close a loophole that allows unscrupulous employers to exploit migrant workers and undercut wages here. Will he now reply to my question and confirm that he will argue in Europe for that amendment to close the loophole that allows this exploitation to go on?

**The Prime Minister:** As I have said, we support the current draft. We want to see this sorted out. We have been working with the Dutch Prime Minister who is leading this work, and we think that an amendment would be worth while. The current draft is good and we back it.

**Jeremy Corbyn:** I am very pleased that the Prime Minister backs the amendment, but I hope that he backs it to ensure that it goes through. Another issue that I raised with him a couple of weeks ago is the anger over tax avoidance that exists all over this country and indeed all over the western world. I agree that we are more likely to make progress on tax avoidance inside the European Union than outside it, but his Members of the European Parliament have not been supporting country-by-country tax transparency, which would force companies to publish their tax payments in each country in which they operate. Will he now tell us when that will be supported by his MEPs and when it will go through so that we can close down just one of the many tax loopholes that currently exist?

**The Prime Minister:** I would argue that no Government have done more nationally to crack down on tax evasion and aggressive tax avoidance. I would also argue that no Government have done more internationally to bring this up the international agenda: I made it the centrepiece at the G8; we have driven change in the OECD; and we are now driving change in the European Union. Let me confirm that my MEPs do support country-by-country reporting, and they have said that over and again, and I am happy to repeat it again today.

**Jeremy Corbyn:** I am really pleased that the Prime Minister's MEPs support this transparency; we are all delighted about that. I just hope that they get round to voting for it when the opportunity comes up, because that would certainly help. He will be aware that Labour's position is that we want to stay in the European Union to improve workers' rights, tackle exploitation, and drive down tax evasion and tax avoidance, but we are concerned that those issues are not the priorities of

members of his Government and his party, such as the hon. Member for Uxbridge and South Ruislip (Boris Johnson), and the right hon. Members for Surrey Heath and for Witham. They are talking about trying to destroy any of the social advances made within the European Union. Does he talk to them about that at any time? Do they speak for themselves or for him and his Government? If they speak for themselves, how are they Ministers at the same time?

**The Prime Minister:** Here I am trying to be so consensual. I am doing my best. I could mention that the right hon. Member for Birmingham, Edgbaston (Ms Stuart) was out yesterday spinning for Nigel Farage, but I do not want to play that game. I want to stress the unity of purpose that exists, particularly over the issue of tax evasion, because there is a serious point here. What we have in prospect in the European Union, in part because of British action, is the idea of saying that if large foreign multinationals want to invest in the European Union, they will have to report their country-by-country tax arrangements not just in Europe, but all over the world. That could drive a huge change in some of these very large companies in which there are great concerns. I hope that the right hon. Gentleman and I can unite and say that this would be a good thing, as it shows that when Britain pushes an agenda in Europe it wins, and it wins for our citizens.

Q2. [905134] **Richard Drax** (South Dorset) (Con): The Prime Minister has repeatedly stated that he secured changes to reform the EU. Will he now confirm that, on 23 June, the voters are not guaranteed any treaty change in EU law as no treaty change was achieved despite a promise to deliver one, and that an international agreement cannot change EU law? Finally, will he stop denigrating our great country, because it is a sign, if any were needed, that he is losing the argument?

**The Prime Minister:** I know that my hon. Friend has very strong views on this issue, and I have very strong views on it, too. On the specific point that he raises, I am afraid that he is not correct. In the renegotiation, we secured two vital treaty changes: one on getting Britain out of ever-closer union; and the other on the protection for our currency. I do not accept for one minute that supporting Britain being a member of a reformed European Union is in any way doing our country down. If you love your country, you want it to be strong in the world. If you love your country, you want opportunities for your young people. If you love your country, you do not want to act in a way that could lead to its break-up. That is why what I want to see is not Nigel Farage's little England, but a strong Britain in Europe.

**Angus Robertson** (Moray) (SNP): Last week, thousands of dead from both sides in the battle of Jutland were remembered in commemorations in which the Prime Minister joined the First Minister, the Princess Royal and the President of Germany, along with thousands of other people, on Orkney to remember the tragedy of so many people losing their life. European co-operation emerged from both world wars as the best way to secure peace, so does the Prime Minister agree that we should never take peace and security for granted, and that that is a strong reason to remain in the European Union?

**The Prime Minister:** The right hon. Gentleman is absolutely right. There were very moving scenes as we stood on that cemetery ground, with the British and German frigates in the background together in Scapa Flow—a sight that I will not forget—as we commemorated and remembered how many people lost their lives. I want to be clear about this: the words “world war three” have never passed my lips, let me reassure everyone of that—*[Interruption.]* Of course, they have now; well spotted. But can we really take for granted the security and stability we enjoy today, when we know that our continent has been racked by so many conflicts in the past? Like all Conservatives, I would always give the greatest credit to NATO for keeping the peace, but I think that it has always been a Conservative view that the European Union has played its role as well.

**Angus Robertson:** This is not about world war three, but about the realities—the facts. There have been wars on the European continent, but outside the European Union; they have happened in the Balkans, in Ukraine and in the Caucasus. It is a fact that there has never been a single example of armed conflict between member states of the European Union. Will the Prime Minister, in the little time that is left ahead of the European referendum, take the time to stress the positive advantages of co-operation, peace and stability for us all, and not just of the single market or the rights we have as citizens? Peace and prosperity are an advantage to us all, and that is why we should remain in the European Union.

**The Prime Minister:** I very much take on what the right hon. Gentleman says. I think that the strongest argument for the Government’s position of wanting us to stay is that we would be better off, and that that market of 500 million people is essential for our businesses. The argument that I was just making—that we will be stronger in the world, in terms of getting things done for Britain and for our citizens—is important, but the argument that we are safer and more secure because the European Union is a means for dialogue between countries that were previously adversaries is one that I never forget. However frustrating it can get around that table with 27 other Prime Ministers and Presidents, I never forget that these are countries that were previously in conflict. Now, we talk, we discuss, we argue and we decide, and that is a far better way of doing things.

Q5. [905137] **Mark Spencer** (Sherwood) (Con): If my constituents in the coalfields of Nottinghamshire are to share in the economic success driven by this Government, they need access to employment via good-quality public services. Can the Prime Minister give me any assistance in my campaign to open up the Robin Hood line by extending it to the villages of Ollerton and Edwinstowe, so that we can get people on a train and to a job?

**The Prime Minister:** My hon. Friend makes a very important point. Quality infrastructure is essential for our economy, and I am pleased to say that following representations from my hon. Friend and others, the Department for Transport has revised the conditions for its new stations fund, so that projects such as the Robin Hood line that are in an earlier stage of development can benefit from Government money to kick-start them and get them going.

Q3. [905135] **Ann Clwyd** (Cynon Valley) (Lab): In 2003, the current Prime Minister and most of today’s Cabinet joined Tony Blair and his Cabinet in voting for the war in Iraq. This is historically factual and cannot be denied. Will not the judgment of Chilcot be discredited if the report fails to recognise that the then Prime Minister honestly and genuinely believed that his actions, given the information available, were the right thing to do at the time?

**The Prime Minister:** What I say to the right hon. Lady—I remember the powerful speeches she made at the time and all the concerns she had for people in Iraq, particularly the Kurds—is that we should wait for the Chilcot report and for what it has to say. I have absolutely no idea what is in it, but I do know that its publication is coming quite soon.

Q10. [905142] **Karl McCartney** (Lincoln) (Con): The European Union recently admitted that it now has a black hole in its finances of €24.7 billion—about £19 billion. Eighteen months ago my right hon. Friend declared that he would not pay the EU a £1.7 billion surcharge—effectively a fine on British taxpayers for growing our economy—yet he was later forced to pay up. What reassurance can he give the House that hard-working British taxpayers will not be forced to pour money into that EU black hole if our nation votes to remain in the European Union? Does he, like me, accept that our only option to halt such payments is for our constituents to vote to leave the EU on 23 June?

**The Prime Minister:** The reassurance that I can give my hon. Friend is that we fixed the European budget for a seven-year period between 2014 and 2020, and we fixed a total for that budget that was lower than for the previous seven-year period, which means that European budgets are going to go down, not up. That cannot be changed. This is a very important point. That overall ceiling of spending is determined by all 28 Prime Ministers and Presidents. There is a veto over changing it, just as there is a veto over the British rebate. The only person who can give up the British rebate is the British Prime Minister, and as long as I am Prime Minister there is absolutely no prospect of that happening. As my hon. Friend ended his question with a remark, I will end my answer with a remark: there is no expert saying that we would make a saving from leaving the EU. The only black hole would be in our public finances, because we would have a smaller economy and lower tax receipts, so we would either have to cut spending or put up taxes to make up for that fact.

Q4. [905136] **Alan Brown** (Kilmarnock and Loudoun) (SNP): It is time that buses, like trains, were required to provide audiovisual information. This would benefit not just those who are blind or deaf, but many general users. I have written to the Under-Secretary of State for Transport, the hon. Member for Harrogate and Knaresborough (Andrew Jones), on this subject. Will the Prime Minister commit his Government to signing up to an amendment to the Bus Services Bill that would allow such a measure to be implemented in order to provide accessibility for all?

**The Prime Minister:** I will look closely at what the hon. Gentleman says. I think I am right in saying that the Bus Services Bill is a devolved matter, so it affects

issues in England rather than in Scotland, but let me look carefully at what he says, because we want to make sure that disabled people can properly use our bus services.

**Q11.** [905143] **Craig Mackinlay** (South Thanet) (Con): My right hon. Friend will be aware that it is five years since the announcement by Pfizer in Sandwich that it would scale down operations. Since then, with enterprise zone status, there has been a true renaissance of high-tech businesses on the site, and employment levels are now nearly up to where they were previously. My right hon. Friend has previously promised a trip to South Thanet. May I invite him once more to see on site the success of Discovery Park in my constituency?

**The Prime Minister:** I am delighted to answer that offer and say yes, I would like to go. I remember very well that it was early in the 2010 Parliament when Pfizer made that decision. There were real concerns that it would lead to an exit of jobs and investment from my hon. Friend's constituency. I want to pay tribute to David Willetts who, as Minister of State for Universities and Science at the time, did a great job working with others, including with the local MP, to get businesses to locate in the constituency, and to show that there is a very strong pharmaceutical and life sciences industry in our country, providing the jobs that we need.

**Q6.** [905138] **Helen Goodman** (Bishop Auckland) (Lab): With industrialists such as GlaxoSmithKline and Hitachi warning that if we left the EU, jobs would be lost, the Brexit economist Patrick Minford has revealed that under his side's strategy, manufacturing would be mostly eliminated. Will the Prime Minister join me in calling on the Brexit leaders to say how many other people's jobs they would sacrifice on the altar of their own political ambitions?

**The Prime Minister:** The hon. Lady makes an important point, which is that one of the reasons why international companies such as Hitachi invest in Britain—of course, we also have excellent labour relations, the English language, and a very hard-working workforce and great engineers—is that we are members of the single market. I thought that what the head of Hitachi said this week about wanting us to be the European headquarters, and to manufacture those trains in the north-east and sell them all over Europe, and how that might not be possible if we were to leave, was an incredibly powerful statement. In my clear view, jobs come first, and if people want to vote for jobs, they should vote for remain on 23 June.

**Q14.** [905146] **Neil Carmichael** (Stroud) (Con): Speaking at many universities, colleges and schools across England, and at events organised by Universities UK, University Alliance and the Russell Group, I have been struck by young people's strong interest in remaining in the European Union. Does the Prime Minister agree that Britain should take a firm lead in the European Union to promote the interests of young people's careers and research, and their opportunities in the future more generally?

**The Prime Minister:** I think our universities have been pretty much unanimous in recommending that we vote to remain in the EU. I think that is partly because of the opportunities young people will have from being

part of a single market of 500 million people, but also because our universities do very well out of research funding that helps to create the businesses and jobs of the future. We contribute about 11% of the EU research budget, but receive about 16% of the allocated funding. Staying in Europe is good for students' opportunities, good for young people's opportunities and good for our science base.

**Q7.** [905139] **Steven Paterson** (Stirling) (SNP): Yesterday in the Defence Committee, the former First Sea Lord, Admiral Lord West, commented that the Ministry of Defence had effectively run out of money for shipbuilding. Given reports that another Russian submarine has had to be escorted out of UK waters overnight, does the Prime Minister share my concerns that the delays to beginning work on new frigates at the Clyde shipyards are causing real problems? Does he agree that it is essential that the money is allocated to deliver this programme in full and on schedule?

**The Prime Minister:** It is certainly not the case that this country has in any way run out of money, or run out of ambition, when it comes to shipbuilding. We are currently building the two largest ships the Royal Navy has ever had. We will shortly be commissioning the Type 26 programme, as well as the offshore patrol vessels. The point I would make to the hon. Gentleman is that there is only one way we could threaten shipbuilding on the Clyde, and that is by pulling out of the United Kingdom and seeing jobs decimated as a result.

**Dr Liam Fox** (North Somerset) (Con): The beauty of a referendum is that every voter has an equal voice, every vote carries equal weight, and Members of Parliament have no moral or political superiority over anybody else. Does my right hon. Friend accept that the referendum is not a consultation but an instruction to Parliament from the British people? Is it not therefore incumbent on all of us to accept in advance that remain would mean remain and leave would mean leave, and that any attempt to short-change or distort the verdict of the British people would be a democratic outrage?

**The Prime Minister:** My right hon. Friend is absolutely right: every vote counts the same. We have asked the British people for their opinion, and we should treat their decision as an instruction to deliver. I know many people would like me to be a bit more nuanced in what I think, and to say there are two options that both have some merits and that it is a balanced decision. That might have made my life easier, but the problem is that I do not believe it. I very strongly believe that we are better off if we stay in. That is why the Government and I are saying so clearly to the British people: better off, stronger, safer. But in the end, it is the British people's decision.

**Q8.** [905140] **Matthew Pennycook** (Greenwich and Woolwich) (Lab): Only last week, the Prime Minister was rightly extolling the virtues of the EU as a means of tackling pollution, yet over recent months the UK Government have led efforts to water down a key EU directive aimed at reducing the number of people who die every year from breathing toxic air. Can he tell us why?

**The Prime Minister:** What we are doing in our own country is making sure that we improve our air quality, and that we go for these clean air zones. We have seen a major reduction in particulates in the air over the past few years, and we are going to continue doing just that.

**Mr Peter Bone** (Wellingborough) (Con): What the Prime Minister said today on Europe is right: we have to go and campaign. I remember, Mr Speaker, what you said yesterday about notifying Members if one is going to visit their constituency, so may I say to the Prime Minister that a group of global-looking leave campaigners will be descending on Witney at lunch time this Sunday? I will be there. Will the Prime Minister be able to join us? Given what he has just said, will he confirm that if the country votes to leave, he will be able to stay on as Prime Minister and negotiate the exit?

**The Prime Minister:** First, I am very sorry that I will not be able to meet my hon. Friend—I am making an appearance on the “Andrew Marr” programme on Sunday—but I would recommend that he goes to The Fleece pub in Witney and spends as much time and as much money as he can there, rather than on anything else.

Q9. [905141] **Dr Rupa Huq** (Ealing Central and Acton) (Lab): Will we have a decision on the Davies report on airport expansion by the time the House rises this summer, and does the Prime Minister stand by his words: “No ifs, no buts, no third runway at Heathrow”?

**The Prime Minister:** I absolutely stand by what I said: that we will have a decision about this in the summer, and we do need to decide.

**Fiona Bruce** (Congleton) (Con): Next week, the annual national parliamentary prayer breakfast will take place in Westminster Hall, at which 600 community and faith leaders and over 100 MPs will gather. Yet also this week, we hear of a Christian union being banned from holding prayer and Bible study meetings, purportedly on the grounds of the Government’s anti-terrorism Prevent strategy. Does the Prime Minister agree that such action was never the purpose of a strategy intended to address terrorism and extremism?

**The Prime Minister:** Of course what my hon. Friend says is right. I am very sorry I will not be able to attend the prayer breakfast, because I know it is a very good event, and it brings a lot of people together and means a lot to Christians around our country. On the point she makes about the Prevent duty being misused, I have not heard of that exact example, but it is clearly ludicrous. People do need to exercise some common sense in making these judgments, because it is quite clear that that is not what was intended.

Q12. [905144] **Alex Cunningham** (Stockton North) (Lab): Every day, around 6,000 people—many of them children—take on new caring responsibilities, providing unpaid care for an older or disabled family member or friend, yet many carers tell me they feel abandoned by everyone, including the Government. In this Carers Week, will the Prime Minister pledge that his Government will do much better for the 9,500 carers in my constituency, and the 6.5 million carers across the country?

**The Prime Minister:** I certainly take this opportunity to pay tribute to carers across our country for the selfless work they do, for the immense amount of money that they save taxpayers every year through what they do, but, above all, for the love and commitment that they give to the people they are caring for. What we have done is try to help by, for instance, increasing the number of carers’ breaks, because many carers will say that the one thing they need to go on caring is an occasional break and time away from their caring responsibilities. We should continue to work on all those things to help our carers.

**Robert Neill** (Bromley and Chislehurst) (Con): The largest single source of employment and wealth in my constituency is the London-based financial services market. Does the Prime Minister agree that the opportunity to continue trading freely in a single market in financial services of 500 million people and a completed capital markets union is an unparalleled and optimistic opportunity for my constituents, and one that no sensible businessman would ever turn his back on?

**The Prime Minister:** My hon. Friend makes an important point. Here, it really is worth understanding exactly what this single market means: it means that a financial services company based in the UK effectively has a passport to trade in 27 other EU countries. If we are to leave, and if we leave the single market, we lose that passport right, so, by definition, many of the firms would have to relocate at least some of their staff to another European Union country. HSBC has said it would have to scrap 1,000 jobs. JPMorgan said it would have to scrap 4,000 jobs. Lloyd’s came out and said that many jobs in insurance would be under threat. This is a concrete example of why the single market matters. I would make the point—because this does not just affect my hon. Friend’s constituency—that two thirds of the jobs in financial services are outside London, and this accounts for 7% of our economy, so when experts warn of effects on jobs, growth and livelihoods in our country, this is a classic example of why they are right to make that case.

Q13. [905145] **Stephen Kinlock** (Aberavon) (Lab): Does the Prime Minister agree that a vote to leave on 23 June would be a hammer blow for the British steel industry? Will he agree to meet me to discuss a number of the decisions being made in the context of the Tata sale process—imminent decisions that will have a huge impact on thousands of jobs in my constituency and right across the country?

**The Prime Minister:** I am working very closely with the hon. Gentleman, as is my right hon. Friend the Business Secretary, to help do everything we can to secure a future for Tata Steel. The sales process is progressing, and that is encouraging. I would say that, yes, for steel, we are better off inside the European Union, because together as 28 countries, we are far better able to stand up to the Chinese or, indeed, the Americans over dumped steel. Where we put in place those dumping tariffs, you can see 95%, 98%, and 99% reductions in the quantity of Chinese steel in those categories being imported into the EU. We still face a very difficult situation—there is still massive overcapacity

—but we are definitely, for the steel industry, better off as part of this organisation, fighting for British steelworkers' jobs.

**Mr John Baron** (Basildon and Billericay) (Con): Will the Prime Minister address an issue that the remain camp has so far fudged? Our present immigration policy, in all truthfulness, cannot control numbers coming in from the EU to the benefit of our public services, and also actually discriminates against the rest of the world outside the EU.

**The Prime Minister:** Having spent my evening yesterday with Mr Farage—or Farridge, as I like to call him—I am confused about what the leave camp actually wants when it comes to immigration. I thought it wanted less immigration, but now it seems to want more immigration from outside the EU into our country. My view is that we should restrict welfare in the way that we have negotiated, so that people have to come and work here for four years before they get full access to our welfare system—no more “something for nothing”; people pay in before they get out—and then we should focus on proper controls on migration from outside the EU, on which we have made some progress over recent years and can do some more. That is the right answer. As for the alternative of an Australian points system, if we look at Australia, it has twice as much immigration per head as we have here in the UK. That is not the right answer for Britain.

Q15. [905147] **Stephen Gethins** (North East Fife) (SNP): As he reaches the end of his time in office, President Obama has reflected that his worst mistake was the catastrophe in Libya. What is the Prime Minister's worst mistake in his time in office?

**The Prime Minister:** The time to reflect on your mistakes is clearly when you are close to the end of your time in office, so that does not apply. [*Interruption.*]

**Helen Whately** (Faversham and Mid Kent) (Con) *rose—*

**Mr Speaker:** I am sure the hon. Lady is delighted to receive such a tumultuous cheer.

**Helen Whately:** Last week I was delighted to welcome my right hon. Friend the Prime Minister to Faversham in my constituency to visit our largest local employer, Shepherd Neame. There, we heard that having a strong and stable economy is vital for the ongoing success of Britain's oldest brewery. Does he agree that leaving the European Union would put in jeopardy that strong economy, and with it British businesses, British jobs, and British livelihoods?

**The Prime Minister:** My hon. Friend is right. Shepherd Neame, which is the oldest brewery in the country, could not have been clearer about wanting to stay in a reformed European Union, because it wants a strong and successful economy, it wants to be part of a single market, and it recognises that that is in our interests. She and I very much enjoyed the pint of Spitfire we had at about 10.30 in the morning—the things we have to do to win this argument! But we have an absolute commitment to carry it through.

**Mr Nigel Dodds** (Belfast North) (DUP): Given the number of people who will be travelling from all parts of the United Kingdom, including Scotland, I am sure, to the Euros next week—[*Interruption.*] We welcome everybody, and given Leicester's success in the premiership, Northern Ireland, at 150:1, is almost certain to win. Will the Prime Minister ensure that given the number of visitors, the security threats and all the rest of it, the British embassy and consular staff are fully geared up, resourced and staffed to deal with the problems that will undoubtedly arise?

**The Prime Minister:** I am very grateful to the right hon. Gentleman for raising this issue. I am sure that this is one occasion when the whole House will want all the home nations to stay in Europe for as long as possible. [*Interruption.*] Come on now. I am going to be watching; our first game is England-Russia, and I will be watching very carefully to check that we get very strong support.

The right hon. Gentleman makes a very important point, which is that this is a very big security undertaking. Half a million people are planning to leave the United Kingdom to go to this tournament. We have set out very clear travel advice, because people do need to know that obviously there is a significant terrorist threat in France today, and there is a potential threat to this tournament. We have set out very clearly that the threat level in France is critical and the threat level for the tournament is severe, and people need to know that. The French security operation is enormous—77,000 police and gendarmes, 10,000 military personnel, and 13,000 security guards. We are providing additional counter-terrorism and public order support to the French, including deployment of additional police on trains to France and more UK Border Force outbound checks. We are also helping with sniffer dogs and in any other areas that the French ask us to.

We all want to see an absolutely great celebration of European football. I wish all the home nations well. It is brilliant that Northern Ireland has made it to this tournament, and I know we all—[*Interruption.*] And of course Wales, and of course England. I look forward, in the breaks in the campaign, to watching some fantastic football.

## Voter Registration

12.41 pm

**Gloria De Piero** (Ashfield) (Lab) (*Urgent Question*): To ask the Chancellor of the Duchy of Lancaster if he will make a statement on the problems with the gov.uk voter registration website just before the deadline for voter registration for the EU referendum.

**The Minister for the Cabinet Office and Paymaster General (Matthew Hancock)**: I am grateful for the opportunity to set out the Government's position. Whatever your view, Mr Speaker, or anyone else's on the question on the ballot paper on 23 June, the EU referendum is a very important moment in our democracy. Over the past three months, 4.5 million people have applied to register to vote. Very high levels of voter registration have been successfully handled over the past month by the systems, and in the last week alone more than a million people have applied. Yesterday, 525,000 people successfully completed their application. That is a record. At its peak yesterday, the website was handling three times the volume of applications at the previous record peak, which was just before the general election last year.

My strong view, and the view of the Government, is that anyone who is eligible should be able to register to vote in the EU referendum. Unfortunately, because of the unprecedented demand, there were problems with the website from 10.15 pm last night. To give the House a sense of the scale of the demand, the peak before the 2015 general election was 74,000 applications per hour. Last night, the system processed 214,000 per hour at its peak before it crashed. Many who applied to register after 10.15 pm were successful, but many were not. The problems with the website were resolved around the deadline at midnight.

We are urgently looking at all options and talking to the Electoral Commission about how we can extend the deadline for applying to register to vote in the EU referendum. The website is now open and working, and we strongly encourage people to register to vote online. Anyone who has already registered does not need to submit a fresh application. We are also offering extra resources to electoral registration officers to cover any additional administrative costs.

A huge amount of work has gone into encouraging people to register to vote in a timely fashion. We began the registration drive ahead of the May elections. From the middle of April we began in earnest to promote registration. Departments, local authorities and civil society organisations have all helped to boost voter registration. I want to pay tribute to the work of all of them—everyone from Idris Elba to Emma Watson, and all others who have been involved. We are targeting under-registered groups, and consistently high numbers have registered throughout the past few weeks. It is in all our interests to ensure that as many people as possible are able to vote on 23 June at one of the most important moments in our democracy in a generation.

**Gloria De Piero**: Last night, tens of thousands of people trying to exercise their democratic right to register to vote were told, "The computer says no." I welcome the announcement today that people should continue to register to vote and that their applications will be valid.

However, we are no clearer about exactly how the Government plan to make this happen and what the new deadline for registration is.

I want to offer the Government Labour's complete support across both Houses to do whatever it takes to get through any necessary legislation. This should be done today. What legislative options are open to the Government, and is one of the options being considered a statutory instrument, which could be quickly and efficiently scrutinised today? What is the new deadline to register to vote? People need complete clarity on how long they now have left, and it needs to be well advertised. Last night's chaos was totally unacceptable. What stress testing was done on the website in advance, and what provisions were made for the predictable rise in traffic?

What will be done about postal votes, given that the deadline for applications is 5 pm today but is available only to those who are on the register? Will the Minister confirm that this will also be extended? People would never expect to be turned away from a polling station despite being in the queue before the close of the polls. Those queuing up online last night must not be turned away. We need clear answers on how they can still make their voices heard.

**Matthew Hancock**: First, I am grateful to the hon. Lady for Labour's clear and unambiguous support for action—if necessary, legislative action—to put this right. The support of the Labour party in both Houses will be important if we need to get through emergency legislation. We are looking at legislative options, including secondary legislation, and I look forward to taking up such an option. We need to make sure that we get the details of any emergency legislation exactly right, since we will have to pass it at pace.

On the deadline that the hon. Lady mentioned, people should register to vote now. Those registrations will be captured by the system. We then have the legal question of whether captured applications can be eligible for 23 June, and that is the issue that we might have to deal with in legislation. [*Interruption.*] Labour Members are saying from a sedentary position, "What is the deadline?" I am absolutely clear: people should register now—today—and we will bring out further information as and when we can.

We did of course undertake stress tests, which the hon. Lady raised. We tested a significantly higher level of interest and of applications than at the general election last year, which is the best comparator, but, as I have said, the level of interest was significantly higher than the peak then and, because of the exceptional demand, the website crashed. Ultimately, the problem was born out of the fact that thousands and thousands—hundreds of thousands—of people want to vote, and the interest that that shows in expressing their democratic wishes is to be recommended.

**Mr Bernard Jenkin** (Harwich and North Essex) (Con): May I first commend the Government and my right hon. Friend for so successfully engaging millions of people that they want to register and vote in this referendum? That is definitely a good thing. I am afraid the problems he has encountered are born out of the fact that the Government and the Electoral Commission were ill prepared for the surge of registrations. The Government spent millions of pounds on promoting registration, so they should have been prepared.

This issue now arises: there is a cut-off in our legislation because the register has to be finalised and published six days before the date of the poll for the referendum—there have to be five days remaining so that any name on the register can be challenged during the first five days it is on the register—which leaves very little time for anything like legislation.

May I advise the Minister that it is probably legal to keep the site open for a short period—a few hours, to capture those who did not have the opportunity to register yesterday—but any idea of rewriting the rules in any substantial way would be complete madness and make this country look like an absolute shambles in the run-up to the referendum, which is such an important decision? Will he bear those things in mind, or risk judicial review of the result?

**Mr Speaker:** Order. There is no entitlement in these matters for the Chair of a Select Committee to deliver an oration, and a short question is required. I have been mildly indulgent of the hon. Gentleman, because these are exceptional circumstances, but if people could be pithy from now on that would help.

**Matthew Hancock:** We prepared extensively for a peak in registrations, but the extent of interest in registering was unprecedented. My hon. Friend mentioned the period for which registrations may be valid in future in any legislative measure that we bring forward. He suggested that that should be for a short period, and I agree. That is to rectify the problem of people not being able to vote last night, so we are likely to bring forward proposals with that short period in mind.

**Tommy Sheppard** (Edinburgh East) (SNP): I do not think that we can understate the seriousness of the great catastrophe that has happened. If we consult the people of this country on such an important decision for the first time in 40 years, and deny tens of thousands of our citizens the ability to participate, that will tarnish and call into question the entire process. It is not enough to come to the House and say that registration is open and it is okay for people to continue to register; we need an assurance that people who register today and from now on will be able to vote on 23 June. I had hoped that the Minister would have come here today not just to say that there might be a need for legislation. We want to see it! The Government should bring forward the emergency measures, and they will have the support of the SNP.

**Matthew Hancock:** Again, I welcome the hon. Gentleman's support. On the question of bringing forward legislation, we are still in discussions with the Electoral Commission. It has stated that it would support a legislative approach, which I warmly welcome. It is important to remember that the unprecedented success of our registration drive led to the amount of people trying to register late last night, which caused the technical problems.

**Mrs Anne Main** (St Albans) (Con): At 9 o'clock last night the Prime Minister debated with the leave side for an hour, which caused a surge at 10 o'clock in people wanting to vote. Extending the registration period for a short time would be far better than trying to bring through rushed legislation. Give it a few hours today, give people notice of it, and get on with it.

**Matthew Hancock:** I welcome my hon. Friend's support for a short extension, but any extension requires legislative action. That is our understanding of the law, as well as that of the Electoral Commission. Doing exactly what she proposes would require legislation.

**Mr Dennis Skinner** (Bolsover) (Lab): Without any doubt this is an emergency. We are talking about a few hours of time being made available. If, for instance, the Opposition were prepared to allocate one half of their Opposition-day debate today, would the Minister guarantee that that half-day would be given back?

**Matthew Hancock:** I am sure that those on the Opposition Front Bench are grateful for the hon. Gentleman's kind offer. For people's registrations to allow them to vote on 23 June, we would need to legislate. If that legislation takes place tomorrow, registrations made today will be valid for the vote on 23 June. Therefore, the clear message from the Prime Minister, and from me, is that if people have not been able to register to vote, they should do so now. It is incumbent on all Members of the House to continue to state that if people want to vote in the referendum on 23 June and they are not yet registered, they should register now.

**Damian Green** (Ashford) (Con): I congratulate the Minister on the flexibility that he and the Government are showing, and I am pleased that so many people want to register, particularly young people who, as we know, are by and large very enthusiastic about remaining in the EU. It is clear that a short final deadline should not now be announced, in case the same thing happens again. The system must be able to cope with what might be another surge, and I suspect that a deadline of a few hours would be ill-advised.

**Matthew Hancock:** As my right hon. Friend will imagine, we are putting in place measures to ensure that the system has yet more capacity, in case there is further high interest because of the news about the potential extension that we and the Electoral Commission want. On the deadline, the Chair of the Public Administration and Constitutional Affairs Committee set out an important practical consideration, which is that from the closure of registration for the referendum, electoral registration officers must ensure that the electoral roll is correct, and it is important that there is enough time for that to happen. That is why any extension would be for a short time, rather than for a long time.

**Alex Salmond** (Gordon) (SNP) *rose*—

**Mr Speaker:** The right hon. Gentleman is smiling benevolently at me, but I would happily call him anyway.

**Alex Salmond:** In 2014, we achieved 98% registration in Scotland and an 85% turnout, with no collapse of a website or registration, and no difficulty at the polling stations. However, we were not starting from a position where hundreds of thousands of our fellow citizens had been effectively disfranchised by the process of individual registration and the lack of electoral canvass. The Government were not worried about that, because it mostly involved young people whom they did not think would vote for them anyway. Now the Minister is concerned, and he is standing in this House, hoist by his own gerrymandered petard.

**Matthew Hancock:** It is a shame to bring a note of discord to what was otherwise a reasonably consensual discussion. If it were not for our online voter registration system, people would not be able to vote up to a midnight deadline at all. The website collapsed because of the success of online registration, and the huge demand for participation in this incredibly important referendum. The United Kingdom is much, much larger than just Scotland, and the scale of the challenge is more significant. That is why we are taking action to ensure that registration means that people can vote on 23 June.

**Chloe Smith** (Norwich North) (Con): I am proud to have been the Minister who introduced online registration, which I think has been a great step forward in our democracy. I fundamentally disagree with the right hon. Member for Gordon (Alex Salmond), who thinks that individual electoral registration is problematic, because I think that it is the right thing to do in our democracy. I chair the all-party group on democratic participation, and I urge the Minister and the House to consider some of the recommendations that we have recently brought forward to improve the state of the registers. It is important that as many people as possible are registered to vote, and I commend the Minister's calm approach to the situation this morning.

**Matthew Hancock:** I am grateful to my hon. Friend, and she is right to say that there is no link between IER and last night's registration difficulties on the website. I will study her recommendations with great interest, and I understand that she will soon meet the Minister responsible for constitutional affairs to discuss the matter.

**Mr Ben Bradshaw** (Exeter) (Lab): It would be an absolute scandal if people who tried to register before the deadline were deprived of a vote in what is the most important vote in any of our lifetimes. Will the Minister pull out all the stops until the last possible moment to ensure that people can vote? Will he also address the concern raised by my constituents who live and work abroad, and who have heard that there are problems with processing the huge numbers of postal and proxy votes that are coming back in at local level, and ensure that those votes are counted?

**Matthew Hancock:** There are very high numbers of registrations for postal votes, and indeed of registrations by post as opposed to through the website. We are dealing with all those issues. The right hon. Gentleman asks me to pull out all the stops; believe me, we are.

**Dr Julian Lewis** (New Forest East) (Con): Even before the failure of the electronic system we heard that thousands of polling cards had been sent inappropriately to people who do not qualify to vote. Given the great strain on the system caused by the surge, will the Minister explain exactly how that sort of mistake will not be made again?

**Matthew Hancock:** That was an identified software fault, which has now been fixed. The Electoral Commission brought it to the public's attention. It has been addressed and lessons have been learned.

**Jim Shannon** (Strangford) (DUP): I welcome the Minister's statement, but I would like a wee bit more clarity on how all this is going to work, as that is the

important issue. Last week I had a meeting with the electoral officer in my constituency, who informed me that demand for postal votes has been at unprecedented levels—she has never seen anything like it in her life—and that they were trying to do the processing as quickly as possible. Postal vote applications have been delayed, or sent in but not returned. Any delays in processing cannot be tolerated. What is being done to help those who have applied but whose applications have not been processed?

**Matthew Hancock:** Work has been done to address the challenge of the incredibly high interest in postal voting, and resources are available to deal with those issues and make sure that everyone has the democratic right to vote. Ultimately, this is about making sure that everyone who is eligible and wants to has the opportunity to register to participate in this great festival of democracy.

**Chris Heaton-Harris** (Daventry) (Con): It is very important that people have the opportunity to register to vote, but this issue has consequences not just for the referendum but for other elections. There are 4.5 million new people on the register; has the Minister thought about the consequences of that for the Boundary Commission's drawing up of constituencies, as it will be doing so on numbers that are now completely wrong?

**Matthew Hancock:** The Boundary Commission is continuing its work based on the drop-dead date agreed by this House. The two issues are essentially separate.

**Tom Brake** (Carshalton and Wallington) (LD): I am ambitious for my country, which is why, earlier today, I voted by post to remain. Everyone else who wants to do so should be able to. What estimate has the Minister made of the number of people who were able to register after 10.15 pm last night and, by extrapolation, the number who were not?

**Matthew Hancock:** I welcome support from the right hon. Gentleman and the Liberal Democrat Benches. I hope that would be the case in the House of Lords, should legislation come forward.

**Tom Brake** *indicated assent.*

**Matthew Hancock:** The right hon. Gentleman is nodding, so I am delighted that there will be that Lib Dem support. The question he asked is about a very important matter, which we will take into consideration.

**Dr Andrew Murrison** (South West Wiltshire) (Con): The Minister is clearly putting a great deal of energy into ironing out this particular glitch, but he needs to be seen to be fair to both sides, given the likely closeness of the result on 23 June. How much energy is he therefore applying to quantifying the number of non-eligible EU nationals who have been sent postal votes? Clearly, after the event some in the leave camp may call things into question if we have not quantified what correspondence was sent out in error.

**Matthew Hancock:** We know that that number is less than 5,000, according to the Electoral Commission, and the problem has been fixed. By contrast, it will be impossible to know the total number of people—asked

for by the right hon. Member for Carshalton and Wallington (Tom Brake)—who between 10.15 pm and midnight last night tried to register but did not succeed, because some people tried again and succeeded. That is why seeing what we can do to extend the deadline—which seems to have broad support across the House—is the right way forward.

**Ruth Smeeth** (Stoke-on-Trent North) (Lab): I am really proud that work by my former employer HOPE not hate has led to so many people registering to vote in the past two weeks. Will the Minister answer the question from my hon. Friend the Member for Ashfield (Gloria De Piero) about what will happen to the postal vote deadline?

**Matthew Hancock:** There are no proposals to change the postal vote deadline. We want to make sure that we deal with the registration deadline appropriately. That might mean legislation. If that legislation is brought forward we will explain it in full to the House.

**Ben Howlett** (Bath) (Con): I welcome the news that thousands want to register for the referendum, and the extension will encourage even more people to do so. However, having seen at first hand long-standing failures of IT infrastructure such as the NHS connecting for health programme, it was little surprise to me that the IT infrastructure was not able to keep up with the volume of registrations. What lessons will be learned from this latest episode, and how will the Cabinet Office provide solutions for the age-old problem of IT infrastructure as it looks to pursue a new Bill on data later in this Parliament?

**Matthew Hancock:** Believe you me, Mr Speaker, there will be a lessons learned exercise. Today, we are concentrating on making sure that everyone who wants to participate in the EU referendum and is eligible to do so can vote.

**Ian Mearns** (Gateshead) (Lab): Clearly we all want as many people as possible to take up the franchise and vote. The news that more than 4 million people registered for the referendum in the spring is not a shock, because we raised that possibility with the Leader of the House and others in the aftermath of debates on the boundary review. Surely the fact that those 4.5 million people registered to vote in the spring calls into question the legitimacy of the foundation data upon which the boundary review is to be conducted.

**Matthew Hancock:** I do not think that is the case. The House decided on the date for the work of the boundary review to start. It is very important that it begins, because we need to make sure that that independent review can come to its conclusions in good time.

**Matt Warman** (Boston and Skegness) (Con): Young people are disproportionately likely to be unregistered to vote. May I urge the Minister not only to extend the deadline as far as possible but, once that is done, to promote it as clearly as possible in places where young people are most likely to be, such as Facebook and other social media?

**Matthew Hancock:** There has been a huge amount of support and communication, both on social media and more broadly, from the wide array of people I referred to in my statement. I encourage all those who have spent the past few days explaining to people that they have to register to vote, to get out there and encourage people to register to vote now—today—knowing that we are doing all that we can to make sure that those registrations will allow people to vote on 23 June. Huge numbers of people have been out there on social media doing that already, so I say to them: get out there again now and spread the word.

**Wes Streeting** (Ilford North) (Lab): The Minister must surely accept that the surge in applications to vote reflects not just the interest in the referendum but the number of people who have, in effect, been disfranchised. Why is he content for the boundary review to go ahead on false figures, and why will he not make a commitment to the House today that the Boundary Commission will work on accurate figures rather than the dodgy statistics that we have seen previously?

**Matthew Hancock:** I am afraid that the hon. Gentleman has got hold of the wrong end of the stick. The boundary review has to operate from an electoral roll on an agreed date. That date was agreed by this House. In the past, the review operated on a 10-year cycle, and the electoral roll was therefore 10 years out of date by the time it was reviewed. We are now moving to five-year cycles, so we have brought in more frequent use of electoral roll data by the boundary review. If we could not have a drop-dead date we could not have a boundary review at all.

**Mr David Nuttall** (Bury North) (Con): The fact that someone has a national insurance number does not of itself establish that they are eligible to vote in the referendum. Will my right hon. Friend explain what checks are being done to verify that everyone who applies is genuinely able to vote in the referendum?

**Matthew Hancock:** That is an incredibly important question. The eligibility requirements were debated extensively in this House. After someone applies to register online, the application is not taken at face value but is checked against Government data to make sure that that person meets the eligibility rules set by this House. That is one reason why there needs to be time between the deadline and polling day—to make sure that exactly the concerns that my hon. Friend raises are met.

**Louise Haigh** (Sheffield, Heeley) (Lab): The Minister keeps saying that yesterday's significantly higher numbers were unprecedented. There were 525,000 applications yesterday and 485,000 on deadline day in 2015. Why then was the system not prepared and able to cope, and is it not now time for automatic registration?

**Matthew Hancock:** The spike was much bigger than the hon. Lady's figures, which are accurate for the whole day, I suggest, because there was an intense spike after 9 pm. The question for the system is how many people are trying to apply at once, and that figure was three times higher than in the peak before the 2015 general election.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): The Minister is making a bad situation worse by refusing to give a clear answer on the deadline for registration. I want to ask him about the agile technologies that form the basis of online registration, and which were chosen for their very scalability when properly implemented and resourced. These are the same technologies as form the basis of other digital services, such as universal credit and the Driver and Vehicle Licensing Agency, which might also be subject to unprecedented but entirely predictable surges. Will he commit, therefore, to laying before the House a detailed report on why a scalable technology was unable to deal with a predictable surge in demand?

**Matthew Hancock:** The hon. Lady asks a reasonable question, which we will be looking at in the lessons learned exercise. I would pick her up on one point, though. On the issue of clarity around what people should do now, it is incumbent on all of us to get out there and say that people should register now. We will come forward with legislation, should we choose to—*[Laughter.]* I think the House can gather that it is highly likely. Should we choose to, we will come forward with legislation setting out the deadline, but what matters right now is that people get on the website, which is currently working, and register to vote. Let that message go out loud and clear.

**Mr David Hanson** (Delyn) (Lab): What guidance would the Minister give to those who want to vote by post? I am still not clear what is happening with the 5 pm deadline this evening. If someone registers today and is informed tomorrow that they can vote, but only by post, will the Government not be open to judicial challenge?

**Matthew Hancock:** No; the two issues are separate. If someone wants to register, or applied to register yesterday, but is not available to vote on 23 June, a postal vote could not be organised in time, but they can still vote by proxy. That opportunity is available, so that they can express their democratic wish.

**Mark Durkan** (Foyle) (SDLP): The House has heard a “carry on” registration message from the Minister and the Prime Minister. Should people in Northern Ireland listen, given that online registration is not available there? There were separate difficulties in Northern Ireland arising from strike action over proposals to centralise electoral office services that affected those offices yesterday and last week.

**Matthew Hancock:** This is an incredibly important concern in Northern Ireland, and any legislation will be absolutely clear about the position, which we will set out as soon as we can.

**Diana Johnson** (Kingston upon Hull North) (Lab): What additional support and help will the Minister give to local authorities unexpectedly having to undertake a great deal of verification work?

**Matthew Hancock:** We have made it clear that if needed, we will make resources available, to a reasonable extent, to electoral registration offices to ensure that everyone can vote who wants to and is eligible.

**Patrick Grady** (Glasgow North) (SNP): Like my right hon. Friend the Member for Gordon (Alex Salmond), I remember the glorious sunny day in September 2014 when hundreds of people queued up outside their local authority offices to hand in their voter registration forms. Were any lessons learned from the surge before the Scottish independence referendum and the 2015 general election? Will the Minister confirm whether there is now capacity to deal with any further surge when the deadline is finally announced? As the hon. Member for Foyle (Mark Durkan) hinted at, will he also confirm that we are talking about online registration and that the paper registration deadline has passed?

**Matthew Hancock:** We are absolutely working to ensure capacity to deal with any further surge, but I repeat that last night’s level of demand in such a short period was unprecedented, which is why we had the problems we did.

**Andrew Gwynne** (Denton and Reddish) (Lab): It is absolutely right that anybody who last night wanted to but could not register to vote be given the opportunity to do so, but given that the referendum result might be close, what legalities surround an extension of the deadline, and what advice has the Minister taken in case a close result, whether a yes or a no vote, is challenged legally?

**Matthew Hancock:** We are consulting and working closely with the Electoral Commission and lawyers to make sure that anything we bring forward is watertight. We all want the referendum to take place on 23 June, and we all want everyone who wants to and is eligible to vote to be able to do so.

**Rachael Maskell** (York Central) (Lab/Co-op): Clarity is key. When is the deadline for bringing forward legislation, and is there any reason why it cannot be done today?

**Matthew Hancock:** We want to get the legislation exactly right to ensure that the referendum takes place on an entirely legal and unchallengeable basis, as I am sure the hon. Lady will accept, which is why we are being careful to get the details exactly right.

**Tom Elliott** (Fermanagh and South Tyrone) (UUP): Following on from the question by the hon. Member for Foyle (Mark Durkan) about the industrial action in Northern Ireland, has further provision been made to allow people to register, including for a postal or proxy vote? The proposed closure of rural offices in Northern Ireland will only heighten the problem in future years.

**Matthew Hancock:** As I said to the hon. Member for Foyle (Mark Durkan), this is an incredibly important matter in Northern Ireland. We are considering the options right now, and I would welcome the input of the hon. Gentleman and other Northern Ireland Members.

**Gavin Robinson** (Belfast East) (DUP): It appears that the Chancellor of the Duchy of Lancaster has been given a blank cheque from all parties in the House for any legislation tomorrow, but we still need the certainty of a date from when registration will not entitle someone to vote. If the message goes out today that if people keep on registering they will be able to vote, it will lead to problems either tomorrow or towards the weekend.

Will the Minister indicate that if someone does not register by the end of today, their vote will not count on 23 June?

**Matthew Hancock:** We will make that clear when the legislation, should there be any, is brought forward. My answer is absolutely precise: let us encourage people to register now. We are doing all we can to ensure that people who register now can vote on 23 June.

**Owen Thompson** (Midlothian) (SNP): I would like to echo the comments of the hon. Member for Norwich North (Chloe Smith). The “Missing Millions” report made many recommendations, including on automatic registration. May we have a commitment today that following this example of poor practice and failure, automatic registration proposals will be brought before the House?

**Matthew Hancock:** We will look into the use of alternative sources of data, but we are not yet persuaded on the case for automatic registration. Most importantly, right now we are concentrating on ensuring that people who want to and are eligible to vote will be able to.

**Chris Bryant** (Rhondda) (Lab): On a point of order, Mr Speaker.

**Mr Speaker:** The hon. Gentleman’s point of order arises, I believe, directly out of the matters of which the House has just treated, and therefore it is proper to take it now.

**Chris Bryant:** I am grateful, Mr Speaker. The Minister has said he thinks that emergency legislation will be necessary if we are to deal with the problem now facing us. I think the whole House has said it wants the matter dealt with, and as my hon. Friend the Member for Ashfield (Gloria De Piero) made clear, the Opposition want to be as helpful as possible. It would be difficult to bring forward legislation and carry it through today. If it is primary legislation, it would have to come to the Floor of the House, so I presume the earliest would be tomorrow. If it is secondary legislation, it would be difficult because a Committee would have to be set up before Monday. It would obviously be better to deal with it tomorrow. My mere suggestion is that if the Leader of the House could come to us later today with a business statement to make it clear what will happen tomorrow, it would be in the best interests of the House and voters, as well as the other House, which will have to deal with the legislation as well.

**Mr Speaker:** I am in the happy position of agreeing with the hon. Gentleman. It is certainly open to the Government to bring forward business tomorrow, and I

have a sense that that would be widely anticipated and enthusiastically supported in the House. To have some advance indication from the Government that that is their intention would be useful, and a supplementary business statement would be the ordinary, though not the only, way of providing the information.

**Matthew Hancock** *rose*—

**Mr Speaker:** The Minister is all agog and in a state of great excitement. I wish him to feel satisfied before he pops.

**Matthew Hancock:** Well, crikey, Mr Speaker. As I have made clear, it is likely that legislation will be needed, and I warmly welcome what the shadow Leader of the House said just now. We will work with him and through the usual channels to make sure that this is done as effectively as possible. I will take away the point about whether we should have a business statement today in order to facilitate that.

**Mr Speaker:** I know that discussions will take place between the usual channels behind the scenes. Given the normal courtesy of the Leader of the House, I would certainly expect to be kept apprised of the situation as the afternoon and events unfold.

**Tom Brake** (Carshalton and Wallington) (LD) *rose*—

**Sir William Cash** (Stone) (Con) *rose*—

**Mr Speaker:** I will take further points of order if they appertain to this matter. If they are on unrelated matters, they should come after the Standing Order No. 24 application. It is unrelated, so I save up the hon. Member for Stone (Sir William Cash)—[*Interruption.*] The hon. Gentleman cannot have a commitment that is more important than the Chamber. He is the ultimate parliamentarian. We shall hear from him soon, and I am becoming increasingly excited about the prospect of doing so.

**Matthew Hancock:** Me, too.

**Mr Speaker:** The Minister says “Me, too”, but I do not know whether he will feel the same way at the end of the hon. Gentleman’s point of order. That remains to be seen.

In a moment, I shall call the hon. Member for St Albans (Mrs Main) to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. The hon. Lady has up to three minutes in which to submit her application.

## Tobacco and Related Products Regulations 2016

*Application for emergency debate (Standing Order No. 24)*

1.21 pm

**Mrs Anne Main** (St Albans) (Con): I seek leave to propose that the House should debate a specific and important matter for urgent consideration—namely, the Tobacco and Related Products Regulations 2016.

As you are aware, Mr Speaker, this is a time-sensitive EU diktat that is allocated to the Government as a negative statutory instrument. Unless the Government provide any time to discuss it, it will just pass through. The Backbench Business Committee is not reconvened and has met only twice since these regulations were brought in. They were tabled in April, and since then, I have had cross-party support for my early-day motion.

The tobacco regulations will have a huge impact on the vaping and harm-reduction products industry if these regulations pass beyond their praying date of 15 June, yet the House will not have had an opportunity to debate this important matter. Only two months ago, the Royal College of Physicians warned:

“Promoting wider use of consumer nicotine products, such as e-cigarettes, could...substantially increase the number of smokers who quit”

and

“is therefore likely to generate significant health gains in the UK.”

Last year, Public Health England found that e-cigarettes were 95% less harmful than smoking.

Our own Prime Minister said to me in a letter:

“Our view, based on all the evidence available, is that e-cigarettes can help smokers quit and that they are considerably less harmful to the health than continuing to smoke tobacco products.”

Perversely, however, these particular regulations, which we have not yet discussed or debated, will seek to impose severe limits on advertising for vaping products, and bring e-cigarettes under the same regulatory framework as cigarettes. Lord Prior, the Health Minister in the House of Lords said in May that

“we wish people to quit altogether but if, as a way of quitting, they can give up smoking and take up vaping, that is something that we wish to encourage.”—[*Official Report, House of Lords*, 10 May 2016; Vol. 771, c. 77.]

I sincerely hope that the House will be given the opportunity to consider this matter under Standing Order No. 24 as the deleterious impact of these regulations on smoking cessation and public health shows that we really should give these Brussels regulations some serious consideration before absorbing them.

**Mr Speaker:** The hon. Lady asks leave to propose a debate on a specific and important matter that should have urgent consideration, namely the Tobacco and Related Products Regulations 2016. I have listened carefully to the hon. Lady’s application, but I am not persuaded that this matter is proper to be discussed under Standing Order No. 24.

I add that if there is significant interest in this matter, either in the House or beyond it, it might be regarded as helpful if, through the usual channels, a debate on it were arranged. I express myself in those relatively careful and understated terms, for it is not within the remit of the Chair. That judgment has to be made elsewhere. The hon. Lady, who is an indefatigable parliamentarian, has made her case with force and eloquence. If I have learned anything about her over the last 11 years when we have served in the House together, I suspect that it is pretty unlikely that she will let go of the bone.

## Points of Order

1.25 pm

**Sir William Cash** (Stone) (Con): On a point of order, Mr Speaker. In reply to my hon. Friend the Member for South Dorset (Richard Drax), the Prime Minister made an assertion on the question of treaty change. He said that he had secured “treaty changes”, but that is clearly not the case. This may have been inadvertent and if so, I have no doubt that the Prime Minister will take the opportunity to correct it. I have to say that it was not a statement that could be sustained in the light of the facts.

**Mr Speaker:** I am at a disadvantage by comparison with the hon. Gentleman because I do not enjoy a precise recall of everything that the Prime Minister said at Prime Minister’s Questions earlier, although I rather imagine that the hon. Gentleman does have such a recall and may even be capable of reproducing the verbatim text of prime ministerial answers backwards. Anyone who gives incorrect information to the House is responsible for correcting it. If the Prime Minister judges that he made a mistake, which would naturally be inadvertent, the responsibility is no less great or absolute on him than it would be on any other Member. Knowing the hon. Gentleman as I do, I feel sure that he, too, will not let go of the bone until he receives satisfaction. I will leave it there. His point of order will have been heard on the Treasury Bench, and doubtless its contents will wing their way towards No. 10 Downing Street ere long.

**Tom Brake** (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. I hope you will be able to help and advise me on how to achieve some consistency in the Government’s position on Saudi Arabia. On 24 May in topical questions, the Foreign Secretary said:

“There is no evidence yet that Saudi Arabia has used cluster munitions.”—[*Official Report*, 24 May 2016; Vol. 611, c. 395.]

In a written answer of 26 May, however, the Secretary of State for Defence said:

“The UK is aware that Saudi Arabia has used cluster munitions in the current conflict in Yemen.”

In a debate this morning, furthermore, the Minister for Europe said that the Government were seeking clarification about “allegations”. I hope you would agree, Mr Speaker, that this highlights some confusion at the heart of government, which must indeed cast doubt on the Government’s assurances that the Saudis have not broken international humanitarian law.

**Mr Speaker:** My response is twofold. First, I am not responsible for the consistency of Government statements. It is probably as well that the Chair has never been responsible for the said consistency under any Government of any complexion. Secondly, if the right hon. Gentleman feels that the statements to which he referred cause such confusion or uncertainty as to render an urgent clarification vital, he knows that there are devices available to him. I say this not to flatter him, but as a matter of fact. The right hon. Gentleman is a former Deputy Leader of the House, so he is well versed in the mechanisms available to him.

## Opposition Day

[1ST ALLOTTED DAY]

### BBC White Paper

1.29 pm

**Maria Eagle** (Garston and Halewood) (Lab): I beg to move,

That this House believes that the Government’s White Paper on the BBC fails to provide an acceptable basis for Charter renewal; notes the threat the White Paper poses to the editorial and financial independence of the BBC; expresses concern about the re-writing of the BBC’s founding mission statement; further notes the concerns about the White Paper expressed by Members of this House and the House of Lords; and calls on the Government to reconsider the proposals contained in the White Paper.

The new BBC charter will form one of the legacies of the Secretary of State for Culture, Media and Sport, for good or ill. I say that not by way of making any predictions at all about the right hon. Gentleman’s immediate political future as a Cabinet Minister post-EU referendum in the Prime Minister’s revenge reshuffle, but simply by way of drawing attention to what is a fact of life for all Culture Secretaries who oversee the renewal of the BBC charter during their time in office.

The BBC is a revered, trusted national institution to which we all contribute, of which we can all be proud, and on which we all rely for much of our quality programming. In addition, it is admired around the world. It enables us to project the United Kingdom’s influence and soft power across the globe. It is at the heart of our much-admired public broadcasting ecology. It helps to facilitate and nurture our creative industries and talent. Charter renewal provides an opportunity for it to be supported and nurtured, rather than denigrated and diminished.

Unfortunately, I do not believe that the White Paper produced by the Secretary of State rises to that challenge. I fear that it is, in fact, intended to diminish the scope and effectiveness of the BBC. Although it does not contain some of the wilder and more lurid proposals briefed by the right hon. Gentleman’s Department to Conservative-supporting newspapers ahead of its publication, it contains measures which may undermine the BBC’s editorial and financial independence, and which may, during the charter period, be used to chip away at the things that make the BBC the great British institution that it is. Furthermore, it is clear from the consultation responses that the public do not support the direction in which the White Paper proposes to take the BBC. I intend to mention some of those responses today, and to ask the Secretary of State to think again about some of his proposals.

The BBC’s editorial independence is one of the most important requirements of its future success. It must be protected at all costs, and there must be no suspicion that the Government of the day can influence the BBC board in any way. The White Paper’s proposal for BBC governance is among the most important of all its proposals. According to the Government’s own consultation, three quarters of the public want the BBC to remain independent, while 56% believe that it is the broadcaster most likely to produce balanced and unbiased news reporting. That compares with 14% for ITN News,

[*Maria Eagle*]

13% for Sky News and 13% for Channel 4 News. The public really do value the editorial independence of the BBC.

**Pete Wishart** (Perth and North Perthshire) (SNP): I am loth to stop the hon. Lady when she is in full flow, but I wonder whether she has seen the results of a Government survey of views on the BBC from throughout the United Kingdom. If so, she will have learned that the highest levels of dissatisfaction were found in Scotland. Does that not suggest to her that we need to address this issue creatively? Has not the time now come for the establishment of a federal BBC throughout the United Kingdom, and the introduction of a “Scottish Six” service produced and directed from Scotland?

**Maria Eagle:** I understand the hon. Gentleman’s focus on matters Scottish, and, of course, I respect the fact that he has views on what policies should be used to address those matters. I do not myself believe that the policy prescriptions that he has just suggested represent the only or, indeed, the right way forward, but I do agree with him that the BBC should be better able to reflect the nations and regions of this country in the way in which it produces news and other programmes. I think that some of the proposals for increasing diversity and devolving production and power in the BBC will gain support across the House, but the question of precisely how that should be done in Scotland is not one on which we would necessarily agree.

No one in the House, I hope, wants to see the BBC become a state broadcaster, or have arrangements for governance that give the impression that it is one. The Government must ensure that there is no question of Government influence on editorial decision-making, but there are serious fears that these plans provide too much power for the Government to exert day-to-day influence on the BBC’s editorial decision-making.

**Damian Green** (Ashford) (Con): Will the hon. Lady give way?

**Maria Eagle:** I will in a moment, because I know that the right hon. Gentleman has had some important things to say about this matter.

The director-general has said that there are honest disagreements between Ministers and the BBC on how best to protect and enhance BBC independence. He is a diplomat.

**Damian Green:** I share the hon. Lady’s passion for BBC independence. As a former BBC journalist, I have been on both sides of these various arguments in my time.

The hon. Lady rightly quoted figures that demonstrated all the audience satisfaction with and public support for the BBC—which, as she knows, I share—but her basic position seems to be that the Government’s proposals in some way undermine its fundamentals. Let me gently point out to her that among those who welcomed the Government’s proposals was the BBC itself. The BBC does not feel that it is being undermined, so why does the hon. Lady think that it is being undermined?

**Maria Eagle:** I understand the point that the right hon. Gentleman is making, but I think that when the BBC’s future for the next 11 years is to be decided by the Government of the day, it should not be surprising that it may well agree in public with almost anything that the Government of the day say. Whether or not that is a true reflection of what is going on behind the scenes is another matter.

**Sammy Wilson** (East Antrim) (DUP): Does the hon. Lady not accept that the BBC welcomed the proposals because it had got off lightly? It will continue to be funded publicly for the next 11 years, and will be able to persist in its wasteful practice of spending money in a cavalier manner with very little input and curtailment from the Government.

**Maria Eagle:** I do not agree with that analysis.

The proposed new unitary board will run the BBC. In his statement on the White Paper in the House on 12 May, the Secretary of State suggested, in effect, that the new board would be like the BBC Trust but without its current regulatory functions, which would go to Ofcom, but in my view that stretches credulity. Page 51 of the White Paper states:

“The board as a whole will have responsibility for setting the overall editorial direction and the framework for editorial standards.”

There is to be only one board instead of two, and that unitary board will run the BBC in all meaningful senses. The Secretary of State plans to enable Ministers to appoint up to half the new board members, including the chair and deputy chair. That creates an unprecedented power for the Government directly to influence those who are responsible for editorial matters at the BBC.

**Nigel Huddleston** (Mid Worcestershire) (Con): I thank my right hon. Friend for giving way. Page 50 of the White Paper clearly states that the appointment of the chair

“will be subject to a confirmatory hearing before the Culture, Media and Sport Select Committee”,

and that the appointments of other members of the board will be subject to discussions with the Governments of Scotland, Wales and Northern Ireland. Is the hon. Lady not satisfied with that?

**Maria Eagle:** I am grateful to the hon. Gentleman both for promoting me to the Privy Council and for suggesting that I might be a member of the Tory party, which was probably going a bit too far.

It is, of course, true that some safeguards are implied in the proposals, and that is to be welcomed, but how the proposals look is also important to those outside. I think that simply reiterating that the director-general is the editor-in-chief does not really allay the fears created by the Secretary of State’s plans. I also think that his recent record in respect of public appointments does not reassure those of us who are worried. When the independent panel that was established to appoint a trustee to the National Portrait Gallery failed to shortlist his five favoured candidates—three of whom were Tory donors and one of whom was an ex-Minister—he simply scrapped the appointments process, and attempted to impugn the integrity of the chair of the panel. This prompted a furious slap-down from the now-retired Commissioner for Public Appointments, who accused

him of exercising political interference in a supposedly objective public appointments process. We only know about this debacle because Sir David Normington's letter was leaked.

Members on both sides of the House have expressed concern about the implications of the White Paper for the BBC and its editorial independence. The right hon. Member for Ashford (Damian Green) might have had his concerns allayed, but he has described editorial independence as a red line. The Culture, Media and Sport Committee Chairman said as recently as yesterday that the plans had prompted "a lot of concern", and the *Voice of the Listener and Viewer* has said that

"there remain a number of concerns relating to independence".

It is still not too late for the Secretary of State to make it clear that the appointments to the new unitary board will be made through a demonstrably independent means and that he will not seek to influence the outcome of the process. Indeed, it would benefit him if he were to do that. Why does he not undertake today to agree that the Commissioner for Public Appointments should run the process of appointing the board members, and restrict his own power to appointing those people who have been selected through such an independent process? He really needs to provide proper reassurance, and he can do so. Such an undertaking would be heartily welcomed across the House.

Ofcom will have a new role setting service licences and quotas for the BBC. It is important that this regulatory regime should not be used to interfere with the editorial and creative freedom of the BBC to use licence fee payers' money to produce the programming it decides to produce. There must be no efforts from the Government to pursue the wilder proposals on scheduling and so-called distinctiveness that did not, in the end, find their way into the White Paper. We will seek assurances that Ofcom's role in this respect will not impact unduly on the BBC's editorial independence or be a weapon to be used by the Government or the BBC's commercial rivals to interfere with the BBC's creative freedom.

The BBC must be seen to retain its financial independence as well as its editorial independence. In that respect, the explicit statement on page 97 of the White Paper that

"the licence fee is not solely for the use of the BBC"

is deplorable, and could impinge on the BBC's financial independence. I am glad that there is to be no more top-slicing of the licence fee. That would have constituted a breach of last year's funding agreement—of which the House knows I have been critical in any event—between the BBC and the Government. The White Paper proposes the creation of a contestable pot of licence fee payers' money, worth £20 million a year over three years. This sets an unwelcome precedent. Governments of all stripes have been too keen in recent years to see the licence fee as money for the Treasury to allocate to its own priorities. I believe that licence fee payers' money should properly be seen as belonging to the BBC to enable it to fulfil its remit. It should be for the BBC to decide how it wishes to do that, not for the Secretary of State or the Chancellor of the Exchequer.

The Secretary of State has said his Department will consult on this proposal. If the consultation responses are against establishing the contestable pot, will he undertake to drop the idea? Will he tell us today when

his consultation will start and when he intends it to finish? Can he confirm that the same levels of transparency and accountability that apply to BBC funding will be applied to this contestable pot if his pilot goes ahead? Has he considered the fact that this could be categorised as state aid if it is given to other broadcasters to use, as he no doubt intends?

We agree that the BBC should be as transparent and accountable as possible in relation to the licence fee payers' money that it spends, so we support the idea of the National Audit Office being allowed to investigate the publicly funded areas of the BBC. However, allowing the NAO to audit the BBC's commercial operations, which are not in receipt of any licence fee payers' money, could place those operations at a significant market disadvantage. What argument is there for doing that? The commercial operations of museums, for example, are not open to the NAO scrutiny, and I know of no organisation in the private sector that receives public money that is subject to NAO scrutiny.

Failure to get this right could have the effect of reducing returns for BBC Worldwide, thereby limiting the extent to which the BBC is able to subsidise the licence fee through its commercial operations. The money that it makes from BBC Worldwide operations currently amounts to more than 12.5% of the BBC's entire content budget, which would save licence fee payers the equivalent of more than £10 each if the licence fee had to be increased to cover a shortfall of that amount.

**John Pugh** (Southport) (LD): The hon. Lady is a former member of the Public Accounts Committee, as indeed am I. She will be aware that the Committee has a long-standing issue with the BBC in relation to parliamentary accountability. Is she in favour of an increase in that accountability?

**Maria Eagle:** That is going back a bit, but I am indeed a former member of the Public Accounts Committee, and that is one of the reasons that I have very high regard for the abilities of the National Audit Office. I have no problem with the NAO being the auditor of the BBC, but there is an issue with its being the auditor of the BBC's purely commercial operations. Is it really appropriate for the NAO to pursue entirely private money that has nothing to do with public funding? If this goes ahead, it will set an interesting precedent. I want to hear from the Secretary of State why he thinks this might be appropriate. I want to hear his arguments for doing it, because I think that there could be difficulties.

I am also concerned about the imposition of a mid-term health check on the new charter. It seems suspiciously like the break clause—which the newspapers were briefed that the Secretary of State wanted—by another name. We welcome the fact that the charter is to last for 11 years, and it should not be compromised or have the agreement that underpins it reopened by the back door during that period. I am concerned that the so-called health check—the break clause by another name—will be destabilising for the BBC and create uncertainty, which will not be helpful. Page 58 of the White Paper states:

"It will be for the government of the day to determine the precise scope"—

of the health check—

"consulting the BBC's unitary board and Ofcom".

[*Maria Eagle*]

So, the Government could decide, were they so minded, to reopen such questions as whether the licence fee belongs to the BBC or should be given to other broadcasters, the extent of the contestable pot, whether the licence fee is indeed the right form of funding, and any number of other things that would in effect reopen the charter settlement.

The Secretary of State told the Culture, Media and Sport Committee yesterday that this was not his intention. He now has an opportunity to guarantee, in the charter and the agreement he makes with the BBC, that any such process will have the narrowest possible focus and cannot be used to reopen the fundamental tenets that underpin the charter halfway through its term. We need reassurance, in other words, that it will not be a five-year charter in all but name.

I know that Members raised this issue when the White Paper was published. The hon. Member for Bexhill and Battle (Huw Merriman) pressed Ministers for more detail on this point immediately after its publication. In the other place, the Conservative Lord Fowler has questioned the plan to have such a review, arguing that these functions should be left to a “strong board of independent directors”.—[*Official Report, House of Lords*, 12 May 2016; Vol. 771, c. 1825.]

He stated that those directors should be allowed to run the BBC “without interference”, and I find myself agreeing with him. Can the Secretary of State confirm today that the health check—if he decides to persevere with it—will be able to recommend proposals to be included only in the subsequent charter, rather than being used to compromise the BBC’s independence midway through the charter term we are about to embark on? Will he reassure the House, especially Opposition Members, that it will be set in the narrowest possible terms?

The BBC’s core Reithian mission to “inform, educate and entertain” has worked well for over 90 years. It is the foundation on which the corporation’s success has been built. There has always been a virtue in the clarity provided by the simplicity of the current mission statement that has stood the BBC in good stead, so why is the Secretary of State determined to alter the substance of the mission statement to include

“an explicit requirement to be distinctive, high quality and impartial”?

What exactly do the Government mean by “distinctiveness”? It is one of those words that can mean all things to all people. It certainly means something different to him than it means to the BBC or members of the public. Page 32 of the White Paper defines distinctiveness as:

“A requirement that the BBC should be substantially different to other providers across each and every service”.

That hardly pins it down. Ministers must allay the concerns that this could be interpreted as the BBC being forced to withdraw from anything its commercial rivals wish it was not doing, for their own commercial gain.

The Secretary of State has questioned the distinctiveness of some of the BBC’s most popular programmes, such as “Strictly Come Dancing”. The White Paper states on page 71:

“The government is clear that it cannot and indeed should not determine either the content or scheduling of programmes.”

However, it also sets out prescriptive content requirements for radio and TV. To take one example for TV, it demands on page 38:

“Fewer high-output long-term titles.”

He seems to be telling the BBC to stop producing much-loved shows, such as “Countryfile”, “Casualty” and “Doctor Who”, that happen to have been produced for many years. What reassurances can he give that he will not simply require Ofcom to make the BBC back off doing things he does not like, on the basis of those extremely prescriptive requirements?

**Sammy Wilson:** I do not think that anyone wants the BBC to be unable to make popular programmes, but does the hon. Lady accept that companies such as ITV have a valid point when they say that the money that is available to the BBC every year through the licence fee gives it an advantage in the ratings war and in buying in programmes that help it in that ratings war?

**Maria Eagle:** I think that competition between private and commercial broadcasters and public broadcasters in this country on the basis of high-quality programming benefits all sectors, the British public and our creative industries. I do not accept that the BBC being able to make good-quality programmes, perhaps over an extended number of years, somehow compromises the capacity of the rest of our broadcasting and TV industry to do similar things. It gives us a better, bigger, richer broadcasting ecology.

If the Secretary of State, who is a free marketeer by instinct, wishes to intervene by micromanaging the public sector elements of our broadcasting industry, he is making a very big mistake, as well as turning into a statist, interfering Minister who should leave our broadcasters to get on with the job that they do so well, particularly those who work in the BBC.

**Dawn Butler (Brent Central) (Lab):** My hon. Friend talks about the Secretary of State micromanaging the BBC. Is she as disappointed as I am that, although there is a lot of micromanagement, there is not much micromanagement to make sure that there is more diversity at the BBC in respect of its programmes, producers and so on?

**Maria Eagle:** I agree with my hon. Friend that the BBC needs to do more on diversity. To be fair to the Secretary of State—I want to be fair to him, of course—he is concerned about that too. It is perfectly reasonable to expect the BBC to achieve results. The difficulty is when Ministers start telling it precisely how it should achieve those results. That is when we run into difficulties. It is perfectly reasonable, as he has said, to expect the BBC to do better in that regard. I think we all expect that.

We should be in no doubt about the scale of the public’s support for the BBC. Some 192,000 people participated in the public consultation on the charter, which is the second largest response to a Government consultation ever. More than four fifths of the responses indicated that the BBC is serving its audiences well; 66% indicated that the BBC has a positive wider impact on the market; and approximately two thirds indicated that BBC expansion was justified, rather than its diminution. Although the public’s overwhelming support for the BBC cannot be in any doubt, the Secretary of State

should recall that there is concern about some of the Government's proposals. For example, 62% of over-60s are suspicious of the Government's intentions towards the BBC.

I hope that the Secretary of State will consider fully the widespread concerns among the public, industry professionals and parliamentarians about his proposals, and take steps genuinely to change them to reassure those of us who care about the future of the BBC over the next charter period. If he does so, he will be able to look back on his time in office as Secretary of State for Culture, Media and Sport knowing that he boosted the BBC. If he does not, I believe that his legacy will be seen as rather more disruptive.

1.56 pm

**The Secretary of State for Culture, Media and Sport (Mr John Whittingdale):** I beg to move an amendment, to leave out from "House" in line 1 to end and add:

"notes the positive response from the BBC to the publication of the BBC White Paper which sets a clear framework for a stable and successful future for one of the United Kingdom's finest institutions, enhancing its independence and empowering it to continue to create distinctive, high-quality and well-liked programmes and content; welcomes the open and consultative process that has informed the Charter Review including the second largest ever public consultation and the detailed contribution from committees of both Houses to the Charter Review process; and notes the Government's intention to publish a draft Charter, in good time, for debate in the devolved administrations, as well as both Houses, before the Charter is finalised."

I thank the hon. Member for Garston and Halewood (Maria Eagle) for giving the House the opportunity to debate the White Paper on the future of the BBC, even if I am less than happy with the terms of her motion. The motion talks about the "threat" to the

"editorial and financial independence of the BBC"—

two principles that will be explicitly strengthened, rather than weakened, under the proposals in the White Paper. However, that is typical of the entire debate around the charter renewal process, which has been characterised by the Government's critics tilting at windmills, perhaps in tribute to Cervantes, the 400th anniversary of whose death we are commemorating, alongside that of Shakespeare.

The White Paper was designed not to wreck the BBC, but rather to cement its status as the finest broadcaster in the world for many years to come. It was informed by an extensive consultation—the largest of its kind ever undertaken by Government. We talked frequently and at length to representatives of the BBC—both the management and the trust—in what the chair of the BBC has described as "constructive engagement". We received more than 190,000 responses from the public; 16 focus groups were held; there was nationally representative polling of more than 4,000 adults across the UK; and more than 300 organisations and experts engaged with us. I will not list all of those, but to give a flavour of how diverse they were, let me say that they included the Austrian Broadcasting Corporation, the British Film Institute, Equity, Glasgow City Council, Sir Lenny Henry, the Met Office, the National Union of Journalists, UK Sport and the Wellcome Trust.

I am also grateful to the members of the advisory group, who provided expert views; to Armando Iannucci, who assembled two panels containing some of the best

and brightest creative minds working in television today; and to David Clementi and David Perry, who conducted detailed reviews of BBC governance and licence fee enforcement respectively. Moreover, February saw the publication of reports on BBC charter review by Select Committees of both Houses. Each one was considered very carefully by myself and the Department, and I am pleased that we agreed with many of their recommendations.

**Pete Wishart:** I say the same thing that I said to the shadow Secretary of State. The Secretary of State will have seen from the response from Scotland that the dissatisfaction levels there are higher than in the rest of the United Kingdom. There is a sense that the BBC does not properly and adequately reflect us as a nation. What will he do to address those concerns?

**Mr Whittingdale:** I share those concerns. It is a matter that I discussed at some length with the hon. Member for East Dunbartonshire (John Nicolson), who is hoping to catch your eye shortly, Madam Deputy Speaker. He is a member of the Select Committee that I gave evidence to yesterday on charter review. The hon. Member for Perth and North Perthshire (Pete Wishart) is absolutely right that opinion research has shown that the level of satisfaction with the BBC, while still being high, is lower in Scotland than in other parts of the United Kingdom. That is of concern to the BBC. We have sought to put in place new measures to ensure that the BBC takes action to address that. First, there is representation on the board. We want somebody who will act as a voice for Scotland, and I will come on to the governance arrangements shortly. Secondly, there will be a new service licence for each of the nations of the UK, so there will be a specific service licence setting out in broad terms how the BBC is expected to ensure that it meets the needs of people in Scotland. However, at the end of the day, these are matters for the BBC. The service licence, like all service licences, will be set in broad terms. How the BBC goes about raising the level of satisfaction in its output in Scotland is ultimately a matter for the organisation, but I know that it is anxious to address that. I am sure that the director-general will be happy to talk to the hon. Gentleman about that.

**Pete Wishart:** I am very grateful to the Secretary of State for that. He knows that there is great concern about this issue in Scotland. A few proposals have emerged, including the one from the Cabinet Secretary for Culture, Europe and External Affairs in the Scottish Parliament for a much more federal type of BBC. There is also the ongoing discussion about a new service that is produced in Scotland, where we can see the eyes of the world through a Scottish production with Scottish values. Does the Secretary of State see any merit in that? If he does not, what is wrong with those suggestions?

**Mr Whittingdale:** This is the point at which I fear I will disappoint the hon. Gentleman. Although it is important that the BBC achieves high levels of satisfaction right across the United Kingdom, it is the British Broadcasting Corporation and it represents the whole of the United Kingdom, and I do not support making it a federal structure. The question of how it provides news coverage is for the BBC, but as it is the UK

[*Mr Whittingdale*]

broadcaster, it is important that it should provide a UK-wide national news bulletin that draws the nation together.

**Julian Knight** (Solihull) (Con): I thank the Secretary of State for so generously giving way. On this issue of Scotland and other regions in the United Kingdom, does he agree that, under this new arrangement, Scotland has far greater representation than many regions within England? The west midlands, for example, has an equivalent population to Scotland, but Scotland has a much greater seat at the table.

**Mr Whittingdale:** There will be a non-executive member of the BBC board to represent England, but not specifically each region. The requirement on the BBC, as part of its purpose, is to serve the nations and regions. The BBC is fully aware of the dissatisfaction that is felt in some parts of England. My hon. Friend identified the west midlands. The level of investment by the BBC in the west midlands has already been debated in the House in the past. It is important for the BBC to invest in production in every part of the United Kingdom and to reflect the requirements of every part of the country.

**Deidre Brock** (Edinburgh North and Leith) (SNP): Mention is made in the White Paper of sub-committees for the four nations. Can the Secretary of State elaborate a little more on what might be the make-up of those sub-committees and how they will be chosen?

**Mr Whittingdale:** I am afraid that I cannot do that at this stage. That will primarily be a matter for the BBC. While the charter will set out the over-arching governance structure—in other words the creation of a unitary board and an external regulator—organisation within the corporation itself is largely a matter for the BBC. Obviously, I encourage the hon. Lady to discuss that matter with the BBC and perhaps the new chairman of the board, who is currently the chairman of the BBC Trust.

I was tempted by the hon. Member for Perth and North Perthshire to talk about some of the evidence that I gave yesterday to the Select Committee. Obviously, the House of Lords Committee has also taken a close interest in these matters, and I have no doubt that the Committees in both Houses will continue to do so as we move towards producing a draft charter, which I hope to do before the summer. Members will then have plenty of time to study it in detail before debates in both Houses as well as in the devolved Administrations, as we committed to in the memorandum of understanding with the devolved Administrations. Once approved by the Privy Council, the new charter will formally come into effect on 1 January 2017 and the BBC will then transition to its new model of governance and regulation over the ensuing months.

I will not repeat all the details of the White Paper, because we had a lengthy discussion when it was published, but let me address the two specific concerns, which were raised by the shadow Secretary of State, of editorial and financial independence. On the former, the new governance structure is exactly as recommended by

Sir David Clementi in his widely welcomed report. Whereas previously all of the appointments of the governors of the BBC and, following changes, the BBC Trust were made by the Government, at least half of the new BBC board will be appointed by the BBC. The six positions that are Government appointees will be made through the public appointments process, which was not previously in place. Peter Riddell, the new commissioner for public appointments, said:

“I welcome the broad principles outlined in today’s BBC White Paper about how appointments will be made to the new Unitary Board. To put these into practice, there will need to be a robust, independent process which attracts a broad range of candidates for these posts.”

That is exactly what the Government want to see. The BBC accepts that the Government should appoint both the chairman and the deputy chairman through the public appointments process. It has questioned whether the Government should make the appointment of four non-executive directors, but those four NEDs are there specifically to represent each of the nations of the UK, and their appointment is made not just by the Government in Westminster, but in consultation with the devolved Administrations. If that was taken away, we would lose the ability of the devolved Administrations to have a say in the appointment of the governor to represent each of the nations of the UK.

However, as well as putting in place a more independent board, we will also strengthen the independence of the director-general as editor-in-chief. Editorial decisions will be a matter for him and the BBC executives—not for non-executive board members. Those non-executive members will be able to hold the director-general to account for his decisions, but only after programmes are transmitted. It is clear that the board’s involvement is to oversee and to deal with possible complaints about editorial decisions, but only after transmission of programmes.

The shadow Secretary of State mentioned that we have decided to extend the term of the charter to 11 years specifically to meet the concern that it should not coincide with the electoral cycle. It is correct that we are intending to have a mid-term health check, and, as I have repeatedly said, it is precisely that—a health check. It is not an opening up of the charter. However, it does seem sensible that, if we are setting a charter for 11 years, we should not have no opportunity whatever to look at how it is working for the whole of that 11-year period, particularly at a time when changes are taking place so rapidly. We have said explicitly in the White Paper that it is a review to provide a health check focusing on the governance and regulatory reforms in the mid-term. We have gone on to say that the review will not consider changes to the fundamental mission, purposes and licence fee model as these have been determined by the current charter review process. I make it clear again that this is a health check to examine how the changes we are putting in place are working, but we do not anticipate any need to reopen questions about the charter.

**Sammy Wilson** (East Antrim) (DUP): Given the criticisms of the inefficiency and value for money at the BBC, the huge payouts for people who are made redundant, for example, and then come back nearly a year later—even the National Union of Journalists has criticised that—and the high levels of pay at management level, if after five years there has been no reform or change in the squandering

of money by the BBC, what will happen at the review at that stage? Would the Secretary of State reconsider the licence fee or would he put in greater financial controls?

**Mr Whittingdale:** We are actually putting in stronger financial controls now, because we are opening up the whole of the BBC for the National Audit Office to examine to consider the questions of whether maximum value for money is being obtained for the licence fee payer. Not only will the NAO be able to carry out value-for-money studies, as it has in some areas already, but it will become the auditor of the BBC. The NAO has a very good record of ensuring that public money is spent properly and is not wasted.

**Julian Knight:** To return to the health check, does the Secretary of State envisage that it would cover whether or not adequate progress had been made to allow access to independent producers, as set out in the White Paper?

**Mr Whittingdale:** We have set out a path that will, we hope, lead to the whole of the BBC's schedule being opened up for commissioning. We would expect the BBC to meet the targets in doing that. We will continue to talk to the BBC about that and if it looked as though they were failing to meet those targets we might raise that with them before, but that is already set out in the charter. No changes would be required, because we have already made it clear that we expect the BBC gradually to open up the whole of the schedule until it reaches 100%.

**Dawn Butler:** On the subject of independent producers, after the last debate we had on the BBC I thank the Minister for Culture and the Digital Economy for helping to secure the recordings of "The Real McCoy". I hope to have a special screening in Parliament with a Q&A with some of the original cast in the not too distant future, and I hope that both the Minister and the Secretary of State will come along.

**Mr Whittingdale:** I am delighted to have given way to the hon. Lady to allow her the opportunity to praise my excellent Minister, who is sitting beside me.

I want to come back to the point about the National Audit Office and its ability to carry out value-for-money studies across the BBC. It is correct that the activities of BBC Worldwide are not funded with public money—they are commercially funded—but the success of BBC Worldwide has a definite impact on the finances of the BBC since it generates income for the BBC, and it is important that we extract maximum value to minimise the burden on the licence fee payer. As I mentioned when we debated this issue in the Select Committee yesterday, BBC Worldwide has not always had a brilliant record of looking after the money it spends. The Select Committee, when I was the Chair in the last Parliament, was highly critical of the Lonely Planet saga, which resulted in a massive loss to BBC Worldwide. However, I can reassure the hon. Member for Garston and Halewood and the BBC that the National Audit Office is very aware of the concerns that have been expressed and is confident that it can provide reassurance that it will have no impact either on creative decision making in the BBC or on commercial negotiations with other companies.

The NAO already audits a number of public bodies that have commercial relationships with other companies and is well familiar with the need to maintain commercial confidentiality when necessary. I know that the Comptroller and Auditor General will continue to talk to the BBC, but I very much hope that we can find a way whereby the BBC's concerns are satisfied. The hon. Member for Garston and Halewood also talked about the BBC's financial independence and, as I said, I believe that we have strengthened that rather than diminished it. We have agreed that the licence fee should be subject to regular review every five years, and that for the first five-year period it should rise each year in line with inflation, having been frozen for a long time. We have also agreed to close the iPlayer loophole and to phase out the broadband top-slice. That means that the BBC can now plan with certainty on the basis of licence fee income, along with its own commercial earnings, and it will have total flexibility in how it spends its money, with the single exception of the ring fence for the BBC World Service and the top-up grant that the Government are giving to fund its expansion.

**Mr Nigel Dodds (Belfast North) (DUP):** The Secretary of State is outlining the freedom that the BBC will continue to have in expenditure, but one of the big concerns for the public is transparency. Why was there a withdrawal from the proposal to force the BBC to publish the pay packages of presenters and others in the BBC? It was originally set at about £150,000, but now it is up to a massive £450,000. Why was the decision taken to increase that when most members of the public think that it was perfectly reasonable, as this is public money and the information should be out there and transparent?

**Mr Whittingdale:** I hear what the right hon. Gentleman says and have some sympathy with him. We debated with the BBC the appropriate level at which to set the publication limit and, after that debate, set it at £450,000 as a first step. It will mean that those individuals who are the highest paid on the BBC payroll will now be identified, and I think that is an important step forward in transparency. I hope that it is not the end of the saga and I would encourage the BBC to go further. The BBC expressed concerns about the consequences if it were required to publish the names of more individuals at lower levels of pay, but we will see how this first step goes. I share the right hon. Gentleman's hope and I hope that in due course we might see more publication.

**Helen Goodman (Bishop Auckland) (Lab):** May I suggest to the Secretary of State that tweaking that level downwards might be reviewed at the five-year point?

**Mr Whittingdale:** I am sure that the BBC, which will be anxiously listening to this debate, will have heard the pressure that is being put on the Government to achieve greater transparency. Since I too would like to see that, I hope that it will consider it.

**Mr Andrew Turner (Isle of Wight) (Con):** Is my right hon. Friend absolutely certain that nobody wishes the limit to be set at a much lower level?

**Mr Whittingdale:** The people who initially did not want it to be set at a lower level were in the BBC. The BBC raised concerns about the potential consequences.

[*Mr Whittingdale*]

For instance, it talked about whether it might result in poaching once people's salary levels were known. There was also a concern that it might have the effect of bidding up salaries. I do not think that those concerns are merited, but as I say, we have taken a first step towards greater transparency and I hope that in due course we can go further.

Let me very quickly address the point raised by the hon. Member for Garston and Halewood about the contestable pot. The contestable pot is a small amount of money, amounting to £60 million over three years, which, out of the total amount of money available to the BBC, is a very small amount. It does not affect the July settlement. We made it absolutely clear that the Government stand by the July settlement, and the funding for the contestable pot does not in any way affect it. We will be consulting on precisely how the contestable pot will operate. The hon. Lady raises concerns about whether it will fall within the requirements in respect of state aid. I rather hope that that will become an academic issue in a few weeks' time but if, extraordinarily, it still applies, we will need to take that into account.

Far from threatening the BBC, the proposals in the White Paper, as my right hon. Friend the Member for Ashford (Damian Green) said earlier, have been welcomed by it. Lord Hall, the director-general, said:

"This White Paper delivers a mandate for the strong, creative BBC the public believe in. A BBC that will be good for the creative industries—and most importantly of all, for Britain."

The BBC Trust chairman has, as I mentioned earlier, talked about the

"constructive engagement between the Government, the BBC and the public"

which

"has delivered a White Paper that sets good principles, strengthens the BBC's governance and regulation and cements a financial settlement".

The chair of the Producers Alliance for Cinema and Television, Laura Mansfield, said:

"This is an historic charter for the UK's entire production sector and recognises the world-leading creativity British producers bring across every genre of production. This white paper will give BBC commissioners the freedom to choose the very best ideas, wherever they come from, whether that's BBC Studios, the smallest or the largest production companies, while ensuring diversity of supply and regionality is rightly protected."

The right hon. Member for Tottenham (Mr Lammy) was one of the first people who celebrated the fact that diversity is for the first time to be enshrined in the BBC charter.

**Mrs Helen Grant** (Maidstone and The Weald) (Con): On regulation and diversity, does my right hon. Friend agree that Ofcom itself may need to better reflect the population of the United Kingdom, especially as diversity becomes an ever-increasing component of its regulatory requirement?

**Mr Whittingdale:** Does my hon. Friend mean the composition of Ofcom or its actions?

**Mrs Grant:** The make-up. At present its diversity figures at senior management level are about 6%.

**Mr Whittingdale:** My hon. Friend raises a perfectly valid point. Obviously, Ofcom is a public body. We would want to set an example in achieving diversity, and if its performance falls short, that is something which I know my hon. Friend the Minister for Culture and the Digital Economy and I will be happy to point out to the chairman and the chief executive.

**Sammy Wilson:** Can the Secretary of State clarify whether one of the benefits for the BBC will be that it will now have access to the database of Sky and other broadcasters, so that it can identify the names and addresses of people who may not be licence fee payers?

**Mr Whittingdale:** We are looking at ways of enforcing the licence fee requirement. Anybody who watches live television is required to have a licence, so those databases represent people who are required to have a television licence.

I wish to add in reply to my hon. Friend the Member for Maidstone and The Weald (Mrs Grant) that although I would not suggest that she is not right to be concerned, Ofcom took a major step towards greater diversity with the appointment of a female BME chief executive, who is doing a fantastic job. I am sure she would agree that there is still more that needs to be done.

**Mrs Grant:** Diversity is an important issue which is close to the hearts of many of us and we are making good headway on it, but does my right hon. Friend believe that designated funding—ring-fenced funding—might be helpful in driving diversity, as suggested by Lenny Henry?

**Mr Whittingdale:** We have set diversity as one of the public purposes in the charter. How the BBC delivers that is a matter for the BBC, but having been given that requirement, it will have to state how it will go about it, and that will be subject to Ofcom scrutiny.

The BBC reaches 97% of the UK population and 348 million people around the world every week. It is one of our most recognisable and strongest national brands and an utterly vital source of information, education, entertainment and soft power. It is precisely because the BBC has such a special place in British life and is so valued by the British people, and because the rest of the world feels the same way, that this Government wanted to secure its future and enable it to thrive in a media landscape that has changed beyond recognition in the past decade. That is what the proposals in this White Paper do.

2.24 pm

**John Nicolson** (East Dunbartonshire) (SNP): I welcome this opportunity to speak about the BBC in the aftermath of the publication of the Government's White Paper on charter renewal and the Secretary of State's appearance yesterday before the Culture, Media and Sport Committee, of which I am a member.

We on the SNP Benches are passionate defenders of public service broadcasting and independent journalism, so throughout the charter renewal process the SNP has engaged constructively in the debate about how the BBC can be protected and improved.

At its best the BBC is unsurpassed. Since its foundation in 1922, the BBC's mission has been, as we all know, to inform, educate and entertain. It forms one of the cornerstones of all our national lives. In our homes daily it can be an intimate friend or sometimes an infuriating relative, but we are proud of it at its best, not least for its world-renowned reputation.

Any organisation that is successful over such a period of time must adapt. It must be able to embrace changes in technology, as well as changes in the society in which it operates. Charter renewal allows the BBC and Parliament to take stock and assess what the BBC is doing well and where it needs to improve. For some on the Government Benches and in the press who dislike the BBC, the process holds out the opportunity to attack the corporation's core functions, and indeed during the charter renewal process we saw some wild notions floated. Some, of course, were newspaper fabrications. Other were clearly the result of Government kite flying. All of us know how that works. Ministers are able to float fanciful notions for radical reform and assess the reaction before the Secretary of State fans himself with faux horror and tells us that, of course, he had absolutely nothing whatever to do with the ludicrous and impractical proposals splashed across the pages of the madder right-wing tabloids.

**Ian Paisley** (North Antrim) (DUP): I know that the hon. Gentleman is a bit of a cheerleader for the BBC, but does he have any constructive criticisms of it? It may be unsurpassed in many ways at its best, but its best is not 90% of the time.

**John Nicolson:** I thank the hon. Gentleman for teeing up the rest of my speech. This part is what is known as the opening paragraphs, where I say something nice before heading further south for a good kick where it is well deserved.

**Huw Merriman** (Bexhill and Battle) (Con): The hon. Gentleman refers to the Government creating some of the headlines in the right-wing press, as he put it. What logic would there be in doing so and then not delivering? It strikes me as completely illogical and therefore very unlikely that the Government would have put those points in the press.

**John Nicolson:** I am touched by the hon. Gentleman's naiveté. Let me explain how the process works. Politicians sometimes talk to journalists. They say things that they do not want to be quoted as saying. The journalists then report that. If it floats, the politician then goes on the record; if it does not float, the politician backs away from it. That is generally the way it works. I would be happy to introduce the hon. Gentleman to journalists whom he might find useful in this regard over the coming months.

In the end—this is where I disagree to some extent with the Labour shadow Secretary of State—the White Paper is a relatively unambitious document. I suspect that that may well disappoint the Secretary of State, whom many think may have wanted a more radical legislative legacy.

There are a number of welcome proposals in the White Paper. I am far from a cheerleader for the BBC. The BBC does many things which are good, but it

also—as we discovered in Scotland during the referendum, which I will touch on later—does many things which are much less good. We welcome the abolition of the BBC Trust and its replacement by a unitary board. However, like many members of the House, I am worried about the composition of the new board and its independence. How will non-executive members be chosen? Can we be certain that they will not be subject to party political pressure? We have had worrying indicators already.

The National Portrait Gallery in London was recently looking for a new trustee. The selection panel, in a blind sift, rejected all five of the Government's preferred candidates. The Secretary of State then blithely dismissed the selection panel in its entirety and appointed a new one that pleased him rather more. I pressed him on that during his appearance at the Select Committee yesterday. He told me that the panel had been dismissed because of a technicality. Although he had not necessarily wanted to influence the selection board, he did want them to know who his preferred candidates were.

That is policy masquerading as process. I asked the Secretary of State what would happen at the BBC; specifically, would this happen at the BBC? It seemed obvious, from his reaction, that it would. I do not want independent selection panels for the BBC board to know who the Secretary of State's preferred candidates are. I want the BBC board to be entirely independent of government. I am worried by the evidence the Secretary of State gave at our Committee yesterday, as anyone, across all parties in this House, who cares about the independence of the BBC should be.

**Sammy Wilson:** Does the hon. Gentleman not see the other side of the coin? Given the bias that exists within the BBC and the fact that it will be able to choose half the members, with the other half being chosen by the public appointments committee, the real danger is that the BBC will simply continue on its merry way choosing half the board from the cadre of people that it believes most reflect the BBC values that many people currently reject. There would be a diversity of people chosen by the public appointments board.

**John Nicolson:** I am afraid that that is simply called editorial independence. There should be board members chosen by the BBC who are independent and not subject to politicians' pressure. However, non-executive members should be entirely independent as well. What worried me yesterday about the Secretary of State's evidence was that he showed a willingness to apply political pressure to non-executive board members. That is something that all Members across the House should be disturbed to hear.

**Mr Whittingdale:** I am puzzled. Is the hon. Gentleman suggesting that the Scottish Government should give up their right to have a say over the appointment of a non-executive director on the BBC board?

**John Nicolson:** I am absolutely delighted for the Scottish Government to have a say. My objection, however, is about something different. My objection is to political pressure being put on appointments, in particular to the main board. As we all know, the main board, with the number of members it has, will be enormously powerful.

[John Nicolson]

In fact, the Secretary of State yesterday argued how different this board would be from the previous trust—he said it would have real teeth. It is therefore vital that we should have fully independent board members, specifically the non-executive members the Government want to appoint.

**Julian Knight:** Does the hon. Gentleman think the new BBC board will be more or less accountable and democratic than the outgoing BBC Trust?

**John Nicolson:** The answer to that is we do not know yet. That is precisely why I am addressing these concerns in Parliament today. If the non-executive board members are truly independent, of course that is a great thing. However, the evidence the Secretary of State gave yesterday was worrying for the reasons I have given.

Trust in the BBC is crucial. It is no secret, as my hon. Friends have mentioned, that many in Scotland have been suspicious of BBC objectivity in recent years. The Secretary of State said a short while ago that a majority in Scotland—although he acknowledged a lesser number—were pleased with the BBC, but let me give the House the figure from the BBC Trust itself. The BBC enjoys only a 48% satisfaction rating in Scotland—less than half, for those who are numerically challenged. Sometimes criticisms of the BBC in Scotland have been fair and sometimes not, but the BBC itself—the Secretary of State acknowledged this—has a problem in Scotland.

We welcome other proposals in the White Paper. Licensed services issued by the new regulator Ofcom will include specific regulatory provision for all the nations. Out-of-London quotas will be maintained, which should enable a healthy, independent production sector in the nations and regions. The BBC's network television supply target will be 17% for content spending in the nations, with spending proportionate to the population of each nation. That suggests some progress in adapting the BBC to the changing needs of these islands in 2016 and beyond.

Of course, many of the changes required must come from within the BBC itself. There are proposals for the creation of a BBC Scotland board to oversee dedicated, nation-specific services. This would help to devolve decision-making, increasing the likelihood of relevant and reflective content suited for distinct audiences. We welcome the idea of a separate Scottish board, as proposed. We want to see a BBC that is editorially independent and well-resourced; a BBC that is bold and creative, and one that is crucially representative of, and delivers for, both Scottish and UK audiences as a whole. With a more responsive governance structure, we believe the BBC would be more nimble and better able to address the concerns of audiences.

**Deidre Brock:** My hon. Friend will be aware that the Chancellor very recently, without warning, cut £1 million from the budget of BBC Alba, the excellent Scottish Gaelic media service. That rather flies in the face of the stated support for BBC Alba in the White Paper. Does he agree that this throws the Government's motives towards the BBC into question more generally?

**John Nicolson:** I agree that that was most disappointing. BBC Alba is a fine product universally admired across all parties in Scotland. Gaelic is a struggling language that is part of our national culture. Every opportunity we can take to enhance, embrace and support the Gaelic language, especially on television, should be taken.

**Ian Paisley:** Does the hon. Gentleman not agree that it is in all our interests that we have a board that reflects the entirety of the society we are in? To have a board packed with lefty luvvies does his cause and my cause no good. It would be right for the Minister to, at times, ensure that there is someone who is centrist or even maybe slightly to the right on that board.

**John Nicolson:** The hon. Gentleman does himself down. Perhaps in Northern Ireland he is seen as a radical, but here I have always seen him as a centrist luvvie. The BBC should of course reflect the society in which we all live. [Interruption.] The hon. Gentleman mentions deselection. I did not mean to be quite so wounding. As we all saw in the recent debate on BME and lesbian and gay representation—something I know the hon. Gentleman cares passionately about—I think we are all keen to see more equal representation at all levels in the BBC, from presenters to management and, of course, on the new board.

Combined with greater financial commissioning and editorial control, we believe the BBC in Scotland can provide relevant reflective programming and support our nation's creative industries. We believe that bringing the BBC closer to viewers and listeners in Scotland is the best way of ensuring trust in, and satisfaction with, the BBC, and making sure it is rebuilt and retained.

Let me turn to news provision in Scotland, because I think it lies at the heart of the problem of trust for the BBC in Scotland. Some Members of the House may know that I spent much of my previous career in television news and current affairs. I reported for "On the Record", "Panorama", "Assignment" and "Newsnight", and I presented "BBC Breakfast" and "ITV News". I am passionate about editorially independent news. I therefore speak as a friend, albeit a critical one, when I say I do not think the BBC covered itself in glory during our referendum on independence. The model for coverage was wrong. The BBC treated a binary choice as though it were a traditional election. Proponents of the status quo were subjected to much less scrutiny than those who wanted constitutional change.

**Julian Knight:** Is it not really simply the fact that the BBC had the gross audacity to point out that an economic plan based on \$100 a barrel was nonsense?

**John Nicolson:** That is a soundbite, not an answer to my arguments.

The problem was that the BBC treated the referendum coverage not as a binary choice but as a traditional election. The BBC recognises that it made a mistake in that, but let me tell the House how it does so. It says, on the one hand, "We made no mistakes whatsoever in our coverage of the referendum", but then simultaneously says, "We must learn the lessons from the Scottish referendum in the way that we cover the European referendum"—and it now tells me that it has done that in its current coverage. It cannot say that it made no

mistakes in covering the Scottish referendum and simultaneously say that it will learn lessons from it—that is intellectually incoherent.

**Ian Paisley:** I thank the hon. Gentleman for raising this point, which goes to the heart of where the BBC is critically wrong, because that coverage could have determined the outcome of the electoral process. That happened in our country in 1998, when Alastair Campbell flew to Belfast and said that he could rely on his friends in the BBC and in the press to do the Government's job for him. At that point, the BBC lost all credibility, and today it stands in a shambles in Northern Ireland.

**John Nicolson:** There is widespread agreement that the BBC did not do well in Scotland during the referendum. The corporation looked stretched and dated, and there were fresh calls for what became known as the “Scottish Six”. At the moment in Scotland, the evening news on TV cannot cover any news item outwith Scotland. Armageddon in Carlisle? The BBC Scotland coverage will lead on an airshow in Carlisle. I sometimes get emails from people who are upset when I say this, so let me make it clear that it is not the fault of the journalists, but the fault of the remit, and it leads to couthie, entrenched provincialism. The BBC has been piloting a new, grown-up programme that would cover news based on merit and have a normal remit. If the main story is a UK one, that will lead the news; if American, that will lead the news; if Scottish, that will lead the news. BBC Radio Scotland has done this for decades, and BBC Alba has done it for a number of years.

**Graham Jones (Hyndburn) (Lab):** I am interested in the hon. Gentleman's argument, because most people do not think the BBC is biased. Could he give just one example of where he has a grievance about a particular story that he thinks was biased, and then we can perhaps look into it and judge it on its merits?

**John Nicolson:** It is not a question of one example but of the ongoing nature of the coverage during the referendum. As I have tried to explain, the problem was ongoing. People do not have to take my word for this. The fact that the BBC's approval ratings are so low in Scotland obviously shows that there is a problem. There is no point in looking at figures that show that 52% of people believe that the BBC does not cover the country well and then saying, “Well, it's just the SNP who are making a big fuss about it.” It is a deeply entrenched problem in Scotland. As somebody who loves independent journalism, as I hope I made clear in my earlier comments about the independence of the BBC, I hope that people will take me at face value when I say that I want to see an editorially independent BBC Scotland and, indeed, BBC network.

**Sammy Wilson:** Will the hon. Gentleman give way?

**John Nicolson:** Does the hon. Gentleman mind if I proceed for a moment or two?

There have recently been rumours of political interference, on the subject of the “Scottish Six”, emanating from worried BBC staffers. Let me remind the Secretary of State about our chats on the subject over the past few months. Charming, if candidly, he said yesterday at the Select Committee that he was

“not qualified to judge the BBC's output in Scotland or the reasons for its unpopularity.”

On that we are agreed—he is not qualified. In March, however, he told me in this Chamber that he agreed that increased investment and employment at BBC Scotland would be beneficial. He said:

“I obviously welcome any investment at the BBC that will create additional jobs, particularly in Scotland”.—[*Official Report*, 3 March 2016; Vol. 606, c. 1083.]

On that occasion, when I asked about the separate “Scottish Six”, the Secretary of State assured me that it was a matter for the BBC and that neither he nor his colleagues at No. 10 Downing Street would want to interfere. I hope he recalls his comments.

**Mr Whittingdale** *indicated assent.*

**John Nicolson:** He nods to say that he does. However, yesterday, when I pressed him three times in the Select Committee on whether he had been talking to BBC bosses about the “Scottish Six”, or trying to influence them, his body language looked a trifle uncomfortable, and eventually he conceded something very different. He told me that he

“might have concerns if he felt that the central place of the BBC in providing a nationwide news bulletin was being changed”

and added that the BBC

“has a responsibility to bring the nation together and news is part of that.”

Let us reflect on that line: that the job of BBC news is to bring the nation together. I could not disagree more. The job of the BBC is not to be a cheerleader for one constitutional settlement or another—that is what has caused all the distrust in Scotland. The job of the BBC is to be editorially and journalistically independent.

The Secretary of State should be playing no role whatsoever in trying to influence or block a separate “Scottish Six”. He himself stated several times that it should be a matter for the BBC and that he was not qualified to judge as he was not familiar with the BBC's news output in Scotland. Such interference would undermine the statements made in the White Paper regarding improving the BBC's services in the nations and restoring confidence there. It would show a blatant disregard and lack of respect for the constituent nations of the UK, including the devolved Administrations who have participated fully in the charter renewal process, and in good faith. Furthermore, it would undermine the plans that the BBC is intent on implementing.

So there we have it: a White Paper with which we broadly agree, but worrying signs that the Government want to tamper with the editorial independence of the BBC in Scotland and tamper with the political independence of the proposed new BBC board in London. SNP Members will resist both, just as we will fight any upcoming moves to privatise Channel 4. With Mr Speaker's permission, I am now heading to the DCMS Committee to hear about Channel 4's annual report and to offer it some moral support. Interference in the decision making of the BBC by the Government would put the independence of the BBC—a key feature of the organisation—in jeopardy, tarnishing its reliability and reputation.

**Several hon. Members** *rose—*

**Madam Deputy Speaker (Natascha Engel):** Order. Eight Members are wishing to catch my eye to speak in this debate, and we are hoping to finish at about 4.30 pm, so if everybody sticks to about 10 minutes, then I think we will come in on perfect time.

2.47 pm

**Julian Knight** (Solihull) (Con): The hon. Member for East Dunbartonshire (John Nicolson) mentioned his BBC past, so I too should declare that I spent five of my happiest years at the BBC, where many of the people I worked with were some of the finest professionals I have worked with anywhere. Many of them existed on low salaries, very much in contrast to the supposed talent that so often fills our pages. That is not a moan about my own salary, of course.

One of the main duties of any Government is the maintenance of our country's most important institutions, of which the BBC is undoubtedly one; millions enjoy its output every year. For me, though, that does not mean keeping it flush with public money and shielding it from change; it means fighting for reforms that ensure its long-term sustainability and relevance to the modern world. While it produces many excellent programmes and is an important part of the UK's extraordinary global influence, it is becoming increasingly apparent—except, perhaps, to the corporation's most highly paid stars—that the BBC must change further. Its broadcasting model, based on the idea of millions of families watching live broadcasts, is increasingly becoming outdated. It has expanded far beyond its initial remit, in some cases smothering independent local journalism in the process, and it has done all that by levying what is one of Britain's most regressive taxes—the licence fee.

The White Paper on the renewal of the BBC charter offers us the opportunity to do some very important things: to refocus the corporation on the core functions that justify its present place as a state-funded broadcaster; and, I trust, to wean it off the licence fee gradually, over the longer term, and to open itself up to the calming winds of competition and outside production.

When I was setting out on my career, I and many other journalists got our first jobs at thriving local papers. Such papers provided British journalism with a natural talent-scouting system, and that has profited all of us, including the BBC. The BBC was never meant to compete with newspapers, yet the BBC News website now undercuts a lot of independent local—and, at times, national—journalism. Local journalists, working directly in their communities, provide an irreplaceable public service. Can the BBC put journalists everywhere local newspapers currently employ them? Of course not. By contrast, the BBC now seems to concentrate jobs in London and Manchester, and even major cities are suffering the consequences. In my experience, BBC Birmingham is all too often treated not even as Cinderella: frankly, we are not even allowed to sweep the floor when it comes to BBC largesse. I very much applaud the campaign by the *Birmingham Post* and the *Birmingham Mail* to try to get a fairer deal for our region.

When the move was made to Manchester, it was lauded because it would increase regional diversity, but in some respects the corporation saw that as the beginning and the end of the process of attempting to reduce its overdependence on the capital. In many ways, the biggest effect has been to increase house prices in leafy Cheshire suburbs, rather than to create genuine regional diversity.

**Liz McInnes** (Heywood and Middleton) (Lab): As a Greater Manchester MP, I feel that the BBC's move to Salford—not Manchester—has done a lot to improve

its diversity, and it is nice to hear a lot of northern accents on the radio these days, which did not use to happen.

**Julian Knight:** What has actually happened is that we have created a bipolar organisation. There has been a move out of other regions, such as Birmingham and other parts of the United Kingdom, to these two centres. That was the natural consequence of the huge sums that were invested. I am not jealous of Salford in that it is obviously fantastic for that community. However, I think the BBC thought, when it came up with this process, that its work was done. I would like genuine diversity, including for the nations, as is discussed in the White Paper, but really for the English regions, with the BBC drilling down into local communities to deliver news and content that makes a difference, but also supporting the private sector.

Current proposals for the BBC to use local newspaper content, such as court circulars and documents—court reporting—are better than nothing, but it is a sad indictment that some local newspapers will now be used, frankly, as wire services for the BBC News website. Previous Governments were rather flat-footed in updating the BBC charter for the online age, and slow to recognise the dangers this unimpeded growth posed to independent journalism and regional diversity.

Another anachronism holding the BBC back over the long term is the licence fee. This might seem strange, given the ferocity with which the BBC's supporters have fought to defend it, but I believe nothing is doing more to prevent the corporation's adaptation to the modern world of multi-platform working. My wife and I grew up in a world of mass broadcasts and TV specials watched by tens of millions, yet the number of times a month we watch live TV together these days can be counted on one hand. That is not just due to working in this place, but is genuinely encountered by many people around the country. To younger people raised in the days of on-demand services, Netflix and YouTube, that vanished era is not even a memory, yet the BBC remains committed—addicted—to the regressive tax of the licence fee.

If we came up with a licence fee today, how could we justify it? It is a flat levy—the same for rich and poor alike—which is charged to anybody watching British programming, regardless of whether they consume BBC services or not, and it is backed by the threat of criminal prosecution. It really does not have any place in the broadcasting model for the 21st century.

**Deidre Brock:** Does the hon. Gentleman not recognise that the BBC is the envy of countries the world over? In Australia, where I come from, we have the Australian Broadcasting Corporation. Public service broadcasting is important in this debate. The ABC, which is funded largely by the Government, has experienced cut on cut in its budgeting over the years, and has suffered as a result.

**Julian Knight:** Public service broadcasting is apparently not so universally regarded in that way in Scotland, according to the speech of the hon. Member for East Dunbartonshire.

We must not be reckless with the BBC. As I said earlier, it would be an act of vandalism simply to turn off the tap without giving it time to transition to a new

way of doing things. However, the message from this renewal of the charter must be loud and clear: it needs to move on, and the days of the licence fee are, I hope, numbered. That must be acknowledged by BBC managers, who are even now demanding a higher fee, the extension of the fee to websites and continued criminal prosecution. The mid-term review is a sensible health check to see whether the BBC is moving in the right direction. I hope that it will encompass the BBC's move towards independent production, which is ultimately the only way in which it can move away from and wean itself off the licence fee.

The White Paper contains some promising steps in the right direction. For example, opening up more production contracts to independent companies will allow them to compete for public broadcasting funding. However, there must be clear targets for such diversification so that Ministers and MPs can hold BBC managers to account and ensure they are making adequate progress. They must also make sure that the BBC is proactive in finding fairer and more imaginative ways of funding its services. Many of its assets, such as its back catalogue, are not core to its public service function and could easily be made subscription services. Like other Members, I welcome the initiative to bring in the National Audit Office when it comes to the BBC's activities.

**Stephen Pound** (Ealing North) (Lab): I have been following the hon. Gentleman's words with great interest, and I credit him with and pay respect to him for his experience in this area. If, however, he is looking for logic in the structure of the BBC, he will be sorely disappointed because the BBC is above that. The BBC is an utterly unique institution—there is no similar corporate structure anywhere else—and we have a system which on paper seems bizarre, but by heaven it works. Can we not just glory in this special, unique and, dare I say it, British BBC?

**Julian Knight:** I hasten to add that the hon. Gentleman has now secured his place on the BBC News papers review for the next season.

**Stephen Pound:** In view of what the hon. Member for East Dunbartonshire (John Nicolson) said earlier, if there is a place for a lefty luvvie on the board, may I just say I am certainly one of those things?

**Julian Knight:** I am sure those comments have been noted outside this place, and the hon. Gentleman can expect the headhunters to call shortly.

As I was saying, many of the BBC's assets, such as its back catalogue, are not core to its public services, and if there are both audiences and quality programming, such services will survive and thrive. If not, why are we taxing the poorest to pay for them? Such change may seem difficult and even painful to people who have grown up being used to the status quo, but a fair and flexible funding model and a narrower focus on the core functions of public service broadcasting will be good not just for independent journalists and their viewers, but for the BBC as well.

2.58 pm

**Graham Jones** (Hyndburn) (Lab): Last month the Secretary of State for Culture, Media and Sport published his long-awaited White Paper on the BBC's charter

renewal, which we have all seen, and I have deep concerns about it. In response to overwhelming opposition from the general public and my hon. Friend the Member for Garston and Halewood (Maria Eagle), the Secretary of State has climbed down from some of his most radical proposals: "Strictly Come Dancing" will no longer be banned from prime time, the BBC will no longer be forced to sell off its highly profitable stake in UKTV, and he claims that the new all-powerful unitary board will no longer be packed with a majority of Government appointees. The way that has been handled suggests that those suggestions were either leaked to gauge public opinion on the Secretary of State's long-held intentions against the BBC, or to make his final proposals seem paltry by comparison. Whatever his intention, he has laid bare his fundamental dislike of the BBC and what it stands for.

I welcome the publication of salaries above £450,000. However, I question why there is no threshold of £150,000, because MPs and those in public life speak about that figure—and below it—as one that should be put into the public realm. Why £450,000? To my constituents, people in the broadcasting industry on £300,000 earn a considerable amount of money.

I agree that closing the iPlayer loophole is important. We are seeing a transformation in the way that broadcasting is delivered, and it is important that the Government keep up to date with those changes. I also welcome the increase in funding for the World Service. That is long overdue, especially after the issues that we had a few years ago, where changes to the World Service moved it from the Foreign and Commonwealth Office to the BBC. That was effectively a reduction in the BBC budget, and it had consequences on delivery, some of which have led to a U-turn.

I welcome 11 years for charter renewal instead of 10, but if the Government collapse, or if we have a general election outside the five-year cycle, will that aspiration be lost? What mechanism can be introduced to ensure the fundamental principle of the BBC being non-political, as the Secretary of State says, so that the cycle of charter renewal falls after a general election should general elections not fall in five-year cycles?

There are significant problems with the Government's proposals, and those persist despite the Secretary of State's apparent U-turns in the past few weeks. Such problems could have a significant impact on the BBC's independence, remit, and purpose. Part of what makes the BBC such a fundamental cornerstone of our democracy is its independence from politics. Unlike other media corporations, it is a public service and accountable to the public. Because it is beholden to all of us, it can hold those in power to account. The BBC is respected by the UK public and—more importantly—internationally, for its impartiality, but the Government's proposals for a new BBC unitary board threaten to undermine that impartiality. Although the Secretary of State was thwarted in his efforts to allow the Government to appoint a majority of board members, he still intends Ministers to handpick as many as half the membership. Given that the new board will have far greater powers than the current BBC Trust, because appointees will make operational and strategic decisions that will determine the BBC's future, his proposals constitute a worrying attack on the organisation's impartiality.

[Graham Jones]

Given that the Secretary of State has described the BBC's abolition as a "tempting prospect", it is hardly surprising that 62% of over-60s admitted to having no confidence in the Government to protect the BBC during its charter renewal. Indeed, their concerns are entirely justified. Before he set his sights on the BBC, the Secretary of State intervened in the National Portrait Gallery's recruitment process, and people have a right to be concerned about his track record. Indeed, he has form on interference, because after his preferred candidates were not shortlisted, he decided to rerun the selection process. Such a willingness to intervene is undoubtedly a frightening precedent for the appointments procedure of the new BBC board. Equally worrying is the Government's insistence on a five-year review of the charter—the Secretary of State calls it a "health check"—and the encouragement of commercial rivals to bid for licence fee money. While the former will prevent the BBC from carrying out long-term planning, the encouragement of commercial rivals to bid for licence fee money will accelerate the erosion of the organisation's financial independence. Taking money from the BBC undermines its ability to deliver services. We have seen a worrying reduction in or changes to BBC online and BBC radio, and a worrying threat—a sword of Damocles—seems to hang over BBC 24.

The Secretary of State says that the five-year health check is mid-term, and that he will not be interfering. No matter what promises he makes, he cannot escape the fact that the five-year health check is an intervention—a dialogue between the Government and the BBC. What is the point of the health check if the Government have no powers and no ability to change the BBC should it show failing health? In my opinion, the health check is a political tool of the Government.

Such measures are completely at odds with wider public opinion, and threaten to damage the UK's influence abroad through the BBC. The BBC is popular. Some 97% of the population use it for around 18 hours a week, and 76% of people think it delivers value for money. Despite that, the Secretary of State wants to transform the BBC's entire mission under the banner of "distinctiveness". Here, I worry. Although he himself could not provide any definition of distinctiveness to the Culture, Media and Sport Committee, I do not think that the public will be fooled into believing that that will represent anything other than an attempt to marginalise the BBC in favour of its commercial competitors.

The requirement for so-called distinctive content, overseen by the commercial regulator Ofcom, will inevitably undermine the BBC by restricting its popularity. It will push popular programmes from peak-time slots; putting less popular shows in those slots will harm the BBC's excellent viewing figures and reputation. That will enable a future Government to push an agenda of further cuts and reforms, as the Government will have set the BBC up to fail. Cash grabs, such as the Chancellor's transfer of the costs for free TV licences for the over-75s from the Department for Work and Pensions to the BBC, and efforts to expunge BBC services, which we saw in the Government's attempt to remove online recipes, will become commonplace, further damaging the BBC's reputation. The result will be a BBC lacking impartiality,

financial autonomy and independence, and with its reputation for quality broadcasting undermined.

An immense amount of public pressure forced the Secretary of State to step away from attacks on the BBC's online recipes and on some of its better broadcasting, such as "Strictly Come Dancing" and "The Great British Bake Off". But all this is happening on top of the Government's previous attacks on the excellent BBC Online services and on the BBC's local and international radio content, among others. Other issues not in the White Paper are not being addressed, such as the charges the BBC faces for delivery via satellite—the cost the BBC incurs for that ought to be addressed.

We must maintain the pressure on the Secretary of State to protect the BBC and the public interest, to make him withdraw his attacks on the BBC's independence and uphold the great virtues that mean that the BBC is held in the highest esteem, not only in the UK but around the world.

3.8 pm

**Huw Merriman** (Bexhill and Battle) (Con): It is a pleasure to follow the hon. Member for Hyndburn (Graham Jones) and to speak in this debate about the BBC's future. With that in mind, although she is not in her place I thank the hon. Member for Garston and Halewood (Maria Eagle) for giving us the opportunity to have this debate. She was right to say that the BBC is a revered and trusted national institution that we should view with great pride. I certainly do so from the Government Benches. We should also be minded that the BBC costs licence fee payers just 40p a day, the same price as *The Sun*—I will leave the analogy there.

The BBC is particularly important given the Government's commitment to improve social mobility. Children from the poorest backgrounds have the ability to access the BBC while they are growing up, and we should not forget what it can do for their social mobility. I speak as an example, having failed my 12-plus. I eventually went on to study for my A-levels at a sixth-form college, where I had quite a lot of independence. Had it not been for the BBC filling in some of the years for me, I do not believe I would be here in this place—although for some that may be a reason to speak against the BBC. I was proud, therefore, to be one of the 190,000 members of the public who responded to the consultation document, and I believe that the Government's charter renewal fits about right with the document I completed. During the process, I engaged with the BBC and wanted to do everything I could to support it. When I was elected 12 months ago, I made this my cause. I wanted to come here and speak highly of an institution that had done so much for me over the years, and I was delighted to obtain reassurances from the Secretary of State that the Government wanted only to strengthen it.

I am aware that the Government have tabled an amendment, but I want to focus on the three key areas in the motion. The first is the view that the charter renewal White Paper

"fails to provide an acceptable basis for Charter renewal".

That is not true of the White Paper as a whole. The charter will be renewed for an 11-year period, which puts it outside the election cycle. I listened to the hon. Member for East Dunbartonshire (John Nicolson), who is no longer in his seat, and his view that the BBC was

biased in the Scottish referendum. Over the years, it has struck me that the party that loses an election or, in this instance, a referendum tends to turn around and bash the BBC for letting it down and not giving it a proper crack. The bulk of our constituents would put that down to being a sore loser. Such attacks do this place no favours.

**Deidre Brock:** I am interested to hear the hon. Gentleman speak that way. Much mention has been made of “leftie luvvies” within the BBC. I wonder why he makes that point, given his own election result.

**Huw Merriman:** I won my election so I am delighted with the BBC to that extent, but I am making a serious point. It ill behoves this place to attack the BBC from all sides. I have observed over the years that when both parties attack the BBC, it probably means it is getting it about right.

The day the White Paper was published, I was fortunate to speak at a Media Society event in favour of the BBC and about the White Paper. The head of BBC policy was also at the event, and he was asked how many marks out of 10 he would give the White Paper in terms of support for the BBC. He gave it eight out of 10. If someone was sitting an exam, 80% would give them a first-class mark. This suggests that the BBC is happy with what has been negotiated, and I applaud it for having done a great job.

The second element in the motion is

“the threat the White Paper poses to the editorial and financial independence of the BBC”.

Again, this does not stack up, in the light of the White Paper’s content. For the first time, the BBC will be able to appoint people to the board. If the chairman opts for a board of 14, the BBC will appoint the majority. The BBC’s editorial independence lies with the director-general, which provides for a welcome separation of responsibilities. On financial independence, there is a five-year funding commitment that ensures a real-terms increase, which the BBC has lacked for some years. I welcome that and know that the BBC does as well. The National Audit Office and Ofcom also provide a degree of independence that allows the BBC to spend its money better and to be better regulated. I would have thought that all hon. Members would have welcomed that.

The third element of the motion

“expresses concern about the re-writing of the BBC’s founding mission statement”.

The BBC’s duty is to educate, inform and entertain, with the additional requirement that its output should be distinctive. If something is not distinctive, it should not be shown on the BBC—that might mean an end to repeats of my speeches to the House, as well as the cookery recipes! The BBC has nothing to fear from the addition of the word “distinctive”. Originality is what it does best and constantly. The BBC’s output now contains fewer derivative formats and US imports than it did some years back, so if all this means is the loss of “The Voice”, I would welcome it.

I do, however, seek the Minister’s confirmation on a few points. The first relates to the health check on page 54 of the White Paper.

**Graham Jones:** I want to take the hon. Gentleman back one sentence to the issue of distinctiveness. What would he say about the BBC’s distinctiveness in the provision of sport? If it is not distinctive, should the BBC provide for sport or not? I am interested to hear the hon. Gentleman’s views on that.

**Huw Merriman:** I was coming on to this point, because distinctiveness was one of my asks for the Minister. The hon. Gentleman is right to mention this issue. When it comes to showing sport, taking too distinctive an approach could end up being an unpopular approach that nobody wants to watch. If distinctiveness in football programmes on TV means panning away from the pitch and doing something distinct, I will not want to watch it, but I do not believe that that is how the issue will be interpreted. There must be a common-sense and sensible way of interpreting it.

Let me provide another example, about which I am a little more concerned—the output of Radio 1. I recognise that someone of my age should not be listening to Radio 1, but I do listen to it. In my view, Radio 1 already provides a distinctive mix. It provides music that is currently in the charts, as well as playing music that is being aired for the first time because no other commercial broadcaster will play it. If it then goes into the charts, the commercial radio stations will want to play it. If we expect the BBC to be distinctive in having nothing but new music, my worry would be that listeners will not turn on at all, so the new music would never make it through towards the mainstream.

The hon. Member for Hyndburn (Graham Jones) is right that we need to be careful about the definition of ‘distinctiveness’, but I do not see that as anything other than reminding the BBC that its output should be both original and excellent. I acknowledge that the Secretary of State is more a fan of Motorhead, but I hope that distinctiveness will not be taken far enough as to allow any of Motorhead’s music to be played on Radio 1.

I mentioned the health check, and I believe that the devil will be in the detail of the language. It is important to have the opportunity to survey what is happening. It makes absolute sense that, five years into an 11-year period, there should be an opportunity to ensure that the charter renewal has worked. If it has not, it can be changed. I agree that if it is worded too widely, it could become a matter of concern and end up being a break clause. As I say, the devil will be in the detail. It was interesting to hear Opposition speakers assuming that a Conservative Government would be in place at that particular point. I obviously very much hope that that will be the case.

**Graham Jones:** I made the point that the 11-year charter renewal could be fraught if the principle were that it should follow a general election, because the Government might collapse.

**Huw Merriman:** The hon. Gentleman did indeed say that, so I correct myself on that basis. Perhaps we can agree by saying, “Who knows what the future will bring?”, making it essential for the five-year health-check provisions to be worded tightly to ensure that the BBC continues to be the BBC that I believe this charter will deliver—certainly for the first five years.

[Huw Merriman]

I also seek the Minister's reassurance about the make-up of the board. We might find that six appointments are made through the Government process, but we should all remember that these will be in accordance with the Nolan principles on public appointments, which is why I do not buy some of the points that have been made about bias. I am conscious that there will also be up to eight appointments made by the BBC itself. It is essential for the board to have one culture and to operate as one, notwithstanding the two different mechanisms for appointments.

My final concern relates to diversity targets. I was delighted to have a BBC breakfast yesterday with the BBC team that is looking to promote its diversity objectives. I applaud the ambitious figures it came up with to make sure that the BBC's output reflects the society that we live in. The figures are indeed ambitious and have to be delivered by 2020. Key for me is that the BBC does not lose its excellence in so doing. It is essential for the best people to be put into the jobs on the basis of merit. That is a huge concern for me.

I end by welcoming the White Paper, which I believe strengthens the BBC. It gives the BBC integrity and gives back much of the independence that it might have lost over the years. It must be funded properly. I greatly welcome the Government's amended motion, and I look forward to supporting it and the BBC in the Lobby later today.

Several hon. Members *rose*—

**Madam Deputy Speaker (Natascha Engel):** Order. I apologise for the fact that there has been a slight change in today's business. As Members will see on the Announcer, there is to be a business statement after the debate. If no Member speaks for more than seven or eight minutes, everyone will be able to contribute before the vote.

3.19 pm

**Helen Goodman (Bishop Auckland) (Lab):** I am very pleased to have the opportunity to speak in the debate. Some of what I say will reflect the fact that I chair the NUJ parliamentary group, the financial support for which is specified in the Register of Members' Financial Interests under my name.

Members on both sides of the House have agreed that the BBC is a fantastic organisation. It is a fantastic organisation for us as a country because of the exceptionally high quality and variety of its output, and it is a fantastic organisation internationally. On the international front, I think that the fact that the BBC is watched and listened to by 350 million people every year is a remarkable tribute to the quality of its journalism, and we must focus on maintaining and supporting it in what is a lively, vibrant and changing media world.

The BBC's international role goes back a long way. My mother is Danish, and in the middle of the second world war it was to the BBC that her people turned when they wanted to find out the truth of what was going on and hear some news on which they could rely. It is very important that we continue to invest in the kind of journalism that provides that reliability for people in places across the globe where there is no free media and no free press.

For us at home, as we heard from the hon. Member for Bexhill and Battle (Huw Merriman), the BBC provides a range of programmes. Whether we are talking about music and music festivals, about the contribution to the creative sector—for every £1 that is invested in the BBC, we get £2 back for the creative industries—or about what I enjoy most, namely the quality of the science and nature programmes, the BBC is a truly remarkable institution, and we must give it the support that it needs in this changing world. However—partly because of the moves set out in the White Paper, and partly because of other things that have happened since the general election—I fear that it will not be given the support to which it is entitled, on either the financial or the independence front. I want to say something first about money and then about independence before making a few points about other specific issues.

On the money front, of course it is welcome that the licence fee has been guaranteed for five years, and of course it is welcome that it is to be extended to iPlayer watchers. It is also welcome that there is to be no more top-slicing—although the fact that top-slicing is ending for broadband is rather ironic, given the somewhat problematic roll-out that we are seeing in rural areas, which the Minister knows so much about. However, all that must be seen in the context of the fact that, last summer, the BBC Trust rolled over and accepted responsibility for providing free television licences for pensioners, at a cost of £700 million in licence fee money.

It is all very well for the White Paper to set out a process for establishing what future financial arrangements will be. I would have a bit more confidence in the BBC Trust had it not rolled over and agreed to what the Government wanted, but—not just because of that, but because, on a previous occasion, the previous chair and director-general also agreed to big cuts in the space of, I believe, less than 24 hours—I am not convinced that the BBC's current financial settlement is adequate. When I receive emails from BBC managers telling me that they are reviewing the 24-hour rolling news service because it has to make cuts, I am afraid that that does rather challenge the roseate picture that was presented by the Secretary of State.

**Graham Jones:** My hon. Friend is making a powerful point on a subject that I touched on only briefly. This proposal would create a monopoly—at present there is a duopoly—for Sky News. Would not this create a massive issue, in that the BBC provides competition?

**Helen Goodman:** My hon. Friend is of course right, and I shall move on to the argument about contestability in a moment.

In some respects the White Paper is a good document because it provides lots of interesting facts and background. One particularly interesting aspect is the forecast of people's media use. People's use of mobile media is forecast to double by 2020, so it seems extremely odd to be chopping the BBC's resources at this particular moment. I can see that time is pressing, so I shall move on to the question of independence.

The problem with half the board members being appointed by the Government through a Government-run process will be the convergence between the Executive and the trust. I agree that the trust suffered from some

role confusion. Was it a cheerleader or a regulator? It seemed to slide between the two. However, the problem is that it will not be possible for the director-general, who sits on the board alongside its other members, to maintain the kind of editorial independence on which we all rely. And of course, if appointment is not a problem, reappointment certainly will be.

I want to mention three specific issues. The first is the proposal to merge the world rolling news service and the national rolling news channel. It is completely obvious that each of those channels has a completely different agenda, and that one of them would lose out under such a proposal. My second concern is the contracting out of about 60% of the BBC's radio content. On the question of contracting out and contestability, it is fine for us to subject to competitive tender and contract out between 10% and 25% of programmes, but once we move beyond 50%, we are tipping the balance in the wrong direction. We already have independent television producers and independent commercial channels. We have channels funded by subscription and channels funded by advertising, and it seems quite inappropriate to suggest that the BBC should follow their model through contestability.

The impact of the BBC on the general quality of programming is reinforced by what happened when ITV made "Downton Abbey" and exported it to America. The Americans were convinced that it was a BBC production because it was so good. That illustrates the influence of the BBC on television standards across the board. Finally, I have to question whether financing local news through the licence fee is the best approach. Obviously, we need to do something about local newspapers, but I am not convinced that the licence fee is the right route through which to do that.

3.28 pm

**Glyn Davies** (Montgomeryshire) (Con): Thank you for calling me to speak in this important debate, Madam Deputy Speaker. It is always a pleasure to follow the hon. Member for Bishop Auckland (Helen Goodman), and it has been a pleasure to listen to her contribution. I nearly always agree with about half of what she says. I shall limit myself to making one main point. I am grateful to you for squeezing me into the debate, Madam Deputy Speaker, and I shall try to limit myself to five minutes. I shall pass over all the complimentary things that I was going to say about the BBC. It is an example of British expertise and invention right across the world, and I would have liked to say more about that.

We need to recognise that developing and agreeing on the role and scope of the BBC is an important responsibility for the Government through the charter review and renewal. The BBC is inevitably very powerful, and its huge success means that it becomes dominant in many of its markets, so there is a role for Government to be aware of the impact that the BBC, backed by £4 billion of what is effectively public money through the licence fee, has on diversity and to ensure that that remains positive. I believe that it always does, but that is a role for Government.

However, just because we are huge supporters of the BBC, it does not mean that we cannot criticise it from time to time. My approach to the BBC is a bit like my approach to the Welsh rugby team: I love it second only

to my family, but when they play badly, I feel that I have the right to criticise. I do not think that that impacts on my regard for the BBC or, indeed, for the Welsh rugby team.

I was a bit surprised to see this topic coming forward as an Opposition day debate, and I think that the Opposition Front-Bench team had to work quite hard to generate genuine disagreement as there is a large measure of agreement across the House about where we are going. The White Paper has been welcomed across the board, including by the BBC. Before its publication, I was receiving hundreds of emails telling me about the terrible things that the Government were going to do to the BBC, including virtually disbanding it and taking away its independence—all total nonsense, of course. I have not had a single email since. The reality is that the White Paper was welcomed by almost everybody who has had a proper response to it.

As for the argument that was made earlier about the publication of payment packages, I have some sympathy with those who believe that the level should be lowered from £450,000. A level of £150,000 is reasonable, and I hope that the Secretary of State will return to that and that the BBC accepts that the public do not really agree with the position that it has taken. It may well volunteer to bring the figure down itself.

I want to make a short point about the relationship between the BBC and S4C. S4C is important for Wales's cultural identity and hugely important to the Welsh language. Such matters are vital to me and I often speak about them. During the previous Parliament, S4C's funding was moved from the Government to the licence fee. Indeed, 90% of S4C's funding now comes from the BBC, so the relationship is crucial. The Government have agreed to hold an independent inquiry into S4C's future support arrangements, but I am told that it will not take place until after the charter for the next 11 years has been agreed. I do not want to criticise the Government here, but I want to make an important point about the degree of uncertainty that that causes.

We do not want a charter agreement that in some way makes it more difficult to have a proper, independent inquiry into S4C's future. I make that point in this debate—I am pleased that the Secretary of State is back in his seat—because it is causing a great deal of concern about what might happen, not what is going to happen. Whenever we move forward and such things are discussed by the relevant parties, we must be careful—unless the charter review and the inquiry can be run side by side—that the charter review does not impinge on the future relationship between S4C and the BBC in the independent inquiry.

3.33 pm

**Tommy Sheppard** (Edinburgh East) (SNP): We should start by remembering that the BBC has just been asked to make what is pretty much a 20% budget cut. There must be some senior executives and some people close to the BBC who are beginning to question whether the deal that was made last summer is a good one and is being delivered. I was not privy to the conversations or the late-night telephone calls, but the nature of the deal was presumably that if they agreed to make a £650 million contribution to the black hole in the Chancellor's Budget, the BBC as we know it would be safe going

[Tommy Sheppard]

forward in two respects: that it would continue to be funded by public subscription through the licence fee and that it would be editorially independent.

I do not know what is in the minds of Ministers—we will see that as the debate on the White Paper develops over the rest of the year as we head towards the charter renewal—but it is the case that there are voices on the Government Back Benches that are hostile towards the BBC, and that will question whether the licence fee should remain and whether the BBC should be obliged to undergo more privatisation and have more of a commercial motive in its output. I thought that that debate had gone, but the BBC needs to be cognisant that it is not over.

The SNP, as my hon. Friend the Member for East Dunbartonshire (John Nicolson) said, is absolutely committed to public service broadcasting. We must remember that the opposite of having a public service ethos in our broadcasting is to have a commercial one, in which decisions are made on the basis of how many viewers there will be and how many programmes can be sold in an international market. In my view, that makes for bad programmes and would remove innovation, creativity and experimentation.

To illustrate that with an example, probably my favourite television programme on air at the moment is “Peaky Blinders”, a gritty BBC drama series set in 1920s Birmingham about gangsters of the time. It is rich in social realism and in its attention to period detail in every respect but one: it has a contemporary electric soundtrack, even though it is a period drama. Some would say that, on paper, that does not work and spoils the programme. Actually, the electric guitar of Jack White and the other people on the soundtrack enhances the menace in the narrative.

I would bet that if somebody had taken that idea to a commissioner whose principal objective was to get as many viewers and sell as many programmes as possible, they would have sent it back saying, “No, I want a soporific score that is reflective of the ragtime music of the period.” An experiment would have been denied. That might have sold more copies and it might have gained more viewers, but it would have been a much worse programme as a result.

There have been steps forward—some of them baby steps—in the way the BBC operates. There has been some decentralisation, which is extremely welcome, and that has resulted in better programmes. For example, the forensic and high-energy examination of alleged corruption in the Metropolitan police was produced by a production crew in Belfast. Who would have thought that they would be the best equipped to do that job? In “Shetland” and “Hinterland”, one can see gritty crime dramas set very much in the vernacular of the Scottish islands or of Aberystwyth that yet command much wider audiences, because exploring diversity can bring better programmes that enrich the entire output for everyone.

I now turn to the situation in Scotland. My hon. Friend the Member for East Dunbartonshire made some points that I want to reiterate, but the first thing to say is that the management of the BBC are playing catch-up, and not playing it very well, with the decentralisation that has taken place in the governance

of the United Kingdom. It is welcome that the Scotland Act 2016 gives the Scottish Government a say in the charter renewal process and in the management of the BBC, but is it not remarkable that almost 20 years after the creation of the Scottish Parliament, we are debating whether it should have those limited powers?

We believe, as we put forward in an amendment to the Scotland Bill and as we will put forward again, that broadcasting in Scotland should be the responsibility of the Scottish Government. How can it be that this House entrusts the Scottish Government to make decisions on assisted dying, abortion, the running of all public services and what rate of income tax people should be charged, yet thinks that they cannot control the telly or the radio? It is a remarkable situation.

We believe that, in the process of charter renewal, those debates can be revisited. As my hon. Friend the Member for East Dunbartonshire said, we think that the BBC should consider a federal structure in which the licence fees that are collected in Scotland are controlled and directed in Scotland by people who understand what they are doing, and in which programme making and commissioning are controlled in Scotland, so that, most importantly, all of the considerable resources that are available can support the creative industries, talent and artists in our own country. At the moment, many of them do not, and much of our best creative talent is obliged to travel 400 miles south to ply its trade in this city, which is not acceptable in the long term.

When we give examples of drama or entertainment, most people would probably agree that the output should reflect the place in which it is made, but that is even more important when it comes to news and current affairs programmes. Those on the Government Benches misunderstand, perhaps deliberately, our concern in this respect. There was talk earlier of sour grapes and sore losers—by the way, Members should remember that I am speaking on behalf of a party that is getting quite adept at winning elections—but our concern is about the fairness and impartiality of our national broadcaster. When the Secretary of State says that it is the role of the BBC to keep the nation together, that becomes a non-neutral statement when we consider that the constitutional future of our country is, shall we say, a matter of divided opinion. It is not about reviewing the 2014 referendum result, but about understanding that there are different perspectives within the Scottish population.

Almost 50% of the people do not agree that staying in the United Kingdom in the longer term is the best option for us. They would like to see self-government of their own country. I am not arguing about who is going to win or lose that argument, but we should accept that there is more than one opinion. Therefore, to deny that and to allow the BBC to take an editorial view that the nation must be kept together, by which I presume it means the UK, means that many, many people will feel disfranchised and alienated from the national broadcaster. That must be a matter of concern. I know that the Secretary of State’s opinions are his opinions and that he does not control the output of BBC Scotland—of course that is right—but having senior politicians who take that view will have some effect on the people working at the coalface and making the programmes. We need to say quite clearly to BBC Scotland that it is

its responsibility to reflect the diversity and the plurality of opinion that exists in that country, rather than take sides in this matter.

After speaking to senior executives at BBC Scotland, I know that the director-general now has four pilot episodes—I do not know whether they are videotapes or DVDs—of a potential Scottish news programme on his desk. The degree of control that is being exerted in relation to Scottish editors and producers varies. I hope that he will take the bold and commendable step of selecting the most ambitious of those and committing to allow the people who live in Scotland to view BBC Scotland through their own experience and in a way that reflects their own lives.

3.42 pm

**Liz McInnes** (Heywood and Middleton) (Lab): I am pleased to contribute to this debate. I want to focus on just one aspect of the White Paper—the proposal to modernise the licence fee by closing the iPlayer loophole, requiring all those who access BBC on-demand content to pay the licence fee. That will have a real impact on our students.

I have already asked questions about how the proposal will impact on students living away from home. The response was that the Government consulted on adding on-demand programme services to the TV licence framework and that, under the new proposals, all individuals will need to be covered by a TV licence if they stream or download TV programmes through on-demand services provided by the BBC. The response went on helpfully to state:

“If an individual has a licence already, then they are automatically covered to watch BBC on-demand services under the new proposals.”

I was already aware of the latter point, and that is the issue with students living away from home. I asked whether any assessment had been made of the potential effect on students, but there was no reference to that in the response, and I can only conclude that no assessment had been made.

Legally, if a student is living away from home and has a television in their room and that room is a lockable, self-contained unit, they need a TV licence. However, most students do not have televisions in their rooms so they do not need to purchase a TV licence. What many students will, however, have in the room is a computer or an iPad on which they will access BBC programmes online, many for research or study purposes, and it would seem that the proposed closure of the iPlayer loophole will now require the students to be in possession of a TV licence, adding yet more expense to an already phenomenally expensive education.

The Government claim to have consulted on the continued provision of the licence fee and found “significant support for reform or modernisation”.

On this basis, they have

“committed to modernise the licence fee to include BBC on-demand programmes”.

Yet an examination of the consultation results shows that 59.8% of responses said that no change was needed, with only 15.1% supporting reform, including closing the iPlayer loophole. In addition, an analysis of the *Radio Times* survey appears in the White Paper and the startling fact is reported that 3% of respondents indicated that,

“there should be some sort of licence fee reform—including closing the iPlayer loophole.”

So, 3% and 15.1%—it is hardly a positive mandate for action, is it?

Yet on the basis of that minority view, the Government have ploughed on regardless and are now proposing to make the change without any evidence of having assessed the impact on those likely to be adversely affected. Certainly, having looked at the list of groups feeding into the consultation, I can find no group representing students—no National Union of Students or similar body was in evidence.

Although the Secretary of State consulted sources as diverse as Glasgow City Council and Sir Lenny Henry, he forgot to consult 2.5 million students in the UK. Students feel so strongly about this issue that there is a change.org petition calling for students to be made exempt from paying for a TV licence to watch BBC iPlayer on demand. The petition was started by a student at Loughborough University, who says:

“I’m acutely aware of the huge sums of money required for a student to live and study away from home...Today’s students will leave University with an average debt of about £45,000. A TV licence would add £436.50 during a 3 year course, adding yet more debt to an already unaffordable education.”

That student points out that the Government has not been kind to students financially, chronicling the increase in tuition fees in 2012 and the fact that the Government have now scrapped maintenance grants for poorer students, replacing them with loans and thus making them build up yet more debt. She believes it is about time that the Government did something positive for students in the UK. I agree with that student and I am supporting her campaign.

The petition so far has 17,405 supporters, many of whom have left comments pointing out the Reithian principles of the BBC: to inform, to educate and to entertain. Surely we would wish our students to access the first two principles and tolerate the fact that, yes, they may also be entertained at times without its adding to the mountain of debt that they leave university with.

I mentioned before that the National Union of Students was not among the bodies that had engaged with the consultation, but I have consulted with the NUS and I will finish with the words of the NUS vice-president of welfare, who said to me today:

“The iPlayer offers access to BBC radio, for which a licence fee is not required, and to archive material, for which there could be strong academic reasons necessitating access. This change would unfairly prohibit continued free usage of the services. And, at a more basic level, with the gap in available financial support and the average cost of living for students running to thousands of pounds a year, the idea that students have spare cash to cover this proposed additional cost is bordering on the ridiculous. The simplest solution is to offer an exemption for students who solely access BBC iPlayer, and we support calls on the Government to revisit this decision.”

I support the NUS’s view. I urge the Secretary of State to rethink the closure of the iPlayer loophole and to do something positive for our students by making them exempt from it.

3.49 pm

**John Pugh** (Southport) (LD): I congratulate the hon. Member for Heywood and Middleton (Liz McInnes) on introducing a new angle to the debate.

[John Pugh]

My uncle Will, a clergyman of strong opinions for whom I had a good deal of respect, used to argue from the 1970s that the BBC was run by communists. A more common view, though, is that the BBC is a great British organisation or institution and, like most great British organisations, it is as much a product of historical accident as of design, a point made earlier by the hon. Member for Ealing North (Stephen Pound).

I hesitate to call the BBC a national treasure, but it is certainly internationally respected, largely because it is not simply consumer-driven or obviously pursuing its own agenda. It acts as though it has obligations and values—duties to inform, educate, foster cultural development and encourage democratic thought, new ideas and understanding of traditions and history. That is probably why we have the diversity of programmes and more creativity and risk on the BBC than we get from commercial broadcasting. Oddly enough, that is profitable for the BBC. If it did not have those obligations, there would be no case to provide it with public funds.

The BBC model is ultimately paternalistic—which is why, mixing metaphors, it got called “Auntie”. As we have already established, parents and aunts are seldom impartial, and we may wonder in a post-modern way whether we ever get impartiality right. However, we want a public sector broadcaster to make the effort, which means building the right sort of challenge into the system.

**Mhairi Black** (Paisley and Renfrewshire South) (SNP): Does the hon. Gentleman accept that from a Scottish point of view, despite the limited devolved powers that the BBC has, which my hon. Friend the Member for Edinburgh East (Tommy Sheppard) touched on, everything is reported from a London-centric perspective? That is part of the problem and accounts for some of the dissatisfaction with the BBC.

**John Pugh:** We would make exactly the same point in the north-west, which is why we are so glad that the BBC was persuaded, sometimes kicking and screaming, to come up to Salford. A public sector broadcaster that degenerates into a clique of like-minded individuals who are inordinately pleased with themselves will not do the trick. We all recognise that the BBC has diversity issues and may also have complacency issues. Just because the BBC is criticised from both sides of the political divide, as it clearly is at present, does not mean that it is getting things right. In most other walks of life, universal condemnation is not an automatic sign that a good job is being done.

Much of the challenge should come from the public, as indeed it does. Much of the challenge will come from other media, as indeed it does. Some should come from Parliament. The Public Accounts Committee has wrestled for some time to get to the bottom of the BBC accounts and found great difficulty in doing so. The PAC has had difficulty getting to the bottom of only two issues—one is Saudi arms deals and the other is the BBC finances. If there is to be effective challenge, it must be hard-wired into the system. If it is not in the culture itself, as it should be, there must be a structure beyond feedback programmes that facilitates it.

I do not see a case against Government appointees being part of that structure. Why, after all, should the Government not have a view? The important thing is that the Government's influence is not undue, decisive or determining, and must always be transparent. Sometimes pseudo-independent figures aligned with Government on boards and trusts—referred to earlier as leftie luvvies—are more worrying than overt Government representation. Behind-the-scenes influence can often be corrosive. There are current allegations that the BBC is running scared of covering the Tory election expenses issue because it is fearful of what the Government may do.

Sadly, I think this Government would prefer to have things both ways—covert and overt influence, stuffing the structure with Government placemen, using charter renewal as a disciplinary tool, and using traditional dark arts to hobble the BBC, where possible. It is our duty here to argue for as much transparency and accountability as we can get. That is the only genuine way in which we can safeguard independence, but transparency must be twofold. It must be about what the BBC does and funds, but also about what leverage the Government have and exercise.

3.54 pm

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): We have had a high-quality and thoughtful debate. I am pleased the Secretary of State was able to take a break from his true love—campaigning in the EU referendum—to be here. He will have heard Members on all sides speak with overwhelming positivity about the BBC's contribution to, and place in, Britain and the world. The hon. Member for Montgomeryshire (Glyn Davies) emphasised that in the Welsh context and the hon. Member for East Dunbartonshire (John Nicolson) did so in the Scottish context. My hon. Friend the Member for Heywood and Middleton (Liz McInnes) highlighted the BBC's importance to students. I hope the Minister will address her concerns.

Members on all sides voiced their concerns about the charter renewal process, the editorial independence of the BBC, its financial independence and the BBC's future mission. I agree with the position of the hon. Member for Bexhill and Battle (Huw Merriman) on Motorhead, but I am afraid I cannot share his complacency about the review. Many Members, in particular the hon. Member for Edinburgh East (Tommy Sheppard), my hon. Friend the Member for Hyndburn (Graham Jones) and the hon. Member for Southport (John Pugh), spoke of the good work the BBC has done and continues to do, and the value of public service. We heard about the cultural power of the BBC, the power it projects around the world and the millions of people for whom it is the only reliable window on the world. Several hon. Members spoke of the key role that our public sector broadcasters play in supporting our creative industries, the continuing success of the BBC and its role as one of the cornerstones of our £84 billion creative industries. That is something we on the Labour Benches celebrate.

I want to dwell for just a moment on the importance of the cultural sector not only here in this bastion of privilege but in every home and on every high street. The BBC is instrumental in that and it is public. We on the Labour Benches do not have an ideological problem with successful public sector organisations. Just like the 73% of respondents to the charter renewal consultation who supported the BBC's continuing independence, the

two-thirds who said that the BBC had a positive wider impact on the market and the three-fifths who agreed that the current system of financing is functioning well, we on the Labour Benches, and some on the Government Benches, see a flourishing BBC and think: how can we support it and make it even better?

The Secretary of State instead seems to have set out to deliberately diminish the BBC, undermine its finances and independence, and insist that the BBC in some way distances itself from successful popular broadcasting. This change is nothing to do with equipping the BBC for a new age of digital technology and changing methods of media consumption, something the hon. Member for Solihull (Julian Knight) and my hon. Friend the Member for Bishop Auckland (Helen Goodman) rightly emphasised, and everything to do with hobbling a great British institution.

We are not arguing that the BBC is perfect. I have participated in several debates this year alone about the BBC's poor record on diversity, be it black and minority ethnic, socioeconomic, gender, lesbian, gay, bisexual and transgender, or regional. Concerns about this were voiced in several interventions. The BBC's licence fee funding means it must provide something for everyone. It is an existential principle of its very being—or Beebing—and I am pleased that its recently launched diversity policy is an attempt to reflect that. We shall watch with interest. When the BBC gets it wrong, it is right that we are critical, but we must also celebrate when it gets it right, and it gets so very much right—that is why it is the greatest broadcaster on earth.

A great deal of concern has been expressed in the debate and outside the House about the effect of the charter on the BBC's independence. My hon. Friend the Member for Bishop Auckland spoke passionately about the impact on its editorial independence. The charter changes the BBC's governance and regulation, and those changes have been described as the biggest in the organisation's 94-year history. The Opposition have made it clear that it is simply not acceptable for a unitary board that will have influence on editorial output to have up to half its members appointed by the Government. *[Interruption.]* Government Members are shaking their heads, but that is the case.

**Julian Knight:** Does the hon. Lady not recognise that that influence actually comes post-production—for example, if there is a controversy? That is perfectly right and proper.

**Chi Onwurah:** I thank the hon. Gentleman for that intervention, but it is quite an established principle of regulation—I worked for Ofcom, the regulator, for a number of years—that post-production influence will have a chilling effect in this case. The fact is that there will be editorial influence.

As I declared, I have an interest, having worked for Ofcom. It must be remembered that the Prime Minister once vowed to abolish it, but, rather than abolishing it, the Government have heaped new responsibilities and powers on it, creating a super-regulator in some respects. However, will they furnish it with fee resources or ensure that it has the internal boundaries that are needed to carry out such important functions? Spectrum may not be as sexy as “Strictly”, but it requires a good

deal of focus, resource and energy to get it right, and we want to make sure that the resources are in place so that that happens.

The Secretary of State said earlier that previous Administrations had appointed members to the board, and that was the subject of an intervention, but he failed to mention that, in the past, the board has not had direct influence on the BBC's editorial content, and that is a point that he and the Minister must address.

Other Members have spoken today of the threat to the financial independence of the BBC, and my hon. Friend the Member for Hyndburn eloquently set out how that threatens services. Burdening the BBC with financing free television licences for over-75s has already threatened its future independence and is a worrying precedent—an independent organisation being co-opted into delivering Government policy. The proposal to allow the National Audit Office access to the BBC's commercial arm could derange its commercial operations, further undermining its finances and independence.

It is our BBC, and it belongs to the people—every household pays for it. However, the Government are messing with the fundamentals of our Beeb, not to equip it for the digital age, or to enable it to fight the new global behemoths or better represent our diverse society, but because it is a public sector success story—and that undermines the crooked ideology of this freewheeling Government. I urge the House to support the motion and to protect our BBC.

4.4 pm

**The Minister for Culture and the Digital Economy (Mr Edward Vaizey):** This is a great opportunity to respond to this important debate. I thank all hon. Friends and hon. Members who made such effective contributions. We heard the brilliant speeches that we would have expected from the hon. Member for East Dunbartonshire (John Nicolson); my hon. Friend the Member for Solihull (Julian Knight), who was employed by the BBC; the hon. Member for Hyndburn (Graham Jones); my hon. Friend the Member for Bexhill and Battle (Huw Merriman), who was educated by the BBC—all the people who have benefited from the BBC are on the Government side of the House; the hon. Member for Bishop Auckland (Helen Goodman); my hon. Friend the Member for Montgomeryshire (Glyn Davies), who rightly talked about the importance of S4C, of which he has been a doughty champion throughout; the hon. Member for Edinburgh East (Tommy Sheppard); the hon. Member for Heywood and Middleton (Liz McInnes), who spoke up for students; and the hon. Member for Southport (John Pugh). They were all ably bookended by the formidable spokesman for the Opposition, the hon. Member for Newcastle upon Tyne Central (Chi Onwurah), whom I have now shadowed for six years.

I bow to no one in my love and respect for the BBC. I am of course currently immersed in “Versailles”. To anyone who wants to understand the dominance of the British media, let me say that it comes to something when the French have to make a 10-episode series about one of the most important episodes in their history in English so that it can be shown on the BBC. Quite right! Who wants Brexit when, if we remain, the French have to make all their programmes in English?

[Mr Edward Vaizey]

I echo my hon. Friend the Member for Montgomeryshire, who said that the BBC was as important to him as his own family. I go to bed every night with the BBC. I cannot get to sleep unless Radio 5 Live is playing on my clock radio. This gives me an opportunity to congratulate Nihal Arthanayake, who was newly appointed today as a presenter on Radio 5 Live, as was Emma Barnett. Those are two important announcements about new presenters on Radio 5 Live—a really formidable station.

In the short time I have available, let me address some of the points that were raised. One of those is the attempt to run an argument that the BBC's independence is somehow threatened by the new unitary board. As you are well aware, Madam Deputy Speaker, the governors of the BBC were appointed by the Government. We saw how the previous Labour Government behaved when they appointed a crony to be chairman of the BBC and appointed a Labour donor to be director-general of the BBC, and then when the BBC displeased them, they ran them both out of town. The BBC Trust is appointed by the Government. The majority of members on the new board will be appointed by the BBC. The nations and regions members will be appointed by the Government, under an independent appointments process. The excellent report by David Clementi commissioned by the Secretary of State gives a very thoughtful analysis of the best way of appointing members to the board, and I urge hon. Members to read it. There is no attempt to threaten the independence of the BBC; in fact, the position of the director-general as editor-in-chief is strengthened.

There was a lot of talk from hon. Members about the importance of the nations and regions. Again, that is strengthened by the White Paper. The BBC itself is taking important steps to enhance its coverage in the nations and regions. In the great nation of Scotland, for example, there are new drama and comedy editors, important partnerships with stakeholders such as Creative Scotland, the creation of a centre of excellence for factual programming, and of course the all-important news review.

There has been talk about the break clause, with claims that this a charter review by the back door. We are simply recognising how things in the media are changing. The structure we are putting in place is an 11-year charter that gives the BBC a great deal of independence for the forthcoming decade, but we know that technology is changing. Just look at the SNP Front Benchers on their BlackBerrys and their iPads: they are consuming media from all over the world. This is the challenge that the BBC faces. In five years, they may be watching things through virtual reality goggles. At that point, we will want to sit down with the BBC and say, "Do we need to change anything, because everybody is watching everything through virtual reality?" This is a perfectly sensible attempt to review how the charter is working and whether the BBC needs more help in this multi-media world. I think you would agree, Madam Deputy Speaker, that that is the right way forward.

I am pleased that many hon. Members mentioned diversity, which is deeply important to them, to me, and indeed to the viewers of the BBC. It is vital that we recognise that the charter review, thanks to the Secretary of State, has put diversity into the charter for the first time. That really is an important milestone.

I recognise that the hon. Member for Heywood and Middleton raised concerns about the iPlayer loophole, but we want to close the iPlayer loophole precisely because we want to help the BBC. As more and more people consume the BBC on tablets and on mobile phones, it is important that the licence fee is also able to modernise.

The White Paper—it has, I am pleased to say, been widely welcomed by Members from all parts of the House—addresses the needs of the BBC, strengthens its independence, takes the charter out of the electoral cycle, recognises the importance of a distinctive BBC and highlights the importance of diversity. It has, quite rightly, been welcomed by the BBC.

*Question put (Standing Order No. 31(2)), That the original words stand part of the Question.*

*The House divided: Ayes 216, Noes 286.*

**Division No. 14]**

**[4.10 pm**

**AYES**

Abbott, Ms Diane	Davies, Geraint
Abrahams, Debbie	Day, Martyn
Ahmed-Sheikh, Ms Tasmina	Docherty-Hughes, Martin
Ali, Rushanara	Donaldson, Stuart Blair
Allen, Mr Graham	Doughty, Stephen
Anderson, Mr David	Dowd, Jim
Arkless, Richard	Dowd, Peter
Austin, Ian	Dugher, Michael
Bailey, Mr Adrian	Durkan, Mark
Bardell, Hannah	Eagle, Maria
Barron, rh Kevin	Efford, Clive
Berger, Luciana	Ellman, Mrs Louise
Betts, Mr Clive	Elmore, Chris
Black, Mhairi	Esterson, Bill
Blackford, Ian	Evans, Chris
Blackman, Kirsty	Farrelly, Paul
Blenkinsop, Tom	Farron, Tim
Boswell, Philip	Fellows, Marion
Bradshaw, rh Mr Ben	Ferrier, Margaret
Brennan, Kevin	Field, rh Frank
Brock, Deidre	Fitzpatrick, Jim
Brown, Alan	Flelo, Robert
Brown, Lyn	Flint, rh Caroline
Brown, rh Mr Nicholas	Flynn, Paul
Bryant, Chris	Fovargue, Yvonne
Burgon, Richard	Foxcroft, Vicky
Butler, Dawn	Furniss, Gill
Byrne, rh Liam	Gapes, Mike
Cameron, Dr Lisa	Gardiner, Barry
Campbell, rh Mr Alan	Gethins, Stephen
Campbell, Mr Ronnie	Gibson, Patricia
Carmichael, rh Mr Alistair	Glindon, Mary
Champion, Sarah	Goodman, Helen
Chapman, Douglas	Grady, Patrick
Cherry, Joanna	Grant, Peter
Clegg, rh Mr Nick	Gray, Neil
Clwyd, rh Ann	Green, Kate
Coaker, Vernon	Greenwood, Lilian
Coffey, Ann	Gwynne, Andrew
Cooper, Julie	Haigh, Louise
Corbyn, rh Jeremy	Hamilton, Fabian
Cowan, Ronnie	Hanson, rh Mr David
Coyle, Neil	Harman, rh Ms Harriet
Crawley, Angela	Harris, Carolyn
Creasy, Stella	Hayes, Helen
Cruddas, Jon	Healey, rh John
Cryer, John	Hendrick, Mr Mark
Cunningham, Mr Jim	Hendry, Drew
Danczuk, Simon	Hepburn, Mr Stephen

Hillier, Meg  
 Hodgson, Mrs Sharon  
 Hollern, Kate  
 Hopkins, Kelvin  
 Howarth, rh Mr George  
 Huq, Dr Rupa  
 Jarvis, Dan  
 Johnson, Diana  
 Jones, Gerald  
 Jones, Graham  
 Jones, Helen  
 Jones, Mr Kevan  
 Jones, Susan Elan  
 Kane, Mike  
 Keeley, Barbara  
 Kerevan, George  
 Kerr, Calum  
 Lamb, rh Norman  
 Lammy, rh Mr David  
 Lavery, Ian  
 Law, Chris  
 Lewell-Buck, Mrs Emma  
 Long Bailey, Rebecca  
 Lucas, Caroline  
 Lynch, Holly  
 Mactaggart, rh Fiona  
 Mahmood, Mr Khalid  
 Mahmood, Shabana  
 Marris, Rob  
 Marsden, Mr Gordon  
 Maskell, Rachael  
 Mc Nally, John  
 McCabe, Steve  
 McCarthy, Kerry  
 McDonald, Andy  
 McDonald, Stewart Malcolm  
 McDonald, Stuart C.  
 McDonnell, Dr Alasdair  
 McGarry, Natalie  
 McGovern, Alison  
 McInnes, Liz  
 McLaughlin, Anne  
 McMahan, Jim  
 Meale, Sir Alan  
 Mearns, Ian  
 Miliband, rh Edward  
 Monaghan, Carol  
 Moon, Mrs Madeleine  
 Morden, Jessica  
 Morris, Grahame M.  
 Mulholland, Greg  
 Mullin, Roger  
 Murray, Ian  
 Newlands, Gavin  
 Nicolson, John  
 Onwurah, Chi  
 Osamor, Kate  
 Oswald, Kirsten  
 Owen, Albert  
 Pearce, Teresa  
 Pennycook, Matthew

Perkins, Toby  
 Phillips, Jess  
 Pound, Stephen  
 Powell, Lucy  
 Pugh, John  
 Rayner, Angela  
 Reed, Mr Jamie  
 Reed, Mr Steve  
 Reynolds, Jonathan  
 Rimmer, Marie  
 Robinson, Mr Geoffrey  
 Rotheram, Steve  
 Ryan, rh Joan  
 Saville Roberts, Liz  
 Shah, Naz  
 Sharma, Mr Virendra  
 Sheerman, Mr Barry  
 Sheppard, Tommy  
 Sherriff, Paula  
 Skinner, Mr Dennis  
 Slaughter, Andy  
 Smeeth, Ruth  
 Smith, rh Mr Andrew  
 Smith, Cat  
 Spellar, rh Mr John  
 Starmer, Keir  
 Stephens, Chris  
 Stevens, Jo  
 Streeting, Wes  
 Tami, Mark  
 Thewliss, Alison  
 Thomas, Mr Gareth  
 Thomas-Symonds, Nick  
 Thompson, Owen  
 Thomson, Michelle  
 Thornberry, Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Turley, Anna  
 Twigg, Derek  
 Twigg, Stephen  
 Umunna, Mr Chuka  
 Vaz, rh Keith  
 Vaz, Valerie  
 Watson, Mr Tom  
 Weir, Mike  
 West, Catherine  
 Whiteford, Dr Eilidh  
 Whitehead, Dr Alan  
 Whitford, Dr Philippa  
 Williams, Mr Mark  
 Wilson, Corri  
 Winnick, Mr David  
 Winterton, rh Dame Rosie  
 Wishart, Pete  
 Wright, Mr Iain  
 Zeichner, Daniel

#### Tellers for the Ayes:

Jeff Smith and  
 Sue Hayman

#### NOES

Afriyie, Adam  
 Aldous, Peter  
 Allan, Lucy  
 Allen, Heidi  
 Amess, Sir David  
 Andrew, Stuart  
 Ansell, Caroline  
 Argar, Edward

Atkins, Victoria  
 Bacon, Mr Richard  
 Baker, Mr Steve  
 Baldwin, Harriett  
 Barclay, Stephen  
 Baron, Mr John  
 Barwell, Gavin  
 Bebb, Guto

Bellingham, Sir Henry  
 Benyon, Richard  
 Beresford, Sir Paul  
 Berry, Jake  
 Bingham, Andrew  
 Blackman, Bob  
 Blackwood, Nicola  
 Blunt, Crispin  
 Boles, Nick  
 Bone, Mr Peter  
 Borwick, Victoria  
 Bottomley, Sir Peter  
 Bradley, Karen  
 Brady, Mr Graham  
 Bridgen, Andrew  
 Brine, Steve  
 Bruce, Fiona  
 Burns, Conor  
 Burns, rh Sir Simon  
 Burt, rh Alistair  
 Cairns, rh Alun  
 Carmichael, Neil  
 Cartlidge, James  
 Caulfield, Maria  
 Chishti, 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, Byron  
 Davies, Chris  
 Davies, David T. C.  
 Davies, Glyn  
 Davies, Mims  
 Davies, Philip  
 Davis, rh Mr David  
 Dinéage, Caroline  
 Djanogly, Mr Jonathan  
 Dodds, rh Mr Nigel  
 Donaldson, rh Mr Jeffrey M.  
 Donelan, Michelle  
 Dorries, Nadine  
 Dowden, Oliver  
 Drax, Richard  
 Drummond, Mrs Flick  
 Duncan, rh Sir Alan  
 Duncan Smith, rh Mr Iain  
 Dunne, Mr Philip  
 Elliott, Tom  
 Ellis, Michael  
 Ellison, Jane  
 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  
 Goldsmith, Zac  
 Goodwill, Mr Robert  
 Gove, rh Michael  
 Graham, Richard  
 Grant, Mrs Helen  
 Gray, Mr James  
 Grayling, rh Chris  
 Green, Chris  
 Grieve, rh Mr Dominic  
 Griffiths, Andrew  
 Gyimah, Mr Sam  
 Halfon, rh Robert  
 Hall, Luke  
 Hammond, rh Mr Philip  
 Hammond, Stephen  
 Hands, rh Greg  
 Harper, rh Mr Mark  
 Harrington, Richard  
 Harris, Rebecca  
 Hart, Simon  
 Haselhurst, rh Sir Alan  
 Heald, Sir Oliver  
 Heapey, James  
 Heaton-Harris, Chris  
 Heaton-Jones, Peter  
 Henderson, Gordon  
 Hermon, Lady  
 Hinds, Damian  
 Hollingbery, George  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 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  
 Jenkyns, Andrea  
 Jenrick, Robert  
 Johnson, Boris  
 Johnson, Gareth  
 Johnson, Joseph  
 Jones, Andrew  
 Jones, Mr Marcus  
 Kawczynski, Daniel  
 Kinahan, Danny  
 Kirby, Simon  
 Knight, rh Sir Greg  
 Knight, Julian  
 Kwarteng, Kwasi  
 Latham, Pauline  
 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  
 Maynard, Paul  
 McCartney, Jason  
 McLoughlin, rh Mr Patrick  
 McPartland, Stephen  
 Menzies, Mark  
 Mercer, Johnny  
 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  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newton, Sarah  
 Nokes, Caroline  
 Nuttall, Mr David  
 Offord, Dr Matthew  
 Paterson, rh Mr Owen

Pawsey, Mark  
 Penning, rh Mike  
 Penrose, John  
 Percy, Andrew  
 Perry, Claire  
 Phillips, Stephen  
 Philp, Chris  
 Pickles, rh Sir Eric  
 Pincher, Christopher  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pritchard, Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Raab, Mr Dominic  
 Redwood, rh John  
 Robertson, Mr Laurence  
 Robinson, Gavin  
 Robinson, Mary  
 Rosindell, Andrew  
 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  
 Solloway, Amanda  
 Soubry, rh Anna  
 Spelman, rh Mrs Caroline  
 Spencer, Mark  
 Stevenson, John  
 Stewart, Bob  
 Stewart, Iain  
 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  
 Trevelyan, Mrs Anne-Marie  
 Truss, rh Elizabeth  
 Tugendhat, Tom  
 Turner, Mr Andrew  
 Tyrie, rh Mr Andrew  
 Vaizey, Mr Edward  
 Vickers, Martin  
 Villiers, rh Mrs Theresa  
 Walker, Mr Charles

Walker, Mr Robin  
 Warburton, David  
 Warman, Matt  
 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:**  
**Jackie Doyle-Price and**  
**Guy Opperman**

*Question accordingly negated.*

*Question put forthwith (Standing Order No. 31(2)),*  
 That the proposed words be there added.

*Question agreed to.*

*The Speaker declared the main Question, as amended,*  
*to be agreed to (Standing Order No. 31(2)).*

*Resolved,*

That this House notes the positive response from the BBC to the publication of the BBC White Paper which sets a clear framework for a stable and successful future for one of the United Kingdom's finest institutions, enhancing its independence and empowering it to continue to create distinctive, high-quality and well-liked programmes and content; welcomes the open and consultative process that has informed the Charter Review including the second largest ever public consultation and the detailed contribution from committees of both Houses to the Charter Review process; and notes the Government's intention to publish a draft Charter, in good time, for debate in the devolved administrations, as well as both Houses, before the Charter is finalised.

## Business of the House

4.23 pm

**The Leader of the House of Commons (Chris Grayling):** With permission, Mr Speaker, I would like to make a short supplementary business statement.

THURSDAY 9 JUNE—Motion to approve a statutory instrument relating to the European Union Referendum (Voter Registration) followed by the previously envisaged general debate on carers, as determined by the Backbench Business Committee.

I will, of course, make my usual business statement announcing future business tomorrow morning.

**Chris Bryant (Rhondda) (Lab):** I am very grateful to the Government for doing what we asked earlier. It is obviously important that we try to make sure that everyone who is trying to take part in the referendum is able to do so. I am grateful for the consultation there has been between the two Front-Bench teams. I hope that the Leader of the House will be able to confirm that there will be no other extraneous statements tomorrow, but only his business statement. The debate on carers is very important—it is national Carers Week and many people care about the issue.

**Chris Grayling:** We will see tomorrow morning, as normal, whether there is other business, but I am acutely aware that the debate on carers is a matter of great importance to people in this House. I thank the hon. Gentleman for his words.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. I will call Mr Wishart first. *[Interruption.]* Order. That is a perfectly proper way to proceed, to which no one should object. I simply say to the House that this statement is on a narrow, although very important, matter. Exchanges are therefore necessarily limited—I will not say circumscribed—to the question of the rescheduling of business tomorrow. This is not an opportunity for a general airing of opinions about overall business, still less for an exchange of views about aspects of the EU referendum question. *[Interruption.]* I do not know why I thought the hon. Member for Elmet and Rothwell (Alec Shelbrooke) might be so tempted—perhaps it is simply the cheeky expression on his face—but this is purely about the scheduled business for tomorrow, to the narrow confines of which I know the hon. Member for Perth and North Perthshire (Pete Wishart) will stick with rigid propriety, as always.

**Pete Wishart (Perth and North Perthshire) (SNP):** Most certainly, Mr Speaker, and may I add our gratitude to the Leader of the House for changing the business for tomorrow? However, this situation demonstrates a deep systemic failure in our electoral registration system. It should be a gold standard, for what is probably the biggest decision that this House and this country have ever taken, yet we have descended into a panicky response to a potentially disastrous situation in which loads of people could have been disfranchised. I hope that when we have the debate tomorrow all the issues are properly aired, so we get to the heart of what actually happened and what the Government will do to make sure that something like it never happens again.

**Chris Grayling:** You granted the urgent question earlier, Mr Speaker, and we will have a debate tomorrow morning, so I am sure that if the hon. Gentleman wishes to make points about the process he will have plenty of opportunity to do so.

**Dr Liam Fox (North Somerset) (Con):** In order to assist the House in its deliberations tomorrow will my right hon. Friend publish any precedent for any Government of any colour changing electoral law during an election period?

**Chris Grayling:** The Chancellor of the Duchy of Lancaster, who will take part in the debate, is sitting alongside me and I am sure will take note of that request, as he will want to do everything he can to keep the House as fully informed as possible.

**Joan Ryan (Enfield North) (Lab):** I entirely support the decision to extend the registration period, but given the shambles that has occurred will the Leader of the House guarantee that everyone who wants to register will now be able to do so? Will he consider looking at automatic registration for the future, so that we can try to avoid these problems?

**Chris Grayling:** Those are really matters for the debate tomorrow, but I assure the House that the Government are seeking to ensure that all those who have been attempting to register—that is what this is about—have the opportunity to do so.

**Sir Gerald Howarth (Aldershot) (Con):** Will my right hon. Friend confirm that people have had months and months to register, and that if they left it to the last minute and all tried to register yesterday that is their fault, and we should not change our regulations in the middle of a very important referendum campaign simply to suit those who have not organised their personal affairs well enough to secure their registration in good time?

**Chris Grayling:** I know that my hon. Friend feels very strongly about these matters; the benefit of tomorrow's debate and vote is that he will have the opportunity to participate fully and express his views in both parts of the process.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. This is purely a question of the scheduling of the business. If people wish to opine on the merits or demerits of the legislation to be brought before the House they will have that opportunity tomorrow. I wonder whether that will burn off a few colleagues.

**Mike Gapes (Ilford South) (Lab/Co-op)** *rose*—

**Mr Speaker:** Obviously not you, Mr Gapes.

**Mike Gapes:** Will the Leader of the House make sure that the Government send out a clear message, after a decision is taken tomorrow, to ensure that people actually use their vote once they have registered and know how to do so?

**Chris Grayling:** I can assure the House that that has already happened. Their votes clearly will not count unless the measure is passed, but we continue to encourage people to participate, in case the House decides that way.

**Mr Nigel Evans** (Ribble Valley) (Con): Will sufficient time be made available tomorrow to discuss the fact that a number of EU citizens who are ineligible to vote are being sent registration or ballot cards? Will the Government have an opportunity to say what action they are taking to ensure that those people will not be able to register in the first place?

**Chris Grayling:** As my hon. Friend will recall, this matter was raised in the urgent question earlier, but he makes an important point. Ministers have already reassured the House, but I am sure they can do so again tomorrow morning, if required.

**Mr David Nuttall** (Bury North) (Con): Will the Leader of the House confirm how long the debate will last tomorrow?

**Chris Grayling:** It will be a standard 90-minute statutory instrument debate, as is customary for secondary legislation.

**Mark Durkan** (Foyle) (SDLP): The extension of registration will not apply to Northern Ireland, so will the measure be subject to certification under English votes for English laws?

**Chris Grayling:** I can inform the House that the drafting of the SI for tomorrow's debate will include Northern Ireland.

**Mr Andrew Turner** (Isle of Wight) (Con): The ability easily to register online meant that many applications last year were duplicates, which meant that otherwise unnecessary extra work was required from election teams. How many applications were genuine, and how many were duplicates?

**Chris Grayling:** My hon. Friend will have an opportunity to raise that and other such important issues in tomorrow's debate.

I wish to clarify the Northern Ireland situation. It is still subject to discussion, but because Northern Ireland has a different system of registration, we want to make sure it is handled in the appropriate way.

**Mr Speaker:** I am grateful to the Leader of the House for his supplementary business statement and to colleagues.

## Disability Employment Gap

4.32 pm

**Owen Smith** (Pontypridd) (Lab): I beg to move,

That this House regrets the Government's lack of progress towards halving the disability employment gap; further regrets that the Government has not yet published its White Paper on improving support for disabled people; notes with concern that commitments made in the Autumn Statement 2015 to help more disabled people through Access to Work and expanding Fit for Work have not materialised; further notes that the Government is reducing funding for specialist support for claimants with health conditions and disabilities through the Work and Health Programme; and calls on the Government to reverse cuts to the work-related activity component of Employment and Support Allowance and Universal Credit work allowances that risk widening the disability employment gap.

In my opinion and that of Her Majesty's loyal Opposition, the Government are failing disabled people in Britain—failing to support them into work and failing to support those unable to work—and they are doing so deliberately, with calculation, care and even premeditation. It was entirely premeditated to go into the election boasting about cutting a further £12 billion from social security but forgetting to mention it would come from disabled people and those on low wages in need of tax credits and universal credit. I would like to say that we do not know why the Government are doing this, but we do know, because the Secretary of State's predecessor told us in his tearful goodbye:

“we see benefits as a pot of money to cut because they don't vote for us”.

It still shocks me to repeat that demolition of the Government's one nation credentials—indicted by their own words.

I welcome the successor Secretary of State to the Dispatch Box, because all too often the last one failed to turn up in the House to accept scrutiny or difficult questions on issues such as this one, the Women Against State Pension Inequality Campaign or the bedroom tax. I welcome the decision he took on his first day in the job to stop the plans to take personal independence payments away from people unable to dress themselves or use the toilet unaided, and I also welcome the fact that in the same speech he said that there would be “no more welfare cuts”, but I deplore the fact that he must have known, even as he made that statement, that the deepest cuts had already been made. The cuts from disability living allowance to personal independence payments, the cuts to employment support allowance, the cuts to the Work programme, the cuts to universal credit: all those sharp incisions had already been made. The effects were yet to be felt, but now, a few months down the line, the pain is evident, the harm is clear and these things can be measured in the widening gap in employment between disabled people and the wider population.

**Michael Tomlinson** (Mid Dorset and North Poole) (Con): Will the hon. Gentleman take a step back from the rhetoric and have a look at the facts for a second? Does he not welcome the 365,000 more disabled people in work over the past two years, and the 3.3 million in total who are in employment? Will he not welcome those facts?

**Owen Smith:** Let me give the hon. Gentleman the facts. I welcome every job provided for a disabled person, and I welcome every opportunity for disabled people to get into work, but the facts are that the Government have gone backwards on the target for disabled people. When our Labour Government left office, the disabled employment gap stood at 28%; today, it is 34%—an increase in the size of the gap between ordinary able-bodied people in work and disabled people. That is the truth of these circumstances. [HON. MEMBERS: “Ordinary?”] What a ridiculous point. I mean the gap between able-bodied people without disabilities and disabled people. That stands at 34%—increasing on the Secretary of State’s watch and under this Government.

I will give this Secretary of State and his Government credit where it is due. I credit them for setting this difficult target to halve the disabled person’s employment gap. It was a clear pledge in the Conservative manifesto at the last election. On page 19, it said that the Conservatives would

“halve the disability employment gap...transform policy, practice and public attitudes, so that hundreds of thousands more disabled people who can and want to be in work find employment”.

That is a genuinely laudable aim. Labour fully agrees that if disabled people can find work and want to work, we should do everything we can to encourage and assist them in doing so. It would be good for all of us: good for them to be in work; good socially for our workplaces to be more integrated and rounded places; good economically, as reducing the gap by 10% would add £45 billion to our gross domestic product by 2030.

Unfortunately, a year on from that promise, the Government are either reneging on it or just failing to take the action needed to meet it. The volume of people currently employed who are not disabled stands at 80%, but the figure for those who are disabled stands at 46%—a gap, as I said a few moments ago, of 34%. The House of Commons Library, the Resolution Foundation and the TUC have all carried out analysis to show that the Government are making little or no progress towards the target. To hit it, they will need to get 1.5 million disabled people into work.

On the basis of the current state of activity by this Government, I cannot see how they are going to achieve it in a month of Sundays. I cannot see how they are going to get it back even to where it was at the end of the last Labour Government at 28%. It is a worse performance by this Government than that of the last Labour Government. What is even worse is that it is becoming more difficult for disabled people to get into work and stay in work because of the cuts that the Government are making. That will be my next theme.

**Maria Caulfield (Lewes) (Con):** Is it not true that under the last Labour Government, by the time someone was 26, they were four times more likely to be out of work as a disabled person than they are under the current Conservative Government?

**Owen Smith:** I have repeatedly said that the last Labour Government were performing better in terms of the disabled person’s employment gap than this current Government, and I shall say so again in a few moments.

**Joan Ryan (Enfield North) (Lab):** Is my hon. Friend as concerned as me about the effect of the Government’s welfare changes on access to the Motability car scheme?

Is he concerned about how many people have had their applications for the higher rate of the mobility component of PIP turned down only to find after many months and the loss of their car that the decision has been reversed because of problems with the assessment procedure in the first place? This affects people’s ability to get to work and to hold down and keep their jobs.

**Owen Smith:** Of course it does, and I am going to say something about that straight away, because the first of the cuts that I want to discuss—cuts that are making it enormously more difficult for disabled people to get into and stay in work—is the PIP cut. As we know, PIP is a system of support that helps disabled people to deal with the extra costs of being disabled and to play a full part in life, which includes going to work. Eventually, when they have all been shifted across from Labour’s disability living allowance, 3.5 million people will be on PIP.

As I said earlier, the previous Secretary of State baulked at taking £1.2 billion out of PIP by changing the eligibility criteria in respect of washing and dressing, but he knew that he had already saved £2 billion by tightening the criteria relating to the move from DLA to PIP. One of the ways in which he tightened those criteria involved the mobility component of PIP, versus DLA. Crucially, he changed the measurement of people’s mobility—how far they were able to walk—from 50 metres to 20 metres, the net effect of which was, quite simply, that fewer people were eligible for the mobility component. As a result, 17,000 specially adapted Motability cars have been removed from people. [Interruption.] The Secretary of State says that I have got my stats wrong. He can tell us what he thinks the stats are shortly, but first I am going to tell him what Muscular Dystrophy UK has said, because it has an interest in the matter. It has said that it is deeply concerned about the fact that between 400 and 500 specially adapted cars a week are being taken away from disabled people, which is an extraordinary statement. Does the Secretary of State think that is right? Does he think for a second that it is even cost-effective? More important, what does he think about the impact on real people?

Only this morning, Muscular Dystrophy UK highlighted the case of a woman called Sarah, aged 29, from Norfolk. She has myotonic dystrophy, which means that her muscles are progressively wasting. None the less, she works as a nurse in a local hospital, although she needs a specially adapted car to get to work. We could all celebrate that, could we not, were it not for the fact that the Department for Work and Pensions has taken her car away.

Sarah says:

“The ‘20-metre rule’ does not assess how someone’s mobility is affected by their condition. Occasionally I may be able to walk 20 metres, but on other days...I could fall...decreasing my mobility further...I could...choose not to work, but...As a nurse, I make a difference in my role, but it seems like the DWP is trying to prevent me from doing so.”

That is the human effect of the changes that the Secretary of State is overseeing.

**Chloe Smith (Norwich North) (Con):** I wonder whether the hon. Gentleman will retract his earlier choice of words, when he separated hard-working people like Sarah of Norfolk from other—in his words—“ordinary workers”.

**Owen Smith:** That was a slip of the tongue, and I regret making it. In this of all areas, we should be extremely careful with the language that we use. I did not mean to imply what the hon. Lady suggests that I was implying.

**Neil Coyle** (Bermondsey and Old Southwark) (Lab): Does my hon. Friend agree that the Department for Work and Pensions has a duty to monitor the impact of the PIP roll-out, given the projection by Disability Rights UK that it could cause about 55,000 disabled people in work to lose their Motability vehicles and thus their ability to work?

**Owen Smith:** I think it is absolutely shameful that the Government are refusing to monitor that properly. It is clear to all of us in the House that if people lose the cars that allow them to get to work, it will be harder for them to stay in work or seek employment. That, surely, is as plain as the nose on the Secretary of State's face.

Does the Secretary of State think that taking Sarah's Motability car away from her helps or hinders his mission to halve the disability employment gap? It seems to me that he should know the answer to that. I ask him to bring forward the review of PIP, and to think again about the 20-metre rule in particular. I ask him to look at what Atos and Capita are doing and reform their management of the system, because it is not working, and people such as Sarah are paying the price.

**Jim McMahon** (Oldham West and Royton) (Lab): Does my hon. Friend agree that the real problem is the fact that the assessment process is so dehumanising for a lot of people? This is not about human beings or about realising their full potential; it is about treating people as numbers.

**Owen Smith:** My hon. Friend is completely right. As we all know, the truth is that there was a set of targets for savings to be made from the social security budget. Those targets were set by the Chancellor and passed down the road to those at Caxton House, who have set about carving up disabled people's benefits in order to meet those targets. It is frankly shameful that people are being dragooned into this process, being treated poorly and demeaned by it, and at the end being less likely to stay in work or find work. That is very clear.

**Mrs Caroline Spelman** (Meriden) (Con): Will the hon. Gentleman give way?

**Owen Smith:** I will give way in a moment. I just want to make a few more points about universal credit, then I will happily give way to the former Minister for disabled people.

Let us move on to the work allowance under universal credit. This is another way in which the Government are penalising disabled people in work. One million low-paid disabled people will be on universal credit when it is fully rolled out, and thanks to the cuts to work allowances that this Secretary of State has introduced, they will all be about £2,000 a year worse off than they are at present. What does the Secretary of State think that cut will do for the life chances of those people? What does he think it will do to help him achieve his mission of halving the disability employment gap? Does he think

that earning less will make people more or less likely to stay in work? I think I know the answers to those questions, which is why Labour is clear that we will reverse those cuts.

**Mrs Spelman:** The fact is that the Government spend £50 billion a year on benefits to support people with disabilities and health conditions. Does the hon. Gentleman not want to turn his attention to how we are going to reform the system, rather than simply harking on about how much money is being spent? I think he knows better than that.

**Owen Smith:** I said 20 seconds ago that one way in which I would reform the system would be to reverse the cuts to the work allowances under universal credit. That would clearly make work pay for 1 million disabled people in this country. I would start there, and I shall mention myriad other things later that the Government could do.

I would also reverse the cut to the support for disabled students. Getting qualifications is even more important for disabled students than it is for non-disabled people in this country. This summer, disabled students will be looking at their options and considering whether they can afford to go on to higher education, and they will be grossly disappointed to learn that the Government have already made it harder for them to do so through the decision to cut the disability student allowance which supports nearly 70,000 disabled higher education students.

**Chloe Smith:** Will the hon. Gentleman give way?

**Owen Smith:** I am going to finish this point. I might give way to the hon. Lady later.

Can the Secretary of State tell us how many fewer disabled students will go to university this September? I would be really interested to know, but I am not sure that the Government gather statistics on that. It would be good to know whether the cutting of that grant will mean fewer disabled students going to university. Can he explain how putting up barriers to disabled students is going to help his mission to halve the disability employment gap?

The biggest barrier that this Government have raised for disabled people seeking to enter the workplace is the cut to the work-related activity group under the employment and support allowance. That is a cut of around £1,500 a year for 500,000 disabled people whom the Government are meant to be helping into employment.

**Andrew Gwynne** (Denton and Reddish) (Lab): I am glad that my hon. Friend has mentioned the fact that the cuts to the employment and support allowance will leave 500,000 disabled people £1,500 a year worse off. Those measures were passed by this Parliament only once the former Secretary of State had given an assurance to this House—and particularly to Conservative Members—that there would be a White Paper on a settlement package for disabled people before the summer recess. Is my hon. Friend as disappointed as I am that that White Paper does not appear to be forthcoming?

**Owen Smith:** I am deeply disappointed. I suspect that lots of Government Members, many of whom were sold the ESA cuts explicitly on the promise that the White

Paper would come through, will be deeply disappointed. In fact, I may find it in my speech to mention a few of them in a couple of minutes' time.

**Mark Spencer** (Sherwood) (Con): Will the hon. Gentleman give way?

**Owen Smith:** I am going to make a bit more progress and may give way in a minute.

Let us talk about ESA. Here is what the experts, not MPs, think about the cuts to the WRAG under ESA and how they will affect employability. Parkinson's UK says:

"The cut to the WRAG will push people...even further from the workplace."

Muscular Dystrophy UK states that the cut "will widen the disability employment gap rather than reduce it." Mind's chief executive, Paul Farmer, said

"Implying that ill and disabled people will be motivated into work if their benefits are cut is misguided and insulting."

I could not agree more. It is grossly insulting to disabled people. I know that many Government Back Benchers feel the same way, because that is why they were so loth to give their votes to the Government on the ESA cut. In fact, many of them—[*Interruption.*] I am going to finish this point. Many of them did so explicitly because the Government promised to beef up support for disabled people. Let me quote a few Government Members and then I will give way to the hon. Member for Sherwood (Mark Spencer).

I will first quote the hon. Member for South Cambridgeshire (Heidi Allen), who said before abstaining on the vote:

"To secure my trust, I need to believe in the White Paper and that the £100 million will go some way to help those people. That is my warning shot to the Government."—[*Official Report*, 23 February 2016; Vol. 606, c. 215.]

The hon. Member for Stafford (Jeremy Lefroy) said that the

"White Paper is incredibly important to the matter we are discussing, because it is the replacement for what the Government are proposing to remove."—[*Official Report*, 23 February 2016; Vol. 606, c. 222.]

The hon. Member for Mid Bedfordshire (Nadine Dorries) said

"I was about to vote against ESA cuts when he"—

the previous Secretary of State—

"sought me out - he personally and angrily begged me not to" and that he

"Promised me he was introducing a white paper which guaranteed enhanced and more easily accessible benefits for the seriously disabled"

in this country.

**Nicola Blackwood** (Oxford West and Abingdon) (Con): Will the hon. Gentleman give way?

**Owen Smith:** I will give way to the hon. Lady and then to the hon. Member for Sherwood.

**Nicola Blackwood:** The shadow Secretary of State mentioned experts and then descended into partisanship, so I thought I might try to bring him back to the experts. He has not yet mentioned the Sayce report, so what are his views on that? It discussed many aspects of

employment support for disabled people and highlighted the positive aspects of the Access to Work programme, stating that it

"should be transformed from being the best kept secret in Government to being a recognised passport to successful employment"

and that the Government should double the number of people who are helped. Does he agree with that? How would he propose that the Government go about achieving it?

**Owen Smith:** I agree with lots of it, but the truth, as I have been describing, is that we have seen nothing but cuts. The shift from the Work programme to the Work and Health programme involves an 80% cut in support. Access to Work is dealing with fewer people this year than last year: 31,000 versus 34,000. Those are the facts, and the Government really need to check them. When the Secretary of State was the Secretary of State for Wales, he welcomed the Fit for Work scheme, but he has now scrapped it in my constituency. It is another scheme that is meant to be helping people, as Liz Sayce described, but it is being cut on the Government's watch. That is the truth of the matter.

Where is this fabled White Paper? Where is it, the one that we have been waiting for all these months? Perhaps the hon. Member for Sherwood knows where the Government have it hidden and can tell us all about it.

**Mark Spencer:** I am grateful to the shadow Secretary of State for giving way. He talks about how strong the feelings are on the Government Benches and how much compassion there is around the issue of trying to get disabled people into work, but it is worth noting that the number of Government Members here to discuss the matter is more than double the number of Opposition Members. The number of Back Benchers here to support him in this debate has just gone down to single figures, which says quite a lot.

**Owen Smith:** Low-brow, low-ball comments such as that really do not help the debate. This is a serious debate. I am taking it extremely seriously on behalf of the Labour Front Bench, and I would expect better from even Tory Back Benchers than that sort of nonsense.

Where is the White Paper that we have been expecting? I will tell the House. A former Employment Minister—the right hon. Member for Witham (Priti Patel) may still be on the Front Bench, but I never seem to see her any longer because I suspect she is too busy campaigning on Europe outside this House—promised it by the spring. The Secretary of State's predecessor then turned spring into summer. This Secretary of State went one better and turned a White Paper into a Green Paper, kicking urgency, clarity and specificity down the road. It is another insult to disabled people who are seeing their incomes cut and their Motability vehicles taken away. In my view, it is yet another insult. After disabled people have been knocked from pillar to post with the cuts to ESA, PIP, universal credit, student grants and the Work programme, the Secretary of State, for all his warm words, is putting legislation to put some of those things right on the back burner. That is the undeniable truth behind the shift from a White Paper to a Green Paper. It is failing disabled people.

Her Majesty's loyal Opposition will support the Government when we think they are getting things right, but we will stand up and be counted when they

[Owen Smith]

are getting things wrong. We applaud the establishment of the bold and ambitious target to assist disabled people into work, but we will call it a lie—a cruel lie—if that promise is revealed to be a pipedream without the resources and the will to make it come true.

The Secretary of State says he wants to start a new dialogue with disabled people. Well, we are waiting to hear it. More importantly, he says he intends to make a difference and halve the gap in employment that they face. Well, I am waiting to see it.

4.56 pm

**The Secretary of State for Work and Pensions (Stephen Crabb):** It is a pleasure to follow the hon. Member for Pontypridd (Owen Smith).

This House is at its best when it seeks to speak with one voice. There have been times in the past when the House has sought to speak with one voice, and no more so than in the area of disability. That is when we get the best response from organisations that represent disabled people and disabled people themselves, because they respect that. The tone that the hon. Gentleman has struck this afternoon is entirely the opposite approach. I regret the way in which he has gone about his business this afternoon and his partisan tone. I know he thinks that this style of opposition works for him, especially on Twitter, but organisations that represent disabled people and disabled people themselves will be very disappointed with the tone that he has struck.

Under this Government, our country has seen the highest levels of employment ever, with more than 2.5 million more people in work than six years ago. However, for many disabled people who want to work and who could work, the unquestionable improvement in our labour market and historic levels of employment over recent years do not ring true when it comes to their own circumstances and outlook for the future.

That is partly a legacy of the system that we inherited as a Government. It dates back to the days of one of my predecessors, John Hutton, who said that under his reforms, he wanted to see 1 million sick or disabled people get back to work. The truth is that that never happened. Instead, far too many sick and disabled people were parked on benefits without the correct support from the health service or the jobcentres. That is what happened under Labour and what has been happening over the last six years.

I made it clear in my first statement to the House following my appointment in March that I am ambitious for disabled people and for the support that they receive. I am ambitious for Britain to become the best country in the world for disabled people to live: a country that provides the right kind of support to help them lead as full and active a life as possible; a country that is a world leader in assistive technologies that transform their independence at home and their working environments; a country where employers embrace and embed disability awareness as a core component of their business; a country where disabled people have the same opportunities as anybody else to get a job and share in the prosperity of our growing economy.

**Stephen Timms (East Ham) (Lab):** The Secretary of State chided my hon. Friend the Member for Pontypridd (Owen Smith) for the tone of his opening remarks, but

does he not recognise that the organisations that represent disabled people are unanimously opposed to the scale of the cuts to support that his Government have introduced?

**Stephen Crabb:** I have huge respect for the right hon. Gentleman. The truth is that in real terms, we are increasing the support that we give to disabled people. By the end of the Parliament, we will still be spending about £50 billion to support people with long-term health conditions and disabilities.

**Neil Gray (Airdrie and Shotts) (SNP):** I struggle to understand how the Secretary of State could suggest that support for disabled people has gone up in real terms, when if someone who is currently on employment and support allowance and who is in receipt of ESA WRAG goes into work but then falls out, they lose access to that £30 a week. How can he possibly say that when he is looking at a person-centred approach to this debate?

**Stephen Crabb:** We can get on to that later in the debate. The truth is that ESA has not worked in the way that was intended when it was set up by the previous Labour Government. When John Hutton created ESA, it was with a view to seeing 1 million people with disabilities and long-term health conditions get back into work. It has not done anything like that. The truth is that for those people who are in the work-related activity group, there are better ways to get them the support they need and to help them back into work. The incentives are not in place.

**Mr Jim Cunningham (Coventry South) (Lab):** What percentage of the workforce in this country has disabilities, or, to put it another way, what percentage of people with disabilities are part of the workforce?

**Stephen Crabb:** There are different ways of measuring that, but around one in six people have a disability. I will come on to explain why those figures will go up and what challenges that will present to us as a society. It is a mark of the extent of our ambition as a Government that we have a commitment to halve the disability employment gap. That is exactly the right vision to have, but we are in no doubt that the challenges are both profound and complex.

The employment rate for those who are not disabled is currently 80%; for disabled people it is 47%. That is not just a gap of 33 percentage points, but a gap in the life chances of disabled people up and down the country. It is a gap that has persisted for too long. The barriers that disabled people have built up over many years will take time to break down. I am clear that, for far too long, too many have not had the right support or been given the opportunity of work. Very often they are parked on benefits, cast aside and forgotten about. That is not good enough.

**Neil Coyle rose—**

**Stephen Crabb:** I will make a bit more progress, but I will give way later.

Emerging from this past of unfulfilled potential, there are encouraging signs that those barriers are being dismantled and that attitudes are changing. Travelling home on the Tube the other day, I saw an advert

promoting a career with Shell—I can already see grimaces on Labour Members' faces. That ad made it clear that Shell recognises that the more diverse and inclusive a team, the more varied the ideas and the better the business. Diversity drives innovation. The ad shows how a disabled person is as much a part of a business's core vision of success as any other recruit. Recruiting disabled people should not be a bolt-on extra or a nice thing to do. As the ad says, the company is in search of "pioneers" and "remarkable people". For me, this was more than a recruitment ad; it was a much wider advert for how society is changing and how disabled people are viewed. They are no longer patronised or diminished, but a core component of a well-performing business and of a diverse and successful society.

I see and hear that change for myself when I meet employers, charities and disabled people. I hear it from members of the Disability Charities Consortium and of the mental health expert advisory group. Just yesterday, when I was visiting the constituency of the hon. Member for Bermondsey and Old Southwark (Neil Coyle), I had the pleasure of going to a micro-brewery in Bermondsey where all the employees have learning disabilities.

**Neil Coyle** *rose*—

**Stephen Crabb:** Now is probably a good moment to give way to the hon. Gentleman.

**Neil Coyle:** I thank the Secretary of State for giving way and for visiting the fantastic organisation, UBREW, in my constituency. He has spoken a lot about ambition, but does he not think that this House and disabled people were misled about the timing of the new disability support programme from next year—at the same time as the ESA cut is going to be delivered? Does he not think that it would be fairer and more reasonable if the ESA cut was delayed until his delay to deliver the new employment programme has come to an end?

**Stephen Crabb:** I do not think that the House was misled. The money has been made available from the Treasury and I have discussed it with the Chancellor. That money is there. What I have decided to do—I will explain this in more detail later—is to take a step back and work much more closely with disability organisations and disabled people. Rather than rush to push out a White Paper, I have decided to talk to those organisations that know the situation the best, and work in a new spirit to work up some proposals that we know will make a long-term difference. That decision I have taken not to rush ahead with a White Paper and to work more collaboratively on a Green Paper has been welcomed by the organisations that I have been speaking to.

**Mrs Maria Miller** (Basingstoke) (Con): The Secretary of State talked about the importance of having the right support for people with a learning disability. Young people with a learning disability often tell me that the transition at 16 to mainstream college can be especially challenging for them, particularly if they want to go on into employment. Will he join me in supporting organisations, such as Dove House in my constituency, that want to do more to help special schools support students right through to 19, to ensure that young people have the support they need to get into employment?

**Stephen Crabb:** My right hon. Friend, a former Minister in the Department for Work and Pensions, makes a really important point and that is an organisation that I would love to hear more from. That period of transition is crucial. Those charities—we all have them in our constituencies, do we not, Madam Deputy Speaker?—often have more expertise than anybody else and work day by day in local communities, supporting people with disabilities. We need to hear far more from organisations like that.

The pride and passion that I saw displayed yesterday among the staff at that social enterprise, employing people with learning disabilities in that wonderful community of Bermondsey in south London, was a model of motivation for supporting people with disabilities. These positive experiences are reflected in the figures. Over the past two years alone, 365,000 more disabled people have gone into work, and that is a huge achievement. However, that progress has not translated into a narrowing of the disability employment gap, largely because of the enormous growth across the labour market in general. The gap will close only when we see a faster increase in the rate of employment growth among people with disabilities than across the economy generally. That is how we close the gap.

The shadow Secretary of State lauded the fact that, on paper at least, the disability gap was narrower under Labour, but that was because unemployment was soaring across the economy. That is not the way to close the disability employment gap. We need to harness the positive progress across the economy and ensure that people with disabilities and long-term health conditions are at the front of the queue to benefit from those changes in economy.

**Chloe Smith:** I am very pleased that my right hon. Friend has come on to this point. Does this not echo the broader point about what we need to do about life chances, which is not to focus on transfers over an imaginary line but instead focus on the real underlying factors?

**Stephen Crabb:** My hon. Friend makes an important broader point about how we think about poverty and disadvantage. I think that we have come a long way as a Government and across society in understanding poverty. It is not just about chasing after a target on paper; it is about understanding what is going on behind the scenes and drilling down into root causes.

The disability employment gap is national but the support and solutions are, I believe, often local. Many Members on both sides of the House are doing excellent work to encourage and support disabled people in moving into work in their constituencies. One example of that is the holding of reverse job fairs, which are important events to link local employers with specialist disability organisations and help to create long-term job opportunities for disabled jobseekers. Jobcentres up and down the country are also on the frontline, supporting disabled people's move into work, and we are more than doubling the number of disability employment advisers in jobcentres to provide specialist and local expertise to help disabled people enter employment.

**James Morris** (Halesowen and Rowley Regis) (Con): I commend the Secretary of State for his tone. One category that he has not mentioned is those who suffer from

[James Morris]

long-term mental health conditions and who are getting back into work. I commend to him recommendation 7 of the independent mental health taskforce, chaired by the chief executive of Mind, which talks about the DWP working to direct funds currently used to support people on employment and support allowance to commission evidence-based health-led interventions to help get people with long-term mental health conditions back into work.

**Stephen Crabb:** My hon. Friend makes an important point. I am clear, as is my whole ministerial team at the Department, that the challenge of mental health is enormous and profound. We must do far more to understand it and its interaction with employment. We will be spending tens of millions of pounds in the coming years on pilots to try to understand what interventions can make a positive difference for people with mental health conditions, and I can assure my hon. Friend that we are determined to see positive change in that regard.

We are expanding Access to Work, so that 25,000 more disabled people by 2021 will be helped with the additional costs they face from working. We are ensuring that disabled people are part of our plans to increase apprenticeships, with an accessible apprenticeship task force which is providing advice on how potential apprentices with learning disabilities and other hidden impairments can take these up.

**Nicola Blackwood:** The Secretary of State is generous in giving way. On Access to Work and the fact that we are increasing spending on it, that increased spending will be of little value if it remains, as Liz Sayce said, the “best kept secret” in the DWP. How can we ensure that the most vulnerable and the smallest businesses, which would benefit most from it, hear about it and can gain the full value of that scheme?

**Stephen Crabb:** The slightly glib answer that I could give is that there is a role for all of us in this House to promote Access to Work in our communities and constituencies, but there is a broader challenge for the Department and for the Ministers as to how we get that information out. My hon. Friend the Under-Secretary, who has responsibility for disabled people, is taking the lead on that and will refer to it in his closing remarks.

**Neil Coyle:** I thank the Secretary of State for giving way. Can he explain why the number of disabled people supported by Access to Work is lower now than it was in the last full year of Labour in government? When will he publish the figures for the number of young disabled people who are supported from the £10 million fund that was meant to have been dedicated to voluntary placements from 2013?

**Stephen Crabb:** I do not have the specific figures to hand, but I heard a voice in my ear from my colleague, the Under-Secretary of State for Disabled People, my hon. Friend the Member for North Swindon (Justin Tomlinson), that those figures are not correct, so perhaps in his closing remarks he can respond directly to the question from the hon. Member for Bermondsey and Old Southwark (Neil Coyle).

**Mr Robin Walker (Worcester) (Con):** My right hon. Friend made the point about apprenticeships. I was interested to hear some comments from the Minister for Skills recently about the possibilities of adapted apprenticeship frameworks for people with particular disabilities and learning difficulties. We recently had a fantastic cross-party debate in this House about autism. Does my right hon. Friend agree that for people with autism, apprenticeships can offer a very good way forward if they are properly designed?

**Stephen Crabb:** Indeed. We have the accessible apprenticeship taskforce, which will report to my hon. Friend the Under-Secretary. That is chaired by my hon. Friend the Member for Blackpool North and Clevellys (Paul Maynard), who has deep experience and expertise on these issues. I am sure autism will be one of the aspects that we consider.

We are embedding employment advisers with mental health therapies to support people with mental health conditions to receive timely and tailored employment advice. We are supporting disabled entrepreneurs through the new enterprise allowance, with over 16,000 businesses being set up by people with disabilities and long-term health conditions since 2011. Only today, I was reading about a deaf person in Gloucester who has been helped by the new enterprise allowance to set up a carpentry business. That person is no longer on benefits and has joined the many thousands of small business entrepreneurs who are so important to our economy.

These are all real, practical measures that we are taking to make a difference for disabled people, but the scale of the challenge that we face demands a broader response. The scale of the challenge is demonstrated by the forecasts and by the way our demographics are changing. More and more of us of working age will be living with some kind of health condition in the future that will need to be managed for us to stay healthy in work. Around 12 million people of working age are already living with at least one long-term condition, and that figure is forecast to rise. Mental health problems are also rising, particularly for young people. Around one in six working people have a mental health condition, and that figure rises to around one in four for jobseeker's allowance claimants and almost half for those receiving ESA. Lifestyle factors such as smoking and obesity mean that the proportion of the working population with significant health conditions such as diabetes and heart disease is likely to increase.

**Sue Hayman (Workington) (Lab):** Is any monitoring being done as to how many people who get into work are still in that job one year later? Sustainability is just as important as getting the job in the first place.

**Stephen Crabb:** The hon. Lady mentions an extremely important point. We are doing that, particularly for people with disabilities. More broadly, with our universal credit reforms, that is one of the things that we will be doing generally for people moving off benefits. The support does not end the day that they find a job. The support continues, to ensure that the employment is sustainable.

On top of the long-standing barriers disabled people have faced, there are serious long-term demographic changes. They require serious and long-term cross-sector

solutions. No single policy or initiative from my Department or any other will serve as a silver bullet to immediately close and seal the disability employment gap. We will only make the strides we all want to see by working differently and by working in a truly collaborative way; yes, with the health service and the welfare system, but also with local authorities, employers, charities and voluntary organisations. It means we also need to listen to, and speak with, those who know what support will work best—disabled people themselves.

That is why I announced that we will publish a Green Paper later this year to do just that. I make no apology for taking the time to ensure we get such important reforms right. The reforms have the potential to transform so many lives. It is important to build consensus and to seek the views and support of the individuals and groups involved. It is also about understanding what works with groups who perhaps have not been heard from enough so far, such as smaller, local organisations who have a lot of expertise and understanding of what works on the ground, and importantly, groups such as employers to look seriously at the role they have to support and help the disabled people they employ.

**Richard Graham** (Gloucester) (Con): The Secretary of State will know of the work done by the charity Pluss. Indeed, his colleague the Under-Secretary of State for Disabled People, my hon. Friend the Member for North Swindon (Justin Tomlinson), attended the showing of a recent video it produced about people who had returned to work. Does he agree with Pluss and me that there may be opportunities to attract more smaller employers into taking on people with disabilities if there is a tax break on national insurance, in the same way as there is a tax break on apprenticeships for smaller employers at the moment?

**Stephen Crabb:** It is exactly that kind of incentive that I hope the Green Paper process will explore. Those are exactly the kinds of ideas that we need to examine. My colleagues in the Treasury will obviously take an interest, but we have to think differently right across Government if we are to have any hope of closing the disability employment gap. I am particularly keen to know what small businesses think about what they can do to employ more people with disabilities.

**Stephen Timms:** I applaud the aspiration for consensus, which the Secretary of State has now set out a couple of times in his speech. Does he not recognise, however, that he will not achieve a consensus against a backdrop of such huge cuts in support for disabled people? The Chancellor tried that again in the most recent Budget. While the Government are cutting support so much, the Secretary of State will not find the consensus that he rightly wants to achieve.

**Stephen Crabb:** I hear the right hon. Gentleman's point. When it was made earlier, I said that by the end of this Parliament we will still be spending more in real terms on supporting people with disabilities. My aspiration for the end of the Parliament is that we will be spending in a much more effective way to help to transform lives.

This new approach is not just about changing the way disabled people are supported to move into work, but how they are helped to stay in work. A disabled person

may make the breakthrough into work only to permanently fall out of work and on to sickness benefits soon after. Tens of thousands of disabled people do so every few months. I completely agree with the Resolution Foundation's report this week, which highlighted the need for more focus on supporting disabled people in work, as well as those moving into work. Prevention and early support will be key to that, which is why we are supporting people to stay in work and trying to prevent them from becoming ill in the first place. That is why we are investing an extra £1 billion a year for mental health care in the NHS to support 1 million more people to access high-quality timely care.

Our Green Paper has the potential to be an historic opportunity to harness and build on the positive changes we have seen for disabled people. It is only through this approach—working with employers, disabled people themselves, the NHS and the welfare system, and local authorities—that we can build a strategy that will work to make a difference to people's lives, keeping them in work as well as helping to support many, many more into employment.

5.18 pm

**Neil Gray** (Airdrie and Shotts) (SNP): I am grateful for the opportunity to contribute to this important debate and I congratulate the hon. Member for Pontypridd (Owen Smith) on securing it.

We absolutely agree with the Government's aim of halving the disability employment gap, but we have serious concerns about the actions they are supposedly taking to achieve it. With just three-and-a-half years in which to achieve their goal, they are failing. The Resolution Foundation estimates that halving the gap by 2020 will require 1.5 million people with disabilities to be supported into work. I agree with what the Resolution Foundation said in yesterday's report, "Retention deficit", in which it highlights that work

"is not right for everyone"

and that the Government could damage their aims by pushing work at all costs, but that there is an opportunity in the discussions on health and work.

Opposition Members have said on numerous occasions—during and since the passage of the Welfare Reform and Work Act 2016—that the Government are doing things in the wrong order and are, as a result, harming their own objectives. They cut off support from ESA WRAG and universal credit work allowance, and we will now be waiting even longer before the replacement system is up and running.

I welcome the reference in the Labour party motion to the frustration over the delay in the publication of the long-promised White Paper. However, while I remain sceptical about the Government's real intentions in their change of heart, I welcome the announcement of the Green Paper on health and work—assuming that there is a genuine consultation process, a genuine listening on the Government's part to stakeholders and a genuine investment in the resulting service—but why were those things not done before the cut to ESA WRAG and before the cut to universal credit work allowance?

The now not-so-new Secretary of State must quickly set out a timetable for the Green Paper consultation and for publication. We cannot allow the Green Paper to follow the White Paper. We in the SNP are deeply

[Neil Gray]

concerned that valuable time in which to make progress on disability employment is being lost as a result of this delay. The Tories cannot be allowed to kick this into the long grass. The Green Paper should be brought forward urgently, with real engagement with the community and voluntary sector, to shape the new framework. The Secretary of State must formally make a statement of his intentions and lay out a road map for the development of the new programme and time frame.

The Resolution Foundation also said yesterday that benefit off-flows do not always equate to sustained employment and that the Government's policy is focusing too much on their rhetoric about getting people off benefits, while not supporting people who are currently in employment to keep them in it. The Resolution Foundation has made a number of recommendations, which I hope the Government will read and consider.

The Secretary of State rightly said he wanted to turn the discussion on social security away from statistics and towards the people involved, and I have some people who desperately want to be listened to and who have agreed to have their cases raised today. These people highlight the issues being faced by disabled people throughout the social security, access-to-employment and workplace processes. Their stories highlight how they are being let down.

At the end of last year, I was contacted by a young woman with autism, who was being forced through round after round of assessment, form-filling and evidence-offering. She was in receipt of PIP and had only recently taken part in the assessment process for it when she was told she would need to go through a work capability assessment and to submit evidence to receive ESA, which she was being cut from. She had to compile and submit all the same evidence a few short months after the same Government Department had requested it. She had to go through very similar and, for her, equally traumatic assessment processes for the same Department for which she had done it a few short months prior. For anyone, that would be an upheaval and an unnecessary burden, and it would result in increased anxiety, but for someone with autism, it is painfully traumatic.

Most galling for me, however, was that my constituent's placement was put at risk by the decision over ESA. She would not be able to continue if she failed the WCA and was forced back on to JSA. That is why removing ESA WRAG is so damaging to the prospects of those who are on the cusp of finding employment, but who need that extra support and additional resource to get there—in the case of someone with autism, for instance, so that they can finance a familiar taxi, rather than use the daunting, potentially dangerous and unknown world of public transport—and to stay on a training placement, which builds their confidence towards the workplace.

The National Autistic Society has said that its research shows that only 15% of autistic adults are in full-time paid employment. It says the Government cannot rely on an improving economy alone to ensure that disabled people, including autistic people, share the same employment opportunities.

**Michael Tomlinson:** The hon. Gentleman is citing some good cases, as he always does when this issue comes up for debate, but does he not agree that the underlying

problem with ESA was that only 1% of those on the programme actually went into work, when 60% or more wanted to find work? The programme simply was not working. Does he recognise that?

**Neil Gray:** Absolutely, but I also recognise that cutting off support cuts off the access to work available to some people, including the constituent I described, and puts the cart before the horse.

The changed system should have been put before the House for debate and scrutiny before the cuts to ESA and universal credit were applied. That was simply ludicrous, and I suspect that we are now going to pay the price. Mencap estimates that

“less than two in ten people with a learning disability are in employment”,

despite, in its estimation,

“eight out of ten being able to work with the right support”,

and a majority wanting to work. The key phrase is

“being able to work with the right support”.

Mencap's criticism is that the

“support is often not available or those giving that support often do not understand learning disability.”

My nephew and his parents have been through the wringer to get support for him for almost all his life. He is approaching his 17th birthday and is sitting his GCSEs in Lancashire—I wish him well as he goes through that. He has cerebral palsy, which limits his mobility but has not limited his communication skills—far from it. Getting the right wheelchairs, accessing school transport and getting additional support when he needs it at school has been a constant fight for the family, and now he is anxious about what happens as he transitions from school into work. This is what he said to me when I asked him, ahead of this debate, about entering the employment market:

“I'm not sure what I can ask of an employer, for example, if I want to work at an Apple Store but all the tables are too high for me to reach can I ask the employer to make the tables accessible to me? I also sometimes worry that employers may choose another applicant for a position because they believe it would be easier to employ them, even if I am the best person for the job. I would however like to say that when I went for the interview for my apprenticeship my school were very supportive, but that may be because they already know me and I've been there for the past five years.”

That tells me of the lack of confidence that many disabled people have about entering the employment market. My nephew is the most gregarious, confident and engaging young man you could wish to meet, yet he feels he will be held back at work. He feels—unsurprisingly because of the way he has had to fight for support throughout his life—that he will have to ask employers for help: that he will be a burden on his future employers because of his disability, and that that will lead to him losing out.

That tells me, and it should ring loud and clear to the Government, that for the employment gap to be halved and for people with disabilities get fair access to employment we need to address how we treat them in all areas of social security support. Making them feel as though they have to fight for help and support that should be their right and expectation damages their long-term prospects and confidence to enter the employment market.

**Oliver Colville** (Plymouth, Sutton and Devonport) (Con): Surely we should not just pigeonhole people who are suffering disability into individual areas but ensure that they have the confidence to be able to get into employment and participate in the wider community.

**Neil Gray:** I find nothing in the hon. Gentleman's comments that I can disagree with, but the fact is that they do not have that confidence at the moment. That is clear from the examples I am giving and from the expert third-sector organisations. They do not have the confidence because of the way they have been treated throughout their lives in having to fight for appropriate wheelchairs and go through traumatic work capability, PIP and DLA assessments, which they find demeaning. The whole process reduces their confidence not just to enter the workplace but to maintain a dignified level in society. I take his point, but there is far more for us to do.

This view is echoed in many ways by Sue Bott, deputy CEO of Disability Rights UK, who said:

"It is bad enough that the government spends so much of its time and resources on finding ways to deny"

disabled people

"benefits and support but then not to put measures in place that would increase employment opportunities really is a double whammy for disabled people. The fact is that it is only when we see a government seriously committed to equality will we get progress."

**Jo Stevens** (Cardiff Central) (Lab): Last Friday, I saw a constituent, a 37-year-old man with Parkinson's disease, who had gone through a PIP assessment. The assessment report described him throughout as "it" rather than "him". Does the hon. Gentleman agree that that is an example of exactly how the approach he advocates is not being put into practice under this scheme?

**Neil Gray:** That is absolutely sickening, and it should reduce us all to shame. That goes to the heart of why we have said throughout the election campaign in Scotland that when we create our social security agency we will put dignity and respect at its heart for those very reasons. Sadly, in some cases—not all, but some—those things have been lacking.

There was another case that I wanted to highlight about the work capability assessment, but time is pressing. Suffice it to say that the failings of the assessment stage make it far more difficult for the Government to achieve their goal of supporting disabled people who, with the correct support and guidance, would be able to find employment. Jobcentres, which are there to provide such help and support, are dealing with people who are not capable of working because of their ill health and disabilities, but who have mistakenly been sent there as a result of the flawed ESA decision-making process.

Another disabled constituent of mine who is in work contacted me regarding problems with the progress of his DLA and PIP application. He informed me that he had had numerous problems with the process. Despite supplying detailed medical evidence of the effect the health problems had on his life and the type of support he requires—the evidence clearly highlighted why that support was needed—he was told that he had to attend an assessment with ATOS. My constituent requested that that be carried out at an assessment centre, but was sent a letter by ATOS telling him, in language that he found threatening, that it would need to be a home visit.

Given that my constituent is trying to maintain a full-time job, the unavailability of weekend appointments makes it very difficult for him to adhere to strict appointment times during the week. The assessor did not attend on the day that was eventually scheduled. When my constituent inquired about that, he was told that no appointment had been made for him. This led to ATOS stating that it would consider the application on the basis of the evidence that my constituent had supplied, which left him understandably confused about why that had not been done in the first place. Supporting people with disabilities who are already in work is essential to ensuring that the disability employment gap is not widened still further. The Resolution Foundation referred directly to that in its report yesterday.

In conclusion, I hope that the Secretary of State will reflect on the personal testimonies that I have presented, as others across the House no doubt will, as he progresses towards the Green Paper. SNP Members are committed to seeing disabled people supported into employment when they are able to be, but that can come about only through appropriate support, and not simply by honouring the rhetoric of getting people off benefits and into work.

**Several hon. Members rose—**

**Mr Speaker:** Order. In order to try to accommodate all 10 hon. Members who have indicated to me that they would like to catch my eye, I am afraid it is necessary to start with a limit on Back-Bench speeches of six minutes each.

5.32 pm

**Paul Maynard** (Blackpool North and Cleveleys) (Con): I shall keep it quick, Mr Speaker. It is a pleasure to be called to speak in this debate. I was genuinely pleased when I saw that the Labour party had selected the disability employment gap as the topic of its Opposition day debate, because it seemed so out of character. Why would the Labour party try to have a consensual Opposition day debate when it is all about hurling insults at each other? As ever, the shadow Secretary of State did not let me down. He did not talk about the disability employment gap at all. He gave his usual speech about disability, and he mentioned all the points that he tends to make about disability. The debate could have been called simply "Disability". He started to refer to what he called the disability gap, and I have no idea what that even meant. It could have meant almost anything. It was a peculiar avenue to go down.

The shadow Secretary of State is quite right, on one level, to hold us to account for a manifesto pledge, but there is a certain irony in the fact that he is holding us to account for a pledge that the Labour party chose not to make in the last election. It was not clear from his speech whether the Labour party has made a commitment to halve the unemployment gap.

**Owen Smith indicated assent.**

**Paul Maynard:** I am pleased to see the shadow Secretary of State nodding his head. It is a little churlish of him to criticise us for not narrowing the gap in the first year since the election. He is quite right to point out that the gap has broadened—[*Interruption.*] It really annoys me

[Paul Maynard]

that the Opposition Front-Bench team always think that the best way to address any speech by a Conservative Member is to sit and give a running verbal commentary on everything we say—a monologue to their imaginary friends sitting on the Front Bench. [Interruption.] Will the hon. Member for Ashton-under-Lyne (Angela Rayner) be quiet for a minute? I am sorry to have to shout at her. I listened very patiently and quietly—[Interruption.] I do not want a conversation with her; I am asking her to listen to my speech. I sat patiently and listened to the shadow Secretary of State. I did not engage in a running commentary. [Interruption.] If she wishes to step outside and argue with me now, then we can do so. All I am asking is for the hon. Lady to show me a common courtesy and to listen to what I am saying, not issue a running commentary. [Interruption.] Yes, I know that my time is running down, but I place great importance on standards of politeness in this Chamber. If I choose to use my time in trying to enforce those standards, that is my choice and it is not for her to comment on it.

**Jim McMahon:** I appreciate the fact that the hon. Gentleman has given way. Inadvertently, that will give him an extra minute, which he will be very grateful for. With all due respect, he will not have seen from where he is sitting that, during the opening speech in this debate, his Front Benchers were making the same running commentary against Labour Members. That is perfectly reasonable as part of the debates that take place, but I do not think it is reasonable for him to offer to take outside a Member of the official Opposition.

**Paul Maynard:** I thank the hon. Gentleman for that comment. As you always remind us, Mr Speaker, we are responsible for what we say in the Chamber. My point to the hon. Member for Ashton-under-Lyne was that rather than interrupting my speech, I was more than happy to continue the debate about proper standards of addressing Members in the Chamber after we had completed our speeches. On that note, I think we will move on.

I was touched by what the hon. Member for Airdrie and Shotts (Neil Gray) said about his nephew in Lancashire and his perception of engaging in the jobs market. That spoke to me quite a lot because there was a time when I often felt I would be a burden to an employer. An implicit assumption built into how I viewed the world was that, for some reason, employers would somehow not want to touch me with a bargepole, that I would have to be better than the best and that the hurdle would always be that much higher. I very much understand his mindset.

To me, the biggest challenge in trying to overcome the disability employment gap is that some of our assumptions about what will happen to us in the workplace are so low to start with that it is very hard to give people the confidence to engage in the process. One of my concerns—this is partly why I agreed to participate in the review organised by the Parliamentary Under-Secretary of State for Disabled People—is my belief that percentages can be a very difficult way to measure what is actually going on. We had a very helpful contribution from the Labour party to the review. I welcome the fact that it felt able to make a submission, and I hope it will do so on the

Green Paper as well. The contribution was actually interesting. Again, it focused on percentages—the percentage of people with a disability who are in work or engaging in an apprenticeship—but such figures are always hampered by the fact that those are self-declared disabilities. Many potential applicants simply do not want to acknowledge somewhere on a form that they have a disability in the first place, in case it affects the employer's perception of how they will be treated during any interview process.

**Michael Tomlinson:** On my hon. Friend's point about confidence, does he agree that that is not just the confidence of the applicant, although that is absolutely vital, but the confidence of employers to take on disabled people and people with disabilities? As the Secretary of State set out, reverse jobs fairs and such things can help employers to have the confidence to take on employees with disabilities.

**Paul Maynard:** It is very important that we use such opportunities to allow employers a broader range of mechanisms to test whether someone is suitable for a job, over and above a simple face-to-face interview.

I will not go into the findings of our review because they have not yet been agreed or sent to the Minister, but some themes strike me as particularly important. One relates to the very useful occasion when we saw Departments—the Department for Business, Innovation and Skills and the Department for Work and Pensions—working together and, with shared objectives, trying to iron out the differences between them. That alone was very worth while.

It was interesting to see that, despite how much the Government have already changed to improve the situation, employers and potential employees are not aware of what has changed. We may have changed regulations in Parliament, but are we adequately communicating such changes to the outside world so that people know they can take advantage of them?

There is always more that the Government can do in setting a good example. All Departments take on apprentices. I would like something written into each Department's plans to state what percentage of apprenticeships should go to people with various types of disability. Some important points raised were not about learning or developmental disabilities, but about other hidden impairments such as hearing loss, and I hope that can be built on in any future examination of what goes on.

I welcome the Green Paper, although it is not mentioned in the Opposition motion. For me, the Green Paper is a real opportunity to reset a conversation that I think has gone awry during the years that I have been in this place—surely I am not the only person who is pleased to hear about a fundamental reassessment of the work capability assessment. We set so many hurdles between a disabled person and the job they want that it can make things that much harder. There are two separate assessments—one for ESA, and one for DLA or PIP—and time and again we put hurdles in people's way. I would far rather try to reduce the number of assessments and make them more about how the state can help the individual. It should be much more personalised, and about acting as a gateway to all the different types of help that should be available.

There is much evidence to show us what works, and supported employment, indented training qualifications and supported internships have by far the best outcomes, although they are also the most costly to deliver per individual. The challenge for the Government is how to square that circle in the medium term. We know what helps to get people into a sustained job—the hon. Member for Workington (Sue Hayman) was right to stress that it needs to be sustained—but often, getting the job is not the challenge; it is about enabling a person to stay in that job and thrive in that place of employment. The Government can do a lot more on that front, and the Green Paper is a chance to reset the clock. I cannot wait to get stuck in and contribute.

5.41 pm

**Sue Hayman (Workington) (Lab):** The Government's pledge to halve the disability employment gap is an important step towards recognising that many disabled people want to get back into work. As has been said, however, if they are to have any chance of success, the Government must recognise and act on the significant barriers to employment that many disabled people face, including keeping jobs for the long term. They must also recognise and acknowledge the contribution that disabled people make in their communities through voluntary work—this should not just be about paid work—and everyone who is not able to work should have the support they need, including financial support, to lead a dignified life. To a certain extent dignity has been lost from the argument, and we need to bring it back to the centre.

The Government must also make it clear exactly who they expect to work. Many stable and able disabled people are already in work, and the challenge is to get the long-term sick, the terminally and chronically ill, and people with what could be called those disabilities that are hardest to accommodate, into employment. As the hon. Member for Blackpool North and Cleveleys (Paul Maynard) said, however, that is often the most expensive solution.

If the Government are expecting the chronically ill, the long-term sick and people with complex disabilities to carry out paid employment, they must provide the support needed for that to happen. That support should not just be for individuals who are unwell or disabled; it should also be for the employer. Earlier in the debate, the hon. Member for Airdrie and Shotts (Neil Gray) vividly demonstrated how important that is and how difficult it can be. People with long-term illnesses and unstable conditions and disabilities, as well as those with learning disabilities and mental health problems, may be unable to work at the same pace as other employees. They may need more time off or flexibility, or they may need to work at home, and many employers might not be comfortable with that. Progressive, fluctuating disorders such as Parkinson's disease have symptoms that can fluctuate during the day, and particular support is needed for those with such conditions, and so that their colleagues and employers can manage that work environment.

The Government should also look at their own record in employing people with disabilities. According to Leonard Cheshire Disability, only 8.9% of civil service employees are disabled, and at senior levels that drops to 4.5%. That could be improved, not only through direct employment but by the Government looking at

their procurement policy. They should expect not just contractors but subcontractors to demonstrate their commitment to employing disabled people.

As has already been mentioned, proper careers advice, training and access to apprenticeships are also critical. Young disabled people are four times more likely to be unemployed than their peers. As we all know, the Government have said that they will fund 3 million new apprenticeships over the course of this Parliament. Those have to be accessible to long-term ill and disabled young people and people with serious mental health problems. I am aware that the hon. Member for Blackpool North and Cleveleys is carrying out a review of disabled people's access to apprenticeships; I ask for the Secretary of State's assurance that any recommendations made in that review will be taken seriously and acted on to improve the current situation, and then monitored, to make sure that we are making proper progress.

I know that this subject has been talked about a lot already, but I want to put on the record my concerns and those of many of my constituents about the planned cuts to employment and support allowance. I have seen no evidence whatever that the cuts will help disabled and long-term ill people back into work. On the contrary, the evidence I have read shows that they are more likely to push people further away from paid employment.

**Anna Turley (Redcar) (Lab/Co-op):** We know that one third of disabled people cannot afford to eat on the current levels of ESA work-related activity group support. What impact does my hon. Friend think the further cuts will have on their ability to get closer to the workplace?

**Sue Hayman:** My hon. Friend makes a very good point. The problem at the moment—I see this constantly in my own constituency—is that people with disabilities are really struggling to make ends meet. In my constituency, there is the added problem of access to transport: with cuts to bus services, many disabled people are unable to get into town and attend support classes as they used to. That is particularly concerning.

Recently a constituent came to one of my surgeries right on the edge of tears—that is difficult for any of us to see. He was that upset because he had just found out that he had failed the mobility part of his PIP assessment. He had a job and needed his car to get to work. He showed me a letter from his GP confirming that for many years he had not been able to walk more than 50 metres; I am not a doctor, but it looked pretty clear to me. The assessor, however, had decided that my constituent could walk 200 metres. Why or how I do not know, although I do not imagine that he made him do it for the assessment. I therefore ask the Secretary of State to look at the quality of assessment and of the assessors. If my constituent had lost his car, he would have lost his job. If we are working to get disabled people back into work the last thing we want to do is undermine them in that way.

5.48 pm

**Heidi Allen (South Cambridgeshire) (Con):** I think most Members would accept that Governments of all colours have not done enough to support disabled people into work. This debate centres on whether the commitment made by this Government to halve the disability employment gap is progressing quickly enough,

[Heidi Allen]

and in the right way. Looking simplistically at the numbers, which many Members have touched on today, there are now 365,000 more disabled people in work than two years ago, and more than 3.3 million in work in total, so we have made a good start. But we would all agree that it is not enough, and guess what? We believe that we should be working on this together. I am sorry that the hon. Member for Pontypridd (Owen Smith) has just left the Chamber, because I was so disappointed in his tone; I know he can do better.

We have accepted that we need to do things differently, so a Green Paper and a fresh new approach are exactly what we need. But we cannot rush that. I am disappointed not to have seen the Green Paper yet, and the disability charities I have spoken to are also eager to see it, but we need to decide whether tweaking existing systems and policies to meet a deadline is better than taking our time and getting it right. I do not think that it is. After all, any changes we make will affect the most vulnerable in society. I know that the new Secretary of State is determined to get this right, and disability charities have conveyed that sense to me too.

Although speed must not be our only goal, we must, I am afraid, keep in the back of our minds a deadline we have created for ourselves. I am sorry to say that the decision to cut the ESA work-related activity group before the White Paper had emerged was wrong; I regret the Government's decision. It would give an incredible boost to the disabled community if they were to commit to freezing that decision just until the White Paper is agreed. If we can, we should. It should be a positive, ambitious and anticipated document. It is not enough for a Government simply to provide the financial and healthcare support for everyday living; we need to do everything we can to unleash the untapped potential skills and hopes of people with disabilities.

When I spoke to a gifted IT graduate with learning difficulties, she did not want to be protected from society; she wanted to be out there helping to build it, so why on earth could she not find a job? As a member of the Work and Pensions Committee, I have seen how the existing Work programme has simply not worked for disabled people. It is hugely successful for those closest to the jobs market, but not for those with physical or mental health issues. As our jobcentres evolve to support universal credit, so our work coaches will need to perform comprehensive triaging right from the beginning and provide a dedicated path of support from day one. People must not be allowed to sit on the merry-go-round of the system for two years before anything positive happens to them.

We need to make much better use of small third-party providers, such as the Papworth Trust in my constituency, which is one of the most highly regarded disability charities yet is running mainstream Work programme services because the payment method for specialist work choice provision is commercially unviable. That is ridiculous. Specialists know how to support disabled people and to identify what they can do, whereas much of the current pathway to employment focuses on what they cannot do.

The White Paper needs to look at the whole world of a disabled person, so if the Secretary of State does not mind, I am going to add a few things to his list. Do they

have good accessible housing? What about the social care to support them at home and to help them get up and get out the door? It is not just about the employment services. We have to understand what they need. It is not enough just to treat the benefit application processes; the entire journey through ESA and PIP needs looking at again, and that should be coupled with a cross-departmental assessment of everything a disabled person needs to fulfil their potential.

**Carolyn Harris** (Swansea East) (Lab): Does the hon. Lady agree then that placing medical professionals in doctors surgeries is counterproductive, as people are likely not to seek medical care for fear of being reported to the Department for whatever illness they have got?

**Heidi Allen:** Forgive me—I am honestly not seeking an extra minute—but I genuinely do not understand the question. Did the hon. Lady mean medical professionals in jobcentres?

**Carolyn Harris:** No, doctors surgeries.

**Heidi Allen:** Perhaps we can have a conversation later, because I do not understand the question. I am sorry.

Departments need to work together—hell might freeze over—and perhaps share budgets. Having the right housing, for example, is the absolute beginning of a disabled person's journey to work. If the fund available to deliver the Work and Health programme is significantly less than those for its predecessors, the Work programme and Work Choice, we will need to be smarter about how we spend it. Let us target young disabled people before they leave school. I heard the hon. Member for Airdrie and Shotts (Neil Gray) talk about his nephew. It is absolutely wrong. We should be getting in there and grasping people's potential before they come to feel they cannot achieve. That is so wrong.

What about people who have only just gone on to ESA and disabled people who are in work? As we have heard, it is considerably more difficult for disabled people who have been out of the workplace for a long time to get back in. We need to get in there while their self-esteem is still high. I was once out of work for more than a year. It is flipping hard, and it is significantly harder for a disabled person. Access to work must also mean access to work experience and job interviews. You do not put fuel in a car when you have reached your destination; you need fuel for the journey to get there. And as we have discussed, people need to know about it too.

Would it not be great if we could design the process around the person, rather than pushing individuals with differing complex needs through a process just because the process was there first? We need to stop pushing square pegs through round holes; only then will we achieve our ambition of halving the disability employment gap. If the Secretary of State continues to demonstrate a willingness to make that happen, he and the Government will have my support.

5.55 pm

**Mr David Anderson** (Blaydon) (Lab): I speak as someone who worked in the coalmines for 20 years and as a care worker for 16 years. I am also someone whose family has been devastated by muscular dystrophy and who

has spent some time being unemployed or off work due to ill health. Throughout my life, I have come into contact with Departments of Health and of Social Security and the Department for Work and Pensions in their various forms. As a trade union representative, I have represented people at tribunals and sat as a wing member of tribunals, so I understand very clearly the history of Government relations with the welfare state.

I am glad to have a consensual debate, as I want to speak mainly about my experience as chairman of the all-party group on muscular dystrophy, but it is right and proper for the shadow Secretary of State to highlight that at last year's general election the Government went to the people with a pledge to cut £12 billion from welfare budgets and refused to explain from where they were going to take the money. That is a simple fact. It is not rhetoric or scoring party political points; it is absolutely true.

I was glad to hear the Secretary of State say that he wants to work across government and across agencies. He twice mentioned the role that local authorities can play. I would be delighted if Gateshead council could play a role in helping to get disabled people back to work. If, however, 48% of a local authority's budget is cut over six years, it will be stretched to the limit unless something is done to close the gap and try to provide help.

I want to talk specifically about the information that has been given to the all-party group on muscular dystrophy by the young people who came together under the title of the Trailblazers. I know that the hon. Member for Blackpool North and Cleveleys (Paul Maynard) is a strong supporter of that group and has done tremendous work, so I was pleased to hear him speak today. These young people have clearly said that they have real concerns. They produced a report, "Right to Work", in which they said clearly that young people should have the right qualifications and skills and exactly the same opportunities to gain paid employment—whether or not they are disabled.

Often these young people with ambitions are restricted by the inbuilt prejudices that they encounter in the workplace. The report shows that fewer than half of the disabled people in the country—48.5%—are actually in employment, in comparison with 78.8% of able-bodied people. They believe that the best way to address that is by giving as much support to individuals looking for work as is given to businesses and organisations already working.

The group also believes that the abolition of the work-related activity component of employment and support allowance has and will continue to put disabled people at a significant disadvantage. Almost half a million people are currently in receipt of the WRAG component, and it helps disabled people to get their interviews and to ensure that they are fit and healthy enough to get to work and stay in work. This abolition means that people with muscle-wasting diseases have had removed from them the support they need for sustainable, long-term and gainful employment, and it is likely significantly to widen the gap at a time when we are all saying that we want to close it.

When members of the Trailblazers went around the country to find out what was the reality, they found some basic things. They found far too many recruitment agencies that people were physically unable to reach

because they were inaccessible up a flight of stairs. They were told that all jobs were available online. As Government Members said earlier, what happens if people are trying to go online, but the desk is set at a level from which it is difficult to operate the computer, or if people do not have access to a computer? These are the sort of basic issues that we should be working together to put right.

Some of the people carrying out the work for the report—disabled young people themselves—went for office-based proficiency tests, but instead of being based in the place where they were working, some of the interviews were happening in places such as coffee shops, where many other customers were milling about. How on earth can people show how proficient they are in circumstances like that? Trailblazers said that that while disability employment advisers were a hugely positive resource, it believed that they should all be given an enhanced level of disability awareness, so that they would recognise when disabled people came looking for a job that they might need to look at things in a very different way.

Some disabled young people seeking jobs face a dilemma: they must decide whether or not to disclose that they have a disability; obviously, not all of them will have a visible disability. They worry about the possibility that if they disclose their disability, there will be prejudice against them before they even get through the door. It should be made clear that they should have the right to decide whether or not to disclose their disability, rather than being told that they must state "I am disabled" on the form, and fail as a result. If they do that, they will already be behind the curve. Trailblazers said that when young people went for interviews, they should be given support so that they felt that they had been invited for a genuine interview, and were not just there to make the numbers up so that someone who could tick the boxes.

I ask the Minister to talk to those people, listen to them, learn from them, and apply the lessons.

6.1 pm

**Maggie Throup** (Erewash) (Con): Sadly, as the Secretary of State said earlier, for far too long successive Governments have labelled disabled people as those who are unable to work. However, I believe that, through their actions, the present Government are busting that myth. A great number of disabled people want to work: indeed, I am sure that the majority want to do so. They are extremely capable of working, and want to experience the feeling of self-worth that earning a wage brings.

We heard from the Secretary of State that 365,000 more disabled people had moved into work in the past two years, and we heard further statistics from other Members. However, although the fact that more than 3.3 million disabled people are now in employment represents a great step forward, it is not enough yet. My hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard), who is no longer in the Chamber, spoke eloquently of how often numbers do not tell us the true story.

In January last year, the Prime Minister called for Britain to become a nation of full employment, and I am sure that his pledge applied not just to able-bodied people but to those who are disabled as well. If that is to happen, however, many workplace barriers need to be

[Maggie Throup]

broken down. Sadly, many of the barriers are put up by employers, probably unknowingly. It is amazing how many business premises, while they may be wheelchair-friendly in that they allow people in wheelchairs to get into the building, do not enable them to get around once they are inside. The hon. Member for Airdrie and Shotts (Neil Gray) described very well the barriers that prevented people not just from getting into a shop, but from working there. He was talking about a small environment; many other workplaces are huge, and the barriers are still there.

However, this is not just about need for premises to be wheelchair-friendly. Many disabled people are fully mobile, but have other work-limiting conditions. For instance, a recent survey revealed that 35% of business leaders did not feel confident about their businesses employing a person with hearing loss. As our workforce age, disabilities such as hearing loss will increase rather than decreasing. The Government provide support for businesses through the Access to Work scheme, but I am afraid that too many employers are totally unaware of its existence. I ask the Secretary of State to consider ways of promoting support for disabled people and their employers.

In 2013, the Prime Minister launched the Disability Confident campaign, which encourages employers to recruit and retain disabled people so that both employer and disabled person can realise their potential. Disability Confident works with employers to show that employing disabled people is good for the individual, good for the business, and good for society. By highlighting the business benefits of inclusive employment practices, the campaign aims to remove barriers to work for disabled people and those with long-term health conditions.

I am aware that the Government are working with more than 120 employers who have committed to being active partners in the Disability Confident campaign, but that is not enough. It is time now to engage with many more businesses of all sizes—small, medium and large—to ensure that more employers really understand the benefits of employing someone with disabilities and start to break down those workplace barriers. In March this year, I held a jobs and community fair, and next year I shall be extending it to a jobs, community and Disability Confident fair, in order to be more inclusive myself.

Today's debate has been as much about equality as about disability, and I hope that in a small way it will have brought about the will to ensure that we strive for equality irrespective of age, sex, colour or disability. This Government can quite rightly be proud of their record on getting more disabled people into work, although I am sure that they want to do more and not rest on their laurels. I am sure that they want to do more to narrow the gap, to ensure that even more people can proudly provide for their families and be proud to take home a pay packet at the end of every month.

6.5 pm

**Dr Eilidh Whiteford** (Banff and Buchan) (SNP): I congratulate those on the Opposition Front Bench on calling this debate and the hon. Member for Pontypridd (Owen Smith) on leading it earlier. If there is one lesson we can draw from today's debate, it is that it is much

easier to talk about closing the disability employment gap than it is actually to close it. I have lost count of the number of debates we have had in this place over the last few years about the shortcomings of the work capability assessment; the well-documented failures of the Work programme; the devastating impact of the new sanctions regime on people who are found fit for work or work-related activity but cannot then comply with the conditions attached to their employment and support allowance or jobseeker's allowance; those whose support has been cut in the transition from disability living allowance to the personal independence payment, including thousands who have lost access to their Motability vehicles, in some cases compromising their ability to get to and from work; and most recently, those who are going to receive £30 a week less in employment and support allowance or lose their work allowance.

Disabled people and those with long-term health conditions have borne the brunt of austerity cuts in recent years, yet in that time there has been no tangible improvement in the rate of disabled people's employment. There has been an assumption on the Government side that the support we have offered to sick and disabled people in the past has discouraged them from seeking work. Last year, the Chancellor went so far as to talk about "perverse incentives" when he was trying to justify cutting the incomes of some of the most disadvantaged people in our communities, but there is absolutely not a shred of evidence that cutting support has helped disabled people to find work. Quite the reverse: I am sure that almost all of us will have encountered sick and disabled constituents who have fallen through the safety net of social security altogether.

I think the Government recognise that their reforms have failed many disabled people and failed to address the barriers to employment faced by many disabled people who could and would work with the right support. We were promised that we would have a White Paper long before now, but here we are in June and still waiting; the proposal has been batted off into the long grass. I am disappointed about the further delays, but I actually welcome the tacit acknowledgement that this whole project needs a lot more reflection. I share the view that we need a lot more input from disabled people, a lot more work with employers, and a very different approach that is centred on individuals. Yet more punitive austerity is not going to cut it; it will just cause yet more misery for disadvantaged people.

The consultations in advance of what is now going to be a Green Paper will provide an opportunity to get disabled people round the table with the wide range of voluntary organisations that represent their interests, so that those organisations can really listen to them. The consultations will also provide a chance to talk to employers about how they can best be supported to recruit and retain a disabled workforce. This will be a chance to do much better, and I really hope that this time round the Government will do things very differently. No one is pretending that this is easy. Part of the challenge is that when we talk about disabled people's employment, we lump together as a group people who are every bit as diverse as society itself. We need to see the whole person, not the condition. We also need to recognise the wide variations in employment support needs.

We need to recognise that other aspects of a person's life, such as whether they have qualifications, skills and work experience, will have a significant impact on their

job prospects. We also cannot ignore the fact that the wider inequalities in our labour market—such as those associated with gender, age or ethnicity—intersect with and often compound the barriers associated with disability. Perhaps most significantly of all, we cannot ignore wider labour market conditions and the simple availability of work. At a time when insecure, temporary, part-time work is becoming far more prevalent for everyone in low-paid jobs, high-falutin' talk about sustained employment for disabled people becomes a bit of a moot point.

There is much talk about changing employer attitudes. While I wholeheartedly agree that we can and should be doing much more to help employers take on and retain disabled staff, progress has been painfully slow, and the take-up of schemes such as Disability Confident has been pretty paltry. We have seen some degree of cultural change over recent years in terms of flexible working and not only for disabled people. Some larger employers have led the way in employing disabled people and carers in sustainable ways—it is important to mention that during Carers Week—but we have to be honest about how far cultural change can take us and how greater flexibility poses serious challenges for some sectors and for smaller businesses in particular. If the Government are serious about changing attitudes, that needs to be backed up with resources. We need to make it much easier and affordable for employers to do more to support their disabled staff and to keep them in work.

Like others, I read the Resolution Foundation's report on retention deficit this week. It contains several useful, practical suggestions that merit much closer attention, including the idea of keeping a person's job open for up to a year after the start of sickness absence—much like maternity leave—which could help people to stay in work. That could also be of huge benefit to people recovering from serious illness or surgery, but it will work only if employers are recompensed, as is suggested, by reimbursing statutory sick pay costs for firms that support their employees to make a successful return to work. Those things are worth exploring further.

Crucially, the Resolution Foundation also recommended making early referrals to whatever scheme replaces the Work Programme for people who find that they are unlikely to be able to return to their previous job. If we continue to wait until someone has become long-term unemployed before making targeted interventions, we will miss the boat. People often lose confidence and social contact if forced to leave work and can fall further away from the labour market. I will be interested to hear what the Minister has to say about that and about incentives for small businesses.

We have heard a different tone from the Government today. That is welcome, but it is hard to reconcile it with the reality of brutal cuts in income and the dehumanising experiences of recent years for disabled people. The Government will have to make a radical change of direction if they are to make any real difference to disabled people's job prospects and to restore dignity to the whole process.

6.12 pm

**Peter Heaton-Jones** (North Devon) (Con): The Secretary of State said plainly that it is important to get the tone of such discussions right. By and large, that is what we have done in this afternoon's debate. I was much taken

by the contribution of the hon. Member for Airdrie and Shotts (Neil Gray), who talked about his nephew. I found it very moving, and he got the tone exactly right, because this should be about individual people. Similarly, the hon. Member for Workington (Sue Hayman) and my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard) also got the tone right. What a contrast that was with the tone used by the shadow Minister, the hon. Member for Pontypridd (Owen Smith), in his entirely inappropriate opening remarks.

The wording of the Opposition motion just smacks of opposition for opposition's sake. The manner in which it was proposed by the Opposition Front Bench showed the truth, which is that it is politically opportunistic and partisan. It was entirely unhelpful for the tone of the debate and for the people whom we are seeking to assist. My hon. Friend the Member for Blackpool North and Cleveleys questioned the exact nature of the debate and said the shadow Minister just seemed to be starting a general discussion rather than looking specifically at the points, so in that spirit I will look specifically at the motion, clause by clause.

The motion starts by stating that the House regrets the

"lack of progress towards halving the disability employment gap" but that does not add up. We are helping more people with a disability to get into work than ever before. Some 365,000 more disabled people are in work now than two years ago. More than 3.3 million disabled people are in employment in total, which is an increase of 150,000 in the past year alone. Some Members made comments about the exact figures of the disability employment gap, but as has been pointed out, the reason for the discrepancy is that the rate of employment is so much higher under this Government than it was under the Labour Government.

**Anna Turley:** Will the hon. Gentleman give way?

**Peter Heaton-Jones:** If the hon. Lady will forgive me, I will not, because I understand that we are only about 20 minutes away from the closing speeches and I want to give everyone the opportunity to speak.

Secondly, the motion says that the House "regrets that the Government has not yet published its White Paper".

That does not even take account of the Secretary of State's clear statement that he now intends to bring forward a Green Paper. I am surprised to hear the Labour party say that we should be doing this quicker, because its usual complaint is that we do not listen enough. Now, it appears to want us to rush out proposals without talking to the people we should be listening to. A proper consultation in which we talk to people with disabilities and the third-party, voluntary and charity sector organisations that represent them will take time. It is absolutely right for us to do that.

The motion goes on to note

"with concern that commitments made in the Autumn Statement 2015 to help more disabled people through Access to Work and expanding Fit for Work have not materialised".

I have the autumn statement here. It is clear in its commitment that there will be

"a real terms increase in spending on Access to Work...to help a further 25,000 disabled people each year remain in work".

[Peter Heaton-Jones]

It talks of

“expanding the Fit for Work service”

and of

“over £115 million of funding for the Joint Work and Health Unit”.

I say gently to the Labour party that the autumn statement is still in place. We are still in the period that it covers. I do not understand why Labour is suggesting that we are in some way renegeing on it, when the period is still current.

**Jo Stevens:** Will the hon. Gentleman give way?

**Peter Heaton-Jones:** If the hon. Lady will forgive me, I will not give way for the reasons I have given. I am sorry.

The motion

“further notes that the Government is reducing funding”.

That just does not add up. We are increasing spending on disability support. In the last Parliament, spending rose by £3 billion. We are now spending £50 billion on benefits alone to support people with disabilities and health conditions.

Last Friday, I attended a meeting of the North Devon and Torridge disability access forum. It was an extraordinarily positive meeting. Yes, it has concerns about the people it represents, but it wants to have a positive way of working with me and, through me, with the Government. That is typical of the positive attitude in North Devon. In Ilfracombe just two months ago, I organised a Disability Confident event, which the Under-Secretary of State for Disabled People attended. It was an extraordinarily positive event that showed what can be done when people get together and work for the good of the majority of people. That is what we should be doing.

**Oliver Colville:** Will my hon. Friend give way?

**Peter Heaton-Jones:** I will give way.

**Hon. Members:** Oh!

**Oliver Colville:** Does my hon. Friend agree that this issue affects the whole of Devon, not just North Devon?

**Peter Heaton-Jones:** It would have been remiss of me not to give way to a Devon colleague. I agree with him entirely, of course.

In the last two years, 365,000 more disabled people have moved into work. About £50 billion every year is being spent on benefits alone to support people with disabilities or health conditions. The Government will continue to spend more than Labour did in 2010 in every year between now and 2020. Benefits related to the additional costs of disability have been uprated every year.

We are well on our way to securing the Government's manifesto commitment to halve the disability employment gap. This Government are doing more than the Labour party, which proposed the motion today, ever did. This is opposition purely for opposition's sake, and we should consign the motion to the No Lobby where it belongs.

6.19 pm

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): It is a privilege to speak in this debate. As chair of the all-party parliamentary group for disability, I have a particular interest in it being held and in it being constructive.

Disabled people are still under-represented in the workplace, with their general employment rate reported to have been 46.7% at the end of 2015, compared with a rate of 80.3% for non-disabled people, so we have a long way to go. Within the disabled population, there are certain groups of people for whom the employment gap is even wider. They include those with learning disabilities, developmental disorders, such as autistic spectrum disorder, and mental health issues. Mencap says that fewer than two in 10 people with a learning disability are currently in employment, despite the fact that eight in 10 are able to work if given the right support. Recent data also indicate that only 15% of people on the autistic spectrum are in full-time paid work, and that 26% of graduates on the autistic spectrum are unemployed.

Having a job is not just about earning a living, but about contributing to our psychological well-being. It provides people with a sense of belonging and purpose. It helps to provide social opportunities for people who might otherwise be isolated. It enables everybody to feel a sense of fulfilment and it is also good for our mental health. We must therefore tackle this vicious cycle. The Government have made a very welcome commitment to halve the disability employment gap. That has been translated into a figure of 1.2 million disabled people leaving benefits and entering the labour market. If that is achieved, what a welcome boost to our economy it would be.

We must ensure that we harness the potential of people with disabilities. TUC analysis shows, however, that, at current rates of progress, it will take until 2030 to achieve that target. That is very concerning. We therefore need to take significant action. I share the frustration of those who say that the White Paper has not been compiled within the promised timeframe. I fear that it is indeed a great let-down for disabled people. I also share the view that to remove benefits before putting in place adequate supports is unhelpful and actually disabling.

The all-party group on disability has been working on this issue, and we have identified the many elements that are required to make suitable progress. I will name but a few. They include: equipping disabled people to compete better for existing jobs through increased support at every stage; improving back-to-work support after short periods of unemployment or ill health; promoting training courses for people with disability, particularly within new and emerging markets; and setting up peer support programmes, which have been identified as a missing component, to assist confidence and enable people to provide good role modelling.

It was also raised at a round-table event this afternoon that we do not have many people with disability employed in jobcentres. This would be another good initiative, as they could support others to gain work. We need the availability of apprenticeships and training and supported internship programmes for people with disability. That is crucial. Moreover, we need to overcome quite significantly the negative attitudes of many employers to the recruitment of disabled people. I ask MPs across the House to hold job fairs, as I will be doing, with a specific focus on

social enterprise and support for those with disabilities and for employers who wish to offer them employment. We in this House should also be leading by example, by promoting jobs and apprenticeships at Westminster for disabled people to train them in all aspects of running this House.

The issue of Motability cars has been raised by my constituents. Recently, I had a constructive meeting with Lord Sterling on this issue, and if possible I would like to have further discussions on the matter with the Minister. We are talking about a lifeline to independence and people must have it maintained. I stress the importance of involving disabled people at every stage of this Green Paper. The people who know what they need and what works are service users. I am pleased that, at the next meeting of our all-party parliamentary group, the Secretary of State will be in attendance alongside the Minister for Small Business, Industry and Enterprise and the Under-Secretary of State for Disabled People—the big three—so we hope to make progress. It is also important that the BIS Minister is there, because people with disability make not just very good employees but very good employers. We must take this forward.

I hope to work constructively with everyone in the House. This is a key issue. Getting it right will not only have an immense impact on the quality of life of individuals but will be extremely important for our society as a whole.

6.25 pm

**Oliver Colville** (Plymouth, Sutton and Devonport) (Con): It is a delight to serve under your chairmanship, Mr Deputy Speaker.

I thank those on the Labour Front Bench for calling this debate on disability and the employment gap, because it is all very much part of what I hope we on the Government Benches stand for—that is, being one nation and ensuring that we talk about life chances, which were firmly included in the Queen's Speech.

I am one of very few Members on the Conservative Benches to represent a totally inner-city constituency. I do not have a single piece of countryside in my constituency—with the exception, perhaps, of a rather wet meadow that is the Ponderosa pony sanctuary—although it has lots of parks and things like that. I congratulate my hon. Friends on the Treasury Bench on the excellent job they have done in reducing the deficit and encouraging growth in the private sector, which has meant that we can begin to turn our minds as a Government towards how we will help those people who are out of work for reasons of disability or whatever else.

In my Plymouth Sutton and Devonport constituency, the claimant rate is now down to 4% from 6.1% in 2010, when I was first elected. In Plymouth, we are now facing the problem of a skills shortage. Shortly before the 2010 general election, my city was thought to be one of the most vulnerable communities in the country as it remained dependent on the public sector. It has had high levels of deprivation and, as my hon. Friend the Minister knows, there is a difference in life expectancy of 11 years between the city's suburbs and the more deprived communities such as Devonport, which is where the dockyard is located.

Plymouth is a low-wage and low skills economy, with more than 38% of people who are employed working in the public sector. That is mainly because of our relationship

with the Navy. During the 1950s, Ford was going to come to Plymouth but the Navy stopped that happening because it did not want to compete on wages and for skills. At that stage, it employed about 10,000 people, which is a very large number. That figure is now down to 3,000—perhaps 5,000—people working in the dockyard and elsewhere.

The city was badly bombed during the war, but we have a great sense of resilience, which is incredibly important. The work that has been done by the Government, the local enterprise partnership and the city council—by both political parties, I must add—to ensure that we got a city deal that will deliver 1,500 new skilled jobs is very good. It is not the case that because someone is disabled they cannot do a skilled job. After all, people have lots of opportunities to do that.

I have been working with a man called Chris Leonard who runs an employment agency called Mego, which specifically considers the lower-skilled. We came to the conclusion that to bring the number of claimants down even further, we must focus on those people suffering from mental health issues, such as depression. Too often, we do not think about that. Issues such as alcoholism, drug taking, neurological conditions and, of course, smoking produce that, so we must work very hard to ensure that those people can be helped back into work. I am also very keen to ensure that people suffering from neurological issues and other such conditions have access to the pharmaceutical products that they should have.

Last year, quite a few people wrote to me about ESA and I had quite a lot of sympathy with what they were saying. It is important that we ensure that they are encouraged to get into work by becoming involved with voluntary organisations and so on. The Government have been doing a good job of encouraging people to get involved in voluntary organisations. If anybody living in Plymouth, in the constituency or the city, wants to go and help the hedgehog sanctuary, that would be a brilliant idea. As everybody knows, I am a great fan of the hedgehog and have been doing a lot of work in that regard.

The Government need to make sure that people will not be isolated. We should encourage them to get back into community life. I have been doing a lot of work with the local jobcentre and last Friday I met a gentleman there who came to see me. He was quite young and obviously had real issues to do with autism. In Plymouth we are campaigning for an autism pre-school, because we have to start early in people's lives to get them used to the idea. That young man had no confidence before he arrived, but staff were deeply surprised that he learned to engage with people, and he had even learned to shake my hand when he left. It is extremely important to instil such confidence.

It is important to ensure that skills testing takes place and that people in schools take an interest in the community. I pay tribute to Stoke Damerel community college for the work it does on dementia, which has become a big issue in the city. The more we can do to make sure that people can get back into work, the better.

6.30 pm

**Jo Stevens** (Cardiff Central) (Lab): I am pleased to be able to speak briefly in the debate and to follow the hon. Member for Plymouth, Sutton and Devonport

[Jo Stevens]

(Oliver Colvile). I want to use the opportunity to describe the experience of one of my constituents, who came to see me because of her concern and frustration about the Fit for Work scheme that is mentioned in the motion.

My constituent is a highly trained occupational therapist with decades of experience. She was employed by Fit for Work, the company under the umbrella of Health Management Ltd which is part of Maximus, the company to which the Government have awarded a lucrative contract to work with people with disabilities to get them back into work.

When the Secretary of State for Work and Pensions was the Secretary of State for Wales, he announced that the Fit for Work service was to be provided in Wales. The service was to provide support and advice to employed people if they had been or were likely to be off work for four weeks or more. According to Government statistics, about 48,000 Welsh workers a year are off sick for that length of time. Fit for Work was to be gradually rolled out across Wales and England. It was seen as a particularly important scheme in Wales, where a higher than average proportion of the workforce is employed in smaller companies, which do not have occupational health services to support absent staff.

The then Welsh Secretary said:

“The Fit for Work initiative will give tens of thousands of people across Wales the support they need to return to their jobs more quickly. This is clearly good for the Welsh economy.”

GPs in Wales were to offer patients a referral to the service, which included an in-depth assessment, followed by a personal return to work plan and managed support to get back to their jobs. That was in June 2015.

My constituent came to see me because, as she put it, both as an employee of Fit for Work and as a taxpayer she was concerned about how that contract was being delivered. She started working for Fit for Work in November 2015, a few months after the Secretary of State’s announcement, at the centre in Nantgarw in the constituency of the shadow Secretary of State, my hon. Friend the Member for Pontypridd (Owen Smith). However, by April 2016 Fit for Work was making staff redundant because of insufficient referrals of clients, and the centre was closed.

My constituent asked me why the Government were not supporting a service that they had instigated. Twelve months after the start of the scheme the public, GPs and employers did not appear to know about it on any kind of meaningful scale. It was inadequately advertised, so it is little wonder that the number of referrals was too low. She told me that Fit for Work did only a few employer engagement activities. The implementation was poorly managed and badly promoted. Matters even got to the stage where highly qualified medical assessors—case managers like my constituent—were taken off assessments with clients and told to ring round employers to tout the service.

Fit for Work had been predicated on 13,500 referrals a month, but the service was getting only about 450 referrals. Not only had it been badly advertised and implemented, but the process that case managers implemented was not effective in helping people achieve the aims of the scheme. My constituent described it to me as very standardised and commoditised. Speed and light touch were its hallmark.

The assessments were expected to be carried out very strictly, which had the effect of diluting the wealth of professional experience that my constituent could bring to her role. Assessors were expected to complete six assessments a day. She told me that she struggled to even do two or three properly because of the time it took. Everything is done over the telephone. Calls are meant to take 45 minutes and the referrals were supposed to be for people who had, for example, back pain, depression or anxiety and had been off work for four weeks. However, some of the people being referred had been off work for two years and their problems were much more complex.

I was just thinking about how one would try to gain, in 45 minutes, not only the trust of the person but sufficient information to understand properly their condition and the context they were living in. To do the assessment properly, my constituent felt it required preparation, including: reading all the information from the employer and the GP; making the telephone call; gathering the information from the client; considering all that evidence; considering what a return-to-work plan might look like; transcribing that information; and giving recommendations and an opinion within the production of that return-to-work plan. She told me that to do that properly would take three hours.

The targets set for the Fit for Work programme had the effect of removing much of her clinical judgment from the process. Fit for Work auditors would listen in on the calls with clients and tell the case manager whether the call they had made had passed or failed the requirements of the process—not whether it would deliver a proper return-to-work plan. It was very difficult to pass the test. She described the scheme and its implementation as being entirely data-driven, rather than people-driven. On his appointment, the Secretary of State said, laudably, that he wanted to ensure his Department realised there was a human being behind every DWP number. This direct account from someone who was employed to deliver his Department’s scheme flies in the face of that.

My constituent left me with a message for the Secretary of State. She says she is convinced of the need for this service. It could help a lot of people to get the right help and get back into work sooner after illness or injury. Her team was a fantastic group of highly skilled, empathetic and knowledgeable health professionals. They had very many valuable strengths and experiences to make people’s health and wellbeing better, allowing them to return to work at a time that was right for them. They were not utilised. They lost their jobs, the centre was closed and that support did not materialise.

6.36 pm

**Debbie Abrahams** (Oldham East and Saddleworth) (Lab): May I first start with apologies from my hon. Friend the Member for Pontypridd (Owen Smith)? He is attending a debate on the EU with the former Secretary of State, taking the opportunity to consider that issue in relation to its impact on disadvantaged people.

We have had a very interesting debate, with many well-informed and well-argued speeches. I pay tribute to the hon. Member for Airdrie and Shotts (Neil Gray) and wish his nephew with cerebral palsy all the very best with his GCSEs. [HON. MEMBERS: “Hear, hear.”] My hon. Friend the Member for Workington (Sue Hayman) talked about her constituent who had gone through the

PIP process and how it was affecting her ability to work. The hon. Member for South Cambridgeshire (Heidi Allen) gave a characteristically brave and honest speech, which we in this place have come to expect from her. My hon. Friend the Member for Blaydon (Mr Anderson) talked about his experience as a care worker and said that he has a family member with muscular dystrophy. He is the chair of the all-party group on that condition and made a very well-informed speech.

The hon. Member for Banff and Buchan (Dr Whiteford), with characteristic forensic analysis, talked about the issues we currently face in social security policy, in particular the lack of evidence for many of the measures the Government have introduced. The hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) focused on the disability employment gap and the variations relating to different conditions—a very important point. My hon. Friend the Member for Cardiff Central (Jo Stevens) described in detail her constituent's dreadful and deskilling experience of working for the Fit for Work programme. The process focused on data, not people. We need our interest to be focused on people.

About 12 million people in the UK are living with a disability, an impairment or a limiting, long-term illness: 5.7 million are of working age; 5.2 million are over the age of 65; and 0.8 million are children. Although 4 million people with disabilities are working already, another 1.3 million are fit for work and want to work, but they are currently unemployed. However, as we have heard, the gap in the employment rate for disabled people, compared with non-disabled people, has grown under the Government to 34%—a 4% increase since they took office. Given that the vast majority—90%—of disabled people used to work, that is such a waste of their skills, experience and talent.

As study upon study has shown, the Government's pledge to halve the disability employment gap rings hollow, with estimates that it will take until 2030 to do that at the current rate. The shelved White Paper, with the promise of a strategy defining support for disabled people, is yet another broken promise. Although I recognise that the Green Paper is coming, why did that not happen in the first place? Why has there been this about-turn?

The issue comes down to whether the Government believe in the principles that underpin the UN convention on the rights of persons with disabilities, to which we are a signatory. Fundamentally, disabled people should be able to participate fully in all aspects of society, including work, and to access the same opportunities as everyone else, and that includes being able to use their talent and skills to the best of their ability. No one should feel that they are unable to reach their best potential or that their hopes and dreams do not matter. Do the Government therefore support the principles and articles of the UN convention? If so, when will they publish the UN committee's report investigating the UK's breaches of the convention and their response to it?

**Richard Graham:** Will the hon. Lady give way?

**Debbie Abrahams:** I am sorry, but I will not—I have a lot that I want to say.

The Government set the tone for the culture of society explicitly through their policies and laws, and more subtly through the language they use and what they

imply. Collectively, those things tell us who they think is worthy or not. The Government have made their views abundantly clear. Their swingeing cuts to social security support for disabled people—including the recent ESA WRAG cut of £1,500 a year—total nearly £30 billion since 2010 to 3.7 million disabled people.

The Government's overhaul of the work capability assessment manages to be both dehumanising and ineffective, and it has been associated with profound mental health effects, including suicide. Their sanctions policy targets the most vulnerable, bringing people to the brink, and some have died under it. The PIP debacle is making it harder for disabled people to stay in work. There is also the closure of the independent living fund. I could go on and on. This is happening across all Government Departments—Business, Innovation and Skills; housing; Transport; Education; Justice; and Culture, Media and Sport. Disabled people are being completely marginalised.

**Michael Tomlinson:** Will the hon. Lady give way?

**Debbie Abrahams:** I am sorry, but I will not. As I said, I have a lot to say.

What needs to happen? Addressing these issues, including the disability employment gap, needs political will and leadership. The Labour party's disability equality roadshow will work with disabled people, their carers, disabled people's organisations and providers across the UK, listening to them and developing with them policies that address their needs and that will work. However, we will also engage the public at large, providing an alternative to the Government's negative narrative and casual inaction.

If 90% of disability is acquired, why are we doing so little to help employers retain skilled and experienced employees who may become poorly or disabled? We need practical measures to support disabled people at work, enabling them to thrive, and protecting them from prematurely leaving the labour market. Some disability charities have recommended more flexible leave arrangements, as well as extending the Access to Work programme. Clearly, if the Government increase the 37,000 or so who used Access to Work last year by another 25,000, that will still be only a tiny, tiny proportion of the 1.3 million people who are fit for work.

The Disability Confident scheme needs to be rebooted. The latest revelation that only 40 mainstream private sector employers across the UK have joined it since its inception three years ago shows that it is, to put it mildly, completely inadequate. What measures are in place to measure the scheme's efficacy? Where employers work hard to recruit and retain disabled employees, how does that apply to their procurement policies and supply chains?

More needs to be done to help disabled people back into work. As we have been arguing for over a year, the work capability assessment needs to be replaced with a more holistic, whole-person assessment. The current system that assesses eligibility for social security support is not fit for purpose and should be completely overhauled. I welcome some of the change in language on disabled people on this matter. That needs to be reflected in departmental and Jobcentre Plus performance indicators that do not just focus on getting people "off flow" as a successful outcome. Since so many of the same people

[Debbie Abrahams]

also have PIP assessments, we should also look at how we could bring these together. It is pleasing that the Government say that they are considering this.

Instead of the increasingly punitive sanctions system, more appropriate support needs to be provided. It is essential to maintain and increase specialist disability employment advisers in jobcentres. There is currently one adviser to 600 disabled people, and even if that is doubled to one to 300, that is still a very low ratio for the Government to be working to. I would also like their role to be extended to working with businesses. The current commissioning and payments system for the Work programme and other welfare-to-work programmes also needs rethinking. We need to improve specialist support, looking at what works. Work Choice, while it has better outcomes than other programmes, may not be the only solution. The individual placement and support scheme for people with mental health conditions is another example. As I have said before, there needs to be greater integration between Departments—not just between the DWP and the NHS but with BIS and economic development. For example, if someone who has musculoskeletal conditions or mental health issues has to take time off work, they need appropriate early intervention to help them get back to work. That is not happening at the moment. We need to understand the bottlenecks in the local system that my impact on this. We need to reflect on the drive for “flexible” labour markets and what this means for supporting people with long-term and fluctuating conditions back into work, and most probably out of work and then back into work, and so on.

There are clear geographical variations in the disability employment gap, but also in the strength of local economies and the availability and types of jobs. It is well established that the prevalence and geographical pattern of sick and disabled people reflects the industrial heritage of our country. Contrary to the Government’s “shirkers and scroungers” narrative, incapacity benefit and ESA are recognised as good population health indicators. Local economic conditions, whether the economy is thriving or not, will determine how readily sick and disabled people will be able return to work. Geographical analysis shows that people with equivalent conditions in the economically buoyant London and south-east are more likely to be in work than those in Northern Ireland, Scotland, the north-east, the north-west, and Wales.

It is over 70 years since legislation was first introduced to prohibit employment-related discrimination against disabled people. Sadly, we are still fighting to address this discrimination and the inequality in employment that disabled people still face. Changing attitudes and behaviour needs cultural change and it needs leadership, and we will provide it.

6.47 pm

**The Parliamentary Under-Secretary of State for Disabled People (Justin Tomlinson):** It is a great pleasure to conclude this debate, which has been a positive and constructive debate on a very vital subject. I think it is fair to say that on the majority of the issues there is genuine cross-party consensus. We have identified the challenges that we face and we are looking to find as many opportunities as possible to move forward. I am

proud to serve in a Government where the Prime Minister personally committed us to halving the disability employment gap. Our Secretary of State has shown a genuine passion to understand, listen and engage with the stakeholders—those with the first-hand experience of how we can identify the opportunities and overcome the challenges. I am confident that we will continue to make a real difference in this vital area.

In the past two years alone, 365,000 more disabled people have entered into work. This is crucial for a number of reasons, as I find when I engage with stakeholders, particularly young stakeholders. The hon. Member for Airdrie and Shotts (Neil Gray) mentioned his nephew who is taking his GCSE exams—I join in the good luck messages to him. That summed up exactly why this is so important. Disabled people rightly wish to be judged on their ability, not their disability. I say that as an individual who has not only employed disabled people but benefited from doing so.

We have to look at businesses. My hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile) highlighted one of the key areas, which is that we have a skills shortage in this country. If businesses have the confidence to make the necessary changes—often, they are small ones—they will benefit. If more disabled people can get into work, disabled people and businesses will benefit. It is a genuine win-win situation. Key for the Government, and key in my role, is to make sure that we showcase talent, share best practice and create genuine opportunities.

I will quickly whizz through some of the highlights of the work that we are already doing. There is a real-terms increase in support to help those with disabilities and long-term health conditions to seek work. We are reforming Jobcentre Plus. We have the hidden impairment toolkit and additional training. We have doubled the number of disability advisers. We have commissioned the £43 million mental health pilots, including the collocation of improving access to psychological therapies.

The new Work and Health unit rightly brings together the greatest minds in DWP and the Department of Health—something that has been greatly welcomed by our stakeholder groups. In that, we have already commissioned pilots on the innovation portfolios with a real focus on mental health support, the personalisation pathfinders and the peer-to-peer support that our stakeholders repeatedly highlight as crucial. Disability Rights UK has helped to lead on those pilots. The hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron), who does great work as the chair of the all-party group on disability, also recognises the importance of peer-to-peer support.

With the reforms and the introduction of universal credit, the area that I am most excited about is having a named coach for the first time. As individuals navigate their way over the challenges of getting into the workplace, they will have a named coach to support them to find work and to get additional support. When they are in work, for the first time they will have continued support to help them to achieve genuine career progression.

I welcome the increased focus from the Health and Safety Executive, for which I am also responsible. Its title includes health and safety, and on safety it is world leading—foreign countries and foreign businesses pay for our expertise in improving safety—but there is also a real focus on the health side, recognising that we lose

131 million days a year to ill health. There will be a huge amount of additional work in that area. The HSE has fantastic business engagement. Businesses of all sizes—small, medium-sized and large—proactively engage with it, and we want to utilise that.

**Mr Robin Walker:** While my hon. Friend is on the subject of health, does he agree that disability sport can play a huge role in not only supporting the health of people with disabilities but building their confidence and helping them to prepare for work? Does he agree that we should do all we can to support initiatives such as the International Centre for Inclusive Sport at the University of Worcester?

**Justin Tomlinson:** I thank my hon. Friend for that helpful intervention. I absolutely agree, and it was a great pleasure to join my hon. Friend in visiting Worcester arena, which showcased how inclusive design right from the beginning has made a genuine difference and created more opportunities. That was one of my favourite visits as a Minister.

The new employment allowance has helped more than 16,000 disabled people to start their own business, and with Access to Work we have secured funding for an additional 25,000 people. We are close to launching the digital service to bring Access to Work online, which will please employers and those who seek to claim. We have introduced specialist teams. We have the mental health support service, and we are doing further work to support apprentices, particularly those with mental health conditions. My hon. Friend the Member for Erewash (Maggie Throup) highlighted the need to increase awareness, and she is absolutely right. All too often, this has been Government's best-kept secret. I commissioned work through KPMG to look at how we can better increase awareness so that we can, as quickly as possible, fill the 25,000 additional places. As many speakers have highlighted, it is not just about the Government; we have to look at employers, because employers will create those opportunities.

**Neil Coyle:** Before the Minister moves away from the role of the Government, can I just say how refreshing the disability organisations I am proud to have worked with over the years have found it to have a new Secretary of State, with a new and more engaging agenda, who is willing to acknowledge that there has been significant failure over the last six years at the introduction of new and better schemes?

**Justin Tomlinson:** I thank the hon. Gentleman for that comment. I find it refreshing that the Secretary of State is willing to engage, because we are talking about the individuals who see those opportunities and challenges from day to day, and who can provide us with constructive solutions. The Green Paper, which I will talk about later on, is a real opportunity for them genuinely to shape how we will improve opportunities.

We want to help encourage employers to provide such opportunities so that those who chose to engage with the Work programme, with Work Choice and with charities do not continue in the loop—yet another 12-week course to be told how to prepare a CV and go through an interview—and lose confidence as they move

further away from the jobs market. The key is that if we can create those opportunities, more people will be able to get into work.

Our Disability Confident campaign has now signed up over 600 employers, and we are recruiting over 100 a month. This is about sharing best practice and signposting, but we will go further. We are working on plans with greater asks of particularly the larger employers to make sure that they include as many people as possible from their supply chain in such training days.

Several Members have highlighted reverse jobs fairs. It was a great pleasure to visit the one held by my hon. Friend the Member for North Devon (Peter Heaton-Jones). This is about bringing together all the organisations doing a huge amount of work to support disabled people in their respective communities to meet small and medium-sized businesses that are often unaware of the huge wealth of talent in the country and the support that would help people into work. I am proud that a cross-party group of over 50 MPs have signed up to hold their very own reverse jobs fairs. I thank each and every one of them because it will make a difference.

We have commissioned small employer engagement pilots, in which we are sending out representatives to talk to small and medium-sized businesses—doorstepping them, asking them to put on the kettle, and saying, “Look, we are here to support you. We can signpost you to genuine talent to fill your skills gaps.” The pilots are still in their early days, but I am very excited by the positive outcomes achieved in matching skills gaps with people who wish to work.

Some speakers talked about how vital apprenticeships are. They give people a genuine opportunity to develop real, tangible skills that will lead to work. I pay tribute to my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard), who has chaired the joint taskforce set up by the Minister for Skills, the BIS Minister with responsibility for apprenticeships, and me. The taskforce will make sure we can open the apprenticeship commitment—the Government want 3 million more people to access the apprenticeships scheme during this Parliament—to more people with disabilities, particularly those with learning difficulties who find the entry requirement of grade Cs in GCSE maths and English to be a hurdle too far. Again, I am very excited about this. We set up a one-month taskforce, and its work was completed yesterday. We will look at its recommendations, and we intend to act as quickly as possible.

This is about the importance of localising and tailoring our solutions, and we are absolutely committed to that. Several speakers highlighted the fact that only 6% of those with learning disabilities will typically achieve meaningful, tangible outcomes. That is totally unacceptable. When I visited Foxes Academy in Bridgwater, which was featured on Channel 5, I learned that over 80% of its students have been able to find work, of which 45.6% are in paid employment. That is because it has the equivalent of an apprenticeship scheme, with supported working. It works with employers to identify skills gaps and it provides the necessary training. That is something we can replicate and that I want the taskforce to highlight, and I am excited about its potential.

I attended the launch of the Resolution Foundation report yesterday, and I pay tribute to both Laura and Declan, who did a huge amount of work on it. The report highlights a lot of important issues, especially

[Justin Tomlinson]

about the retention of disabled people in work, which is particularly important given that we have an ageing workforce and that 83% of people with a disability have developed that disability with age. It is right to look at all those areas to help keep as many people as possible in work. It is far easier to support people to keep them in work than it is to get them back into work.

To turn to the Green Paper, I know from my engagement with them that the stakeholders are genuinely excited at this opportunity. They understand that they will make a tangible difference to what the Government are doing, and I hope that that will secure support.

I want quickly to respond to some of the points made by the shadow Secretary of State. On mobility, there are 22,000 more people accessing the mobility scheme than before PIP was introduced. On the 20-metre rule, it is not as black and white as whether someone can do 19 metres or 21 metres; it is about being able to travel a distance reliably, safely, in a timely manner and repeatedly. On the assessment process, I urge the shadow Secretary of State to visit a centre and sit through an assessment to see what happens. There is too much hearsay, and not enough genuine knowledge. On DLA, let us remember that only 16% of claimants accessed the highest rate of benefit compared with 22.5% under PIP. We are targeting the money at the most vulnerable, and that is why the numbers are increasing and the money is being spent.

I say to the hon. Member for Oldham East and Saddleworth (Debbie Abrahams) that it is right this is done on a cross-Government basis. It has to be joined up and we genuinely need greater understanding. I say to all those who contributed to this debate that it has been an important and positive one.

**Mr Alan Campbell** (Tynemouth) (Lab): *claimed to move the closure (Standing Order No. 36).*

*Question put forthwith, That the Question be now put.*

*Question agreed to.*

*Main Question accordingly put.*

*The House divided: Ayes 215, Noes 262.*

## Division No. 15]

[7 pm

### AYES

Abbott, Ms Diane	Brock, Deidre
Abrahams, Debbie	Brown, Alan
Ahmed-Sheikh, Ms Tasmina	Brown, Lyn
Ali, Rushanara	Brown, rh Mr Nicholas
Allen, Mr Graham	Bryant, Chris
Anderson, Mr David	Burgon, Richard
Arkless, Richard	Butler, Dawn
Bailey, Mr Adrian	Byrne, rh Liam
Bardell, Hannah	Cameron, Dr Lisa
Barron, rh Kevin	Campbell, rh Mr Alan
Benn, rh Hilary	Campbell, Mr Ronnie
Berger, Luciana	Champion, Sarah
Betts, Mr Clive	Cherry, Joanna
Black, Mhairi	Clwyd, rh Ann
Blackford, Ian	Coaker, Vernon
Blackman, Kirsty	Coffey, Ann
Blenkinsop, Tom	Cooper, Julie
Boswell, Philip	Cooper, rh Yvette
Bradshaw, rh Mr Ben	Corbyn, rh Jeremy
Brennan, Kevin	Cowan, Ronnie

Coyle, Neil	Kinahan, Danny
Crawley, Angela	Lamb, rh Norman
Creasy, Stella	Lammy, rh Mr David
Cruddas, Jon	Lavery, Ian
Cryer, John	Lewell-Buck, Mrs Emma
Cunningham, Mr Jim	Lewis, Mr Ivan
Danczuk, Simon	Long Bailey, Rebecca
Davies, Geraint	Lynch, Holly
Day, Martyn	MacNeil, Mr Angus Brendan
Docherty-Hughes, Martin	Mactaggart, rh Fiona
Dodds, rh Mr Nigel	Mahmood, Mr Khalid
Donaldson, Stuart Blair	Mahmood, Shabana
Doughty, Stephen	Marris, Rob
Dowd, Jim	Marsden, Mr Gordon
Dowd, Peter	Maskell, Rachael
Dugher, Michael	Mc Nally, John
Durkan, Mark	McCabe, Steve
Eagle, Maria	McCarthy, Kerry
Edwards, Jonathan	McDonagh, Siobhain
Efford, Clive	McDonald, Andy
Elliott, Tom	McDonald, Stewart Malcolm
Ellman, Mrs Louise	McDonald, Stuart C.
Elmore, Chris	McDonnell, John
Esterson, Bill	McGarry, Natalie
Farrelly, Paul	McGovern, Alison
Farron, Tim	McInnes, Liz
Fellows, Marion	McLaughlin, Anne
Fitzpatrick, Jim	McMahon, Jim
Flello, Robert	Meale, Sir Alan
Flint, rh Caroline	Mearns, Ian
Flynn, Paul	Miliband, rh Edward
Fovargue, Yvonne	Monaghan, Carol
Foxcroft, Vicky	Moon, Mrs Madeleine
Furniss, Gill	Morden, Jessica
Gapes, Mike	Morris, Grahame M.
Gardiner, Barry	Mulholland, Greg
Gethins, Stephen	Mullin, Roger
Gibson, Patricia	Murray, Ian
Glindon, Mary	Newlands, Gavin
Goodman, Helen	Nicolson, John
Grady, Patrick	Osamor, Kate
Grant, Peter	Oswald, Kirsten
Gray, Neil	Owen, Albert
Green, Kate	Pearce, Teresa
Greenwood, Lilian	Pennycook, Matthew
Griffith, Nia	Perkins, Toby
Gwynne, Andrew	Phillips, Jess
Haigh, Louise	Pound, Stephen
Hamilton, Fabian	Powell, Lucy
Hanson, rh Mr David	Pugh, John
Harman, rh Ms Harriet	Rayner, Angela
Harris, Carolyn	Reed, Mr Jamie
Hayes, Helen	Reed, Mr Steve
Healey, rh John	Reynolds, Jonathan
Hendrick, Mr Mark	Rimmer, Marie
Hendry, Drew	Robertson, rh Angus
Hepburn, Mr Stephen	Robinson, Mr Geoffrey
Hillier, Meg	Rotheram, Steve
Hodgson, Mrs Sharon	Ryan, rh Joan
Hollern, Kate	Salmond, rh Alex
Hopkins, Kelvin	Saville Roberts, Liz
Howarth, rh Mr George	Shah, Naz
Huq, Dr Rupa	Shannon, Jim
Johnson, Diana	Sharma, Mr Virendra
Jones, Gerald	Sheppard, Tommy
Jones, Graham	Sherriff, Paula
Jones, Helen	Skinner, Mr Dennis
Jones, Mr Kevan	Slaughter, Andy
Jones, Susan Elan	Smeeth, Ruth
Kane, Mike	Smith, rh Mr Andrew
Keeley, Barbara	Smith, Cat
Kerevan, George	Spellar, rh Mr John

Starmer, Keir  
 Stephens, Chris  
 Stevens, Jo  
 Streeting, Wes  
 Tami, Mark  
 Thewliss, Alison  
 Thomas, Mr Gareth  
 Thomas-Symonds, Nick  
 Thompson, Owen  
 Thomson, Michelle  
 Thornberry, Emily  
 Timms, rh Stephen  
 Trickett, Jon  
 Turley, Anna  
 Twigg, Derek  
 Twigg, Stephen  
 Vaz, Valerie

Watson, Mr Tom  
 Weir, Mike  
 West, Catherine  
 Whiteford, Dr Eilidh  
 Whitehead, Dr Alan  
 Whitford, Dr Philippa  
 Williams, Hywel  
 Williams, Mr Mark  
 Wilson, Corri  
 Winnick, Mr David  
 Winterton, rh Dame Rosie  
 Wright, Mr Iain  
 Zeichner, Daniel

**Tellers for the Ayes:**  
**Sue Hayman and**  
**Jeff Smith**

### NOES

Afriyie, Adam  
 Aldous, Peter  
 Allan, Lucy  
 Allen, Heidi  
 Amess, Sir David  
 Andrew, Stuart  
 Ansell, Caroline  
 Argar, Edward  
 Atkins, Victoria  
 Bacon, Mr Richard  
 Baker, Mr Steve  
 Baldwin, Harriett  
 Barclay, Stephen  
 Baron, Mr John  
 Barwell, Gavin  
 Bebb, Guto  
 Bellingham, Sir Henry  
 Beresford, Sir Paul  
 Berry, Jake  
 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  
 Bruce, Fiona  
 Burns, Conor  
 Burns, rh Sir Simon  
 Burt, rh Alistair  
 Cairns, rh Alun  
 Cartlidge, James  
 Caulfield, Maria  
 Chishti, Rehman  
 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, Byron  
 Davies, Chris

Davies, David T. C.  
 Davies, Glyn  
 Davies, Mims  
 Davis, rh Mr David  
 Dinenage, Caroline  
 Djanogly, Mr Jonathan  
 Donelan, Michelle  
 Dowden, Oliver  
 Drax, Richard  
 Drummond, Mrs Flick  
 Duncan, rh Sir Alan  
 Dunne, Mr Philip  
 Ellis, Michael  
 Ellison, Jane  
 Elphicke, Charlie  
 Eustice, George  
 Evans, Graham  
 Evans, Mr Nigel  
 Evannett, 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  
 Ghani, Nusrat  
 Gibb, Mr Nick  
 Gillan, rh Mrs Cheryl  
 Goodwill, Mr Robert  
 Gove, rh Michael  
 Graham, Richard  
 Grant, Mrs Helen  
 Gray, Mr James  
 Grayling, rh Chris  
 Green, Chris  
 Grieve, rh Mr Dominic  
 Griffiths, Andrew  
 Gyimah, Mr Sam  
 Halfon, rh Robert  
 Hall, Luke  
 Hammond, rh Mr Philip  
 Hammond, Stephen  
 Hands, rh Greg

Harper, rh Mr Mark  
 Harrington, Richard  
 Harris, Rebecca  
 Hart, Simon  
 Haselhurst, rh Sir Alan  
 Heapey, James  
 Heaton-Harris, Chris  
 Heaton-Jones, Peter  
 Henderson, Gordon  
 Herbert, rh Nick  
 Hinds, Damian  
 Hollingbery, George  
 Hollinrake, Kevin  
 Hollobone, Mr Philip  
 Howarth, Sir Gerald  
 Howell, John  
 Howlett, Ben  
 Huddleston, Nigel  
 Hunt, rh Mr Jeremy  
 Hurd, Mr Nick  
 Jackson, Mr Stewart  
 Javid, rh Sajid  
 Jayawardena, Mr Ranil  
 Jenkyns, Andrea  
 Jenrick, Robert  
 Johnson, Boris  
 Johnson, Gareth  
 Johnson, Joseph  
 Jones, Andrew  
 Jones, Mr Marcus  
 Kawczynski, Daniel  
 Kirby, Simon  
 Knight, rh Sir Greg  
 Knight, Julian  
 Kwarteng, Kwasi  
 Latham, Pauline  
 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  
 Mann, Scott  
 Mathias, Dr Tania  
 Maynard, Paul  
 McLoughlin, rh Mr Patrick  
 McPartland, Stephen  
 Menzies, Mark  
 Mercer, Johnny  
 Merriman, Huw  
 Metcalfe, Stephen  
 Miller, rh Mrs Maria  
 Milling, Amanda  
 Mills, Nigel  
 Milton, rh Anne  
 Mordaunt, Penny  
 Morgan, rh Nicky  
 Morris, Anne Marie  
 Morris, David  
 Morris, James  
 Morton, Wendy

Mowat, David  
 Mundell, rh David  
 Murray, Mrs Sheryll  
 Murrison, Dr Andrew  
 Neill, Robert  
 Newton, Sarah  
 Nokes, Caroline  
 Nuttall, Mr David  
 Offord, Dr Matthew  
 Paterson, rh Mr Owen  
 Pawsey, Mark  
 Penning, rh Mike  
 Penrose, John  
 Perry, Claire  
 Phillips, Stephen  
 Philp, Chris  
 Pickles, rh Sir Eric  
 Pincher, Christopher  
 Prentis, Victoria  
 Prisk, Mr Mark  
 Pritchard, Mark  
 Pursglove, Tom  
 Quin, Jeremy  
 Quince, Will  
 Raab, Mr Dominic  
 Redwood, rh John  
 Robertson, Mr Laurence  
 Robinson, Mary  
 Rosindell, Andrew  
 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  
 Solloway, Amanda  
 Soubry, rh Anna  
 Spencer, Mark  
 Stewart, Bob  
 Stewart, Iain  
 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  
 Trevelyan, Mrs Anne-Marie  
 Tugendhat, Tom  
 Turner, Mr Andrew  
 Tyrie, rh Mr Andrew  
 Vaizey, Mr Edward  
 Vickers, Martin  
 Villiers, rh Mrs Theresa  
 Walker, Mr Charles  
 Walker, Mr Robin  
 Warburton, David  
 Warman, Matt  
 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:**  
**Jackie Doyle-Price and**  
**Guy Opperman**

*Question accordingly negated.*

## Business without Debate

### DELEGATED LEGISLATION

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

#### LOCAL GOVERNMENT

That the draft West Midlands Combined Authority Order 2016, which was laid before this House on 28 April, in the last Session of Parliament, be approved.—(*Mel Stride.*)

*The Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 15 June (Standing Order No. 41A).*

#### REPRESENTATION OF THE PEOPLE

That the draft Representation of the People (England and Wales) (Amendment) Regulations 2016, which were laid before this House on 28 April, in the last Session of Parliament, be approved.—(*Mel Stride.*)

*Question agreed to.*

**Mr Speaker:** Order. Before we come to the Adjournment debate, I propose with the agreement of colleagues to suspend the sitting of the House for approximately five minutes in order that a photograph—perhaps more than one photograph—can be taken on what is, I think, a momentous occasion. It is an occasion of commemoration and of celebration. The bells will be rung a minute or two before the sitting is due to resume.

7.15 pm

*Sitting suspended.*

7.24 pm

*On resuming—*

## Women and the Vote

*Motion made, and Question proposed, That this House do now adjourn.—(Guy Opperman.)*

**Alison McGovern** (Wirral South) (Lab): I requested this Adjournment debate as yesterday marked exactly 150 years since the philosopher and Member of this House, John Stuart Mill, moved the first mass petition to the House of Commons on behalf of women claiming their right to vote. The largest paper petition ever received by this House was, I believe, the petition to end the transatlantic slave trade. That victory made it clear that public petitioning was then, as it is today, a means to take this House by storm, to grab our attention and to bang on the Government's door requiring change.

In 1866, Mill believed that the time was right. Change in this House resulted in the recognition of the right to vote of men who rented property as well as of those who owned it. Mill had already written, though not published, his great work, "On the Subjugation of Women". The first petition from an individual woman was submitted to this House in 1832, but the petition in 1866 represented the first organised campaign. It was the beginning of the movement that was to change our country.

Those Victorian times, despite the presence of a woman monarch, held mixed fortunes for women. One of the signatories to the petition, Elizabeth Garrett Anderson, was refused access to medical training, and even when a Paris university granted her a qualification, the British medical authorities would not ratify it and allow her to practise. Women were told at the time that education itself was damaging to their health. Education, Mr Speaker! How could any of us be sitting on these Benches now without education in one form or another? Yet in 1866, it was considered perfectly reasonable to oppose women voting because of their supposed lack of education and their unfitness to receive it. Other signatories, Barbara Bodichon and Emily Davies, were the driving forces behind opening up higher education for women. Those women were fighting to have their voices heard, their interests recognised and their opinions weighed with the exact same scales that were used for men.

Today we have debated the right to vote in the upcoming EU referendum—perhaps the most extensive and significant exercise of democracy in the history of this country. Millions of women will be voting, in the same numbers as men. In fact, at the last election there was a 66% turnout among women, which was almost identical to the male turnout. The future direction of this country, our collective potential and our future successes will be down to women as well as men. That is the lesson that I believe we should take from the 1866 petition. Ludicrous though it seems to have to say it, there never was any lack of intelligence, aptitude or desire on the part of women to be involved in politics, and there is not now.

**Mrs Maria Miller** (Basingstoke) (Con): I congratulate the hon. Lady on securing this important debate. She is right to point out that we have made progress—192 women now sit in this Parliament—but we need to see more progress at the next election. Does she, like me, feel that we need the sort of progress that we made in 2015, when we saw a 30% increase in female representation in this place? Should we not be striving for the same progress next time?

**Barbara Keeley** (Worsley and Eccles South) (Lab): And in 1997, when we had all-women shortlists.

**Alison McGovern:** I thank the right hon. Member for Basingstoke (Mrs Miller) for that intervention. I know how hard she has worked in her own party to bring forward advances for women. My hon. Friend the Member for Worsley and Eccles South (Barbara Keeley) has also just mentioned the advances made in 1997.

Women did not just have to fight for the right to vote; they had to fight for the right truly to be themselves, whatever that means. They had to fight, as we have to fight, for the right to exist as others do, and to make choices about how to realise our ambition and serve our country. So what holds us back? Well, for a start, let us look at this EU referendum. It is a decision that will affect us all, but the debate has too often been dominated by male voices. It has been a debate in which the ever-changing opinion of one male Tory Back Bencher seems to take precedence over the views of a whole host of women in the Cabinet and shadow Cabinet. I am not going to make many friends among Tory Back Benchers this evening—at least not on the male side.

On representation, we may have parity of votes, but we certainly do not have parity of voice. Public debate too often excludes women or shouts them down. The point is that we may have made huge progress over the last few decades on the number of women MPs, on women in the Cabinet and on all sorts measures, but there is so much still to do, because not everyone is able to realise their true value and—even worse—there is still violence.

**Jim Shannon** (Strangford) (DUP): I asked the hon. Lady beforehand if she would give way, and I congratulate her on bringing this matter to the House for consideration. There were suffragette groups and movements across the whole of the United Kingdom of Great Britain and Northern Ireland. Starting in the 1860s, there were 20 suffrage groups in Northern Ireland before the first world war. Does the hon. Lady feel, like many inside and outside this House, that there is a need to remember historical importance? Tonight is an example of getting the historical importance right. Is there not a need to remember each and every year and to do the same in education in schools as well?

**Alison McGovern:** I thank the hon. Gentleman for his kind intervention. It is certainly true that there is progress to be made for women across the whole United Kingdom, definitely including Northern Ireland.

I believe that the reading by my hon. Friend the Member for Birmingham, Yardley (Jess Phillips) of the names of the women killed by men this year will be a significant moment for this House that few who heard it will forget. As Women's Aid has highlighted, however, women who have fled to refuges to escape domestic violence remain disfranchised because they are unable to register anonymously. Thousands of women, whose voices are crying out to be heard, are silenced because of arcane regulations.

Mr Speaker, you were present last night at the lighting of "New Dawn", a work of art which was commissioned to mark the anniversary of the 1866 petition. I pay tribute to the hon. Member for Romsey and Southampton North (Caroline Nokes), my colleague on and Chair of

the Speaker's Advisory Committee on Works of Art, who led the project brilliantly. The artist, Mary Branson, has created a beautiful installation, lit in the colours of the votes for women movement. It is a special work of art, representing not just an individual, but an idea, and not just an idea, but a force of change. Any number of worthy people could have been represented—any number of the signatories to the petition, the anniversary of which I am marking this evening—but I am unsure that that would have been right, because political change is never down to an individual. Political change happens because all of us change our minds. It happens when we stand up for that terribly simple idea, one which we know in our heart to be true but which is often forgotten, that every one of us is equal. The many discs, lit up by the tide of the Thames, represent the sweeping power of change and the light of hope.

**Jim McMahon** (Oldham West and Royton) (Lab): I thank my hon. Friend for agreeing to give way when I approached her earlier today, because the anniversary is important from an Oldham perspective. I am leading the fundraising campaign for a statue of Annie Kenney, who was a working-class suffragette leader and an inspiration to many. I also want to reflect on the fact that although there is no doubt that men can be part of the problem, that does not mean that men cannot be part of the solution. It is important that we work together to remind people of the sacrifices that were made by so many.

**Alison McGovern:** I thank my hon. Friend for his intervention. I commend his efforts to remember a working-class member of the fight for women's votes.

The new work that we lit up last night is bold, daring, and imaginative. It is a tribute, yes, but it will also serve, just as the archway leading from Members' Lobby to the Chamber does, as a reminder.

You may know, Mr Speaker, that there were protests outside this building last night, in part against the violence that I mentioned that too many women still face. I say to those who protested last night outside St Stephen's entrance and shouted with furious anger, "Dead women can't vote," that they are right to be angry. They are right to be angry with violent men, but all of us must choose how we use that anger: whether to hold our placard and do no more or whether to take up the right that our sisters fought for not just to vote, but to hold office and seek the real power to take decisions on behalf of women and men.

In 1866, women hammered on the door of this place because they had no other choice. Hammering on the door was the only way to make their voices heard, to stand proud and to say, "Here we are. These are our numbers. We have the right to be valued and we count." This is the real point about 1866: it was never about equal votes for women; it was always about equal worth for women. A new dawn, Mr Speaker, but a very old fight—a fight that is as alive in 2016 as it was 150 years ago.

7.35 pm

**The Parliamentary Under-Secretary of State for Women and Equalities and Family Justice (Caroline Dinenage):** I congratulate the hon. Member for Wirral South (Alison McGovern) on securing this important debate and on an outstanding speech. In fact, she has made a lot of friends on this side of the House.

[*Caroline Dinéage*]

The 150th anniversary of the Kensington Society petition is an excellent opportunity to take stock of how far women have come in social, economic, cultural and political life. As the hon. Lady rightly said, it is also a time to consider how very far we still have to go. I also congratulate her on the digital debate she led this afternoon on this very issue. That is another new way of engaging with people and hearing their views. I followed it with great interest. As MPs, we must take on this mantle, take on these views and concerns, and work to end sexism and discrimination in every part of our lives.

The petition back in 1866 called for women to be given the same political rights as men. Shocking though it seems now, that was a very radical thought back then. Every woman in this country owes a massive debt of gratitude to those early suffrage campaigners, who did so much to advance the cause not only of women's political rights, but other rights too. As the 310th woman to have been elected to Parliament, this subject resonates with me, as I am sure it does with all 190 of my female colleagues around the House.

**Hannah Bardell** (Livingston) (SNP): I thank the hon. Member for Wirral South (Alison McGovern) for raising this subject for debate. I am listening to what the Minister is saying about representations of the suffragettes. Does she agree that while the new artwork is fantastic and must be welcomed, anyone who walks around this building realises how hugely influenced it is by men and how many men and statues of men there are? Anybody who goes to the cupboard of Emily Wilding Davison will realise how poor a tribute it is to what she and others did. Perhaps there is more that we can do across these Benches to promote the work of the suffragettes and other women in this Parliament.

**Caroline Dinéage:** The hon. Lady is absolutely right; we need to take every opportunity we can to promote the fantastic work of those who came before us and those who fought and died before us to secure the privileges that we enjoy today.

I am delighted that Parliament commissioned the new permanent work of art to commemorate women's suffrage. I know that the hon. Member for Wirral South was on the Committee led by my hon. Friend—and real life friend—the Member for Romsey and Southampton North (Caroline Nokes). I pay tribute to the Committee for its work.

**Caroline Nokes** (Romsey and Southampton North) (Con): I could not resist intervening. The hon. Member for Livingston (Hannah Bardell) made a really serious point. The thing that strikes me is that we have a parliamentary art collection of 8,000 works of art, fewer than 200 of which represent women in any shape or form. Although my Committee works hard to improve on that, we are sometimes stymied by the media. I was struck by the article in “The Sun” online that criticised the new artwork. Is it not incumbent on all of us to try in some small way to make this place feel more relevant and warmer for women?

**Mr Speaker:** I suppose that even newspapers have the right, now and again, to be stupid.

**Caroline Dinéage:** Yes, it is incumbent on all of us to make this place look a lot more like the people we represent out there in society. The new artwork, “New Dawn”, will be seen not only by MPs and peers, but by many members of the public. I spoke last night to one of the gentlemen who was involved in the creation of it and he told me that it will last for up to 300 years, so long after we have all shuffled off, many people will appreciate the work and be as inspired by it as I am.

**Siobhain McDonagh** (Mitcham and Morden) (Lab): Does the Minister agree that the cause of women is international, and that it is truly wonderful that, today, a woman is the presumptive Democratic party nominee for President of the United States? That will mean so much to our daughters and our granddaughters right across the globe.

**Caroline Dinéage:** Yes, absolutely. Hillary Clinton has talked about a massive glass ceiling being broken. Previously, she has spoken about women's issues being the pet rock in the backpack of some of our politicians. No longer will women's issues be that pet rock; they will be front and centre of all political parties' intentions in the future.

One hundred and fifty years on, the world is a radically different place. I am sure that those early campaigners would be pleased to see that we now have not only the vote, but women in Parliament as well. I am sure that, like me, they would feel that 191 female MPs at the moment is still not enough.

**Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): May I also pay tribute to the hon. Member for Wirral South (Alison McGovern) for her excellent speech? Reference was made to the choices that women can make in terms of how they use their voices. I ask the Minister if she would take this opportunity, off the back of this debate, to remind some of her male colleagues who seem to think that women need to “understand” what they are saying that perhaps our way of understanding is that we have a different viewpoint on things, and that sometimes our opinions are worthy of listening to and may actually be right.

**Caroline Dinéage:** It is our different viewpoint on things that makes us most valuable.

I am very proud to be a member of a party that had the first woman to take her seat in Parliament. I am very proud to be a member of a party that had the first female Prime Minister, and to be part of a Government where a third of the people attending Cabinet are now women.

**Helen Whately** (Faversham and Mid Kent) (Con): Will my hon. Friend join me in paying tribute to the work of Baroness Jenkin, whom many of us who have recently joined this place have to thank for the enormous amount of support she has given women candidates in trying to become MPs?

**Caroline Dinéage:** Well, yes. We all want to see more women here. In that quest, mentoring is one of the most important things that we can do, and the noble Baroness has been an absolutely outstanding mentor for so many of the women who are among us today. In the other

place, there are now 210 female peers, the highest ever number. Two of the three devolved Administrations are now headed by women—

**Kirsten Oswald** (East Renfrewshire) (SNP) *rose*—

**Caroline Dinanage:** I will give way in a moment. Last year, 44% of new public appointments went to women.

**Barbara Keeley:** Will the Minister give way?

**Caroline Dinanage:** I will in a moment, but first let me say this. I am delighted that, in my local council of Gosport, nearly 40% of our councillors are female, and I pay tribute to every single one of them.

**Kirsten Oswald:** I thank the Minister for giving way. Will she join me in appreciating the fact that, in Scotland, the three leaders of our main political parties are women, and that we have a gender-balanced Cabinet and gender-balanced nominations for our convenerships to the Parliament?

**Caroline Dinanage:** Yes, absolutely. That is very much to be celebrated.

**Barbara Keeley:** I hope the Minister will join me in paying tribute to my right hon. and learned Friend the Member for Camberwell and Peckham (Ms Harman). She has been a remarkable leader of this party at times and has almost got to the role. She certainly played her role in Prime Minister's questions. I hope we can think of her as we applaud these other remarkable women.

**Caroline Dinanage:** Absolutely. The right hon. and learned Lady is also very much to be celebrated. It is a shame that she is not here so that I can thank her personally.

**Mims Davies** (Eastleigh) (Con): Will the Minister give way?

**Caroline Dinanage:** May I make a bit of progress? I really want to talk about the lasting change that starts with education. Girls are now outperforming boys at school and outnumbering boys at university. We really need to ensure that success in school translates into career success. To do that, we need to free women and girls from the pressure to conform to restricted choices in aspirations. There are no longer such things as boys' jobs and girls' jobs; there are just jobs. That is why the Government are working so hard to broaden girls' career choices by encouraging more of them to consider careers in science, technology, engineering and maths. Those are the skills that our economy needs and those are the career choices that will narrow the gender pay gap, which, I am proud to say, is now narrower than it has ever been, and it is the Prime Minister's ambition to eliminate it altogether within a generation.

**Dr Philippa Whitford** (Central Ayrshire) (SNP) *rose*—

**Caroline Dinanage:** I will make a little bit more progress. We have published regulations that will increase transparency around the gender pay gap, and we expect employers to start publishing the required information from next April. We have been working closely with

business on these regulations at every stage, and we will provide a package of support to help employers calculate, understand and address their gender pay gap areas.

It is also vital that we continue to gain positions of leadership and influence in business. I am delighted that Lord Davies's target of 25% of women on the boards of FTSE 100 companies has been met and exceeded. Across the whole FTSE 350, the proportion of women is more than double what it was in 2011. Backed by the Government, this business-led approach is working. The work is not over. We need to promote the business-led 33% target for FTSE 350 boards. I am delighted that Sir Philip Hampton and Dame Helen Alexander will be bringing their wealth of business experience to a new review into the executive pipeline.

Many of the initiatives I have mentioned have been led by the Government Equalities Office. I am immensely proud to be a GEO Minister alongside my colleague the Secretary of State for Education, and to continue the work that has been done by making sure that in everything we do we make the UK a better place for women to live and work.

I am also proud of how the Government lead the way internationally on promoting women's rights. I was honoured to lead the UK delegation to the convention on the status of women in New York earlier this year, which involved delegates from across the world. It was striking how many common issues were raised that affect women globally. Economic empowerment, the violence against women and girls mentioned by the hon. Member for Wirral South, and political representation are all issues for women across the world.

The progress we have made on these issues has not simply been given to us. It has been fought for every single step of the way and there is still such a long way to go to achieve the genuine equality we all want to see. The hon. Member for Wirral South spoke powerfully about the speech made by the hon. Member for Birmingham, Yardley (Jess Phillips) earlier in the year. Two women a week still die at the hands of an ex-husband or partner, and although we have made so much progress in increasing the number of convictions and prosecutions for domestic violence, every single one of those women is a woman too many.

**Mims Davies:** I speak as the 380th woman elected to Parliament; we all have our number. We heard about American politics, and, as we heard from Madeleine Albright, there is a special place in hell for women who do not support other women. In this wonderful debate, the hon. Member for Wirral South (Alison McGovern) made a point about the safety of women in the context of refuge, of homes and of having a voice. Will my hon. Friend, as women's Minister, ensure that we as a Government will take that very seriously?

**Caroline Dinanage:** Absolutely. Protecting those who are vulnerable or under threat is fundamentally one of the most important things we can do as a Government, but it is not just about women. As the hon. Member for Oldham West and Royton (Jim McMahon) said earlier, men are powerful agents for change in gender equality. It was a man who presented the petition to Parliament 150 years ago and men can still be part of the solution.

**Mrs Helen Grant** (Maidstone and The Weald) (Con): Great progress has been made and it is touching and amazing to hear the list of achievements, but does my hon. Friend agree that many women are still being put off engaging in politics and leadership, mainly by the negative and nasty mudslinging style of politics and campaigning that we are sadly seeing in the course of the referendum debate? We need, together with our men, to do something about that.

**Caroline Dinenage:** Yes, and we have already heard about the parity of voice that is so important in this and many other campaigns. We all have a role to play in inspiring the next generation of women to take these seats and we can do that only if we present a face of Parliament and of Government that women aspire to be part of.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): We have referred to the number of women currently in Parliament, but there are still more men in Parliament than there have ever been women in Parliament. We need to point that out on the record. Many hon. Members know that I am a surgeon. I started training as a surgeon in 1982. In 1978, as a medical student, I was

told that I could not be a surgeon because I was a woman. At an interview I was asked about monthly mood swings as a problem for a surgeon. I replied that I had worked for consultants with daily mood swings, and that monthly mood swings would be an improvement. Hopefully, we have come a long way, but there are still probably fewer women surgeons than women politicians, so we still have a long way to go.

**Caroline Dinenage:** We have all met men like that. The hon. Lady is right. We need to keep up the fight, we need to talk about the issues that matter to us, we need to encourage the women around us to get politically engaged, and above all we must encourage them to go out and vote. That is the right that those early suffragettes fought for and we must all use it. As the next big decision facing the UK is put to the vote shortly, I am sure hon. Members on the Opposition Benches share my desire to ensure that women are at the forefront of that, and that their votes count.

*Question put and agreed to.*

7.50 pm

*House adjourned.*

# Westminster Hall

*Wednesday 8 June 2016*

[MRS CHERYL GILLAN *in the Chair*]

## Human Rights and Arms Sales to Saudi Arabia

9.30 am

**Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): I beg to move,

That this House has considered human rights and the sale of arms to Saudi Arabia.

It is an honour to serve under your chairship, Mrs Gillan.

Last week, BBC parliamentary correspondent Mark D'Arcy remarked that I have emerged as a regular Commons critic of the human rights record of Saudi Arabia. I cannot argue with that assertion, and I have no doubt that in securing this debate I will build upon that reputation.

I am certainly no stranger to Foreign and Commonwealth Office Ministers, and I put on the record my appreciation to the Middle East Minister, the hon. Member for Bournemouth East (Mr Ellwood), for having met me privately on a number of occasions to discuss my concerns about specific human rights cases in Saudi Arabia.

I will use the latter part of my speech to discuss the situation in Yemen, but I will focus first on the domestic human rights record in Saudi. Last September, during a debate in this very room, I first spoke of the case of Ali Mohammed al-Nimr, a Saudi national. Ali was arrested at the age of 17 back in 2012, during the time of the Arab spring protests. After a trial that has been described as unfair by the United Nations special rapporteur, Christof Heyns, among many others, Ali was sentenced to a barbaric death by beheading and crucifixion. His final appeal, heard in secret and without his knowledge, was dismissed. In the nine months since that debate in Westminster Hall, Ali's case has significantly risen in prominence, with many other politicians adding their voices to the chorus of international condemnation, and more than 1.5 million people from around the world have signed an online petition calling for Ali's sentence to be commuted.

The UK Government have also raised Ali's case, and the similar cases of Abdullah al-Zaher and Dawood al-Marhoon, at the highest possible level with Saudi authorities, receiving assurances that the death sentences will not be carried out. However, those three young men remain in prison. Although they have seemingly been spared from their ultimate fate so far, their sentences have not been lifted and the threat of execution still hangs over them. I will continue to campaign for Ali, Dawood and Abdullah, and I wish to see them released from incarceration so that they can live their lives and build their futures. I commend the work of the organisations, in particular Reprieve, that are campaigning to secure the release of these young men.

I hope that the Minister who is here today will be able to indicate whether those cases have been raised again with Saudi authorities recently. Although it has been asserted on several occasions that the UK Government

do not expect the three death sentences to be carried out, can he clarify whether the Government have officially asked the Kingdom of Saudi Arabia to commute them?

**Bob Stewart** (Beckenham) (Con): Does the hon. Lady know whether, once a decision for execution is made, there are a few days, a few hours or a few weeks before it is carried out? Or do we just not know, and therefore the big problem might be that executions are carried out secretly before we even know that they have happened?

**Margaret Ferrier:** The hon. Gentleman makes a very good point, and I believe that we do not know. I say that because at the beginning of this year 47 people were executed, and we did not know about those executions until after they had happened. I will talk more about those people later in my speech. I believe that the UK Government do not really have much clout when it comes to stopping death sentences being carried out.

Sadly, the cases I have mentioned are not isolated. There are countless similar cases, and each one points to a corrupt justice system that is being used as a tool for political oppression. Since the Arab spring, Saudi authorities have been purposely targeting civil rights activists and human rights defenders.

Issa al-Hamid, a founding member of the Saudi Civil and Political Rights Association, has been sentenced to nine years in prison by the specialised criminal court in Riyadh. The charges against Issa relate to statements published online on a range of civil and human rights issues, such as the right to peaceful assembly. Freedom of speech is easily taken for granted in the United Kingdom, but it has not been afforded to Issa, nor to Abdulaziz al-Shubaily, another member of the association. The charges against Abdulaziz include communicating with foreign organisations, due to his passing information to Amnesty International for use in its reports. He now faces eight years in prison, and after his release he also faces an eight-year travel ban and will be forbidden from using social media. Clearly, the Saudi Civil and Political Rights Association is being targeted, as the Saudi authorities are determined to crush this movement.

All those things are being done to suppress any criticism of Saudi's atrocious human rights record. I hope that the Minister will be able to inform me today of whether the Foreign Office has raised with the Saudi authorities the issue of the Saudi Civil and Political Rights Association, and the apparent targeting and imprisonment of its members.

Similarly, the website known as "Free Saudi Liberals" has felt the wrath of the Saudi regime. The man behind the website, Raif Badawi, received 50 lashes in public, purely for exercising free speech. He still languishes in a prison cell, awaiting the remainder of his sentence, which is another 950 lashes. International outcry has so far led to Raif being spared that ordeal, which he would be unlikely to survive and which still looms large over him.

Raif's punishment has been described as a "gratuitous, violent sentence" by the international representative of the International Humanist and Ethical Union at the UN's Human Rights Council. Fearing for the safety of herself and her family, Raif's wife Ensaf escaped to Canada with their three children, where she speaks out against the wide-scale oppression in her home country.

[Margaret Ferrier]

Ensaf's voice is part of a growing international chorus that is extremely concerned at what is seemingly a worsening situation in the kingdom. Saudi Arabia has executed almost 100 people this year alone, 47 of them on the same day at the start of the year. One of those 47 people was the uncle of Ali Mohammed al-Nimr, Sheikh Nimr al-Nimr, a well-known Muslim cleric. Last year, the equivalent of one person every two days was executed in Saudi. Sadly, that number seems likely to be surpassed this year. Saudi's record is ruthlessly regressive.

The UK Government have stressed that, despite not renewing their strategy for the global abolition of the death penalty during this Parliament, there is no change in policy and they continue to work towards its global abolition. I hope that the Minister will be able to tell me today when the UK last raised concerns with Saudi Arabia about the number of executions being carried out in the country, and at what level those concerns were raised. Also, in light of the escalation in the number of executions in Saudi and in other countries, do the Government intend to look again at their decision and produce a renewed strategy for the abolition of the death penalty? It is only right that we use our supposed position of influence to lobby Saudi towards having more responsible domestic policy.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): The hon. Lady is making a powerful and cogent case. May I tell her, as somebody who has campaigned all over the world against the use of the death penalty, that statements by this country actually mean a tremendous amount, both to those who are campaigning on the ground for the abolition of the death penalty and to the countries that still have the death penalty? Those countries will see any shift by this country away from a strong position on abolition as a move in their direction.

**Margaret Ferrier:** I thank the right hon. Gentleman for his intervention and for his knowledge on the matter.

We should also take a tougher stance on Saudi's foreign policy. As one of Saudi Arabia's major trading partners—we sell billions of pounds of weapons to Saudi each year—the UK should be bolder in its approach.

**Nick Thomas-Symonds** (Torfaen) (Lab): I congratulate the hon. Lady on securing the debate. Is she as concerned as I am about the recent report by the United Nations called "Children and Armed Conflict", which set out the escalating position in Yemen, including the increasing number of casualties among children, for which responsibility is ascribed to the Saudi-led regime? Is that not something that our Government need to take extremely seriously?

**Margaret Ferrier:** I will come on to that point later. The UN and others have brought out an extremely important document, and the Government need to take such things seriously.

**Chris White** (Warwick and Leamington) (Con): Is the hon. Lady aware of the inquiry into the Yemen conflict by the Committees on Arms Export Controls, which have heard evidence from non-governmental organisations, the defence industry and Government? The report will be published before the summer recess. As she clearly

states, there are serious concerns about violations of international humanitarian and human rights law. Does she agree that the UK has international and domestic obligations on arms export controls and that we have to hold ourselves to the highest standards?

**Mrs Cheryl Gillan** (in the Chair): Order. I remind Members that interventions should be short.

**Margaret Ferrier:** I thank the hon. Gentleman for that important intervention and for his experience from the Committees. These things are important for the UK, and that is why we are here today. We should be an example to the rest of the world, and I would like to think that the Minister will take that on board.

**Seema Kennedy** (South Ribble) (Con): Will the hon. Lady give way?

**Margaret Ferrier:** I am sorry, but I would like to make some progress.

The Minister will no doubt contest that our relationship with Saudi Arabia is crucial in securing global and domestic security and that the intelligence we receive has helped to foil terror attacks. We cannot, however, continue to trade off our responsibilities like that. With a growing humanitarian crisis in Yemen, and mounting reports indicating that international humanitarian law has been seriously and repeatedly breached by all parties engaged in warfare in the country—including the Saudi-led coalition—the Government need to get their head out of the sand.

Yesterday morning, I attended a briefing kindly delivered by Amnesty International and heard both first and second-hand accounts of the use of cluster munitions in Yemen. Amnesty went on a fact-finding mission to Yemen last month and found evidence of UK-produced BL755 cluster munitions being dropped on farmland in the north of the country. It estimates that the munitions were dropped from the air in the last quarter of 2015 and provides a compelling case to back up that assertion. The Yemen Executive Mine Action Centre moved in to clear the cluster bombs from the farmland, but could not guarantee that it had been able to locate and remove all munitions. The de facto minefield means that the land is now unworkable, and the people who rely on working it have lost their means of providing.

YEMAC is not properly resourced to deal adequately with the problem. Rather than bombs being detonated in situ, they are being transported to a central facility in buckets of sand on trucks traversing uneven roads. Sadly, YEMAC recently lost three workers when a bomb exploded while being transported. The work that it carries out is crucial in helping to prevent deaths and injuries caused by munitions that are lying in wait in dangerous unexploded states. People will recall the fantastic work of Princess Diana in raising awareness of mines, leading to the success of the Ottawa mine ban treaty. Putting herself in danger in the process, she left behind a lasting legacy through her bold activism. If she were still here today, I have no doubt she would be a fierce advocate for the civilians suffering in the growing humanitarian crisis in Yemen.

In stark contrast, the UK goes to great lengths to ensure that the arms trade with Saudi Arabia continues unhampered. Back in 2014, when the Prime Minister

could not convince the Saudis to agree to the financing for a multibillion-pound defence deal, Prince Charles was dispatched to the middle east to a festival supported by BAE Systems to perform a sword dance in traditional Saudi attire. The next day, Saudi Arabia and BAE announced that the deal had been finalised. Great effort is put into maintaining our relationship and arms trade with Saudi Arabia.

Less effort seems to be going into supporting such organisations as YEMAC. The training for its workers is outdated—most dates back to 1998. It does not have the means to carry out controlled explosions in situ. Its workers lack proper personal safety equipment and are routinely being put in greater danger than they should be. Perhaps the Minister would care to address that. Has the UK offered to supply any funding, equipment or training to YEMAC? If so, has it been delivered? If not, will an undertaking be made to look at that urgently, taking the matter forward as appropriate with colleagues in the Department for International Development?

The use of cluster munitions in Yemen is scandalous. The country already faces an almost incomprehensible humanitarian crisis. The country has the greatest level of humanitarian need in the world, with 80% of the population in need of assistance.

**Alison Thewliss** (Glasgow Central) (SNP): Does my hon. Friend agree that it is almost ridiculous that the Government refused 12 applications for asylum by people from Yemen, given the situation in that country?

**Margaret Ferrier:** Yes, the issue is tied up with the fact that the Government do not want to take that many refugees. With a country such as Yemen, where there is a humanitarian crisis, it would certainly be to the benefit of the people and those suffering children to be brought into our country, away from ever more danger.

The creation of de facto minefields through the dropping of cluster bombs will only deepen the crisis. Yesterday, I joined Amnesty International and Members from all main parties to deliver a petition to 10 Downing Street. Thousands signed the petition, which calls for action on the use of cluster munitions in Yemen. Other Members will no doubt have received many lobbying emails from constituents on this matter, as I have—the public care greatly about this issue.

Just a fortnight ago in the main Chamber, the Minister for Small Business, Industry and Enterprise responded to a topical question from the right hon. Member for Leeds Central (Hilary Benn). On the record, she stated that there is not yet evidence that Saudi Arabia has used cluster munitions. She added that the Government believe they have an assurance from Saudi Arabia that cluster munitions have not been used in the conflict, and that the Ministry of Defence was urgently investigating the allegations. Given the urgency of the matter, is the Minister in a position to give an update on the status of the MOD investigation? When is it expected to be completed, and will the findings be disclosed to Members?

Amnesty International has released photographs of the cluster munitions they claim to be of UK origin. In some of the photographs, serial numbers are visible on the bombs. Will the tracing of the transfer history of the bombs, based on the serial numbers, form part of any investigation? Why exactly are the UK Government

so willing to accept assurances from Saudi Arabia without question? What specific evidence has Saudi Arabia provided to the UK or the international community to back up the veracity of the denials? What evidence is there that Saudi authorities are investigating breaches in international humanitarian law in Yemen?

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): I congratulate my hon. Friend on bringing this debate to Westminster Hall. It is certainly timely. Is she aware of the outcome of the inquiry by the International Development Committee, which suggested that an independent investigation should be undertaken, rather than Saudi Arabia investigating itself?

**Margaret Ferrier:** Yes, it seems crazy for a country to investigate itself. An independent organisation should come in to investigate all those tied up in violations of this sort.

Have any of the UK ground personnel based in Saudi Arabia witnessed the transfer or loading of cluster bombs? Are any of them in possession of intelligence indicating that cluster munitions have been deployed by Saudi in Yemen? The United States has subsequently halted its cluster bomb deliveries to Saudi Arabia in light of those reports. Commenting on that freeze in trade, a senior US official cited reports that

“the Saudi-led coalition used cluster munitions in the armed conflict in Yemen...in areas in which civilians are alleged to have been present”,

as reason for that action.

**Mrs Helen Grant** (Maidstone and The Weald) (Con): The hon. Lady is making a powerful point. Does she agree that the failure to hold to account is leading to an “anything goes” attitude? The people who are really suffering are innocent civilians, many of whom are women and children.

**Margaret Ferrier:** It is dreadful to think of the suffering and targeting of civilians. We need to take the matter seriously and move it forward today.

**Helen Whately** (Faversham and Mid Kent) (Con): Will the hon. Lady give way?

**Margaret Ferrier:** I would like to make some progress.

A report from the UN panel of experts on Yemen published in January notes on page 37 that the military spokesman of Saudi Arabia, Brigadier General Ahmed Asiri, has indicated that Saudi has used cluster munitions on or against armoured vehicles in Yemen. In light of the position taken by the US and the overt admission contained in the UN report, has the UK updated its policy of denial about the Saudi use of cluster bombs? Will the Government put pressure on the coalition to release details, including GPS data, of air strikes involving cluster munitions? The data would be invaluable to organisations such as YEMAC and would allow for the creation of cluster bomb minefield heat maps that could be used to prioritise and deliver a de-mining process.

Furthermore, what information do the Government hold in relation to the stockpiling of cluster munitions? Is there an understanding of what is currently held by other countries that have not yet ratified the convention

[Margaret Ferrier]

on cluster munitions? What efforts are being made by the Government to encourage Saudi and other non-signatories to become parties to the convention?

I have mentioned the humanitarian crisis in Yemen, and before I finish I would like to expand further.

**Sir Alan Duncan** (Rutland and Melton) (Con): On that point, may I intervene?

**Margaret Ferrier:** No, I am sorry. I would like to make some progress and lots of Members want to take part in the debate today. I am sure they will give way to other Members.

I have mentioned the humanitarian crisis in Yemen. As I said, before I finish I want to expand further. Action on Armed Violence, a leading charity that charts the impact of explosive violence on civilians, estimates that 82% of those killed or injured by coalition air strikes in Yemen were civilians. A recent UN Security Council report on children and armed conflict documents a verified sixfold increase in the number of children killed and maimed in 2015 compared with the previous year, 60% of which are attributable to the Saudi-led coalition. The same report documents three verified incidents of coalition forces denying humanitarian access.

Save the Children, the largest international non-governmental organisation operating in Yemen, has issued grave concerns about the lack of an adequate Government response to credible allegations of international humanitarian and human rights law violations by all parties to the conflict in Yemen. This assertion is backed up through evidence collated and reported on by Campaign Against Arms Trade in its recent publication entitled, "A Shameful Relationship: UK Complicity in Saudi State Violence".

**Helen Whately:** Will the hon. Lady give way?

**Margaret Ferrier:** No, I am sorry; I am not giving way.

The response to the humanitarian crisis by the Department for International Development has been welcome. However, it highlights the complete and total policy incoherence between Government Departments. UK foreign policy is contributing to the disaster, with resources subsequently being used to deal with the consequences. The most worrying report on the crisis is that of the United Nations panel of experts on Yemen. Its recent 259-page report makes very uncomfortable reading. It claims:

"The panel has observed that not a single humanitarian pause to alleviate the suffering of the Yemeni people has been fully observed by any Yemeni party or by the coalition."

The special envoy brokered two separate humanitarian pauses, but within two hours of the announced start of the first pause, UN officials witnessed a coalition air strike in Sana'a. According to some press reports, fighting actually intensified during the second pause. The UN report worryingly contains very well documented evidence that the Saudi-led coalition is violating the principles of distinction, proportionality and precaution in a widespread and systematic manner.

The panel has documented that the coalition had conducted air strikes targeting civilians and civilian objects, again in violation of international humanitarian

law, including refugee camps, weddings, civilian buses, medical facilities, schools, mosques and markets, and essential civilian infrastructure. The targeting of seaports, an airport and arterial transit routes has seriously hampered efforts to deliver humanitarian aid in the country. In May, the coalition declared the entire city of Sa'dah a military target, and, soon after, it faced systematic indiscriminate attacks, including on hospitals and schools, by the coalition. The UN report also documents incidents whereby humanitarian assistance is denied: something it overtly says is constitutive of a war crime.

Last November, three trucks, on behalf of the office of the United Nations High Commissioner for Refugees and the World Health Organisation, were unable to reach their final destinations owing to insecurity and delays in receiving security clearances from the coalition. The panel also documented coalition air strikes on five storage facilities for holding food aid, and air strikes on an Oxfam warehouse storing equipment for a water project funded by the European Union. Annex 47 of the report lists classified totals of many documented international humanitarian law violations from the coalition, including 41 individual air strikes on residential areas and villages, eight attacks on schools, 22 attacks on hospitals and health facilities, and seven attacks on humanitarian organisations and NGOs.

The Prime Minister is on record in the Chamber on 27 January as saying he would look at the report. Has he followed through on this promise, and what assessment has been made of the report by the Foreign Office? Will the Government support the establishment of an international independent investigation into alleged violations of international humanitarian law and human rights law by all parties engaged in conflict in Yemen? Have the UK Government ever suspended or revoked any arms export licence to Saudi Arabia? Finally, will the Government now, in the light of all this evidence, follow the examples set by Germany and Sweden and impose a ban on the sale of arms to Saudi Arabia while an investigation takes place?

**Several hon. Members** *rose*—

**Mrs Cheryl Gillan (in the Chair):** A large number of people have indicated that they wish to speak, and people not on the list are also rising, so I will probably have to impose a time limit. I will start with Sir Alan Duncan and I ask Members to be as brief and as succinct as they possibly can.

9.56 am

**Sir Alan Duncan** (Rutland and Melton) (Con): I will impose my own time limit, Mrs Gillan, and chuck away my notes. First, I thank the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) for launching this debate. The issue is highly charged and it is important we discuss it. I declare an interest as chairman of the Conservative Middle East Council and I am the Government's special envoy to Yemen. I have taken an interest in Yemen for 30 years. As a Minister for International Development, I tried to lift the significance of Yemen up the agenda of the National Security Council and in the House. I saw it as a country in serious danger that was at risk of becoming the Afghanistan of the Arabian peninsula. In that sense, one realises what a complicated issue this is.

I totally respect the passion—I refer to the hon. Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) and my attempt to complete the sentence in the Chamber the other day—that surrounds this issue. Be assured that all of us in this House are against cluster munitions, which is why the Government have banned them since 1989. We condemn their use totally. Let us park that to one side for a moment.

**Margaret Ferrier:** Will the right hon. Gentleman give way?

**Sir Alan Duncan:** I have hardly got going, but I will give way, even though the hon. Lady did not give way to me.

**Margaret Ferrier:** I knew the right hon. Gentleman would have his chance to speak. As I said in my speech, YEMAC has photographic evidence of cluster munitions being used in Yemen and they are not from the 1980s. If he wants proof, I have the photographs and so does YEMAC.

**Sir Alan Duncan:** If they are not from the 1980s, they are clearly not ours.

I want to try to set the context. We have two important duties in looking at this deeply important issue. We have to set the highest possible standards when we sell weapons and we have to monitor their subsequent use. We also have to understand the real dangers of the region and delve deeply into countries with which people are not wholly familiar. Yemen is probably one of the most complicated countries I have ever tried to get my head round. I have a deep understanding of the Gulf Co-operation Council countries, but anyone who thinks they understand Yemen does not. They only begin to understand when they realise how much they do not understand.

The thing about Yemen—the hon. Lady did not mention this at all—is that we are in conflict for a reason. The conflict started because a legitimate Government were displaced by highly armed Houthi rebels who had raided heavy weapons stores and used those weapons against the legitimate Government. They pushed them out of Sana'a and headed down towards Aden. The hon. Lady did not mention the human rights violations committed by the Houthis. They have rounded up teenagers, put them in rooms and blown them up.

**Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): Has the right hon. Gentleman seen the evidence provided by Amnesty International? Is he suggesting for a second that Amnesty International does not understand what is going on in Yemen?

**Sir Alan Duncan:** The hon. Lady gets too virulent in the way she puts things. I am not suggesting that Amnesty International does not understand; I am trying to explain the broad political and geopolitical context in which the conflict has arisen. That is not something we have heard in this debate so far—although we may—or that we heard in the main Chamber previously. There is a lot of Saudi bashing, but everyone needs to understand that a legitimate Government have been displaced. This is a coalition: for the first time ever, Arab countries are trying to address their own regional problems without

western, co-operative joint intervention. We have been telling them for years to sort out their own problems, but as soon as they try to do so we round on them, as we are seeing in this debate.

Let me explain what is going on in Yemen. We are in the sixth week of some very crucial talks in Kuwait, during which there has been a cessation of hostilities. It has not held entirely—no cessation of hostilities ever does—but, broadly, it has happened. Remember where legitimacy lies: with the Government of Yemen, who have been forced out of the country into Saudi Arabia. The UN-sponsored talks are trying to get that legitimate Government back into Yemen.

Another point that has not yet been made is that, if we do not have the semblance of government in Yemen, we are going to have an enormous country, where there are more weapons than people, that is ungoverned. We know what happens in ungoverned space: the rise of terrorism, which affects the ungoverned country but also spreads elsewhere. Yemen is beneath Saudi Arabia and 350 Saudis have been killed inside Saudi Arabia in Houthi attacks over the southern border. That, too, has never been mentioned. If Yemen disintegrates even further, we are going to see the rise of al-Qaeda and ISIS, going across the Bab El Mandeb into the horn of Africa—

**Margaret Ferrier** indicated dissent.

**Sir Alan Duncan:** I am astonished that the hon. Lady shakes her head at these points of crucial geopolitical and strategic importance.

**Margaret Ferrier:** Will the right hon. Gentleman give way?

**Sir Alan Duncan:** I will give way to the hon. Lady one more time, then I shall continue to make my point.

**Margaret Ferrier:** The right hon. Gentleman makes a good point on his side of the argument, but does that justify the targeting of civilians? Earlier, I said that all parties should be investigated for violations of humanitarian law. He makes a point about the rise in weapons, but the UK is contributing to that rise with the arms sale.

**Sir Alan Duncan:** There are very different sorts of weapons. In Yemen, every teenager has a rifle on their shoulder. That is the sort of country we are dealing with. I question the hon. Lady's bold assertion that there has been deliberate targeting of civilians. That is a very serious accusation.

**Margaret Ferrier:** Will the right hon. Gentleman give way?

**Sir Alan Duncan:** No, I am not going to give way again. I am trying to say to the hon. Lady and her colleagues that they should appreciate the context in which the conflict has arisen.

Let me address something that the hon. Lady did touch on. If the peace talks are not successful and government is not restored to Yemen, we are going to see the most catastrophic combination of economic collapse and humanitarian need that we have seen in any country in our lifetime—even when compared with

[*Sir Alan Duncan*]

some parts of Syria. My plea to this House today and to Members present for this debate is that we must understand the dangers of adopting a “we hate Saudi Arabia” point of view.

**Jo Cox** (Batley and Spen) (Lab): Will the right hon. Gentleman give way?

**Sir Alan Duncan:** The hon. Lady will have the chance to answer back. I am sure that Mrs Gillan will allow everyone who wants to speak to do so. The less time I take, the more chance there is for others to speak.

This issue must be seen in the broader context of regional collapse, regional danger, humanitarian need and complete and total economic collapse in Yemen. That is what we are looking at. It is the duty of us all to understand the realities of the world and to try to ensure that we contribute to the success of the peace talks that are under way in Kuwait. We must not jeopardise them in any way by taking a singular view that does not understand the broader context of how the future of Yemen needs to be pieced together in those talks.

**Several hon. Members** *rose*—

**Mrs Cheryl Gillan (in the Chair):** There is a great deal of interest in this debate and some nine or 10 Members have indicated that they wish to speak, so I am terribly sorry but I have to impose a three-minute limit on speeches to try to get in as many colleagues as possible. I am sure the effort will be admirably led by Andy Slaughter.

10.5 am

**Andy Slaughter** (Hammersmith) (Lab): Thank you very much, Mrs Gillan, for calling me. Given the time constraint, I shall limit myself to one matter and try to bring us back to the topic of the debate: human rights and Saudi Arabia. The front page of *The Times* today has the headline, “British police accused of helping Saudi torturers”. I should say that the story is based on research by the BBC’s Chris Vallance and a report broadcast on “The World at One” yesterday, and, admirable though the article is, I wish he had been credited. Mr Vallance is admirable because he has done far better than I have in getting information released under freedom of information rules on the College of Policing’s relationship with the Saudi justice system.

As Members will remember—I am pleased to see almost 30 of them present, because it shows the level of interest in the subject—this matter began with the Justice Secretary’s withdrawal from the Saudi prison contract last October. Will the Minister encourage some consistency among Government Departments in their relations to Saudi Arabia? I know consistency is difficult when there is an in or out Minister in almost every Department, but on this issue we should have some. In response to an urgent question I asked last October, the Justice Secretary said to me, quite rightly, that

“the whole focus of the Ministry of Justice will be on maintaining the rule of law, upholding human rights and making sure that our citizens are protected effectively with a justice system in which all can take pride and have confidence.”—[*Official Report*, 13 October 2015; Vol. 600, c. 182.]

However, within a couple of weeks of his saying that, the Foreign Secretary was in the Gulf saying that it was business as usual with Saudi Arabia.

Following the withdrawal from that contract, I attempted, unsuccessfully, through parliamentary questions and FOI requests, to find out what the College of Policing’s relationship with Saudi Arabia was. Mr Vallance was successful in his FOI request and obtained a referral by the College of Policing to the International Police Assistance Board. It is a very candid application to supply sophisticated forensic aid to the Saudis. It warns that

“the skills being trained are used to identify individuals who later go on to be tortured or subjected to other human rights abuses”.

It also says that the application is motivated by

“achieving ‘value-added’ for the College through providing an income generating business opportunity”.

The sophisticated de-encryption techniques referred to would easily allow the Saudi security forces to trace down exactly the sort of young people we have heard about who are now on death row in Saudi Arabia.

Will the Minister explain what is going on with the assistance that the Government are giving to the Saudi regime? Do the Government intend to continue it, and will they publish the memorandum of understanding with the College of Policing so that we can see exactly what is happening?

10.8 am

**Dr Tania Mathias** (Twickenham) (Con): It is a privilege to serve under your chairmanship, Mrs Gillan. I congratulate the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) on securing the debate.

I shall be brief. Will the Minister give some analysis of our relationship with Saudi Arabia and how we might be influencing or moderating its attitude towards human rights?

My concern is this. We have a trading and diplomatic relationship, which necessarily means, I hope, that Ministers are engaged with the Saudis. I have experience not in this particular area, but in conflict areas in the middle east, so I appreciate that having an open door and the ability to influence or moderate behaviour is precious. I seek reassurance because of what has been said about human rights abuses, and because today thousands of people will be saying “#jesuisraif”—I hope that, in this country, Raif Badawi would never have been prosecuted or flogged for expressing his opinions online. I wish to be reassured that Ministers are constantly criticising public beheadings.

I declare an interest as a member of Amnesty International. Recently, we have been concerned about cluster bombs in the area, whether they were made in the 1980s or on the eve of when we signed the convention on cluster munitions. I wish to be reassured that Ministers are using the open door, even if it is open only very slightly, to address cluster munitions. Do we analyse where the stockpiles are? Are we helping to destroy them? If not, I fear that, as the hon. Member for Hammersmith (Andy Slaughter) said, the open door means that we may be complicit.

**Mrs Helen Grant:** Does my hon. Friend agree that the breaches of international humanitarian law, which she referred to, make the relief effort more difficult and

dangerous, and conflict with the very good work that the Department for International Development is doing in the area?

**Dr Mathias:** I very much appreciate my hon. Friend's intervention. The UK should promote precision arms, which minimise civilian casualties. Are we complicit in causing more civilian casualties, especially given the humanitarian effort and the people who are clearing up?

I will not take up the extra time that my hon. Friend has kindly given me, but I seek reassurance. Are we complicit, or are we influencing with the open door? I worked elsewhere in the middle east, and I know that, when the negotiations end and the international observers go away, things happen that are beyond one's imagination—they are so horrific. I am not advocating a closed door, but I need reassurance.

10.12 am

**Tom Brake** (Carshalton and Wallington) (LD): The Government regularly repeat the line,

"the UK operates one of the most rigorous and transparent export control regimes in the world".

That may be true, but it is clearly not good enough. Since March 2015, no export licence applications to Saudi have been refused due to non-compliance with criterion 2 of the consolidated criteria, which refers to the respect of international humanitarian law in the country of final destination and the respect of IHL by it. Meanwhile, as hon. Members know, £2.8 billion of arms sales have gone to Saudi since the start of the Yemen conflict.

There is mounting evidence from a range of sources that the Saudis have committed international humanitarian law breaches, so either our Government are breaking their own law or their arms export controls are not working. I hope, therefore, that they will look positively at something that is happening in the House of Lords, where one of my colleagues is introducing a private Member's Bill to create a register of arms brokers, which would enhance transparency and lead to a more rigorous implementation of UK transfer controls.

The evidence about international humanitarian law violations by the Saudis is mounting. During the air strikes on the al-Mazraq camp for internally displaced people, all structures hit, according to the UN humanitarian co-ordinator for Yemen, were civilian infrastructure. That must constitute at the very least an indiscriminate attack, and at worst a direct attack on civilians. As hon. Members know, there were also air strikes against the Oxfam storage facility and a Médecins Sans Frontières hospital. Again, they must constitute indiscriminate attacks on civilians.

Reference was also made to Sa'ada and Ma'aran. In answer to a letter from me, the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Bournemouth East (Mr Ellwood), said that in Sa'ada all the strikes in the city

"could be linked to a plausible military target."

Clearly, the UN Security Council experts who looked at it think differently. How could a hospital or school be a plausible military target? How high a bar is plausible? Although it is noteworthy that the Saudis leafleted those two cities—the whole of which, as we have heard, were designated military targets—how realistic was it

for the citizens to get out? In his reply, the Under-Secretary of State referred to Sa'ada, but not to what happened in Ma'aran. What exactly has the analysis there revealed?

It is clearly difficult in the limited time I have to make all the points I want to make. Three Departments—the Foreign and Commonwealth Office, the Ministry of Defence and the Department for Business, Innovation and Skills—have played a role in this sorry episode. I think that, once IHL violations are confirmed, a ministerial head is going to have to roll.

10.15 am

**Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): It is a pleasure to serve under your chairmanship, Mrs Gillan. I congratulate my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) on securing this debate. I pay tribute to Save the Children and Amnesty International for their most excellent work. I draw the House's attention to early-day motion 138, which I lodged in relation to the UN annual report on children and armed conflict, which was mentioned earlier.

The right hon. Member for Rutland and Melton (Sir Alan Duncan) talked about understanding geopolitics, but may I remind him that that is not the preserve of just the Conservative party? Nor have Conservative Members demonstrated by their actions in a number of international events that they have any great expertise in that. Mention was made of the realities of the world. Arguably, the influx of Scottish National party Members to the House of Commons has brought a number of realities of the world to the Chamber, which has only added to what we have been discussing.

This is not about whose side anyone is on in war. I cannot believe that anyone in this Chamber is in favour of armed conflict of any nature; we should not descend into a discussion about that. It is simply about whether we have knowledge, based on the evidence, that demonstrates that an investigation should take place.

I was pleased to be granted an urgent question last month, and I asked the MOD to make a statement on this pressing matter. We were told that UK weapons cannot have been used in this conflict because the Saudi Arabian military has told us so. What kind of investigation is that? We are asking a country to investigate itself. Let us bear in mind that that is the same Saudi Arabian Government whose human rights record is so bad that our own Ministry of Justice refused to do business with them.

There are a number of questions that need to be answered today, not least about the conflicting positions of different Government Departments. In Question Time, the Foreign Secretary stated that

"the Ministry of Defence is urgently investigating the allegations"—[*Official Report*, 24 May 2016; Vol. 611, c. 395.]

Then, in response to my urgent question just 10 minutes later, the Minister for Defence Procurement, the hon. Member for Ludlow (Mr Dunne), contradicted that statement by saying that the Government will simply be "seeking fresh assurances" from the Saudi Arabian Government.

It is clear that the UK Government will not conduct their own investigations into the issue. That was confirmed on the BBC World Service in an interview with an MOD official, who said:

"We are not launching an investigation".

[*Ms Tasmina Ahmed-Sheikh*]

I have written to the Prime Minister to ask what the position is. Are we having an investigation, or are we not? I am waiting for a response from both the Ministry of Defence and the FCO on this matter. There is absolutely no doubt that the evidence suggests that this merits an investigation. I simply do not know what the Government are waiting for to justify that.

10.18 am

**Jim Shannon** (Strangford) (DUP): It is a pleasure to speak on this matter. I congratulate the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) on securing this debate. I will speak, as I always do, on the basis of my beliefs.

The UK has relations with Saudi Arabia and Bahrain. The Governments and Oppositions in Bahrain and Saudi Arabia view UK defence sales as a signal of British support for those Governments. When we look at that, we get an idea of where we are. When we read about some of the things that Saudi Arabia does to Christians and other minorities, it is shocking to think that the UK is cosying up to that regime when convenient. I want to touch on some of those things.

Converting from Islam to another religion is punishable by death in Saudi Arabia. Despite that, the number of Christians from Muslim backgrounds is growing. In recent years, Christians have been executed by the Saudi authorities for leaving Islam, and some people have been handed over to relatives and vanished, never to be heard of again—leaving Islam is seen as a great source of shame to families and communities in that strongly Islamic nation. Given such serious persecution of Christians in Saudi Arabia, many feel they have no choice but to flee—more Saudi Christians are estimated to be outside the country than in it—but there are still Muslims in Saudi Arabia risking their lives to follow their Lord Jesus. Christians used to make up less than 0.1% of Saudi Arabia's population, but now 4.4% identify as Christian. We have to look at issues for Christians in Saudi Arabia.

Saudi Arabia is included on the United States Commission on International Religious Freedom list of the nations committing the worst religious freedom violations, comparable with China, Burma, North Korea and Iran. Saudi Arabia is also 14th on the Open Doors list of countries with the worst cases of Christian persecution. Christians are forced to live out their faith in secret. For example, at the end of 2014, Islamist police in Saudi Arabia stormed a Christian prayer meeting and arrested the entire congregation, including women and children, and confiscated their Bibles. They disappeared into the system, although I now understand that they have been deported—they were deported for worshipping their Lord Jesus. That is an example of what happens in Saudi Arabia.

As I have said before, Saudi Arabia's indiscriminate blanket bombing of Yemen, the murder of innocents and the destruction of property rankle with me and many in this Chamber, which is why we are glad to have the debate. The UK alliance with Saudi Arabia in general, and arms sales to the regime in particular, constitute a threat to security, as Saudi Arabia's aggressive

and reckless behaviour in the region contributes to the dynamics of fuelling extremist violence in the middle east and worldwide.

Many have condemned Saudi Arabia, including the UN Secretary-General, Save the Children, Amnesty International, Human Rights Watch and the House of Commons Select Committee on International Development. We are on the wrong side of humanity if we continue to cosy up to the brutal theocracy of Saudi Arabia, and we will be on the wrong side of history with regard to the region. I and many other hon. Members believe that we need to do the right thing and to make it clear to Saudi Arabia that things will have to change if we are to continue doing any business with it at all.

10.21 am

**Peter Grant** (Glenrothes) (SNP): I am pleased to be able to speak in the debate, Mrs Gillan. I commend my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) for her determination to ensure that however hard the Government try, the issue will not go away until arms sales to the brutal regime in Saudi Arabia have been stopped.

It is sometimes said that politics is about compromise; I think it is much more important to say that politics is about knowing what is a compromise, and what should never be compromised—some things are absolute. It is all very well to talk about complex geopolitical, diplomatic and international reasons—whatever gobbledegook was used—but there are moral absolutes in this world and, if we lose sight of them, we are on a slippery slope from which there is no return.

**Charlotte Leslie** (Bristol North West) (Con): I thank the hon. Gentleman for giving way, given the short time he has, and I welcome his philosophical stance. Does he agree that where there is Government, there is responsibility, and where there is responsibility, there can be blame? Where there are non-state actors, there is no such locus of responsibility, so it is easy for this House not to allocate blame. Does he agree that although it is essential that we have complete transparency in, and scrutiny of, how our arms are used, we must guard against falling into the moral luxury of blame, when we should be looking at how to stop the biggest source of human rights abuses, which is generally non-state actors?

**Peter Grant**: I was not about to allocate blame, because I am not convinced it ever gets us anywhere. However, I question her assertion that where there is Government, there is always responsibility, because I can think of examples much closer to home than Saudi Arabia where Governments do not act with responsibility in every case.

The point that I was making is that there are moral absolutes in this life. If the killing of children is not a breach of an absolute moral requirement, I simply do not know what is. It is all very well to say that bad things are happening in Yemen, but those who listened to the excellent opening contribution of my hon. Friend the Member for Rutherglen and Hamilton West will have heard her say time and time again that other people are committing acts of evil in Yemen as well as the Saudis, and they must be held to account as well. We

are asking the Government to ensure that all those who are suspected of war crimes and of crimes against humanity are held to account.

If the killing of children is not an absolutely prohibited act in this world, what is? The Minister claimed last month, as he tried to sweep aside the death of children and other civilians, that bad things happen in war, but the UN Office for the Coordination of Humanitarian Affairs estimates that 93% of the casualties in Yemen are civilians. That is not collateral damage or a few unfortunate missiles that went astray: that is, at its very best, criminally reckless incompetence on the part of those delivering the bombs and, at worst and much more likely, deliberate targeting of civilians, using terrorisation of the population as a means of achieving political ends.

Regardless of the evils being committed by the opponents of the Saudi regime in Yemen—and they have committed evils—the use of child killing to achieve political aims is not something that any of us can ever even consider supporting, be it actively or passively, directly or simply standing by on the sidelines condoning things. It is horrifying that the response from the Government time and again is, “We don’t yet have conclusive evidence, so we will carrying on selling the weapons anyway”, or, “What evidence there is suggests that it’s not our weapons being used to kill the children; it’s someone else’s weapons.”

If I applied for a shotgun licence and there was credible evidence that I had used a knife to carry out violent attacks on children, I would not get that shotgun licence. Those responsible for issuing the licence would not say to me, “Go and investigate the allegations against yourself. As long as you can persuade us that any crimes committed have not been committed with that shotgun, we’ll allow you to keep the shotgun.” If the situation is as simple and as obvious as that in the case of awarding one licence for one gun, why do we choose to make it more complicated when we are awarding licences to supply weapons capable of annihilating entire streets at the press of a single button? Those arms sales are immoral and indefensible, and they must stop now.

10.26 am

**Mark Menzies (Fylde) (Con):** I will keep my comments very short. I urge the supporters of the motion—which was moved very eloquently—to distinguish between weapons of concern. We must identify where such weapons are coming from, and we must talk about all weapons.

Let me give the House an example. In my constituency, the biggest employer by quite some way is BAE Systems. Over in Hull, it is also a huge employer. It is building the Eurofighter Typhoon for export to the Gulf, as well as the Hawk trainer aircraft. Were I to speak to my local trade unions today, they would be despondent at the thought that the training aircraft that their members are building could in any way be caught up in an arms export ban, because—to put it mildly—that would result in the closure of those factories. The United Kingdom cannot sustain advanced aircraft manufacturing on its own, even as part of the European coalition. Were it not for export orders, which are checked carefully in a rigorous process, tens of thousands of highly skilled men, women and apprentices would not be in their jobs. There would be economic devastation in large parts of north-west England.

**Chris Evans (Islwyn) (Lab/Co-op):** The hon. Gentleman identifies the tension in the debate. I, too, have a major defence contractor in my constituency, General Dynamics. If there were some such ban, my constituency would lose 800 jobs. Does he agree that that is the crux of the tension in this debate?

**Mark Menzies:** The hon. Gentleman makes an excellent point. I urge caution in language; it is easy to make generalisations and get swept up in what is clearly an important debate, but we risk losing tens upon tens of thousands of people’s livelihoods in this country, as well as apprenticeships and skills. If it were as simple a proposition as the weapons or aircraft in question not existing as the result of a ban, then that would make for an interesting debating point—

**Jo Cox:** Will the hon. Gentleman give way?

**Mark Menzies:** I will not give way, because I do not have much time—forgive me.

In the highly competitive global export market, our French and American colleagues—even before we get to the Russians, Chinese and so on—would be queuing up to replace us. We have to be abundantly clear that we do not sell lightly the means for a country to defend itself. Nor do we do so in a way that abdicates any responsibility, because we have an extremely robust export licensing programme in this country. *[Interruption.]* I will not give way, because I do not have time.

We have heard from two hon. Members the loose language of, “Let’s ban all arms exports regardless of how they are used”. They should go around and see the economic devastation that that language causes, including in Scottish constituencies—shame on you! They would cause hardship to many people, needlessly. That is not something that I could have on my conscience, but it is lucky that they can have it on theirs.

**Mrs Cheryl Gillan (in the Chair):** I am going to have to move to the wind-ups, so I apologise to Members who did not get to speak. I have tried hard to get Members in, but I am afraid that time is pressing.

10.30 am

**Kirsten Oswald (East Renfrewshire) (SNP):** It is a pleasure to serve under your chairship, Mrs Gillan. I welcome the opportunity to contribute to this important debate, and I congratulate my hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) on securing it and on her powerful and thought-provoking speech.

Human rights and arms deals may seem like strange bedfellows, but it is quite right that we should view them together. Just yesterday in this Chamber we debated the important work done by UN peacekeepers in seeking to instil peace and protect human rights in troubled countries. This morning we confront the reality that by continuing to sell arms to Saudi Arabia, a country with a dreadful record on human rights domestically and on links to terrorism and extremism internationally, we are helping to sow the seeds of conflict and undermine human rights.

I echo the point made by the hon. Member for Hammersmith (Andy Slaughter) on reports today of UK police training the Saudi Arabian regime on high-tech

[Kirsten Oswald]

detection that could be used to track down those who dissent from the regime. The Government must clarify their position on that.

Internally, Saudi Arabia imposes a harsh interpretation of sharia law on citizens and visitors, Muslims and non-Muslims alike. While we rightly recoil at the beheadings and barbarity of Daesh, we appear to look the other way as public beheadings continue to take place in Saudi Arabia, with perhaps 100 already in the first five months of this year. By its actions, and given its status as the birthplace of Islam, Saudi Arabia gives comfort to those who would spread such barbarity across the region—indeed, across the globe—in the name of religion, even though in no way do those actions ever represent Islam.

My hon. Friend spoke powerfully about young men languishing in Saudi jails under threat of death. As she explained, and as the hon. Member for Beckenham (Bob Stewart) indicated, we simply do not have the clout either to get full information about those death sentences or to stop them. As the hon. Member for Twickenham (Dr Mathias) said, such sentences are imposed on grounds that cause us huge concerns about human rights and freedom of speech.

The targeting of anyone who raises civil rights concerns is a real concern. My hon. Friend the Member for Rutherglen and Hamilton West spoke powerfully about a number of cases, including that of Raif Badawi, and the broader impact on families in Saudi Arabia who live in fear or are forced to flee. Like her, I am keen to hear from the Minister how and when concerns from the UK about the death penalty in Saudi Arabia were last raised.

**Mark Durkan** (Foyle) (SDLP): The hon. Lady will know that Ministers have said in the Chamber that the UK's alliance with Saudi Arabia and arms sales to it are among the things that give the UK influence when it comes to talking about matters such as the death penalty. If it is quite clear that the House of Saud does not take the UK Government's stance and communications seriously, why should the House of Commons?

**Kirsten Oswald:** The hon. Gentleman makes his point very well indeed. As the right hon. Member for Orkney and Shetland (Mr Carmichael) pointed out, the voices of people in this place speaking against the death penalty can be powerful. We should expect to hear that message clearly from the Government.

As we have heard many times in the House in recent months, there is widespread and legitimate concern about the actions of the Saudi-led coalition fighting in Yemen. My hon. Friend the Member for Rutherglen and Hamilton West talked about information from Amnesty International that described cluster munition drops late last year and the indirect and direct dangers faced by those on the ground.

**Sir Alan Duncan:** Just to be clear, may I ask the hon. Lady what her party's policy is on trying to restore legitimate Government in Yemen and resisting the violent takeover and displacement of the legitimate Government?

**Kirsten Oswald:** I thank the right hon. Gentleman for his somewhat surprising intervention. I think he fails to grasp the point of the debate. We are delighted to see legitimate Governments in place in countries across the world, but that does not mean that we support the indiscriminate actions of the Saudi Arabian regime. When I last raised Saudi Arabia's role in Yemen in the Chamber, it was against the backdrop of the UN panel's report, which revealed widespread air strikes on populated areas and documented more than 100 coalition sorties that could have been in violation of international humanitarian law. Estimates at that time suggested that more than 8,000 people had been killed in Yemen in less than a year, at least 1,500 of them children. A number of hon. Members have mentioned that today. Reflecting on the information presented in that last debate, I was disappointed and a bit perplexed to read that the UN had removed Saudi Arabia from a blacklist of countries guilty of serious abuse of children's rights, all the while confirming that many of the concerns highlighted in its panel's report were justified.

**Margaret Ferrier:** Human Rights Watch accused Ban Ki-moon, the UN Secretary-General, of giving in to political manipulation by the Saudi authorities. Has the UN lost the plot on this issue?

**Kirsten Oswald:** I share my hon. Friend's concerns. I understand that when discussing that the Saudi Arabian ambassador to the UN stated that

“the most up-to-date equipment in precision targeting”

is used. However, as we have heard so often in the House in recent months, some of the armaments used are almost certainly those sold to Saudi Arabia by the UK. Precision armaments would be far better used to bolster international efforts against Daesh than to destroy the civil infrastructure of Yemen.

Yemen was already a poor country by the standards of the region even before the Saudi-led campaign started. Now, even more of its people are dying from preventable diseases, apparently because high-precision weapons have decimated hospitals, medical supplies and infrastructure. With difficulties in distributing aid, its people face malnutrition, with a massive increase in acute malnutrition among children.

As Saudi Arabia pursues a conflict that appears to owe more to its fear of Iran than any legitimate interests in Yemen, it demonstrates the gap between the sophistication of its arms and the callous disregard it has for the people of Yemen. Children are used as pawns by both sides in the conflict. With millions out of school, another lost generation is more likely to fall prey to the call of the extremist. How can we conclude that Saudi Arabia, the most powerful force directly engaged in the conflict, is not abusing children's rights?

The Saudi Arabian Government seem hellbent on exacerbating the desperate plight of the Yemeni people. There have been reports of serious violations of the laws of war by all sides, and Human Rights Watch has documented several apparently unlawful coalition air strikes. There are serious legal questions to be answered about the UK supplying weapons to Saudi Arabia in support of its military intervention and indiscriminate bombing campaign.

In recent months, we have noted the re-emergence of the practice of siege or blockade as a weapon of war. The Saudi-led coalition has been operating a de facto siege of the whole of Yemen, a country that relies almost entirely on imports for its food. More than 14 million Yemenis have been identified as food-insecure, but the aid effort is able to cope with only a fraction of that, leaving many Yemenis unable to tell where their next meal is coming from.

I was pleased to receive confirmation in a recent debate that the UK Government view the imposition of starvation and the deliberate destruction of the means of daily life for civilians as a matter for the International Criminal Court. If that is the case, perhaps the Minister will explain why we are still selling arms in large quantities to a country using that tactic against not a town or city but a whole country. The blockade must be stopped. Instead of selling arms, we should be providing support to ensure that supplies and humanitarian aid can be distributed to the Yemeni population.

**Helen Whately:** Does the hon. Lady not agree that having a strong relationship with Saudi Arabia gives us an opportunity to ask questions directly and put pressure on the Government to address our concerns? We must do that thoughtfully, recognising the importance of stability over chaos in the region.

**Kirsten Oswald:** I thank the hon. Lady for her comments, but I wonder how long we will continue to put these points thoughtfully to the Saudi Arabian regime because it clearly has not worked so far. By continuing to arm the Saudi Arabians, the UK compromises its own standing and the legitimacy of its foreign policy. The Government must use their influence to change the dynamic. They must consider the terrible impact of the bombardment of populated areas with British-made bombs.

Whatever the justification for the Saudi determination to influence the presidency of Yemen, that cannot be at the expense of the lives and livelihoods of the Yemeni people. I say to the Minister there are no bad countries, only bad leaders. The Government have been willing to put the Yemeni people through what they have endured for the last year, but it seems that Abdrabbuh Mansour Hadi falls into the category of bad leader. If he is successful in returning to power, it will be a hollow victory, and our Government need to think carefully about their actions in that regard. We need to come clean about the specific involvement of the UK military in arms sales training and logistics in relation to the military operations in Yemen, and we need to answer questions about international and humanitarian law in the case of that conflict.

10.40 am

**Diana Johnson** (Kingston upon Hull North) (Lab): It is a pleasure to serve under your chairmanship this morning, Mrs Gillan. I congratulate the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) on securing today's debate. This is an important subject and a timely debate. Her opening remarks ranged widely over domestic and international human rights issues.

There is much to be said about Saudi Arabia's domestic human rights record, but because of time constraints I will, as many other hon. Members have done, concentrate my remarks on Yemen. It is clear that human rights are

not being upheld in the conflict there. A leaked report in January found "widespread and systematic" targeting of civilians in the Saudi-led strikes and identified 2,682 civilians killed in such strikes.

I am particularly concerned about the position of children, which was highlighted by the excellent report on Yemen by the Select Committee on International Development, released earlier this year, and by last week's release of the UN Secretary-General's 2016 report on children in conflict, which particularly focused on Yemen, and which my hon. Friend the Member for Torfaen (Nick Thomas-Symonds) mentioned in an intervention. The report found that children represent one third of civilian casualties in Yemen. According to UNICEF, child casualty rates have increased sevenfold from 2014. Both the Saudi-led coalition and the Houthis are listed for the killing and maiming of children and attacks on schools and hospitals.

There is no doubt that the Houthis have committed egregious breaches of international law, which the right hon. Member for Rutland and Melton (Sir Alan Duncan) referred to. I am aware of his background as the envoy to Yemen on behalf of the Government, and he obviously speaks with great knowledge of the area. However, the position of the Saudi-led coalition also poses particular problems for us in Britain. Saudi Arabia is a friend and ally and we should expect higher standards of our friends, particularly when we have sold them £2.8 billion-worth of arms since the start of their action in Yemen.

The groups listed in the report for grave violations against children include the Syrian, Sudanese, South Sudanese and Somali Governments, as well as ISIL/Daesh and Boko Haram. Although the Saudis appear to have got themselves removed from that list, their inclusion on it in the first place should cause the Government to think again. We would never sanction arms sales to any of the other groups or Governments on that list, or to the Houthi militia. So the question we must ask ourselves is why we are sanctioning arms sales to Saudi Arabia.

Last year, the Justice Secretary took the decision that human rights standards in the Saudi justice system were so low that it could not be considered a proper partner for the British Government, and he withdrew the UK from the Saudi prisons contract. Today, as my hon. Friend the Member for Hammersmith (Andy Slaughter) has mentioned, the front page of *The Times* refers to work being done through British police and forensic support. My right hon. Friend the Member for Leigh (Andy Burnham), the shadow Home Secretary, has called for that contract to be ended, in the light of concerns about human rights abuses that have been raised. There is therefore a similar question for the Foreign Secretary to answer. Is a country that the UN listed, albeit temporarily, alongside Daesh a proper partner for the UK?

That is not just a moral question for the Foreign Office, but a legal one. Arms sales must not be sanctioned when

"there is a clear risk that they may be used in violation of International Humanitarian Law."

It is the view of the Opposition, and has been since last year, that the evidence is sufficient to constitute a serious risk that UK-provided arms may be used in violations of international humanitarian law.

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP): Will the hon. Lady give way?

**Diana Johnson:** I am going to carry on, because I want to give the Minister sufficient time to respond to everything that has been raised today.

The Government have steadfastly rejected the view I have set out, and the evidence that supports it. They make two claims in support of Saudi Arabia: first, that the Saudi-led coalition's actions are not in breach of international law, and secondly, that Saudi Arabia has a proper process in place to investigate alleged breaches. Indeed, the Government rely on the second argument to assert the first. I have consistently challenged the Government to explain why they believe Saudi Arabia is in the best position to conduct an investigation, and I have never had a proper response from any Minister. I challenge the Minister again today to explain why he believes that the best course of action is for Saudi Arabia to conduct the investigation itself, and how that can be seen to be thorough, impartial and transparent. What assurances have the British Government received that that will be the case? Are the British Government providing any practical support and assistance to the Saudis in their investigation?

I want to challenge the Government on that point: that the evidence against the Saudi-led coalition is insufficient to constitute a risk that British weapons could be involved in breaches of international law. That is the case the Government have been making to the International Development Committee and to the Committees on Arms Export Controls. However, it is not a convincing case, as has been pointed out in an excellent letter from the director of Human Rights Watch UK to the Foreign Secretary. That comprehensively dismantles the Government's case. I do not want to read out long extracts, but I ask the Minister to look at that letter again.

It is certainly the view of the Opposition that the available evidence meets the test to suspend arms sales until the Committees on Arms Export Controls have completed their hearings. That position has for some time been consistently expressed by me, the shadow Foreign Secretary, my right hon. Friend the Member for Leeds Central (Hilary Benn), and the Leader of the Opposition. It is time now, in the light of all the evidence cited in the debate, for the Government to concede that the evidence simply does not support their position. I call on the Minister to be brave and bold, and show some courage—the same courage that the Justice Secretary showed in standing up to Saudi Arabia over the prisons contract. That would certainly be a case of putting British values into action.

10.47 am

**The Minister for Europe (Mr David Lidington):** I, too, congratulate the hon. Member for Rutherglen and Hamilton West (Margaret Ferrier) on securing today's debate and on the passion with which she put her case. I apologise to her for missing the first few seconds of her remarks. I also want to express the regret of the Under-Secretary of State, my hon. Friend the Member for Bournemouth East (Mr Ellwood), for not being able to speak here today. He is actually travelling on middle east business today.

I will try to focus my remarks on answers to the many points that came up during the debate. I am deeply conscious that in the limited time available I am almost

certainly going to give incomplete replies, and that I may be unable to touch on some points at all. I was disappointed when the hon. Member for Kingston upon Hull North (Diana Johnson) questioned the case for Saudi Arabia even to be considered a fit and proper partner for the United Kingdom. That would certainly be a major departure from the position taken by previous Labour Governments, including the one in which she served in the years before 2010. There is no doubt that Saudi Arabia is a very different culture, with different political traditions from those of the United Kingdom or other western democracies. However, we need to bear it in mind that it plays an increasingly important part in securing regional stability.

It is important that the big regional players should be at the heart of discussions about finding solutions to regional challenges. The Saudis have been and remain at the forefront of international efforts to defeat Daesh. Saudi was one of the first countries to participate in air strikes in Syria, and it is fully engaged in the fight to cut off Daesh's access to finance, through its co-chairmanship of the counter-ISIL finance working group. In relation to Syria, Saudi Arabia has played a leading role in bringing together the Syrian opposition—a key element of finding a solution to the conflict. I want to say a few words about Yemen in due course, but I want to turn to the questions that were raised about some other human rights topics.

The Government remain committed to advancing the global abolition of the death penalty. That means opposing it in every circumstance, in every country. We encourage Saudi Arabia certainly to abolish the death penalty, as we do with every other country that has the death penalty on its statute book. We also encourage Saudi Arabia, so long as it has the death penalty within its law, to uphold minimum international standards, such as ensuring that sentencing is in line with article 6 of the international covenant on civil and political rights. Among other things, that means the death penalty should not be applied to minors and should only be applied to the most serious crimes.

My right hon. Friend the Foreign Secretary visited Saudi Arabia last week in the course of a tour of the Gulf region, and he took that opportunity to raise with senior Saudi counterparts our concerns about human rights issues in the generic sense and a number of individual cases that I will come to in a moment. The hon. Member for Rutherglen and Hamilton West asked about a number of cases. On that of Mr Ashraf Fayadh, our understanding is that the Saudi Arabian courts have overturned the death sentence passed upon him, although he remains in detention. We continue to follow that and similar cases closely.

During his visit on 29 May, the Foreign Secretary raised the case of Ali al-Nimr and the two others who were juveniles when they committed the crimes of which they were subsequently convicted. Our expectation is that Ali al-Nimr and the two others will not be executed, but we will of course continue to raise those cases with the Saudi authorities. The hon. Lady asked about Raif Badawi. We remain very concerned about that case. We continue to express that concern at both official and ministerial levels to the Saudis. Our understanding is that the case is still under consideration in the Saudi supreme court, but we do not expect further lashes to be administered.

A number of hon. Members asked questions about the alleged use of cluster munitions by Saudi forces in Yemen. The situation as regards the United Kingdom is this: we have not supplied cluster weapons of any kind to Saudi Arabia since the 1980s. The United Kingdom signed the convention on cluster munitions in 2008 and ratified it in May 2010. Since 2008, we have not supplied, maintained or supported those weapons anywhere in the world.

**Ms Ahmed-Sheikh:** Will the Minister give way?

**Mr Lidington:** No, I am not going to give way.

The Government take the allegations that have been made about Yemen very seriously. We are seeking clarification from the Saudi-led coalition about those allegations, and in line with our obligations under the convention on cluster munitions, we have always made it clear to the Saudis that we cannot support the use of cluster munitions in any circumstances. We continue to encourage Saudi Arabia as a non-party to the convention to accede to it. Accession to the convention will then oblige Saudi Arabia, as it obliged the United Kingdom when we ratified the convention, to take steps to not only identify but dispose safely of any stocks of cluster munitions that it may have, either on its own territory or anywhere else within its jurisdiction.

Much of this debate has focused upon Yemen. I should say, in response to the questions about the Yemen Executive Mine Action Centre, that we are supporting United Nations Development Programme-led efforts to rebuild the capacity of Yemen's national de-mining institutions, including YEMAC. That is part of our wider humanitarian help to Yemen. We are contributing just over £1 million to that work in 2016 from the cross-departmental programme expenditure within Whitehall.

On the Yemen situation more broadly, my right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan) set out the overall geopolitical position with both succinctness and skill. The fact is that the Saudi-led coalition is present in Yemen at the invitation of the legitimate Government of that country. I do not think we can simply wash our hands and say, "We wish they weren't there, but we don't want to express any view about the Houthis, the fate of Yemen or the wider region."

**Ms Ahmed-Sheikh:** Will the Minister give way on that point?

**Mr Lidington:** No, I am not giving way. In fairness, the hon. Lady intervened many times during the course of the debate. I have little time available, and I think her hon. Friend, the hon. Member for Rutherglen and Hamilton West, wants some time to reply to the debate at the end of our proceedings.

The coalition is there at the invitation of the legitimate Government. Saudi Arabia, whatever criticisms we make of it, is actively helping the United Nations supervision of humanitarian assistance in Yemen, and my understanding is that Saudi Arabia is also the largest single bilateral donor to the humanitarian relief taking place in Yemen. Those things, too, need to be weighed in any overall judgment we make about the activities of the coalition within Yemen.

In respect of the allegations about breaches of international humanitarian law, the Ministry of Defence makes assessments of how the Saudis are acting and whether the coalition is observing international human

rights obligations. The MOD assessment is that the Saudi-led coalition is not targeting civilians; that Saudi processes and procedures have been put in place to ensure respect for the principles of international humanitarian law; and that the Saudis both have been and continue to be genuinely committed to compliance with international humanitarian law.

**Mark Durkan:** Will the Minister give way?

**Douglas Chapman** (Dunfermline and West Fife) (SNP) *rose—*

**Mrs Cheryl Gillan (in the Chair):** Order. It is quite clear that the Minister is not going to give way.

**Mr Lidington:** That is the overall frame within which we move on to judge some of the particular and detailed allegations that have been made. I do not want for one moment to dismiss the importance of such allegations. It is important that any allegation is properly and rigorously investigated.

As the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Bournemouth East, said when he gave evidence to the recent investigation of the Committees on Arms Export Controls, chaired by my hon. Friend the Member for Warwick and Leamington (Chris White), we press the Saudis to carry out such investigations and to do so with all possible speed. It is the responsibility of any country, where allegations are made against its military, to take action to investigate those allegations. That is what we do and what we did when allegations were made against our forces in Iraq and in Afghanistan. It is what we expected of the United States when comparable allegations were made.

It is important that Saudi Arabia, in the first instance, conducts thorough and conclusive investigations into incidents where it is alleged that international humanitarian law has been breached. Saudi Arabia did conduct such an investigation following the October Médecins sans Frontières incident in Sa'ada, and the results of that investigation led to a number of important steps being taken by the Saudis to avoid any such incident happening again. There were changes to procedures. I do not say we need to be uncritical of Saudi Arabia, but we need to bear it in mind that it showed, in respect of that significant incident, that it was willing to look at where things had gone wrong and to take steps to improve matters for the future.

I will write to the hon. Member for Hammersmith (Andy Slaughter) about the points he made on the Home Office and the story in *The Times* today. That is clearly a matter the Home Office leads on. The Government's judgment remains that a strong relationship with Saudi Arabia helps us to keep this country both prosperous and safe. It is in working with Saudi Arabia that we can encourage the changes we would like to see in that country.

10.59 am

**Margaret Ferrier:** I thank Members of all parties who have taken part in today's debate, including those who made important interventions—

**Mrs Cheryl Gillan (in the Chair):** Order.

*Motion lapsed (Standing Order No. 10(6)).*

## Fire Service: Flooding and Statutory Duties

11 am

**Jim Fitzpatrick** (Poplar and Limehouse) (Lab): I beg to move,

That this House has considered flooding and statutory duties of the fire service.

It is a pleasure to see you presiding this morning, Mrs Gillan, and I am glad to see the Minister taking his place. It is only appropriate that two former firefighters are contributing to the debate.

Let me start with a couple of points on the general history of the fire and rescue service—*[Interruption.]*

**Mrs Cheryl Gillan (in the Chair)**: Order. Can I ask Members to have their conversations outside the Chamber and respect the Member who has moved the motion?

**Jim Fitzpatrick**: Thank you, Mrs Gillan.

As I was saying, I will start with a couple of points on the history of the fire and rescue service. The great fire of London was in 1666, which was the beginning of insurance fire brigades and voluntary pumps being deployed in London. The fire of 1834 destroyed most of the Palace of Westminster and led to the creation of a London county council and of a London fire brigade, which this year is enjoying its 150th anniversary, which I know the Minister is celebrating—happy birthday to the London fire brigade. Statutory duties have evolved over the centuries in which fire brigades themselves have been evolving.

I thank the House of Commons Library and Pat Strickland for briefing paper No. 07605, “Should Fire and Rescue Services have a statutory duty to deal with flooding?” Before I quote from that, I want to make reference not only to the increasing incidents of flooding, but to their severity and regularity. A role that the fire and rescue service used to tackle once in a blue moon is now a core activity for many brigades. A Fire Brigades Union document details the extent of the new demand, stating:

“Firefighters responded magnificently to the winter 2013-14 floods, the largest deployment by the fire and rescue services since Second World War. Across the UK over the entire three months... firefighters responded to nearly seven thousand incidents”, and

“effected a large number of rescues... almost two thousand across the UK.”

A briefing note from the Greater Manchester fire and rescue service said that on Boxing day 2015 it deployed two thirds of its available resources on flood response.

I cannot imagine that the Minister will be in denial either that floods are on the rise or that the fire and rescue service is doing more of this type of work than ever before. There is certainly no room for him to deny that we have seen a significant reduction in the numbers of firefighters in the fire and rescue service since 2010.

**Louise Haigh** (Sheffield, Heeley) (Lab): It is not just the fire services that are putting the information out there. The Met Office has said that we are in the middle of one of the most

“exceptional periods of winter rainfall in at least 248 years.”

Is it not very clear that we need a fully resourced fire service, backed up by a statutory duty?

**Jim Fitzpatrick**: My hon. Friend makes a powerful point, which I will reinforce in a moment.

Lancaster University states:

“The London Fire Brigade is only able to respond to less than half of calls within its six minute target following the closure of 10 stations. The closures coupled with the loss of over 552 firefighters and 14 engines in central London were made in 2014 as part of Government cutbacks of £29m.”

Greater Manchester fire and rescue service has seen a 25% cut since 2010. Its briefing says that in 2009-10, it had 1,598 front-line firefighter posts. By 2019-20, it will have 1,026—a loss of 572 firefighter posts, a reduction of 35%.

The Fire Brigades Union’s 2015 floods report outlines the depth of the cuts. It says that 6,740 positions were lost between 2011 and 2015. The same report lists the number of flood incidents and rescues: in December 2015 alone, there were 2,589 incidents and 2,808 rescues. Flooding is on the increase, as my hon. Friend outlined. We only have to look to France and Germany last week, or at London and the flash floods yesterday.

In the general election campaign of 2010, the Prime Minister spoke at Carlisle fire station and promised to protect front-line public services, but between 2011 and 2015, Cumbria lost one in eight firefighters. Five fire stations were earmarked for closure in Cumbria before the flooding in December last year, and in February this year, the local council cited the floods as a key reason to keep the stations operational.

The question is whether a statutory duty is needed. The Commons Library briefing paper and the Fire Brigades Union briefing refer to the existing legislation. On the law in England and Wales, both documents say that part 2 of the Fire and Rescue Services Act 2004 sets out the statutory core functions of fire and rescue authorities. Those are statutory duties to provide for fire safety, firefighting, and rescuing people and protecting them from harm in the event of road traffic accidents. The Library briefing paper states:

“Section 9 gives the Secretary of State the power to give FRAs functions relating to other emergencies, including outside the FRA’s area. This is an order-making power. Primary legislation would not be necessary.”

The Fire Brigades Union has outlined its position:

“The FBU has serious concerns about the resources available to the fire and rescue service to ensure resilience against flooding... These include the number of firefighters, boats and equipment available... There are issues of staffing, technology and resilience in fire control rooms... The FBU believes a statutory duty on the fire and rescue service in England and Wales, along with investment in the service, provides the best guarantee of resilience to flooding going forward”.

It explained why it has that belief:

“A statutory duty would add significantly to fire and rescue service resilience when faced with flooding. Such a duty would... Underscore the need to resource fire and rescue services specifically for flooding... Assist with strategic planning, not only between fire and rescue services and local resilience forums”—

it should be “fora”—

“but also between different fire and rescue services across England... Ensure firefighters play a full part in the temporary construction of flood defences, as they do in Sweden... Help ensure fire and rescue services have sufficient, professionally trained firefighters available to tackle flood emergencies... Ensure sufficient boats of the right quality are available... Help ensure sufficiently trained and equipped boat teams are available... Ensure sufficient control staff are available to”

handle calls and to make

“resources available to communities during the clear up, ensuring premises are secure to hazardous substances testing and clear up”.

**Rachael Maskell** (York Central) (Lab/Co-op): The fire service could also have a strategic role in flood prevention and the protection of homes; that was missing in the recent floods. I add that the cuts coming to the fire service will have a serious impact on its ability to respond to floods, as we saw in York in 2015.

**Jim Fitzpatrick:** My hon. Friend makes a good point. She saw exactly the nature of flooding in York when it affected her constituency in recent years.

The Minister may very well ask why, when I was Fire Minister in 2006—[*Interruption.*] He kindly forewarned me that he would remind me that I was the Fire Minister in 2006. It was generous of him, and I think the criticism is absolutely fair, but I will come on to why I think times have changed in just a minute. Department for Communities and Local Government figures underscoring the increase in the threat show that in 2007—a year after I was Fire Minister—there were 14,000 flooding calls, in 2011-12 there were 16,000, and in 2013-14 there were 18,000. I believe that demonstrates a pattern.

Even Age Concern—or Age UK, as it is now called—has weighed in. Suzanne Foster wrote to me:

“I wanted to send you a copy of a report published by Age UK on ‘Older people and power loss, floods and storms’”, which she said could be found online and was attached to her email. The first recommendation was:

“Join up essential services better”.

The result of the inquiry into the 2007 floods was clear. On the Pitt review, the Commons Library briefing paper states:

“The issue of a statutory duty was raised in the 2008 report of the Pitt Review into the 2007 floods. The Review took the view that a statutory duty would be beneficial”.

The text of the review states:

“The Review believes that clarifying and communicating the role of each of these bodies would improve the response to flooding. However, we are concerned that the systems, structures and protocols developed to support national coordination of multi-agency flood rescue assets remain ad-hoc. We believe that the Fire and Rescue Service should take on a leading role in this area, based on a fully funded capability. This will be most effective if supported by a statutory duty”.

Following on from that examination and text, it made recommendation 39:

“The Government should urgently put in place a fully funded national capability for flood rescue, with Fire and Rescue Authorities playing a leading role, underpinned as necessary by a statutory duty.”

**Liz McInnes** (Heywood and Middleton) (Lab): My constituency was affected by the floods on Boxing day, and we asked many questions following the floods about giving the fire service a statutory duty. The Government’s response seemed to be that the fire service would turn up anyway. Does my hon. Friend agree that there is some complacency on the Government’s part in refusing to make flood rescue a statutory duty?

**Jim Fitzpatrick:** I will come to that, but in defence of the Government, I would say not that they are complacent, but that they trust the fire service to turn up. What many of us are saying—we have done so in this Chamber

and when discussing various Bills relating to police and crime commissioners, which I will come to—is that they should do more than just trust them. They should fund them and give them statutory responsibility for planning, continuity, mitigation and resilience. I will return to that in a moment. The case for a statutory duty on the fire and rescue service is not less than it was in 2008. In fact, the reverse is true, as the pressures are growing, with more and more flood calls, fewer staff, less equipment and more closed fire stations.

As a former firefighter and Fire Brigades Union member and official, the Minister knows that after the second world war, in the ‘50s and ‘60s, the union argued to the Government and local government that fire personnel in stations could be used more productively on fire prevention than on cleaning fire stations, polishing the brass and washing out the toilets. I am not denigrating those jobs, which are very important. The disastrous fires of the late ‘60s led to the Fire Precautions Act 1971, when the Government suddenly realised that they needed a skilled workforce of about 20,000 people to police and enforce the new safety rules. That is what has changed the British fire service in the last 100 years. Ultimately, safer buildings and fewer people smoking have led to there being many fewer fires, deaths and serious injuries. Perversely, that has led to the huge cuts of the past six years.

The fire and rescue service is the victim of its own success in reducing fires, saving lives and preventing injuries, but at the same time it is evolving into new roles—not just flood response, but medical and social care. The Government are transferring the control of fire and rescue service to police and crime commissioners. The Minister knows that I and many colleagues believe that fire and ambulance services are a better fit, and that link is happening almost despite the Government. Some county brigades in England are reporting that they are attending more medical calls than fire calls.

The London fire brigade and the London ambulance service have just begun a four-borough pilot of first responding and co-responding to specific emergency medical calls to save more lives in London. In the north-west, the fire and rescue service has joint working pilots on social care schemes. The service continues to evolve, as it has over time.

My hon. Friend the Member for Heywood and Middleton (Liz McInnes) asked about a new statutory duty on flooding, but the Government’s answer has always been that the fire service has attended, so there is no need for one. Fire brigades were attending fires for centuries, but a statutory duty was felt necessary in that case, although it was in only 1938 that it arrived, under the Fire Brigades Act 1938. That Act required every county borough council to make provision for

“the extinction of fires and the protection of life and property in the case of fire.”

Why was a statutory duty needed? Because the situation, service and society were evolving, and something different was needed. There was a recognition that circumstances had changed. The fire service had been providing fire protection for centuries, but a statutory duty was introduced only in 1947. I have also mentioned the Fire Precautions Act 1971.

The fire service has been rescuing people from road traffic crashes for decades, but it was felt that a statutory duty was needed, and the Fire and Rescue Services Act 2004 was introduced. Along with charities umbrella-ed

[*Jim Fitzpatrick*]

by Fire Aid, we are deploying that expertise across the world, because we are among the leaders in rescuing victims in road traffic crashes, and we are proud of that.

In contrast, the Library briefing outlines the law in Scotland, stating:

“There is a power in the Fire (Scotland) Act 2005 to make orders giving the Scottish Fire and Rescue Service additional functions. A Scottish SI (the Fire (Additional Function) (Scotland) Order 2005/342), creates a duty to make provision for the purpose of... rescuing people trapped, or likely to become trapped, by water... protecting them from serious harm, in the event of serious flooding in its area.

This duty was conferred on the Scottish Fire and Rescue Service when this was created in April 2013.”

The briefing then refers to the law in Northern Ireland, stating:

“In Northern Ireland a very similar provision came into force in January 2012.”

The Library is saying that parts of the United Kingdom already have a statutory duty on flooding. Finally, as I have said, section 9 of the Fire and Rescue Services Act 2004 gives the Secretary of State power to give the fire and rescue authority functions relating to other emergencies. That is an order-making power, so primary legislation would not be necessary to create a statutory duty to deal with flooding. It works in Scotland; it works in Northern Ireland; so why not in England and Wales? I look forward to the Minister’s response.

11.15 am

**The Minister for Policing, Fire, Criminal Justice and Victims (Mike Penning):** It is a pleasure to serve under your chairmanship this morning, Mrs Gillan. I have lots of conversations with the former Fire Minister, the hon. Member for Poplar and Limehouse (Jim Fitzpatrick), because we are good friends and have the same feelings for the fire service, so at the start I should pay tribute to what the fire service did during the flooding over the Christmas and new year period, which was exemplary. I had the privilege of meeting many of the front-line firefighters and other emergency services that took part in that work.

Perhaps I should nudge the former Fire Minister, who does a lot of work with Fire Aid, to declare his interest in it. It does exemplary work and I know he champions it, but he did not mention that during his comments.

May I say at the outset that we are looking for the fire service, working with the other emergency services, to deliver the best possible rescue facilities and prevention work? I do not disagree with many of the points that have been made. I agree that I do not need primary legislation, although some of my civil servants may disagree slightly. I come back to the discussion that took place in 2008, when the Pitt review specifically referred to the role being underpinned “as necessary” by a statutory requirement. That was put before the Government of the day. I rarely do party politics, as most people know, but that was not this Administration or the coalition Administration, but a Labour Administration. Following the Pitt review and following the floods, they did not go ahead with that, but said that the fire service working with the other emergency services could do very well. I think the situation is similar today. The fire service has evolved tremendously.

**Jim Fitzpatrick:** Will the Minister give way?

**Mike Penning:** I may give way in a moment. Time will be difficult.

The fire service continues to evolve and not every fire service will come under police and crime commissioners. Around five PCCs are looking into this, but other PCCs and clinical commissioning groups are considering whether the ambulance service could be included. My views on this are pretty well known. I think the blue light emergency services must work much more closely together than now. I am chuffed that in London we have co-responding, but that is just the start. In Hampshire, there are qualified paramedics who are firemen. I apologise to the ladies, I mean firefighters. When I was in the job, there were only firemen.

It is important to see where the job is going. Yes, we are going to more flooding. We have always gone to flooding, I went to flooding and the London fire service went to a flood yesterday. None of the national resilience back-up was used yesterday. I asked the question before coming here today.

I am a former member of the Fire Brigades Union. I met the leadership and it put similar arguments to me. I will keep the matter under review. I will not comment too much on the numbers, not least because in other parts of the country we have seen firefighter numbers drop, but there has been a different way of delivering the service, including retained firefighters. London still has this policy, which I thought was an anomaly when I was in Essex—it will not allow retained firefighters on to its ground even if in their day job they are fully qualified firemen. I have never understood that and it is something that must be addressed as we evolve. I know that the union is trying to protect jobs, but in retrospect it is probably not doing that.

Lancashire has developed a completely different model. The union there wanted to protect jobs and to keep stations open. There was a risk of them closing so it went to the eight-eight day model, so that they were manned during the day with back-up crews during the evening. That is a completely different model. That is why local decision making is vital.

I am not denying that there are fewer firefighters, but there are dramatically fewer turn-outs. Fire prevention work started during our time in the job. I remember vividly arguing that firemen should go into homes to help to install smoke detectors. The situation has dramatically changed but there are still too many deaths and there is a lot more work to do.

**Ian Lavery (Wansbeck) (Lab):** It is often said that there are far fewer fire incidents, but that varies from region to region, as I am sure the Minister is aware. The fact is that there are more and more flooding incidents in this country than ever before. Does that not mean we should be looking at the recommendations of the Pitt review in 2008 and give the fire and rescue service a statutory duty on flood and resilience?

**Mike Penning:** I will try to make my point a bit stronger. Respectfully, I disagree with the hon. Gentleman, and the reason is that I cannot find an instance in which the fire service is not doing what it would do if there were a statutory duty. In fact, I have real concerns that, if we put in statutory powers, fire services would have

kit—and crews—sitting there, at huge expense, and the likelihood of it being used regularly would be completely different from what it would be in Cumbria, York and other parts of the country.

I know that the former Fire Minister understands this: if we say to the fire service, “You have a statutory duty,” it will put the kit in place. In many places, they have that kit. It would really worry me if we had lots of kit sitting around in areas where we know the risk is very minimal. I will keep the situation under review, but I am confident as to where we are. I am meeting in particular the metropolitan chief fire officers later today to discuss the issue, so I am not in any way saying that I will never look at it. I will keep it under review, but at present our position is like that of the Government in 2008. I accept that there are more flooding situations, but in terms of manning levels, we are going out to fewer calls, even though we are doing different sorts of calls. I remember going to flooding incidents quite extensively when I was in the job in the 1980s.

**Liz McInnes:** The Minister talks as though the flood rescue equipment is in a silo and cannot be used outside the area. In my constituency of Heywood and Middleton, we have a water rescue unit, and it was out in Cumbria during the Cumbrian floods. It does not just sit tight and gather dust.

**Mike Penning:** No, and that is the point I would make: that is a mutual aid piece of kit that is used, and mutual aid is becoming more and more important. I will come on to national resilience in a second. If we put in a statutory requirement, the neighbouring service, which went and helped brilliantly well, would have to have that there as well. That is what happens in the fire service if we make things statutory. I am confident about where we are, but I will continue to talk to the chiefs.

There are areas where I think we could move. I am thinking of the high-velocity pumps—they were never there when I was in the job, and I pay tribute to the previous Labour Administration who brought in that national asset—and where they sit. For instance, Sussex is about to take one of those pumps as part of its assets, which it will share in a mutual aid situation. I know the fire service listens to everything that the Fire and Police Minister says: I am looking to see whether we can develop that better around the country so that those assets sit where the risks would be, rather than it coming to, perhaps, a Cobra situation and us saying, “We will deploy,” which has a cost implication, or people requesting the deployment. I am talking about improving things in predictability terms. For instance, after we had the floods over Christmas and the new year, there was a prediction that we would have another such situation, and of course the question then is: do we pre-deploy or do we not pre-deploy? Those assets should be sitting out there. I think that they should be sitting out there as an asset of the services, within reason, and we are going to look to see how we can do that.

When we are looking at who decides what should be in place and in which area, the experts are the people on the front line, the people who are putting the local plans together, and an awful lot will be learned from what happened during the flooding. For instance, when I was in Lancashire, one of the crew, who had been up to their

waists in floodwater for most of the day, said to me, “With all due respect, sir, we couldn’t use the radios because of the risk with the water. We couldn’t drive our appliances into areas where we saw the Army driving their appliances, because our vehicles frankly couldn’t take that,” and several vehicles were damaged because of floodwater.

**Rachael Maskell:** It is not just the firefighters who are calling for a statutory duty; it is also the chief officers in flood areas such as North Yorkshire. That is based on evidence as a result of the floods in 2015. They believe that a statutory duty would help them with preventive work as well as, obviously, dealing with flooding situations. They are saying that it is an imperative, so will the Minister listen to those chiefs?

**Mike Penning:** I do listen to the chiefs. They are firefighters as well, interestingly enough. I am sure that they would like to be classed as firefighters, not separate from firefighters—we may make a few enemies with some chief firefighters, but that is semantics. I do listen to the chiefs, and other chiefs in other parts of the country are not saying the same thing. What we need to do is ensure that we have the assets in the right place. To go back to the point about Lancashire, one of the crews said to me, “We did not have a flotation platform, so we were using salvage sheets and ladders,” which I trained with all those years ago; people would think we had moved on from there. I understand that that service is now looking at deploying that piece of kit. It does not take up a huge amount of space. It uses compressed air.

We have to look very carefully at this matter, and the brigadiers’ report on how the resilience worked during the flooding is crucial as well. We had a situation in which the Army could get in, because it was using what I still call 4-tonne trucks, but when we tried to follow them with fire appliances, many of them broke down and were severely damaged. That had a lot to do with the air intake and with positioning. People would think that in the 21st century we would have learned how to deal with those situations, but actually that is what we were learning. We also know that the cars of crews who came in and parked in one particular fire station were destroyed by flooding. We therefore need to look very carefully at the resilience that is there, and that is one reason why I am looking very carefully at the pumps.

The point I want to make is that we can change the title and say, “You should do this and you should do that,” but we have to ask whether the services are doing that first and whether that is the best utilisation of what we are asking them to do. There are some chiefs who take the view referred to, and the FBU has been running a very long campaign on this matter; it goes way back to when the hon. Member for Poplar and Limehouse was the Fire Minister. However, I am of the same opinion as the 2008 Minister: if necessary, we could do this, but at present—

**Jim Fitzpatrick:** I am glad that the Minister has at least said that he will keep the situation under review. The best argument he has is that a statutory duty would force all 40-odd fire brigades in England and Wales to buy the equipment when some of them may well not need it—but then a number of us have been advocating fewer fire authorities for a considerable time. It would

[Jim Fitzpatrick]

be much better to have regional structures and fewer chief fire officers and fewer fire and rescue authorities. That streamlining would be better. The key point here is that whether it is because of climate change or just weather patterns changing, floods are on the up; they are increasing exponentially. We need the equipment and resources to deal with that, and people think that a statutory duty is the only way to get the Government to focus on ensuring that those resources are available.

**Mike Penning:** I agree that the fire service is top-heavy in administration terms, which is why I am looking at PCCs who want to take over that administration and limit those costs, so that we have more money for the frontline; I am sure that we would all agree with that. Perhaps it is a question for another debate, on the number of fire and rescue services. That is a really emotive subject, because a local community relate, they tell me, to their fire service.

**Ian Lavery:** I will ask a very simple question and I am sure I will get a very simple answer. If it is right and correct that there is a statutory duty in Scotland and Northern Ireland, what is the difference with the people of England?

**Mike Penning:** I go back to the decision that was made in 2008. Devolved Assemblies will make their decisions on their priorities in their way. I have no evidence whatever that creating a statutory duty would enable our firefighters to do their job in regard to flood rescue and prevention any differently from how they do it now. However, I have said that I will keep an open mind. It is not a uniform view across the myriad fire and rescue services in this country that this should be statutory. The union has a view, and in most cases I agree with

many of the things that the union says. I would do: I was a branch secretary for a short time. But on this issue, I do not agree, and the leadership know that I do not, so it will not come as a big surprise to them. This is really personal to me. I am sure the former Fire Minister will appreciate that if I thought that in any way, shape or form, this would do what it says on the tin, I would do it. I have real misgivings that actually there would be ongoing costs that would be disproportionate to what we were trying to do.

It has been very useful to discuss this issue this morning. I can probably look forward to further debates with the former Fire Minister and I am pleased to be giving him a few seconds now to respond.

11.29 am

**Jim Fitzpatrick:** Hesitation robbed me of another three seconds, but I am grateful to the Minister for this brief opportunity. I am grateful to my hon. Friends for turning up to support the debate. The Minister knows that there are Government Members who have a similar view. It is reassuring that he is prepared to keep this matter under review. Many of us, right across the country, are very worried about the level of cuts, because obviously if we have cuts and cuts and cuts, we get to a point at which the situation is too dangerous and then the Government start reinvesting. We are drawing attention to the fact that at the moment the cuts are in, if not beyond, that territory, and flooding is one of the additional pressures that the service is having to deal with. Because it is on the increase, we hope that the Minister will look at it seriously and ensure that the brigades affected get the resources that they need.

*Motion lapsed (Standing Order No. 10(6)).*

11.30 am

*Sitting suspended.*

## Southern Health NHS Foundation Trust

[MR DAVID HANSON *in the Chair*]

2.30 pm

**Suella Fernandes** (Fareham) (Con): I beg to move,

That this House has considered governance of Southern Health NHS Foundation Trust.

It is a pleasure to serve under your chairmanship, Mr Hanson. I am grateful for the opportunity to open this important debate on the governance of Southern Health NHS Foundation Trust, a subject that has been the cause of mounting public concern over recent months. It has risen up the agenda as more information has come to light. It is right that we, as Members of Parliament, now have the chance to address it and to air our constituents' concerns. For some, that is not a concern of just a few months' standing, but a story that goes back many years.

For a number of patients under the care of Southern Health and, particularly, for the families and friends of those who have sadly died, this has been a long-running and painful saga. We will not resolve it for them today but we can ensure that the issues they care about are properly aired in public and are brought to wider attention. I pay tribute to those relatives and campaigners, some of whom have come to Westminster today. I was glad to be able to meet with them earlier and to hear from them in person before the debate. I also thank the Minister for sparing the time to join us and to hear their experiences. With the permission of the relatives, I will refer to some of their stories during my remarks and other colleagues may also want to do so, where appropriate.

As well as having a connection to the subject as a constituency MP, I have taken an interest in the wider issues through my role on the all-party parliamentary group on Hampshire and Isle of Wight, on which I lead on health issues. The area covered by Southern Health goes wider than Hampshire, of course, and we have invited colleagues from elsewhere to our meetings when the subject has been under discussion.

Since last autumn, we have had a series of meetings with representatives of Southern Health, most notably with Katrina Percy, its chief executive, and other senior directors. Those meetings have allowed us to put robust questions to them and to hear their side of the story. Although I cannot claim to have been wholly satisfied by the answers we have received, I thank Ms Percy and her team for engaging with us on our concerns. Just yesterday, we had a very useful meeting with the new interim chairman of the trust, Tim Smart, and I extend our thanks to him.

**Mrs Maria Miller** (Basingstoke) (Con): On behalf of many other MPs from Hampshire, I commend my hon. Friend on securing this debate and on the tenacity with which she has led on the issue on our behalf. She mentioned the appointment of a new chair. Does she feel that, under the new leadership, we will see more assurance from the Care Quality Commission that Southern Health has actually understood what changes are needed for the future? Some CQC reports we have read suggest that the problems that have been raised have not been addressed in a swift manner. Does my hon. Friend share my concern or does she think we will see progress?

**Suella Fernandes:** I am grateful for my right hon. Friend's point and I thank her for her work and for standing up for her constituents who have been affected by the issue. We have met with members of the CQC and with NHS Improvement, and we put those points to them directly. I share her concern, particularly on behalf of families and relatives, who would like swifter action in future. However, I am grateful to those organisations for keeping us informed and for taking the time to ensure that MPs are briefed of their actions and plans.

The facts of the issue are well known to many of those here today and to those watching beyond Westminster. However, in opening the debate, it is important for me to recount the broad sequence of events and key facts to help those who may not be familiar with them and because they deserve to be put on the record as the backdrop to the rest of the debate. Let us begin at the beginning.

The tragic starting point of the story was the death of Connor Sparrowhawk. Connor, who had autism, a learning disability and epilepsy, was 18 when he was admitted to Slade House in Oxford in March 2013. The facility was a learning disability short-term assessment and treatment unit run by Southern Health, which had taken it over from the previous provider, Ridgeway, in November the previous year.

On 4 July 2013, Connor was found submerged and unconscious in a bath at the centre. Staff tried to resuscitate him and an ambulance took him to John Radcliffe hospital but, sadly, he died the same day. The initial post mortem examination concluded that Connor drowned as the result of an epileptic seizure. Southern Health carried out a serious incident requiring investigation report and an initial management assessment, and commissioned an independent consultancy to undertake an internal investigation. That investigation concluded that Connor's death was preventable and stated:

"The failure of staff at the unit to respond to and appropriately profile and risk assess CS' epilepsy led to a series of poor decisions around his care...The level of observations in place at bath time was unsafe and failed to safeguard CS."

Following the publication of that first investigation report in February 2014, Oxfordshire Safeguarding Adults Board and NHS England had ongoing concerns about the quality and safety of learning disability services provided by Southern Health in Oxfordshire, and the improvements that needed to be made. They therefore commissioned a further report in June 2014, which was charged with looking at whether the way in which learning disability services were commissioned or managed contributed to Connor's preventable death.

The new report was published in October last year and contained a number of criticisms. It stated that there had been warnings about the standard of care in facilities including Slade House, and criticised the management processes following the transfer of services to Southern Health. It found that

"for Southern Health to only rely on its normal reporting mechanisms without addressing the...warning and ensuring that information from local managers was accurate was a serious failure."

It also found that

"the trust did not evaluate or address the known concerns about the quality of local leadership",

and that:

"An over reliance on a 'business as usual' approach to this acquisition was not appropriate."

[*Suella Fernandes*]

The report concluded:

“Southern Health should have ensured that any deterioration in the quality of services could be identified quickly and by processes that Southern Health had confidence in.”

That was the first serious criticism of the overall management of the services.

**John Howell** (Henley) (Con): My hon. Friend described a catalogue of disasters. From the conversations she has had, what confidence does she have that the situation has been put right? I represent an Oxfordshire constituency. Can we have confidence in doing business with Southern Health?

**Suella Fernandes:** From speaking to families, relatives and patients, it is clear that they are struggling to have confidence in the services provided by Southern Health. The very reason that the debate is happening is so that we can air those concerns and, hopefully, find a pathway to restoring public trust. That is clearly the challenge facing the organisation.

**Mims Davies** (Eastleigh) (Con): I thank my hon. Friend for securing this important debate. I also thank the Minister for the help that he is giving us across Hampshire and in the Southern Health area, and for taking the issue seriously.

Families feel concerned about their vulnerable loved ones. Despite changes in care plans and promises when things have gone wrong, families are not seeing changes. In fact, they feel that, in very vulnerable situations, it is sometimes better to be at home than in the so-called care of Southern Health. That has come up in constituency surgeries. I, like other hon. Members, feel that this debate and other investigations into Southern Health should get to the bottom of that.

**Suella Fernandes:** I thank my hon. Friend for highlighting the problems communicated to her by families, which echo and reflect the precise concerns about which the families sitting in the Public Gallery feel strongly. They emphasise that this is not an isolated issue. This is something that we all need to take seriously.

The Mazars report is the next chapter in this story. At the request of Connor’s family, NHS England commissioned an independent report into the deaths of people with learning disabilities or mental health problems while under Southern Health’s care. The report reviewed the deaths of people in receipt of care from mental health and learning disability services in the trust between April 2011 and March 2015. The report sought to establish the extent of unexpected deaths in those services and to identify issues that needed further investigation.

The report was published in December 2015, and its main findings included, first, that many investigations into deaths were of “poor quality” and took too long to complete. Secondly:

“There was a lack of leadership, focus and sufficient time spent in the Trust on carefully reporting and investigating...deaths”.

Thirdly, there was a lack of family involvement in investigations after a death and, fourthly, opportunities for the trust to learn and improve were missed.

Of the 1,454 deaths recorded at the trust during the period under investigation, 722 were categorised by the trust as unexpected. Of those, the review looked at

540 and found that only 272 unexpected deaths received a significant investigation. The report did not specify how many investigations there should have been, but it drew attention to the limited number of deaths that were investigated in different categories. The trust has questioned the use of some of those figures, but the picture painted overall was one of inconsistent standards for investigations, raising the worrying prospect that an unspecified number of deaths may not have been investigated properly. The question of whether there may have been other preventable deaths like that of Connor Sparrowhawk could not be definitively answered, which has led to a great deal of concern among the trust’s patients and something of a breakdown in confidence. Understandably, people want to know that they or their loved ones will be safe in the care of Southern Health. Those whose relatives have died while under the trust’s care need reassurance that the investigations were properly conducted and that the deaths were not also the result of avoidable errors.

My constituent Richard West is one of those relatives. His son, David, died in 2013, and he has been seeking answers from the trust ever since. At times, the handling of his case has been very poor indeed. Mr West, a former detective and policeman, says that he was ignored and was even told by a representative of the trust that the deaths of patients in its care were “like an airline losing baggage.” I know from speaking to other families that others have experienced similarly insensitive treatment.

The Mazars report contained serious and specific criticisms of the trust and its management. In particular, it levelled criticism at the board itself for the failures. It found that

“there has been a lack of leadership, focus and sufficient time spent on reporting and investigating unexpected deaths of Mental Health and Learning Disability service users at all levels of the Trust including at the Trust Board.”

**Mr Andrew Smith** (Oxford East) (Lab): I applaud the hon. Lady on securing this debate and on her excellent speech. In just about any other organisation, such a searing indictment of the board and, by implication, its executives would have resulted in their resigning. Is she surprised that they did not simply stand down and accept responsibility, as they should have?

**Suella Fernandes:** There is a lot of pressure from the public, patients and families for people to step down, and the resignation of the chairman of the board is a reflection of the seriousness with which Southern Health takes this issue.

The report continued:

“Due to a lack of strategic focus relating to mortality and to the relatively small numbers of deaths in comparison with total reported safety incidents this has resulted in deaths having little prominence at Board level... There are a number of facets to this poor leadership...: a failure to consistently improve the quality of investigations and of the subsequent reports; a lack of Board challenge to the systems and processes around the investigation of deaths...; a lack of a consistent corporate focus on death reflected in Board reports which are inconsistent over time and which centre only on a small part of the available data; an ad hoc and inadequate approach to involving families and carers in investigations; a lack of focus on deaths amongst the health and social care services caring for people with a Learning Disability; limited information presented at Board and sub-committee level relating to deaths in these groups...; and a lack of attention to key performance indicators...indicating considerable delays in completing...investigations.”

The report also found:

“There was no effective systematic management and oversight in reporting deaths and the investigations that follow... The Trust could not demonstrate a comprehensive, systematic approach to learning from deaths”.

In what I consider one of its most damning findings, the Mazars report also found evidence of repeated warnings being ignored:

“Despite the Board being informed on a number of occasions, including in representation from Coroners, that the quality of the...reporting...and standard of investigation was inadequate no effective action was taken to improve investigations”.

The report also stated:

“Despite the Trust having comprehensive data relating to deaths of its service users it has failed to use it effectively to understand mortality and issues relating to deaths of its Mental Health or Learning Disability service users.”

By any measure, those criticisms were immensely serious and required a robust response.

Following the report's publication, my right hon. Friend the Secretary of State for Health expressed his determination to learn the lessons of the report and set out a number of measures to address the issues raised, including a focused inspection by the Care Quality Commission looking in particular at the trust's approach to the investigation of deaths. As part of that inspection, the CQC was asked to assess the trust's progress on implementing the action plan required by NHS Improvement and on making the improvements required by its last inspection, published in February 2015. Separately, the CQC was also asked to undertake a wider review of the investigation of deaths in a sample of all types of NHS trusts in different parts of the country. That is particularly important because we need to know whether the problems and failings at Southern Health are exceptional outliers or whether there is a similar problem in other parts of the country.

The trust accepted the findings of the Mazars report and apologised unreservedly for the failings identified. NHS Improvement set out in January 2016 its plans to provide assistance to the trust to ensure that it delivers on plans to implement the agreed improvements, which include the appointment of a new improvement director and the taking of advice from independent experts. All those measures were agreed by the trust's management, and in January we had a letter from the chief executive officer setting that out.

**Kit Malthouse** (North West Hampshire) (Con): I congratulate my hon. Friend on securing this important debate. She is outlining that there is an improvement plan, that the board has agreed and that NHS Improvement is helping, but one thing that seems to be frustrating people, particularly in my constituency, is the lack of a hard date on which we can judge that the corner has been turned. Does she agree that it would be sensible for NHS Improvement, or the board itself, to set some kind of deadline by which a judgment can be made? Otherwise, improvement is purely on the never-never and we will never know publicly whether the trust has got to where it needs to be.

**Suella Fernandes:** My hon. Friend makes a sensible suggestion, which I echo. A deadline with key targets and dates would be hugely valuable, not only in motivating people and focusing minds but in restoring public trust in all the organisations involved.

**Dr Daniel Poulter** (Central Suffolk and North Ipswich) (Con): I congratulate my hon. Friend on securing this debate, and on her articulate explanation of the issues involved and the tragedies that have befallen a number of patients.

Clearly there has been a failing of clinical governance in the trust on a massive scale. However, I wonder whether my hon. Friend will reflect on two points. First, it is very difficult to deliver improvements in quality in a resource-poor environment, notwithstanding the clinical governance issues, and we know that child and adolescent mental health services and learning disability services have been chronically underfunded for many years nationally.

Secondly, people with learning disabilities often have complex physical healthcare needs as well as mental healthcare needs, and improved staff training needs to be put in place nationally. That needs to be properly resourced and funded if we are to make a meaningful difference and get things right for people in the future.

**Suella Fernandes:** I totally agree with my hon. Friend's observation. There is a challenge here. This is unfamiliar territory for the NHS, and funding will be necessary to support any new attempt to make progress following debates such as this one.

Inspectors from the Care Quality Commission visited Southern Health as part of the planned inspection during January of this year. Following that inspection, the CQC announced on 6 April that it had issued a warning notice to Southern Health, telling the trust that it must make significant improvements to protect patients at risk of harm while in the care of its mental health and learning disability services. The announcement stated that the notice required the trust to improve its governance arrangements to ensure that there was robust investigation and learning from incidents and deaths, to reduce further risks to patients.

The team of inspectors also checked on improvements that had been required in some of the trust's mental health and learning disability services following previous inspections. They found that the trust had failed to mitigate significant risks posed by some of the physical environments from which it delivered mental health and learning disability services.

On the wider issue of reporting deaths, the inspectors found that the trust did not operate effective governance arrangements to ensure robust investigation of incidents, including deaths; did not adequately ensure that it learned from incidents, so as to reduce future risk to patients; and did not effectively respond to concerns about safety that had been raised by patients, their carers and staff, or to concerns raised by trust staff about their ability to carry out their roles effectively.

All those findings, and the serious step of issuing a warning notice, reinforce the most serious of the Mazars findings. Dr Paul Lelliott, the CQC's deputy chief inspector of hospitals and lead for mental health, was quoted as saying that the services provided by Southern Health required “significant improvement”. He said:

“We found longstanding risks to patients, arising from the physical environment, that had not been dealt with effectively. The Trust's internal governance arrangements to learn from serious incidents or investigations were not good enough, meaning that opportunities to minimise further risks to patients were lost.

[*Suella Fernandes*]

It is only now, following our latest inspection and in response to the warning notice, that the Trust has taken action and has identified further action that it will take to improve safety at Kingsley ward, Melbury Lodge in Hampshire and Evenlode in Oxfordshire. The Trust must also continue to make improvements to its governance arrangements for reporting, monitoring, investigating and learning from incidents and deaths. CQC will be monitoring this Trust very closely and will return to check on improvements and progress in the near future.”

The CQC published the full report of its January 2016 inspection at the end of April 2016. It confirmed the concerns that had been raised in the warning notice and gave further details of specific issues. The chairman of Southern Health’s board, Mike Petter, resigned the day before the report was published.

On the same day that the CQC published its warning notice, NHS Improvement issued a statement announcing that it was seeking further powers to intervene in the trust’s governance, to ensure that the trust complies with the improvements required of it. NHS Improvement said that it intended to insert an additional condition into the trust’s licence to supply NHS services, which would allow NHS Improvement to make management changes at the trust if progress was not made on addressing the concerns that had been raised.

The additional condition was imposed on 14 April, and the statutory notice contained severe criticism of the trust and its leadership. It stated that undertakings that the trust gave in April 2014 that it would comply with enforcement notices relating to breaches of its governance conditions were yet to be delivered in full. It notes that additional undertakings were made by the trust in January 2016 in response to the Mazars report and summarises the CQC’s findings from its inspection in January, saying that the warning notice had identified “longstanding risks to patients” that had not been addressed. It then said:

“In the light of these matters, and the other available evidence, Monitor”—

that is, NHS Improvement—

“is satisfied that the Board is failing to secure compliance with the Licensee’s licence conditions and failing properly to take steps to reduce the risk of non-compliance. In those circumstances, Monitor is satisfied that the governance of the Licensee is such that the Licensee is failing and will fail to comply with the conditions of its licence.”

On that basis, NHS Improvement, or Monitor, has imposed a new condition to Southern Health’s licence, requiring that it

“has in place sufficient and effective board, management and clinical leadership capacity and capability, as well as appropriate governance systems and processes, to enable it to”

address the failures in governance

“and comply with any enforcement undertakings, or discretionary requirements, imposed by Monitor in relation to these issues.”

**Kit Malthouse:** I am grateful to my hon. Friend for giving way to me for a second time.

One of the frustrations that I think we have all had throughout this sorry saga has been about the lack of any sense of personal responsibility or line management for particular risks. A thought occurs to me. Can my hon. Friend say who at NHS Improvement will take the decision about whether the trust should be given its licence? I ask that because I have a sense that unless we

know who that person is, we will not be able properly to take a view about whether their judgment is right. If the decision disappears into a bureaucratic organisation, it may well never emerge in a timely fashion. Does she have an idea of who is responsible? If she does not, perhaps the Minister could let us know what the processes are regarding the taking of the decision and who finally gets to sign on the dotted line that everything is all right, or not.

**Suella Fernandes:** I agree that there is a real risk, as my hon. Friend says so eloquently, of this issue falling into a bureaucratic abyss. It is absolutely vital that we have clear processes and that the identities of the responsible people and professionals are clear, so that there is a clear line of accountability for users and indeed for MPs.

Following the resignation of Mike Petter as chairman of Southern Health, NHS Improvement exercised its power to intervene to appoint his replacement, Tim Smart, who is now acting as interim chairman. The notice directing the trust to appoint him stated:

“These matters demonstrate that the Licensee”—  
that is, Southern Health—

“does not have in place sufficient or effective board management and clinical leadership capacity and capability, as well as appropriate governance systems and processes as required by additional licence conditions. Monitor is therefore satisfied that the Licensee is breaching the additional licence condition.”

Time and again, in report after report, Southern Health has been criticised for its failures of management and leadership, and the effects that those failures have had on the care that it provides. That is why I called for this debate that focuses on the governance of the trust. We all accept that, sadly, tragic failures in care will inevitably occur from time to time, and those at the top of an organisation cannot be held responsible for every incident on the frontline.

Equally, we must pay tribute to the dedicated staff of Southern Health for the excellent care that they give day in, day out for the majority of the time. We cannot and should not tar all of them with the same brush because of the failures of others. However, when clear and systematic problems have been identified, we are entitled to ask that lessons be learned. For me, the most shocking part of the sequence of events that I have just recounted is that right up until this year—indeed, even in the last couple of months—inspectors have stated that necessary changes that have been flagged up as needing action have not been implemented.

When NHS Improvement said in its enforcement notices that the trust was failing in its obligations under its licence and did not have effective border capacity and capability, it used the present tense. That was in April. Since then, Tim Smart has been installed as chairman, and I repeat my thanks to him for meeting my parliamentary colleagues and me yesterday in Westminster. He has been conducting an initial review of governance, and I was pleased to hear that he expects to make some announcements on his findings and proposals within the next month. I am sure I speak for many when I say that we will be looking for some far-reaching changes to recognise the gravity of the situation.

That brings me on to the issue of personnel. I have been asked repeatedly whether I am calling for the resignation of Southern’s executives, and in particular

that of Katrina Percy, the chief executive. I have resisted doing so because, as the Minister has said in the House, politicians and Ministers demanding that heads must roll can often cause more problems than they solve. I repeat my thanks to Ms Percy and her team for coming to meet my colleagues and me on a number of occasions to answer our questions. However, I will now say publicly what I told her at our last meeting: I find it difficult to have confidence that she has properly acknowledged the scale of the problems under her leadership or how difficult it will be for patients and families to have their faith in the organisation restored without a visible sign of a fresh start.

Resignations are a matter for individuals, and Katrina Percy has said that she believes her responsibility is to provide stability by remaining in post. I understand that position, but the sheer weight of criticism of the trust's leadership over a prolonged period while she has been chief executive would lead many to a different conclusion. The fact that NHS Improvement has now taken the power to direct changes at board level if it considers them necessary sends its own message.

**Mims Davies:** It has been my perception that there has been a sort of bunker mentality. Perhaps people are just burying their heads, going through the process and hoping it will go away. Does my hon. Friend agree that there is perhaps a little sense of that pervading Southern Health from the top?

**Suella Fernandes:** My hon. Friend is insightful in her observation, although I do not think it takes a genius to point it out. The catalogue of criticisms and failings is not new to anyone. I can understand the frustration and anger of families and patients when they feel that no substantive and material action is being taken.

A mechanism is now in place, and I hope the new chairman and the regulators from NHS Improvement will listen to what I and others say today and consider how they can best act to restore confidence in the trust. I thank my parliamentary colleagues for showing an interest, for speaking up for their constituents and for taking the time to voice their legitimate concerns, both directly to the professionals involved and in this debate.

Before I conclude, I again pay tribute to the families and campaigners who have pursued the issue and shared their experiences with us. In particular, the courage and resilience of Sara Ryan, Connor Sparrowhawk's mother, has been an inspiration as she has continued to demand answers and ensure that the lessons of her son's death are learned. Since the issue first began to attract significant coverage, more people have come forward with their own stories and added to the demands for action to be taken. They want to know that their concerns are being heard and that the Government and the NHS are serious about resolving the problems. I have heard them, and so has the Minister. I hope that he will be able to give them some of the reassurance they seek in his reply. I look forward to hearing from colleagues from all parts of the House.

**Several hon. Members rose—**

**Mr David Hanson (in the Chair):** Order. Before I call the right hon. Member for Oxford East (Mr Smith), I should say that four hon. and right hon. Members have

indicated that they wish to speak. I intend to call the shadow Minister at 3.35 pm and the Minister at quarter to 4 to give the hon. Member for Fareham (Suella Fernandes) a chance to wind up at the end. On that note, I hope Members will have self-restraint.

3.4 pm

**Mr Andrew Smith (Oxford East) (Lab):** I congratulate the hon. Member for Fareham (Suella Fernandes) on securing this vital debate and on her work with the all-party group on Hampshire and Isle of Wight. Everything that has come out or been dragged out since the tragically avoidable death of Connor Sparrowhawk, "Laughing Boy", has highlighted the severe failings of Southern Health and the wider questions they raise about the treatment of learning-disabled people in the NHS. The facts that have emerged are awful beyond belief and are a shocking indictment of the leadership of the Southern Health trust and the appalling neglect of the most basic care needs and human rights of learning-disabled people.

As the hon. Lady said, we all owe enormous thanks to the courage and determination of Connor's mother, Sara Ryan, and her family, as well as the other families of those who have died and suffered. Without them, there was a real risk that the hideous truth of neglect at Southern Health might not have been fully exposed. Connor's family and other families have been let down so badly and shamefully by Southern Health, which did not share information that the family had a right to. The family were treated as the enemy at Connor's inquest and did not even receive an apology until Southern Health was directly pressed to give one. Even today, as Sara went for mediation with Southern Health on her human rights case, it had not released background papers, as it was supposed to have done.

The Mazars report happened only because of the determination and persistence of Connor's family. As we have heard, the failings it exposed were shocking beyond belief and have been confirmed by the CQC reports. It is important to remember some of the hideous statistics that the hon. Lady quoted; we should remember that each one is a human life. Of 10,306 deaths, 722 were categorised as unexpected, of which only 272, or 37%, were investigated as a critical incident. A lower proportion—30%—of deaths in adult mental services were investigated. Appallingly, less than 1% of deaths in learning disability services were investigated. Liaison with families was appalling, with 64% of investigations not involving the family.

I will quote what the My Life, My Choice charity from my constituency said in a letter yesterday to the new chair of Southern Health. It is a charity of learning-disabled people, for learning-disabled people. This is how things look from the perspective of people with learning disabilities. It said:

"You suggested that the Mazars report was not very important, or not true. We think it is a very important report. Our members are very worried about people with learning disabilities dying, and their deaths not being properly looked into. We know from Connor's case that the truth is not always told, so investigations need to happen. Our members are scared because people with learning disabilities do not get the same standard of healthcare as everybody else. The Mazars report told us that if we die, our deaths will not be taken seriously."

Someone has to take responsibility for what happened. To the families and to the public, it is unbelievable that the chief executive and medical director of Southern

[*Mr Andrew Smith*]

Health are still in post. We all understand that due process has to be followed, but nearly three years on from Connor's death, we must ask: how long will it take before those responsible are properly held to account? That is important not just to atone for a wrong; it is crucial because of the signal it sends to others responsible for the care of learning-disabled and other vulnerable patients. It is crucial in re-establishing public confidence that those leading the provision of care are responsible and are held responsible for their actions.

I look forward to the Minister's response to this debate. With Sara Ryan I met the Secretary of State, and I have talked and corresponded with the Minister. I know that they too are both concerned to see matters put right at the trust, and to apply the lessons more generally in the healthcare system.

**Nicola Blackwood** (Oxford West and Abingdon) (Con): The right hon. Gentleman is making a powerful speech. His point that no one, no matter how vulnerable, should feel fear when they go into our health services is something that should give us all pause for thought in this Chamber. But it is not only about accountability in this case; it is also about making sure that those who are watching us as we go through the process know that an independent, verifiable process will be put in place so that nothing like this can ever happen again, not only at Southern Health but throughout our mental health services.

**Mr Smith:** I very much agree with the hon. Lady, my neighbour and friend, on that important point. I look forward to the Minister's response as to what the independent oversight will be to ensure security in future.

It will be helpful if the Minister can update us on progress in relation both to the Southern Health trust and to wider concerns in the NHS, and if he can say when he expects the CQC to publish its opinion on the trust's response to its warning notice, with the possibility of enforcement action being taken. Will he also say when he expects the Government to be in a position to make a definitive statement on the action they will take on the conclusion of the Care Quality Commission's wider investigation into deaths throughout the NHS? It is an enormously important issue to get right.

We all have to learn from these appalling events. We have to apply the lessons and put in place procedures and the culture so that learning-disabled people and others receive the care, treatment and respect that they deserve, and so that they can be confident that they will get that. An NHS that truly fulfils its duty of care, in which Southern Health so lamentably failed, is the only thing that can come close to a fitting memorial for Connor Sparrowhawk.

**Mr David Hanson (in the Chair):** We can be more relaxed about the two remaining speakers because a Member who indicated that they wished to speak has now left.

3.12 pm

**Dr Julian Lewis** (New Forest East) (Con): My hon. Friend the Member for Fareham (Suella Fernandes) has done the House a service by bringing this debate to

the Floor. The measure of cross-party support that she has achieved is evidenced by the powerful speech of the right hon. Member for Oxford East (Mr Smith).

I hesitated to contribute to this debate because I have not been involved in the cause of the current crisis, which is about the deaths of patients being insufficiently explained. However, I have a history with Southern Health. I explained in the course of an urgent question, which the present Minister responded to on 6 May, that back in 2011 and 2012 my dealings with the trust were, in 19 years in Parliament, the only constituency issue that caused me genuinely to suffer sleepless nights. It was a question not about the way in which people were treated as inpatients in Southern Health establishments, but about a determination by the trust, in concert with a number of other trusts in other parts of the country using similarly questionable techniques, to follow what appeared to be a trend, if not a fashion, to close a significant proportion—35%—of the existing inpatient acute mental health beds.

My hon. Friend the Member for Eastleigh (Mims Davies) said in her intervention that she detected something of a "bunker mentality". She is absolutely right. The mentality that I detected at that time was a culture of stubbornness and denial about whatever it was that Southern Health wanted to do, irrespective of what other people might wish it to do. The issue at the time hinged upon something that ought to have been straightforward: namely, what was the necessary number of acute inpatient beds to retain. I raised that subject in two debates. Although I have not yet had the chance to meet Tim Smart, the new chairman of the trust, of whom I hear good reports, I hope he will take the opportunity to look up the two debates. One was on 10 November 2011 and, most importantly, the second one was on 18 April 2012. I had information from within the trust that the bed occupancy rates were high. In fact, the bed occupancy rates on average were between 91.9% and 96.7% when I was surveying the data. So it made it rather hard to argue that one could safely close two out of the six acute inpatient units, thus reducing the number of available acute inpatient beds from a total of 165 to only 107.

Part of the reason for the reduction was given quite frankly as a cost saving. It was proposed to save £4.4 million; £2.9 million out of that total would be absolute savings and the remaining £1.5 million would be invested in something called "hospital at home". The group that we set up in the New Forest, which continues to meet regularly—usually three or four times a year—is called Support our Mental Health Services. It has found no evidence whatever that there has been any significant increase in the amount of support or the quality or quantity of support that people get at home.

Given that, at the time, with 165 beds 53% of patients were detained and just under half the total were people who opted to go into an acute bed if they suffered some dreadful breakdown, I predicted that the figure for those detained would rise proportionately to about 82%. When I made these remarks in public, Katrina Percy took objection to them and sent a letter to Ministers, councillors and Hampshire MPs denouncing my comments as "unfounded", "scaremongering" and with "no place in the 21st century" because I had pointed out that if someone suffered a severe breakdown, perhaps their best chance of getting a bed if they needed one under

the Southern Health regime would be to cause as much mayhem as possible. But it remains a fact that today, as I understand it from sources within the trust, some 80% of the remaining beds are occupied by people who have been sectioned or detained, and that means that the opportunity for getting a bed if you need one, other than if you are sectioned, is correspondingly reduced.

The difficulty that I had at the time in trying to save the beds was that the trust's clinical director, Dr Lesley Stevens, was determined to go on repeating figures over and over again that there were between 20 and 30 beds vacant at any one time. There were not. Exceptionally, in a short period—if I remember correctly around Christmas time—there was a figure of that sort, but even by the time she was continuing to put that bogus figure forward, that temporary departure from the norm of high bed occupancy had already been left behind and we were back to business as usual with pressure on bed numbers. Eventually, even a proposal that instead of closing both units at once the trust should close just one of the two units scheduled for closure, and see how that panned out, was rejected.

As you can imagine, Mr Hanson, the relationship between me and the trust was pretty much at rock bottom after all the controversy, but both sides decided we had better try to make the best of what was now a fait accompli. Katrina Percy, for her part, promised—and I believe she kept the promise—that no patient whom the trust judged to be really in need of a bed would be denied one, even if one had to be bought in from the private sector. In return I volunteered never to criticise the trust if it bought in such beds; and I never have, because it is most important that it should give beds to those who need them, and that it should not be deterred because of a politician saying “I told you so; look, you are now having to buy in private beds.”

To bring the story up to date, and conclude: there was a double tragedy. The individual tragedy was the death of a young man called James Barton. He was taken on by the trust and became the director of mental health and learning disabilities. That was in about 2014, and in my opinion James was a total breath of fresh air. He reached out to us, and said, “I know we have had all these troubles in the past; I want to build a new relationship”—and he did. In the course of a number of times when James came to liaise with and participate in our group he confided to me that he believed that the bed cutting had gone too far, and he was experimenting with different configurations, in the hope that bringing perhaps about 15 or 18 beds back into the system—approaching approximately half of what had been lost—might get things back into balance. Tragically, in February 2015 James was suddenly found dead at the age of 36, from an unexplained medical condition. That was a huge personal loss to people such as myself, who knew him only slightly. I can only imagine the catastrophic loss it was to his nearest and dearest.

It was also a tragedy from the point of view of people who need acute beds, in my opinion. Although James's successor, Mark Morgan, has maintained the contact and is a very pleasant person to deal with, the message that I am getting back from Southern Health now is exactly what it was: “Well, we were having to buy in these beds, but we are not having to do it now, and we seem to be back in balance. We don't need any extra beds.” Incidentally, one of the two units that were

closed was at Woodhaven hospital and was only eight years old. I had performed the opening ceremony. The Winsor ward in Woodhaven hospital remains empty to this day.

**Mims Davies:** I have had families coming to see me—particularly the families of people aged 19 or in their early 20s—for whom beds and in-patient availability are the biggest issue. The treatment at home is working, but they need more sustained treatment, and the closure of bed spaces is having a profound effect on the development of those young people.

**Dr Lewis:** Furthermore, the beds at Woodhaven were state of the art, with en suite facilities—which is terribly important if someone has to be an in-patient in such circumstances. Many of the remaining beds do not have those facilities. That ward has been standing empty for several years now. I believe a change of culture is needed in the trust. Certainly there is no difference of opinion between us on the point that it is desirable if possible for people to avoid going into a mental health unit as an in-patient. However, to have the confidence to be treated in the community they must know that there will be in-patient beds for the occasions when they need extra support. I hope that that lesson from the past will be borne in mind in future restructuring of the trust. I called the trust's culture one of stubbornness and denial. That may lie in the minds of individuals, rather than in its structure, but that is a matter for people other than me to decide.

3.24 pm

**Mr Alan Mak (Havant) (Con):** It is a pleasure to serve under your chairmanship, Mr Hanson. I congratulate my hon. Friend the Member for Fareham (Suella Fernandes) on securing this important debate, and I join her in paying tribute to the families, friends and campaigners who have followed this cause since the very beginning of the tragic chronology that she outlined. My right hon. Friend the Member for New Forest East (Dr Lewis) has just given a very eloquent speech. I propose to take the House through a short episode involving a constituent of mine, David Hinks.

However, I should start by noting that the issue is of cross-party interest—the right hon. Member for Oxford East (Mr Smith) is here—and that it crosses the geographic boundaries of Hampshire and Oxfordshire, and other areas covered by Southern Health's geographic remit. I pay tribute to the Minister for taking the issue so seriously and look forward to welcoming him to Havant tomorrow to talk about mental health issues. I know that he takes the issue seriously, and I look forward to his response.

David Hinks was 30 years old, and he lived in Bedhampton in Havant. He worked as a ticket inspector for South West Trains, and he had a history of mental illness, which included no fewer than five suicide attempts. However, despite that mental health history, he was never admitted to a psychiatric ward. He was offered only antidepressants and group therapy sessions, which fell well short of the treatment and support that he needed. In 2015, he was arrested by the police on suspicion of assaulting his wife. However, despite that quite drastic step, Southern Health again took no immediate

[Mr Alan Mak]

action, and sent someone round to his house to check on him in December 2015 a few days after he had committed suicide.

That is just one of the many tragic cases presided over by Southern Health in recent years. My hon. Friend the Member for Fareham has recounted many others. There has been great public interest in the issue in the Havant constituency, particularly around the time of the Mazars report and the recommendations for action by the CQC. I call on the Minister to do all he can to ask NHS Improvement to recommend improvements in the procedures of Southern Health—particularly in relation to risk reporting procedures, staff training and safeguarding procedures. All MPs have among their constituents some of the most vulnerable members of society, and we rely on institutions such as Southern Health to take good care of them in their time of need. I hope that David Hinks's death will not have been in vain. Improvements must come and lessons must be learned. I know that the Minister will take Mr Hinks's case as seriously as the others that he has heard about.

I join others in welcoming Tim Smart as the new interim chair of Southern Health, and I thank him for his engagement, as I do Katrina Percy, who is based in my constituency. The issue is one of substantial public concern throughout the area covered by Southern Health. I hope that the debate will be a catalyst for those who are working hard to change the culture and improve the service, and I look forward to further reports to the House.

3.28 pm

**Luciana Berger** (Liverpool, Wavertree) (Lab/Co-op): It is a great pleasure to serve under your chairmanship this afternoon, Mr Hanson. I congratulate the hon. Member for Fareham (Suella Fernandes) on securing this important debate, and on her heartfelt contribution. She made some excellent points, which I am sure the Minister will be keen to address. It is impossible not to be moved by the catalogue of tragedy that has unfolded at Southern Health foundation trust. This afternoon we have heard the distressing and tragic cases of the most vulnerable people in the country—people with learning disabilities or mental health conditions.

The trust has an enormous responsibility. In my role as shadow Cabinet Minister for mental health I see many trusts across the country, and I am struck by the trust's size, and the fact that it is responsible for more than 40,000 patients. That is significant in the context of this afternoon's debate.

We have remembered the lives that have been cut short. We have heard about Connor Sparrowhawk, "Laughing Boy", who was tragically left to drown in a bath—the same bath in which another patient died in 2006; Angela Smith, who took her own life; David Hinks, who we heard about from the hon. Member for Havant (Mr Mak); and David West, who died in the care of Southern Health. Like too many families, David's father Richard was repeatedly dismissed when he persistently raised his concerns, and he was treated very badly after the death of his son.

I believe that we are here today only because of the resilience shown by these families, their friends and campaigners. I make special mention of Sara Ryan,

Connor Sparrowhawk's mum, who sadly cannot be with us today but who I am sure will be looking closely at *Hansard* after this debate. Despite the horrendous way they have been treated after the death of their loved ones, and the barriers—not least financial—that they have faced in their quest for justice, they have never given up in their campaign to reveal the truth.

Only this morning I was at a trade union conference, where I heard from Margaret Aspinall, chair of the Hillsborough Family Support Group. She talked of the struggle that she and the other families of the 96 went through to access justice. I am reminded of the parallels, because she has very publicly challenged why publicly funded organisations can spend significant sums of money on legal fees for inquests, but the families are, in Margaret's words, left to "beg and borrow". I have previously asked the Government how much the NHS is spending on legal representations at inquests, to try to shed light on this particularly significant matter. The Minister was not able to give me a reply, but in the context of this debate I urge him to try again. It is particularly relevant and pertinent that we should know how much is being spent while families throughout the country, and particularly in the cases we are speaking about this afternoon, are having to spend enormous sums of money just to access justice on behalf of their loved ones who have passed away.

It should not be left to families alone to have to fight for the answers. Too many people have been denied decent care and systematically let down by the very organisation that was charged with their wellbeing. We have heard about hundreds of unexpected deaths that occurred at Southern Health between April 2011 and March 2015, most of which were not considered to require an investigation. We know that, over the past five years, 10 patients who had been detained for the safety of themselves or others jumped off the roof of a hospital run by the trust. Access to a roof was still permitted to people at risk of suicide.

We have also heard about the reports on Southern Health that have demanded changes and improvements to patient safety—improvements and changes that, by and large, the trust has failed to implement over far too many years. I believe it is a story of chronic management failure. Most astonishingly of all, it is a story of a chief executive who remains in post despite this litany of failures on her watch over a number of years. I cannot imagine a chief executive in any comparable organisation who would still be in post with such a record. I take a different view from the hon. Member for Fareham and the Minister: I do not say this lightly, but I do not believe that Katrina Percy should still be in post. Does the Minister have confidence in the chief executive of Southern Health foundation trust?

Like other Members, I welcome the appointment of Mr Tim Smart as the new chair of the trust, following the previous chair's resignation. We know that he has recently launched a new appraisal of the capabilities of those involved in the governance of Southern Health, and that is not before time. I understand that he has met some of the victims' families, and I hope that marks the start of an ongoing and meaningful dialogue, not a one-off encounter. Mr Smart has an incredibly difficult job to do to rebuild faith in the trust and to ensure that governance arrangements are robust and sustainable. Most importantly, he must move swiftly, after months

of sclerosis, to ensure that patients are not at risk and that no more preventable deaths can ever be allowed to occur.

When the Secretary of State responded to the urgent question on Southern Health from the Labour shadow Secretary of State last December, he rightly said that, more than anything, people want to know that the NHS learns from such tragedies. But the most recent CQC report shows that Southern Health has not learned from these tragedies. The Secretary of State also said:

“Nor should we pretend that this is a result of the wrong culture at just one NHS trust. There is an urgent need to improve the investigation of, and learning from, the estimated 200 avoidable deaths we have every week across the system.” —[*Official Report*, 10 December 2015; Vol. 603, c. 1141.]

We know that the case of Southern Health is not unique. In my role as shadow Cabinet Minister for mental health, I receive many pieces of correspondence from people right across the country. I was contacted only recently by Richard Evans, father of Hannah, who took her own life while in the care of the NHS.

Hannah had a very long-standing history of complex mental illness. The conclusion of the inquest was that Hannah had died by hanging. The jury’s narrative verdict listed nine serious failings that contributed to her death, describing her treatment as “limited... inadequate...and insufficient.” The coroner further submitted a regulation 28 report in which he included the full jury narrative, stating that it

“revealed a serious breakdown of care in relation to Hannah”, an individual with

“exceptionally complex needs who represented a very high risk of suicide.”

One of the most serious failings was that Hannah was able to get hold of an electrical cable, which she later used to take her own life.

Hannah’s tragic case shows that failures of care are not the preserve only of Southern Health; they take place in other parts of the NHS and in other parts of the country. We have also heard of at least three deaths this year of young people in the care of Priory Group hospitals. I am in regular communication with Inquest, a charity that works with those bereaved by a death in custody or detention, which sends me details of case after tragic case from across the country.

The Minister must address these questions in his response. I asked him this in an urgent question last month, and I ask again: does he have full confidence in the governance arrangements at Southern Health? If so, what evidence does he have to support his view? If not, what is he going to do to change, reinforce and strengthen governance arrangements at Southern Health? Is he content with the pace of change at the trust and the degree to which the trust’s board has implemented the recommendations made to it over recent months? What steps has he taken to ensure that similar situations cannot arise in other NHS trusts? What steps will he take to ensure that when a family loses a loved one, they are not left to fight and pay for justice on their own?

On that last point, I hope the Minister can go into some detail, because if any good can come from this sorry and tragic tale, it is that new systems are put in place to ensure that no other families are put through the sorrow and grief that the families of the victims of Southern Health have been put through, and that when

deaths occur, they receive full independent investigations. Appallingly, such investigations have happened only on a few occasions.

We all understand that the NHS is a vast, complex institution. It deals with 1 million patients every 36 hours and employs more than 1 million people. Of course human error and tragic mistakes cannot always be prevented, but the lesson of Southern Health is that sometimes things go beyond human error. They can escalate to catastrophic levels of systemic failure, preventable deaths and cover-ups; they can descend into a culture of denial and secrecy; and they can end up at the opposite end of the spectrum of decency and compassion that characterises so much of our national health service and the caring professionals who work for it. That is why we call for a full public inquiry into preventable deaths in the NHS, so that light can be shone, families can grieve, and justice can be done. The victims and their families deserve nothing less.

It should not be left to individual families to have to fight and fund their own efforts to achieve justice. The British public, as the owners and funders of our national health service, need to be reassured that every part of it is working to its highest standards, with the best quality of care, particularly for some of the most vulnerable people in our country.

3.38 pm

**The Minister for Community and Social Care (Alistair Burt):** It is a pleasure to serve under your chairmanship, Mr Hanson. I thank my hon. Friend the Member for Fareham (Suella Fernandes) for securing this important debate on the governance of the Southern Health NHS Foundation Trust. I also thank all Members who have spoken, by way of either significant speeches or interventions. The number of colleagues from the area who are involved—from across the House—gives an indication of how seriously we all take this issue. I urge the trust’s representatives to read the report of this debate extremely carefully, so that they absorb everything said by my hon. Friend and all those who have spoken in support.

May I begin by once again apologising to all the patients and families who have been affected by the failure of the trust to provide safe care for its patients? I met Sara Ryan yesterday when I visited the National Forum of People with Learning Disabilities. I had an opportunity to have a conversation with her, and I met more parents and families today before the start of this sitting. Nothing that an official can write on a piece of paper can adequately describe what it is like to meet and talk to families who have been involved in the sort of things that we are talking about here. This is not the first time I have had such meetings: I have had them since coming into post a year ago. It is impossible to convey simply and straightforwardly all that people feel.

What worries me most—I have said this to families in private and I say it again here—is that I hear the same things again and again. I hear about the frustration and concern about the time taken to get anything done when it has been agreed that something should be done, about the time taken to get any answers about what might be done in the first place, and about the defensiveness in the attitude of the institution being dealt with—my

[*Alistair Burt*]

hon. Friend the Member for Eastleigh (Mims Davies) described it as a bunker mentality. I do not know whether it is a reflection of a professional attitude—because clinicians and others see things every day—but it is genuinely upsetting to hear people who have lost their loved ones talk about the lack of simple sympathy from those who deal with them. I have heard from enough people in enough different parts of the country to know that what I am hearing is not a one-off.

I also get distressed when I hear through the system that people can be difficult. People have every reason to be difficult, but that is not an acceptable way of describing people who are concerned and upset.

Because this point is made in place after place, as the hon. Member for Liverpool, Wavertree (Luciana Berger) knows well, by many different types of people, I am not sure that the system's response deals adequately with some of the individual issues that have arisen over the past year—I will come to that later. I say to the parents and families involved that their individual contact, when they get the opportunity, with Members of Parliament and Ministers is not time wasted. It is easy to say that people will feel that only when they see something done, but the contact has a profound impact on officials and Ministers alike.

The first duty of any care provider is to keep its patients safe. The reports of inaction, bordering on complacency, set out in the recent Care Quality Commission report were truly shocking. I responded to an urgent question on the safety of care and services at the trust on 3 May, and I welcome the opportunity provided by today's debate to update the House on the actions taken in response, several of which pick up on issues raised by the hon. Member for Liverpool, Wavertree and others.

As hon. Members are aware, NHS England commissioned a review by Mazars in November 2014 of deaths of people with a learning disability or mental health problem in contact with the trust between April 2011 and March 2015, in response to serious concerns surrounding the avoidable death of Connor Sparrowhawk. On publication of the report in December 2015, my right hon. Friend the Secretary of State for Health asked the Care Quality Commission to carry out a focused inspection of the trust to review its governance arrangements and its approach to investigating and learning from incidents, as well as its progress in responding to Monitor's action plan.

On 12 January, Monitor announced further regulatory action in response to the Mazars report, including the appointment of an improvement director for the trust. The CQC inspection took place in January 2016 and led to a warning notice and an announcement of further regulatory action by NHS Improvement, which were both published on 6 April 2016. On 5 May, following the resignation of the trust's chair, Mike Petter, NHS Improvement required the trust to appoint Tim Smart as the new interim chair. Those actions were in response to the persistent failure of the trust's senior management to address the environmental and governance risks identified by CQC as far back as October 2014.

The hon. Member for Liverpool, Wavertree and others asked about what has been happening. The issue is split into looking at what has happened and—to use that terribly clichéd phrase—what lessons can be learned,

and what is happening now and what confidence people can have in the future. That is vitally important.

I have sought assurances from NHS Improvement and CQC that the regulators are now able to oversee a rapid programme of remedial action by the trust, and I understand that the following measures are now in place. First, at monthly progress review meetings, NHS Improvement challenges the trust's death and incident reporting action plan and its progress. Secondly, at the request of NHS Improvement, the death and incident reporting action plan is currently subject to external scrutiny. Thirdly, Alan Yates, the improvement director, is acting as a direct link from the trust to NHS Improvement, providing support and constructive challenge to the trust's board in its oversight of the implementation of the action plan and providing assurance to NHS Improvement and other stakeholders about the trust's approach.

On the work being done to bring the governance question to a swift conclusion, and in answer to the hon. Lady's question about pace, the interim chair has already overseen improvements to clinical governance and the trust's response to the CQC warning notice and NHSI licensing conditions. In parallel, he has commissioned an external review of the capability of the board, which extends to executive and non-executive directors and will inform a decision on leadership by 6 July. That will give the chair, whom I met a couple of days ago, the opportunity to review current capabilities with a view to the future. It is important that he has done that.

Tim Smart has also been in discussion with clinical commissioning groups and other trusts across the local health economy about the provision of services in accordance with the NHS five year forward view, and what that might mean for Southern Health. The transfer of the learning disability service in Oxford to Oxford Health will have been completed by the middle of October.

I spoke to Tim yesterday, and I am absolutely clear that he is right to insist on the highest standards of governance, with leadership concentrating on the real business of the trust—patients and their care. We have an imminent deadline, processes are in place and I am confident that a better Southern Health will emerge, but my confidence counts for very little. It is important that I am able to say that to colleagues with confidence, but the real confidence Southern Health has to gain is that of its patients and families and those who are involved. Having met some of them today, I know that that is a difficult hurdle to overcome, but it is the most important one. A description of processes and what people such as me are doing is not sufficient.

It is necessary that I have said what I have said to colleagues, and that I put on the record that I am confident that NHS Improvement's review process and its ability to make management and executive changes—which will be carried out by Tim Smart, a newly appointed, experienced chair—is a good response to what has happened. The right person is in place with the power and ability to make the necessary decisions, but any confidence in them will come from the quality of the actions taken as a consequence of the powers invested in the chair and NHS Improvement. Unless actions that have the confidence of people are seen to be taken, something will be lacking. It is important that the chair's judgment is relied on at this stage, and that I am able to reassure colleagues that the way in which NHS Improvement is working with the chair, and the powers

that it and CQC have, are appropriate at the present time, but we must see what happens next.

**Nicola Blackwood:** The Minister opened by expressing his frustration that, since taking his post, he has been hearing about similar failings again and again. Of course, it is not just us in this place who hear about those failings, but the public and patients too. Every time they do, they lose confidence in the ability of the health service and the Government to address those failings. What in the steps that the Minister and Southern Health are proposing will break that mould? What will be different about the response this time? How will our response to this crisis restore the confidence of our most vulnerable constituents?

**Alistair Burt:** I will address that a little later, if I may, but I will come to it.

I should also answer the right hon. Member for Oxford East (Mr Smith) on the chain of accountability for NHS Improvement, and on who makes the decisions there. The decisions are made by Jim Mackey, who leads NHS Improvement. He is a direct appointment of the Secretary of State, so the Secretary of State invests his confidence in Mr Mackey, who makes the decisions on the work of NHS Improvement.

I will now turn to some of the issues raised by my hon. Friend the Member for Fareham and others. First, on the position of Katrina Percy, I need to be clear: Ministers have no authority to intervene in such matters, and nor would it be right for them to do so. I have been assured by Jim Mackey, the chief executive of NHS Improvement, that agreed processes are in place to review the performance of the senior leadership team and to make any changes that are in the best interests of patients. A Minister has to leave that there, and is not able to express any further view. That there is confidence in decisions taken is clearly of huge importance to Members in the Chamber, as they have expressed, and to others. A process is in place to decide that, and it will be decided by the chair.

I share my hon. Friend's concern that inspectors have pointed to repeated failure by the trust to close out necessary improvement actions until the beginning of the year. NHS Improvement has asked the improvement director to ensure that the trust does not treat actions as complete until sufficient robust evidence supports that claim. The repeated failure to complete actions is one of the things that I will come on to in answer to my hon. Friend's questions. When people are told what to do by a serious regulator, why do they not just do it? Why do they not do it in Southern Health, but do it in other places? What is the point of accountability and what is the process whereby in other parts of public service something is demanded by a regulator—say, in the acute part of the NHS—and something therefore happens, but something does not happen if dealing with those with mental health or learning disability issues?

**Mims Davies:** Yesterday, Mr Smart told me that his initial view on exactly this point was that the senior executive team had a focus on dealing with Southern Health's public relations issues, and not really on the care and quality in what was being delivered. That, simply, was why there was no change.

**Alistair Burt:** My hon. Friend makes her own point about a conversation I was not part of. I am sure people will read what she has to say.

As I have already set out, a clear and robust process is being taken forward by the interim chair to review the capability of the board and to take any necessary action. My hon. Friend the Member for Fareham has called for far-reaching changes. I ask that we await the conclusions of the review and look for the right balance to be struck between continuity and stability to ensure that the trust is able to deliver what it has promised. Wholesale change could introduce further delays to making progress on such work.

Recent media reports have suggested that the trust might be split up. I repeat that the priority now is to ensure safe and effective care in the present and in the future for the population served by Southern Health. NHS Improvement is working with the trust to explore all available options.

Members have also asked why the trust has not been prosecuted for historic safety breaches. I am aware of the allegations of historic health and safety breaches made by a former health and safety advisor to the trust, who has also briefed CQC about such concerns. I share the concerns of all those who are asking why it has taken so long to get a grip on the issues. CQC did indeed identify safety concerns back in October 2014 and has provided an assessment of safety in its most recent report. However, it is unforgivable that patients have continued to be exposed to unnecessary risk while the trust has dragged its feet in resolving the problems.

I understand that CQC has now reviewed evidence gathered during the most recent inspections and additional information obtained from the trust and other public bodies, including the Health and Safety Executive. CQC's review has identified further lines of inquiry, which it plans to complete as quickly as possible in order to inform a decision on prosecution one way or the other.

**Mr Andrew Smith:** Is it not the case that following the gathering of that further evidence and, indeed, of other leaked reports of what Southern Health knew at an earlier stage, which had not previously been apparent, the police are now reviewing the case for prosecution?

**Alistair Burt:** Genuinely, I am unaware of that. The police may review evidence at any time. If CQC has certain evidence that it wishes to take to the police for prosecution, that is a matter for it. I understand the processes that people would want to go through. It is important for me to offer reassurance that those processes are in place, and that things that for too long have been swept under the carpet are open for examination, which I understand to be the case.

Let me deal with the question of a public inquiry. Ministers face many calls for inquiries, and it is important for public inquiries to be considered only where other available investigatory mechanisms would not be sufficient. Public inquiries are rare events. I argue that the processes now being followed by NHS Improvement and CQC are the best way to put right the safety and governance issues at Southern Health. That does not rule out the dissemination of wider learning from this case through NHS Improvement or, where appropriate, the holding to account of individuals via professional regulation or normal performance management routes.

[*Alistair Burt*]

It is right and proper that we should ask such questions. We can perhaps examine whether the system would have responded in the same way had the trust been an acute trust, as I mentioned earlier. I am passionate about improving the care and outcomes for people with mental illness or learning disabilities by ensuring that all aspects of healthcare for people, whatever the issue that has brought them into the care of the NHS and others, are given equal priority with physical health. That must include regulation.

Let me now deal with the point made by my hon. Friend the Member for Oxford West and Abingdon (Nicola Blackwood). As I have indicated, what I have observed over the past year has worried me. That is to say, there seems to be greater tolerance of when things go wrong in mental health than in acute services. We need to ask ourselves why it has taken so long to resolve those difficulties and to reach the regulatory decisions that are now starting to take effect.

I will therefore be looking at the matter with NHS Improvement, to consider both the effectiveness and the timeliness of regulatory interventions in mental health and learning disability services. I am keen to bring independent leadership into that work, alongside NHS Improvement. A task-and-report group will do a piece of work specifically on that.

Let me name the other places that have upset me during the course of the year. In Hull, there has been a problem with in-patient beds and an inability on the part of the NHS to make decisions about it for more than three years. There was the case of Matthew Garnett, the young man with autism in the wrong place; I could not get information on him for weeks, because of the failure of the NHS to provide what I needed. There are the problems in Tottenham with new mental health facilities, similar to what happened in York, at Bootham Park—how that was closed, and the inability of people to handle it correctly. That is a whole series of cases in which I think things could have been done better. The response has not been good enough. An inquiry into one thing is not sufficient, and the processes are in place

to deal with that. Looking at the whole range of why such things happen is really important, and that work is now underway.

**Dr Julian Lewis:** Will the Minister give way?

**Alistair Burt:** No, I cannot, because my hon. Friend the Member for Fareham has to have her two minutes.

A further review of the investigation of deaths is being done. It was announced by my right hon. Friend the Secretary of State for Health, but it will not be completed until the end of the year, when the Department will give its response. This has been a hugely important debate, but it is not the end of the matter. It is a staging post, and people will be able to see things following it. I commend my hon. Friend for raising it.

3.58 pm

**Suella Fernandes:** Thank you for your chairmanship this afternoon, Mr Hanson. I am also grateful to the Minister for the time he spent meeting families and relatives today. I am confident that he understands the gravity of the problem, and that is reflected in his time, dedication and personal commitment to improving mental health throughout the country. I also acknowledge his apology, which will not change anything, but—I hope—might provide some solace.

The debate is for those we have lost, those let down by the professionals, those for whom help came too late and was too little, families and relatives: more widely, it is for all those with mental illness and learning disabilities. A nation is only as humane as its treatment of its most vulnerable. We here in the Chamber have a special duty to those who depend on healthcare and support. I hope that the debate marks the beginning of a journey towards more justice and compassion.

I am grateful to right hon. and hon. Members for their contribution to the issue and to the debate this afternoon.

*Question put and agreed to.*

*Resolved,*

That this House has considered governance of Southern Health NHS Foundation Trust.

## Visitor Visas: Sub-Saharan Africa

[GERAINT DAVIES *in the Chair*]

4 pm

**Patrick Grady** (Glasgow North) (SNP): I beg to move,

That this House has considered visas for visitors from sub-Saharan Africa.

It is a pleasure to serve under your chairmanship, Mr Davies. The word “visa” for a document that permits a visitor entry to or exit from a foreign country is believed to be derived from the Latin “charta visa”, meaning a verified paper or a paper that has been seen. Sadly, for too many people from sub-Saharan Africa, UK visitor visas are documents that are not seen, because of the massive logistical barriers that stand in the way of applying for them and the opaque and often apparently arbitrary decision-making process for their granting.

I am grateful to have the opportunity to raise those concerns directly with the Minister, and I am grateful to him for making time to meet me and a representative from the Scotland Malawi Partnership yesterday to discuss some of them in advance. The issues will not be new to him or his Department, because they have been raised repeatedly in recent years both by MPs and in the House of Lords through questions and debates and through the channels of the all-party parliamentary group on Africa, of which I am secretary. However, I believe that this is the first occasion since the 2015 election on which time has been made available for a debate on the issue. The timing is opportune, because despite parliamentarians’ best efforts in recent years, it seems that little has been done to resolve the many challenges facing visa applicants in sub-Saharan Africa, and reports of major frustrations and disappointments with the system appear to be on the increase.

The debate is about visas for visitors from sub-Saharan Africa, but I want to look particularly at experiences in Malawi, as that is the country with which I have the most familiarity. The Scotland Malawi Partnership has helpfully provided a detailed briefing. I declare something of an interest: until the election, I worked for the Scottish Catholic International Aid Fund, which is a member of the Scotland Malawi Partnership, and was vice-chair of the Network of International Development Organisations in Scotland, which shares several members with the SMP.

**Margaret Ferrier** (Rutherglen and Hamilton West) (SNP): I understand that Malawians are expected to pay for visas to visit the UK by credit card, which very few of them have. Does my hon. Friend agree that alternative payment methods should be accepted so that Malawians do not face an often insurmountable barrier?

**Patrick Grady**: Yes, exactly. I will touch on some of those issues, and I agree wholeheartedly with my hon. Friend, who represents Blantyre in Scotland, which was the hometown of David Livingstone and is commemorated in Blantyre, the commercial capital of Malawi. The situation she describes is a problem not just in Malawi. The all-party group on Africa’s experience is that the

situation in Malawi is symptomatic of challenges experienced across the region. It is a region where, as my hon. Friend alluded to, very small proportions of the population have access to electricity, let alone the internet, yet prospective visitors to the UK are expected to apply online for a visa. It is a region where public transport as we know it in the UK is practically non-existent, yet people are sometimes required to travel hundreds of miles to a visa application centre—sometimes on numerous occasions to progress the same application. It is a region where trade is mostly conducted in cash, yet payment for a visa can only be made online by credit card.

Those points on their own should be enough to give the Government pause for thought and cause them to ask whether their visa application system is genuinely fit for purpose in the region. Those are often only the first hurdles that applicants face, and they are sometimes high enough to prevent an application from being made in the first place. The Scotland Malawi Partnership reports that many of its member organisations—those are often churches, schools or small community groups—that consider the possibility of bringing partners to Scotland and the UK for a visit simply give up at their first browse of the visa application requirements. I understand from the SMP that NHS Lothian, NHS Tayside, Kingussie High School and Aberdeen presbytery have all recently had to cancel visits because of visa complications. They all have their own powerful stories to tell, which I am sure we could make known to the Minister.

**Jeremy Lefroy** (Stafford) (Con): This weekend, my wife is holding a fundraiser in Stafford, the aim of which is to provide funds for medical students at the Kilimanjaro Christian medical centre. Two medical students from Tanzania were invited on our behalf some time ago, but they are not able to come, precisely because of the bureaucratic hurdles. All that they wanted to do was attend, visit, give their stories and go back.

**Patrick Grady**: I pay tribute to the hon. Gentleman for his long-standing work on international development. I suspect that many local charities that want to bring visitors over encounter exactly those hurdles.

Before coming back to the challenges of the process and the concerns about it, I want to deal briefly with why it is important that people from countries such as Malawi should be allowed to visit the UK. I stress that the debate is about visitor visas. The debate on immigration, asylum and settlement is aired often enough in this Chamber and elsewhere. However, the issues are perhaps connected, because there is a strong sense among those who go through the visa application process that the system is based above all on a concern that people who arrive on a visitor visa may abscond or refuse to return to their country of origin.

I plan to table written questions after the debate to establish what figures the Government hold on the rate of absconding or non-returning, especially among holders of short-term sponsored visitor visas, to see whether that concern is real or imagined. There will undoubtedly be individual chancers who make it to the UK on visitor visas and never quite make it home, although frankly, in my time in Malawi I met plenty of UK and European travellers who ended up on the beach at Lake Malawi and never quite made it home, because they were quite

[*Patrick Grady*]

happy to spend their days in the travel lodges or set up their own. There is reciprocity there, but on the whole, people who come here for a short time—especially those who are sponsored or invited by charities and community organisations—come for a specific purpose and are supported and accompanied throughout their visit, often from the moment they arrive at the airport to the moment they are dropped off there at the end.

Visits for school or cultural exchanges, or for speaking or campaigning tours, are designed to have a lasting impact beyond the visitor's short presence. A school exchange might promote better global citizenship among young people or provide an invaluable training opportunity for teachers from both countries. Visiting artists or musicians might help to inspire new kinds of creativity and collaboration or provide some social focus for the legitimately established diaspora community here in the UK.

**Mrs Helen Grant** (Maidstone and The Weald) (Con): I am grateful to the hon. Gentleman for securing this important debate. I would simply like to put it on record, as a member of the International Development Committee, that it has been invaluable to be able to hear what witnesses have to say, see them, look into their eyes and ask questions prior to making important recommendations and decisions that may affect many people. Although immigration control is important, we have to apply care and common sense in such situations.

**Patrick Grady:** I agree entirely with the hon. Lady, and I was going to make exactly that point. A speaking tour that gives witness to the impacts of poverty or the success of projects that help to overcome poverty may help to change Government policy and improve the lives of even more people. Ironically, speakers on such a tour might find themselves running up against the Government's anti-advocacy clause, but that is perhaps a debate for another day. It is not just ironic but a key concern of mine that visas are denied to, or barriers are put in the way of, visitors who could help to transform our understanding of poverty in global campaigns against injustice. Last year my former organisation, SCIAF, wanted to bring visitors over from Malawi to help to promote its Lent fundraising and awareness campaign—a campaign supported by the Department for International Development's UK Aid Match scheme—but the first visa application was denied.

One of the first events that I helped to facilitate in Parliament after the election was a major seminar organised by ActionAid to launch its "Fearless" campaign against violence against women. The UK Government have repeatedly and rightly spoken out against all forms of violence and discrimination against women, yet a visa was denied—not once but twice—to Tiwonge Gondwe, a women's rights campaigner from Rumphu district in Malawi. In response, she said:

"Women in Malawi face violence every day. I experienced violence but now I work as a volunteer to campaign for women and to help realise my children's rights. I wanted to come to the UK to build international support for women's rights, but because I'm a volunteer I was told I did not earn enough money. That does not make sense."

In such situations, disappointment and frustration is felt by not just the individuals but the sponsoring

organisations. Long-established, credible organisations, often with worldwide presence and public support, can feel that judgment is being passed on their bona fides when visa applications that they support are rejected. I ask the Minister to consider as a result of the debate what further or different consideration can be given to visa applications that are supported or sponsored by established, credible and suitably registered UK charities, businesses or other institutions.

Visa barriers or refusals not only damage the relationship between the individual and the sponsoring organisation but send a signal about the kind of welcome this country and the Government want to offer. That signal often contradicts the message that the UK is open for business, and that we welcome tourists and visitors who can contribute to our economy, culture and society. They can also send a message that one arm of Government does not know what the other arm is doing, and they undermine the civil society links that the UN has identified as crucial to the achievement of the sustainable development goals. Indeed, I understand from the Scotland Malawi Partnership that there have recently been instances when even applications sponsored by the British Council have run into difficulties.

I will come back to some of the practical difficulties. The Minister yesterday received a copy of the Scotland Malawi Partnership briefing on the issue, which outlines 10 areas of concern about the visa application process. I will not go through all of them, but I will highlight a couple of key themes. A major one is the lack of clarity about how to apply and what to include, with the online application system being a particular barrier. I understand that when SMP representatives visited the visa application centre in Lilongwe earlier this year, they were told that the centre was not allowed to give information or advice about what to include in an application, but only to encourage applicants to look online.

**Margaret Ferrier:** Will my hon. Friend give way?

**Patrick Grady:** I am a wee bit short of time, I am afraid, and I have a funny feeling there is a Division in the House.

4.11 pm

*Sitting suspended for a Division in the House.*

4.22 pm

*On resuming—*

**Patrick Grady:** I wanted to come on to the practical difficulties that are being faced by people applying for visas from sub-Saharan African countries. The first, as I said, is the lack of clarity about how to apply and what to include, and the particular barriers faced by people trying to apply online. The advice to the Scotland Malawi Partnership was to look online to see the guidance for filling in an application. When its representatives asked whether they could have a look online, the staff at the visa application centre said, "Well, we're sorry, but you can't, because our internet connection has gone down." If the visa application centre cannot get a reliable internet connection, how is an applicant who might live many hundreds of miles away in a rural area supposed to get online?

The Government regularly report approval rates of between 80% and 85% for visa applications. As I touched on earlier, I doubt that takes into account applications that are started but never completed due to the challenges and complexity of the system, but I suspect that it does include applications that are granted very close to, or on, the day of planned travel. Those visas are then impossible to use or can be used only after the costly rearrangement of plans.

The Government might respond by saying that people should not book travel until a visa is granted, but first, that stands in contrast to the Government's claim that there is a smooth, reliable turnaround system. Secondly, the effect of that would be either very costly last-minute purchases of flights or incredibly long lead-in times for what are often voluntary or fast-moving organisations trying to arrange a visitor's programme here in the UK. We heard an example of charities' efforts from the hon. Member for Stafford (Jeremy Lefroy) earlier.

Perhaps the biggest concern expressed by stakeholders, which has also been reflected in the work of the Africa all-party group, is the outsourcing of the visa processing function to private companies. With many of the Government's procurement contracts, it appears that they go to the lowest bidder rather than to who can offer the best service. The hub-and-spoke model of local application centres and regional decision making hubs exacerbates that concern. Indeed, in sub-Saharan Africa as a whole, the visa application process for a prospective visitor who lives in, say, Pretoria—in the same city as the visa processing centre and in a country much higher up the UN development index—is undoubtedly vastly different from that of someone such as Tiwonge Gondwe in Malawi, who lives 500 miles from her capital city and the visa application centre.

Of course, the process is happening in countries where the UK has a well established network of embassies, consulates and high commissions. It is unclear why having an additional network of visa applications centres represents best value for money. I hear reports that when visas are delayed or refused, appeals to the high commission can have little or no impact. Will the Minister confirm whether staff at the high commission, or the high commissioner, have the authority to issue or authorise visas in urgent or emergency cases?

It may be increasingly difficult for visitors from sub-Saharan Africa to obtain visas for the UK, but I was pleased to hear recently that a licence had been granted for the import of one of Malawi's other famous products: Malawi gin. I hope that when it comes to organising formal launch events for the product in the UK, it will be possible for not only the product, but the people who make it, to arrive here safely. I will endeavour to secure a sample for the Minister; perhaps while he is enjoying an MGT—a Malawi gin and tonic—as many of us who have been expats in Malawi have, he can reflect on some of the points I have raised.

For clarity, what steps is the Minister taking to keep the efficiency and effectiveness of the visa application process under review? Is he prepared to receive evidence and case studies from the Scotland Malawi Partnership and others demonstrating their concerns and the patterns of failure in the system, and is he prepared to act on them? What reassurance can he give us about the consideration that he can give to visa applications that are sponsored and funded by credible UK-based

organisations, such as charities, schools, churches, universities and businesses? What discussion is he prepared to have with the Foreign and Commonwealth Office about the role that high commissions, embassies and consulates can play in improving the effectiveness and efficiency of the process?

I am grateful to the Minister for his willingness to engage on this issue. He has answered questions in the House, he has attended meetings with the all-party group, he gave up time to meet me yesterday and he is responding to the debate today. I hope that we can continue the dialogue and see some resolutions to the concerns. I hope that he will take my comments in the constructive spirit in which they are intended, and that through such dialogue and partnership we can continue to strengthen the links between Scotland, the UK, Malawi and sub-Saharan Africa as a whole. Zikomo kwambiri.

4.26 pm

**The Minister for Immigration (James Brokenshire):** It is a pleasure to serve under your chairmanship, Mr Davies. I congratulate the hon. Member for Glasgow North (Patrick Grady) on securing this debate, and I certainly underline to him a commitment to continue to engage. The hon. Gentleman asked whether I would be prepared to consider further representations on individual parables, or examples from the discussions that he and I have had with representatives of the Scotland Malawi Partnership. I will certainly reflect on those. It may be appropriate for me to write to him on the representations that he has made to me separately, on further consideration of some of the facts that have been asserted and some of the experiences that have been described. I certainly give him that clear commitment at the outset.

I recognise that the UK is a major donor to Africa. Scotland obviously has very strong ties to Africa and to Malawi in particular through the Scotland Malawi Partnership, which has been rightly referenced during this debate. That is something to celebrate and I recognise the continued focus to which the hon. Gentleman and other Members will wish to draw attention.

I underline that the UK is welcoming record numbers of visitors. In the year to June 2015, 9 million non-European economic area visitors came to the UK—an increase of 0.5 million when compared with the previous year. We also issued 1.9 million visit visas in the year to March 2016—an increase of 2% when compared with the previous year.

Let me respond to some of the themes that the hon. Gentleman highlighted. Visas are an effective tool for the UK in helping to reduce illegal migration, tackling organised crime and protecting national security. They are an important part of the UK's immigration system, which is fair to legitimate migrants and tough on those who flout the rules. However, I know that, for some, obtaining a visit visa for the UK can seem to be an inconvenience or to put up hurdles or obstacles. That is why the UK has invested heavily to ensure that applying for a UK visa is as straightforward as we can make it. We have upgraded our entire network of visa application centres to increase capacity. We have made our processes less bureaucratic, we ensure fast turnaround times and we offer appointments out of working hours. We have extended our five to seven-day priority service, which is

[James Brokenshire]

now in nearly 200 countries, including 23 locations in Africa. We have also taken steps such as introducing a passport pass-back service in some locations so that customers can retain their passport while their UK visa application is being processed.

Our super-priority 24-hour visa service is building on the popularity of the five to seven-day service. It has been introduced in Pretoria and Johannesburg in South Africa and we are rolling it out to Nigeria. We judge that all those changes are working to provide greater flexibility and choice. We know that they have been welcomed by many travellers and tour operators. Ninety-nine per cent. of all visit visas are processed globally within the customer service standard of 15 days, with 85% of people who applied for a visa in the year to March 2016 being successful.

Visas, of course, play an important part in facilitating travel to the UK to maintain connections between Africa and the UK, for all the reasons highlighted by the hon. Gentleman, including debate and exchange. They underpin so many of the factors to which he drew attention. In Africa, most decisions are made significantly faster than the 15-day standard; for example, the average is 5.1 days in South Africa, 8.1 days in Cameroon and 7.9 days in Malawi.

I understand that the hon. Gentleman is concerned that visas for some anti-poverty campaigners to come to the UK to speak of their experiences, including from sub-Saharan Africa, have been refused. I cannot comment on individual cases, but visitors must satisfy Home Office rules and requirements. I will dwell on this a little because I appreciate that that was one of the central points of his contribution. Some people have suggested that individuals with modest economic circumstances are precluded from being granted a visa, even if a genuine sponsor in the UK is meeting the cost of the visit. I will say in straightforward terms that all visa applications from anywhere in the world are considered on their individual merits against the immigration rules. Applicants should provide evidence to show that they meet those requirements. Visitors to the UK must show that they can be adequately accommodated and supported during their stay and can meet the cost of their onward journey. That is important to ensure that only genuine visitors come to our country and to protect our system.

There is flexibility within the rules for visitors to be maintained and accommodated by friends or relatives and also now for a professional organisation to do so. Entry clearance officers will take into account all information provided by applicants and their sponsors when making decisions on visa applications. They can make inquiries directly with sponsors where necessary. I underline the importance of providing all relevant information and details when making an application because entry clearance officers in essence have to make that decision based on the evidence provided to them. If there is some way to work with parliamentarians to underline such requirements and the information that would be looked at positively—again, we have to consider each application on its merits—that is a dialogue and a discussion I am prepared to continue with not just the hon. Gentleman but others from all-party parliamentary groups and Select Committees. Let us see whether we

can help to provide further information. It is certainly not our intention to try to trip people up. It is about looking at these matters appropriately and fairly.

In the year to March 2016, 75% of all applications from sub-Saharan African nationals were granted. UK Visas and Immigration for the Africa region, which is responsible for delivering visa services across sub-Saharan Africa, offers, we believe, good customer service, with a modern and efficient visa service that received customer service excellence accreditation in both 2015 and 2016. All applicants now apply and pay online, which provides a streamlined process, and they can make appointments to submit their documents and biometrics at one of our visa application centres, of which there are 30 in sub-Saharan Africa.

I will dwell a little on some of the cost issues. Again, we believe that the UK visa offer is competitive. It costs £87, is valid for six months and is multiple entry. A Schengen short-stay visa costs around £60, is valid for three months and is single entry. We work hard to ensure that our hub-and-spoke model helps to ensure that visa applications are processed consistently. Consistency in decision making is important and was one of the factors that led us to the hub network. That is important to deliver high standards across the network. It does not represent a deterioration of service for those applicants whose documents are sent to UKVI from the country in which they reside.

I understand the difficulties for applicants in countries without application points and we do our best to mitigate disruption, including through an on-demand mobile application service. We have user pay visa application centres in nine countries in Africa where there are low volumes of applications. We seek to strike a balance in having a network of visa application centres that make things more accessible, particularly when low volumes might not support a full visa service. I know that, for example, the number of visas issued in Malawi was around 1,600 last year and remained fairly stable between 2015 and quarter one of 2016. It is about how to have a sustainable network that is able to meet the needs and provide some accessibility in that way.

**Patrick Grady:** I am grateful for the Minister's constructive tone, but 1,600 applications in Malawi is two or three a day, so why not provide an in-house service within the consular system? Given that the system is remote and online, is there any scope for sponsoring organisations to help with applications remotely from the UK, where we have better internet connections?

**James Brokenshire:** On the relationship between UK Visas and Immigration and high commissioners, only decision makers who are entry clearance staff can issue visas. However, we have established arrangements for handling urgent compassionate cases when there are logistical barriers to issuing a visa in time for travel. UKVI works closely with colleagues from other Departments to ensure that our visa service in a given country is appropriate to the local situation and that UK interests in a particular country are given appropriate weight. We obviously have an ongoing dialogue with colleagues in the Foreign and Commonwealth Office about the visa service.

How payment is made was a factor that the hon. Gentleman and his hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) highlighted. When

we look at global visa services worldwide—not just from the UK, but from Schengen countries and others—they are moving to digital by default. There are issues of credit card availability for some, so it is open to others to provide their credit card to facilitate payment. It does not have to be made by the individual, but we continue to focus on how to deliver digital by default and ensure that that is understood and recognised.

I want to respond to some of the other points that the hon. Gentleman highlighted. As I said, I am always content to receive representations about the Home Office's policies and processes and in that spirit I confirm that I am happy to receive evidence and case studies from the Scotland Malawi Partnership. In the context of some of the issues in relation to Malawi, I recognise and appreciate the close connections there. We believe we have a very good visa service in Malawi. The visa application centre in Lilongwe is open five days a week and applicants can provide their biometrics. Again, on the issue of biometrics, we have that network of visa application centres. That is becoming the default for most countries in providing visa services, and we offer the priority visa service that I highlighted, with a five-to-seven day turnaround time for applicants. On customer service standards in Malawi, 97% of Malawian visitor visa applications, including for business visitors, were resolved in line with the 15-day service standard in 2015. There was an average processing time of just 7.9 days for all non-settlement visa applications.

We are keen that the UK should continue to attract business and leisure travellers, who will help our economy to grow further, so in April 2015 we simplified the immigration system for people visiting the UK by streamlining the routes, reducing their number from 15 to four, and by creating more flexibility for visitors to do a wider range of activities. For instance, a visitor with a standard visit visa is allowed to come to the UK for a holiday, take part in a sporting event, attend meetings and visit family, instead of having to apply for separate visas for each of those relevant requirements. That has been favourably received, and certainly we continue to reflect on the visa offering, in terms of both policy and the customer service standards that are adhered to.

I very much welcome the opportunity of this debate and the manner in which the hon. Member for Glasgow North approached it, and I very much appreciated the meeting that we held with the Scotland Malawi Partnership. I look forward to continuing the discussion and certainly I will respond to him formally in relation to a number of the more detailed examples and points that he set out. I hope that that may provide a further opportunity to underline our commitment to those standards and to ensuring that the UK sends a very clear message that it is open for business and open for attracting visitors to come to this country and enjoy everything that we have to offer.

*Question put and agreed to.*

*Resolved,*

That this House has considered visas for visitors from sub-Saharan Africa.

## Age Discrimination: National Living Wage

4.41 pm

**Holly Lynch** (Halifax) (Lab): I beg to move,

That this House has considered age discrimination and the national living wage.

May I say how delighted I am that you are chairing this debate, Mr Davies?

One of the biggest challenges facing this Government has been the persistence of low-paid work, and I welcome any and all measures to address that, including the national living wage. However, young workers under the age of 25 rightly feel a sense of injustice at having been left out of the pay rise. As of last month, many workers under 25 will have discovered that their pay package is substantially less than that of their older colleagues. About 6 million young people aged 18 to 24 in the UK could be affected. I sought this debate to provide an opportunity to examine the inequality underpinning that decision and to ask the Government to plan for an extension of the national living wage to under-25s.

As it stands, those between the ages of 21 and 24 are currently paid 50p less than the living wage per hour. That is predicted to rise to a difference of £1.21 per hour by October 2020. The margin is greater again for those between 18 and 21, who are paid £1.90 less an hour. It has been estimated that under-25s on the minimum wage will earn just over £11,000 less than an older colleague over the next five years.

We all welcome the recent rise in youth employment. It is up by 94,000 as stated by a Treasury Minister in the main Chamber yesterday. However, this debate is about the value of work. The Resolution Foundation suggests that wages have fallen significantly for young people in recent years, with incomes for 22 to 29-year-olds falling by 12.5% between 2009 and 2014, so I am asking the Government to use the living wage as a means to put that right.

I am sure that the Minister will accept that comments made by the Minister for the Cabinet Office and Paymaster General have rubbed salt in the wounds of young workers, who were already demoralised at being left behind in relation to the living wage. When he outlined at the Conservative party conference the Government's rationale for taking the decision, he said:

“It was an active choice not to cover the under 25s.”

He continued:

“Anybody who has employed people knows that younger people, especially in their first jobs, are not as productive, on average.”

What a kick in the teeth for the next generation. We know that young people are often the ones asked to work the longer shifts, lift the heavier packages and work the antisocial hours. I know that from personal experience. When I graduated from university, I started working for a business in my home town dealing with sales both overseas and across the UK. My boss was a good man, but as one of the few employees who at the time was young, unmarried and without children, I was regularly asked to travel at short notice and work out of hours, at evenings and weekends.

Young people are regularly asked to work harder and longer hours because of their youth and are often keen to oblige through a desire to prove themselves and to

[Holly Lynch]

move up the ladder, but sometimes they feel that they have little choice. Sometimes their circumstances mean that it is easier for their employers to ask them to work the more antisocial shifts rather than older members of staff, who might have commitments at home, so when the Government say that young people are not as productive, how are the Government measuring productivity? What does an underproductive young employee look like? Shockingly, when I asked the Government in a written question for their figures to back up their claims that young workers are unproductive, I was told that they have absolutely no evidence to prove that. In his answer, the Minister told me that

“there are no official statistics estimating the productivity of workers by their age.”

So we know that the Government cannot provide evidence for that claim.

I accept that those embarking on a new role often require training and support from their employers and perhaps represent initially a reduced return on the investment for an employer. However, that could be said of any employee, of any age, taking on a new role or returning to the workplace. I ask the Government to avoid making generalisations that single out the under-25s, and I will give an example of how unjust that could be in practice.

Let us imagine a young person who takes their A-levels at 18 and goes either into training in the workplace or directly into employment. They could potentially be in a job for six years before being entitled to the living wage, but a new employee could start in the same role, sit at the next desk and be paid the living wage, at 50p more an hour, with six years' less experience, simply because they are over 25.

Alternatively, a young person might study hard at school and decide to pursue an academic route, going to university. Research undertaken by Which? indicates that a typical student on a three-year course outside London might expect to graduate with about £35,000 to £40,000 of student loan debt. Most students on a three-year course graduate at the age of 21. The Office for National Statistics has identified that about 47% of graduates are employed in non-graduate roles, a trend that has steadily increased since the 2009 recession. So a young graduate, who has done all the right things by working hard and getting a degree, is saddled with up to £40,000 of debt as a result, has only a 53% chance of securing a graduate job and is not even entitled to the new living wage. Up and down the country there are countless examples of young people who give it their all and are a huge asset to their firms, yet now face the demoralising prospect of unequal pay.

Having raised this issue in the debate on implementation of the living wage in the main Chamber in April and having asked for a debate on this issue in business questions, I can say that it feels as though the Government have sought hastily to move away from the comments by the Cabinet Office Minister about falling short on productivity and are instead arguing that the ability to pay the under-25s less will incentivise firms to hire young workers. Indeed, when I asked the Leader of the House for a debate on this issue, he replied:

“I...think it is important to do everything that we can to incentivise employers to take on young people.”—[*Official Report*, 28 April 2016; Vol. 608, c. 1564.]

Tackling youth unemployment is a goal that I am sure hon. Members on both sides of the House support, but organisations including the Federation of Small Businesses have pointed out that the Government's approach could see employers wandering into legally precarious territory. Any employer that actively seeks to recruit under-25s to cut wage costs will almost certainly fall foul of age discrimination legislation. The Equality Act 2010 prohibits discrimination on a number of grounds, referred to as protected characteristics, with section 5 of the Act recognising that age is one of those characteristics. It is direct discrimination if, because of a protected characteristic, one person is treated less favourably than another. The House of Commons Library has confirmed that to recruit workers on the basis of their age would constitute direct age discrimination.

**Mhairi Black** (Paisley and Renfrewshire South) (SNP): As someone who is under 25, I can say that everybody who is elected in this room is paid on the same basis. Therefore, I find it completely unjustifiable that the same principle does not apply to the outside world. Does the hon. Lady agree that this is yet another example of the Conservative Government's attitude that there should be one rule for us and another for people outwith this Parliament?

**Holly Lynch:** Hon. Members might remember that in the living wage implementation debates, I highlighted that, at times, William Pitt the Younger makes us all feel like underachievers, as he was Prime Minister at such a young age. There are great examples of young people doing well in this place, as well as out in the real world.

Firms interviewing for a role are legally required to choose the best candidate for a position, regardless of age. The employer is forbidden from acting on the financial incentive to hire the younger applicant so how, exactly, do the Government anticipate the incentive will work in practice? In its evidence to the Low Pay Commission, the Federation of Small Businesses said

“our survey data suggests that some businesses may focus their recruitment on the under 25s. However by doing this they run the risk of potentially breaching age discrimination legislation, which should lead many employers to re-evaluate this stance.”

It can only be described as shambolic when the FSB feels compelled to advise its members to avoid acting on those very incentives.

I would be grateful if the Minister could clarify the Government's intention around the 25-year-olds threshold as a financial incentive and if he could respond to the advice of the FSB. If, as a result of the Equality Act 2010, the under-25s threshold is not permitted to serve any purpose in boosting youth employment rates, why have a lower rate at all?

Thankfully, many companies recognise the contributions made by under-25s and are opting to pay them more than the minimum wage. Nestlé employs up to 1,000 people in my constituency and was accredited by the Living Wage Foundation in June 2014 as the first mainstream manufacturer in the UK to become a living wage employer, paying at least £8.25 an hour from the age of 18.

Nestlé's senior public affairs manager told me that, as part of its European youth employment initiative, Nestlé decided to go above and beyond the basic requirements

of becoming an accredited employer, extending its living wage commitment to apply to graduates, interns and those on its fast-start school leaver programme. It said:

“As a major employer in Halifax and across the UK, we know this is the right thing to do. Not only does it benefit our people but also the communities they live and work in.”

Nestlé has joined 2,575 living wage employers up and down the country to recognise that, regardless of age, young people are hard workers. The company knows that it is important to maintain morale in the workforce, and that young workers deserve respect. The Living Wage Foundation is explicit in outlining that the living wage should apply to everyone over the age of 18.

I anticipate that the Minister will most likely point out the difference between the Living Wage Foundation's living wage, adopted by Nestlé, and the Government's living wage, and he would be absolutely right. However, the Government did not decide to call their increase in the minimum wage a living wage by accident. Therefore, I am asking the Government to consider adopting the Living Wage Foundation's principle that fair pay for fair work starts at 18, in the same way that it has adopted its name.

Given that there are several examples of best practice, such as Nestlé, which has independently recognised the benefits of an equitable pay scheme, why have the Government taken the decision to set the bar lower than the standard that many of our more responsible employers are already attaining? In his 2015 Budget, the Chancellor announced that, with the living wage, he wanted to move towards a higher wage and lower welfare country. However, although the living wage has delivered a benefit to thousands, under-25s are the exception. With this Government benchmark, we risk undermining the good work of trailblazers who are going above and beyond in the market place, with the potential to suppress wages for the under-25s.

In April, when the living wage was introduced, *The Guardian* ran a story about Anthony, who is 23 and works in a London warehouse. He was quoted as saying:

“I was already getting £7.20 an hour ... I'm now on £6.70. It's been cut just because I'm 23 and not 25...I'm getting less for doing the same job...I feel so worthless.”

I think we can all agree that that is shocking and I do not believe that the Government intended for wages to be cut in any way, but that is not to deny that that is the very real danger in sending out the message that it is okay to pay young workers less for no reason other than their age.

I am, of course, willing to accept that minimum wage rates must be set at a rate that firms are able to support, but previous rises in minimum wage rates for young people have not had an adverse effect on employment. Indeed, that was the case when 21-year-olds covered by the youth development rate were moved on to the adult minimum wage in 2010. That is the perfect case study for measuring the effects of a large increase in wages of a certain age group; in that case, it was a rise of 22.8%. The Low Pay Commission has reviewed that case, saying:

“Looking specifically at 21 year olds, there was an absence of negative employment effects in 2011; on the contrary their employment rates, which had been falling, stabilised until the end of 2011”.

When giving evidence to the Low Pay Commission earlier this year, the TUC voiced its opposition to a lower rate for under-25s, saying:

“We strongly oppose a separate rate for 21-24 year olds. The key point here is that while it is true they have higher unemployment and lower pay, their rate of improvement in employment is impressive and faster than for 25-29 year olds. Their rate of labour market improvement shows they can bear increases in line with the National Living wage.”

The TUC was keen to point out that, by setting the threshold at 25, the Government had adopted the highest threshold for being paid the standard adult rate in the developed world, matched only by Greece. Hon. Members might be interested to hear that Japan, Canada, Turkey and Spain start the adult rate at 16, while France, Ireland, Germany and New Zealand pay the full adult rate from 18. Even in America, there is no age threshold apart from the option to pay workers under the age of 20 a lower rate for their first few months of employment. Only the UK and Greece have set the threshold at 25. If the policy worked, surely we would see it reflected across the developed world, but that is not the case.

Looking back to the introduction of the national minimum wage, John Major told his party in 1996 that the minimum wage should be opposed as it would

“price job-seekers out of the market”

and was a policy to “destroy jobs”. I urge the Government to avoid making the same arguments in the current debate because, just three years after Major gave that speech, the Conservatives embraced the minimum wage after it had so clearly boosted wages without harming employment.

There is support for extending the living wage. In a recent poll by Survation, 66% of voters stated that they believe the new higher rate should also be given to workers under 25. There was support from across the political spectrum, with 55% of Tories and 74% of Labour supporters in favour. Even 69% of UK Independence party voters supported extending the living wage.

In conclusion, nearly 6 million young people could be affected by the lower wage rates and it is an absolute outrage that they have been told they are not worth £7.20 an hour, with unevidenced claims about poor productivity combined with arguments about low pay incentives that could see employers who act on them being open to legal challenge.

We would all like to see youth unemployment improve, but debt and low wages are not a sustainable solution. The Government's adoption of a higher minimum wage is welcome but, unless under-25s are included, that flagship policy will have a great unfairness at its heart. Once again, the Government are on the wrong side of the equal pay for equal work debate. That has to change and I will work with young people and colleagues from across the country to ask the Government to rethink their unjust and unworkable decision, and extend the living wage to under-25s.

4.58 pm

**Alison Thewliss** (Glasgow Central) (SNP): It is great to see you in the Chair this afternoon, Mr Davies. I congratulate the hon. Member for Halifax (Holly Lynch) on securing this important debate, which is significant to many young people across these islands.

It is my gran's birthday today. She has seen many forms of discrimination removed during her 96 years on the planet, on race, religion and sexuality. There has

[*Alison Thewliss*]

been so much progress, particularly for women, but there remains a persistent issue of inequality, endorsed by the state, when it comes to age. The differing rates of the minimum wage reflect a situation whereby young people are actively discriminated against because of their age.

In the Scottish National party, the equalisation of the minimum wage has been our policy for many years. While I was convener of the SNP's youth wing, Young Scots for Independence, a resolution was moved at the SNP conference in 2006. It stated:

“Conference notes that the minimum wage is pegged at different levels dependent on age. Conference believes the current system to be grossly unfair and discriminatory and resolves, in an independent Scotland, to equalise the minimum wage levels.”

Much to my regret, we have not managed to achieve that independent Scotland yet. Nor have we achieved devolution of employment law so that the Scottish Parliament might make that change for itself. I still believe, though, that there is no justification for this grossly unfair and discriminatory practice. YSI renewed the fight on that issue at conference in 2013, giving the SNP's backing to the Scottish Youth Parliament's excellent “One Fair Wage” campaign.

I wish to dispel a few myths on the reasons behind the staggering of the minimum wage rate. The Low Pay Commission said in its 2013 report that

“we do not want the level of the minimum wage to jeopardise their”—

young people's—

“employment or training opportunities.”

I just do not buy that. Young people have a range of options in front of them: work, study, apprenticeships. All that the staggering of the minimum wage ensures is that, whichever choice young people take up, whether it is employment on its own or in support of their studies, they are not legally entitled to the same wage as an older colleague in the same job. That is patently unfair.

Apprentices are faced with a rate of only £3.30 an hour. In many places that would not even cover their bus fare to get to the job, which is an absolute scandal. Do the Government believe that apprentices do not need to eat and do not have bills to pay? That rate compounds existing disparities. Analysis in the Department for Business, Innovation and Skills research paper on the evaluation of apprenticeships shows that apprentices are far more likely to come from a lower socioeconomic background. If the Government actually believe that work and training are means of getting out of poverty, apprentices should be much better supported than the current national minimum wage rates suggest. Decent employers offer comparable rates to their apprentices, but they are not legally obliged to do so.

Going further, under-25s have no discount on their bills, on their purchases in shops or on their rent. There must be recognition that an equal day's work deserves an equal day's pay. Those in the 16 to 17-year-old bracket at £3.87 an hour may well do the same work as someone in the 18 to 20 bracket at £5.30 an hour or someone aged 21 to 24 earning £6.70 an hour. None of them is entitled to the holy grail of the pretend living wage at £7.20 an hour, and of course none of them is a true living wage, as determined by the Living Wage

Foundation, of £8.25 an hour. Research by the Scottish Parliament's information centre shows that workers under the age of 18 will earn roughly £6,500 a year less than someone over 25. It further highlights that 18 to 20-year-olds will find themselves £3,705 worse off and apprentices will be £7,605 worse off than workers aged 25 or over.

The Government hide behind the myth that the staggering of the minimum wage reflects young people's lack of experience. The Chief Secretary to the Treasury made that assertion again yesterday:

“For younger workers, the priority is to secure work and gain experience.”—[*Official Report*, 7 June 2016; Vol. 611, c. 1016.]

Again, that does not stack up. How can it possibly be fair that, by the letter of the law, a young person could start a job at 16 and work there for eight full years to gain the entitlement that a 25-year-old would have walking in on their first day? It is not about experience at all; it is about age discrimination sanctioned by the state.

I mentioned in a previous debate on the living wage on 18 April that I have a constituent who feels that she was dismissed due to being an older worker in a bar. She was on a zero-hours contract and was phoned on the day of her shift to be told that her services were no longer required. That coincided with the introduction of the new higher rate of the minimum wage. My constituent cannot prove it, but it smells very fishy. The response I received yesterday from the Minister for Skills was absolutely woeful. There is no action, and no changes are being made.

As the hon. Member for Halifax said, the staggering of the minimum wage rate gives unscrupulous employers perverse incentives to choose to hire younger workers, perhaps in industries such as catering, cleaning and retail that have a relatively high turnover of staff. Those workers are being exploited, too. Employers can dodge their obligations and try to manipulate the system to save cash, as younger, less experienced workers are less likely to bring a case successfully to an employment tribunal, even if they can pay the fees in the first place. Such employers are likely to get away with it.

The SNP is calling on the UK Government to raise the minimum wage for young people and apprentices or, if they will not do so, to give that power to the Scottish Government to do it for themselves. As part of the SNP's commitment to fair work, we passionately believe that the living wage should be paid as widely as possible, including to apprentices and young workers. The Scottish Government have done a huge amount of work to persuade businesses in Scotland to take it up. We now have a very high success rate of employers paying the living wage to their employees. We fully support the living wage campaign, and we recognise that the living wage can make a real difference to the people of Scotland. Our Government are a fully accredited living wage employer, which sends out a hugely important signal that the UK Government should also take up.

If we had control over employment law in Scotland, I am certain that we would improve the pay of people in our nation, including those who happen to be under 25. My gran waited a long time to see discrimination broken down; I hope my daughter does not have to wait very long.

**Geraint Davies (in the Chair):** I call Jim Shannon to share his thoughts.

5.4 pm

**Jim Shannon** (Strangford) (DUP): I have plenty of thoughts, and I am glad to share them. It is a pleasure to be called to speak in this debate. I enjoyed the setting of the scene by the hon. Member for Halifax (Holly Lynch), whom I congratulate on securing the debate. It is also a pleasure to be one of two males who will contribute.

It is hard to argue with the principle, ideal and intent of the national living wage. We want everyone in our country to have a life free from poverty and a job that compensates them properly for their labour, which is the purpose of the national minimum wage. In Northern Ireland we have some of the highest levels of poverty in the whole United Kingdom, so the minimum wage is an important issue for us.

We are a nation of shopkeepers, and I am descended from a family of shopkeepers. Margaret Thatcher said that we were a nation of shopkeepers—I am not sure whether we are as much as we used to be, but we still have a lot of shopkeepers. As the hon. Lady said, we are debating the principle of rewarding those who put in the graft by getting up to go to work and work hard for their family, but we would not be having this debate if there were not outstanding issues with the minimum wage changes.

We have all heard that small businesses across the country are worried that they will have to pick up costs that they cannot afford and, as a result, may have to lay off workers, who are not just employees but friends and family. That is an important issue. While seeking to improve the wages of people in the 18 to 25 bracket, we have to ensure that the businesses that employ them are able to pay those wages—it is important that we achieve that.

My constituency office—other Members will say the same—has been visited by many 18-year-olds who are setting up home together. That is good, and we want to encourage them, so we help them as best we can with housing. We hope that their wages will be enough for rent, food, heat and enjoying some time together as a young couple starting off. The hon. Member for Glasgow Central (Alison Thewliss) said that an 18-year-old could be doing the same job as a 25-year-old to the same level of expertise and ability but receive a lesser wage, which is grossly unfair.

Evidence from the Association of Convenience Stores shows that it is extremely concerned about the prospect of the national living wage reaching 60% of median earnings, which is currently projected to be £9 an hour. Retailers report that that is likely to change their staffing structures and affect store profitability. Some 25% of shop owners work more than 70 hours a week, and 20% do not take any annual leave. The May 2013 “voice of local shops” survey indicated that a majority of independent retailers, some 55%, believe that they earn less than the national minimum wage when taking into account the hours they work. Shop owners might not be earning the wage they need, but they do it because they have done it all their life and they want to create some employment for those around them. There are other reasons for doing it as well.

The Chancellor has taken that into account and has offset various business costs such as corporation tax and national insurance. The Government are cutting the burden of business rates by some £6.7 billion over

the next five years. Provided that that does not affect tax receipts, it is a most welcome move that will help business owners across the country by freeing them of some of the shackles and obstacles that ambitious and striving small and medium-sized enterprises face in their quest to succeed and expand. The national living wage will hopefully not have the impact that SMEs once feared, but only time will tell. We will see how that works.

It is easy to jump to the assumption that there may be a form of discrimination, as the hon. Member for Glasgow Central said. Many of us feel that there might be discrimination, and in some cases there may well be blatant discrimination. It is about getting fairness so that people get a wage that reflects their labour and the sweat on their brow. That is what I am keen to see. There are mortgages or rent to pay, as well as childcare costs, family expenses and possibly pension savings, because now when people get a job they are often entered into a pension scheme almost straight away; indeed, people are encouraged to join pension schemes, by the Government among others. It is also important to have a pound or two set back for a rainy day. The hon. Lady referred to her grandmother. My grandmother and my mother are the same in this regard; they always had a pound or two set back for a rainy day, or the “what if?” category. When something goes wrong, it is good to be prepared for it.

Those are just a few of the costs that people have to factor in after being paid as they get older. Before the national living wage, people on the old-style minimum wage also factored those things in. It is true that there are some 21 to 24-year-olds who have all those expenses and more, which is why it is important and welcome that the Low Pay Commission will continue to monitor, evaluate and review pay conditions for younger workers when it makes recommendations for future changes to the national living wage. I am keen to hear the Minister’s response to the debate, particularly on how he sees the Government monitoring, evaluating and reviewing those conditions. If those conditions are not right, what will happen?

The fact that changes to the national living wage are possible shows that there is room for movement. I believe that the Government have created some flexibility for the changing, adaptation and correction of the national living wage; the Minister will confirm whether that is the case or not. I hope that what is on the table now will not be, by any means, the end goal. There have to be some possibilities for movement, to secure better conditions for those on the minimum wage.

It is important that we do not disadvantage anyone financially in all of this activity, but at the same time we cannot disadvantage those who need the wage increase the most and those who are trying to get on in their life. Let us encourage our young people. That is why we are here; that is why we are MPs. We want to encourage our constituents, and our young people in particular. There needs to be careful monitoring of how the national living wage plays out in reality for those in the lower pay brackets, to ensure that no one is being disadvantaged by the structures.

I conclude by saying that close monitoring of the situation should allow for appropriate adjustments to be made. It is imperative that it continues in the future and that all essential amendments are made in a timely

[*Jim Shannon*]

fashion, to ensure that the national living wage is the success that the Government, the hon. Member for Halifax and the rest of us here today want it to be.

**Geraint Davies (in the Chair):** I want to begin calling the Front-Bench spokespersons at 5.20 pm, so I invite Liz McInnes to speak for eight minutes or so.

5.12 pm

**Liz McInnes (Heywood and Middleton) (Lab):** It is a pleasure, as always, to serve under your chairmanship, Mr Davies. I have only prepared a short speech, so I might give the Front-Bench spokespersons a bit longer to speak. However, I am sure that we are all eager to hear what the Minister has to say.

I thank my hon. Friend the Member for Halifax (Holly Lynch) for securing this important debate. It is about a subject that I know she has done a lot of work on, and I commend her for that. This is a really important issue and I agree with her that fair pay for fair work should start at the age of 18. The arbitrary cut-off point of 25 makes no sense; 25 is not the age of consent. There is no reason why this Government should have picked on people under 25. Not for the first time, I find myself standing up in this place and asking, “What have this Government got against young people?”

This Government seem to be intent on attacking young people across the country by putting barriers in their way. They come in the form of educational barriers—the scrapping of the education maintenance allowance—the depletion of local youth services, the increase in tuition fees, the transformation of maintenance grants for students into maintenance loans, which puts those students into more debt, the refusal to address zero-hours contracts and the failure on housing, with the lowest house building figure since the 1920s. In all these ways, this Government discriminate against younger people and now they seem to be using pay in the workforce as another way of undermining our young people.

We welcome the Government’s national living wage, although I prefer to refer to it as the new national minimum wage. The real national living wage would be considerably higher and set independently by the University of Loughborough, which is something we should all be moving towards—a rate of pay that people can actually afford to live on and that is independently assessed. I welcome the pay rise, but I am profoundly concerned that the Government are undervaluing the skills and talents of people under 25, leaving many young people across the country in a perilous position by excluding them from the full living wage.

The legislation fails to address the finding of the Equalities and Human Rights Commission in 2015 that younger people face the

“worst economic prospects for generations”.

The commission stated:

“Younger people suffered the greatest drop in income and employment compared to older age groups and now face greater barriers to achieving economic independence and success”

than they did five years ago. The same report indicated that there was a decline in both earnings and full-time employment among younger workers, despite their being more likely to be better qualified than previous generations. We must harness and encourage the talent of young people, not discourage it.

One of the Government’s flagship policies to drive young talent was to deliver 200,000 new apprenticeships and to introduce an apprenticeship levy. However, the CBI has questioned the implementation of that policy, asking “for more clarity” and arguing that apprenticeships will only “help a small minority” of businesses. Also, apprenticeships need to be extended from traditional industrial sectors to meet the growing demands in social care, the tourism and leisure industry, and the digital and creative sectors.

Those 16 to 19-year-olds who are not in full-time education are at greater risk of being in poverty than any other category of people who are eligible to work. Even when 16 to 19-year-olds are in full employment, the cuts in benefits and the rise in zero-hours contracts have meant they face a daily struggle, making it increasingly difficult for them to get on and make a start in life by, for example, getting on to the housing ladder.

Home ownership among young people is below 50% and figures from the Office for National Statistics show that more young people aged between 20 and 34 are now living with their parents than was the case 20 years ago. The prevalence of zero-hours contracts is higher among young people than among other age groups, with 37% of those employed on zero-hours contracts aged between 16 and 24.

Austerity is a political choice and people under 25 should not pay such an unfair price—in the form of low wages and poverty—because of the policies of this Conservative Government. It is scandalous that the Government feel that they can discriminate against under-25s. Age discrimination is illegal under the Equality Act 2010 unless “objective justification” can be demonstrated, and saying that lack of experience justifies this age discrimination is not satisfactory.

In 2013, the Prime Minister proclaimed that young people have “low aspirations” and that his Government would

“get them to think that they can get all the way to the top.”

The Chancellor has claimed that the Government put “the next generation first”. The Prime Minister and the Chancellor speak great words, but they are really empty words that ring hollow, to my ears and to those of young people in this country, whose lives we are discussing today.

This Government have put young people last: last in opportunity; last in funding; last in jobs; and last in pay. We must not condemn younger people to become a lost generation and we must bring the national living wage age-exclusion to an end.

5.18 pm

**Angela Crawley (Lanark and Hamilton East) (SNP):** As always, Mr Davies, it is a pleasure to serve under your chairmanship.

I thank the hon. Member for Halifax (Holly Lynch), who truly has been a champion on this issue, and there is no doubt that we share the same interest in addressing it.

I have made this point before, but I will make it again to echo the sentiments expressed by the hon. Lady. She said that this is not a national living wage and, in fact, the Government are showing audacity in using the words “living wage”, because it is not. The accredited Living Wage Foundation has already made that clear—it

is a national minimum wage. There has been a welcome increase, but it is simply not good enough that there is discrimination against an entire generation of young people.

I will speak from my own experience. I stayed on at school when I was 16, but I had to get a part-time job because I was from a single-parent family and the only way that I could continue my studies was to work part-time. I worked twice as hard, for twice as long, for the same amount of money as some of my colleagues, and that is the exact same position that many young people are faced with 13 years on. That is absolutely ludicrous and I honestly do not know how the Government can defend that policy at all.

I will take this opportunity to highlight some of the comments made by my hon. Friends and by other hon. Members today. The hon. Member for Halifax said that there is absolutely no proof that young people are not as productive as older people and I am pleased to hear that the Government have no statistics to that effect, because I am absolutely certain that it is not the case. I hope that the Minister, when he gets to his feet, will confirm that the idea that young people are not as productive is a complete falsehood.

The Government do not want to be on the wrong side of equal pay for equal work, so it is about time they got on the right side of history. To cover the points made incredibly well by my hon. Friend the Member for Glasgow Central (Alison Thewliss)—I have also held that same convenorship role in the SNP youth wing, for my sins—it is essential that we dispel some of the myths around young people taking more time to train and it being harder to get them up to speed with their colleagues. There are some incredibly hard-working young people across the country, and this Government fail to recognise that through their policies. When will they reconsider this policy? Age discrimination sanctioned by the state should never be legitimised.

I asked some of my constituents how they felt about things. Being under 25, were they excited by the new national minimum wage? Were they excited to be discriminated upon by their own Government? While Hailey is not under 25, she said that they were discussing it in college, and she was shocked to hear that a girl in her class, who was under 18 but over 16, was getting less than £5 an hour for the same job on the same hours. In fact, Hailey said, the girl was working more hours to get the same money. Will the Minister respond to Hailey? Ali said that it is despicable that companies—and, I would add, the Government—would allow people to get away with paying someone less because of their age. She said:

“That’s age discrimination. I thought that was illegal—it’s certainly immoral.”

I hope the Minister will respond to those points, which were made so well by Hailey and Ali.

The figure of £7.20 an hour, which the Government have set as their new minimum wage—if people wish to call it a living wage, carry on, but it is not—does not reflect the fact that the Living Wage Foundation has stated that £8.25 an hour for those living outside London would be more reflective of a real living wage. For those living within London, the real living wage would look more like £9.40, which is a far cry from £7.20. Forgive me if I am being presumptuous, but the Minister has perhaps been away from the labour market for some time, so he has not been subject to a minimum wage. I

am not necessarily so far away from the labour market. I do not remember receiving a minimum wage, and £7.20 is a far cry from any sort of living wage. It fails to take account of the fact that many people under 25 have families, children and homes to provide for. All it assumes is that every young person has the luxury of deep-lined pockets and a family on whom they can rely. I do not think that is the case, and I am pretty sure that many young people, who are absolutely crucial and are working every hour God sends to make money, would not be happy to hear that the Government genuinely think their labour is worth less than some of their colleagues. I look forward to the Minister responding to each of those points.

We should consider the further aspects of age discrimination, which could take the shape of younger workers being employed in preference to their older counterparts—I am sure that the Government do not want to encourage that—as a cost migration strategy. I respect the comments made by the hon. Member for Strangford (Jim Shannon). Many employers will have difficulty balancing the books due to the new minimum wage, but the reality is that the pressures on small and medium-sized businesses will continue. I am sure that the Government, because they take business so seriously, will do all they can to support small and medium-sized enterprises to deliver a real living wage, instead of creating a further disparity between young people and their voters, who they perhaps prefer.

The ultimate question is this: when will the Government put young people first, instead of simply prioritising businesses, their own agendas, bankers or whatever else they seem to think is their priority? Young people are our future. They are our labour force and our economy—when will the Government start looking out for them?

5.24 pm

**Cat Smith** (Lancaster and Fleetwood) (Lab): As ever, it is a pleasure to serve under your chairship, Mr Davies. I congratulate my hon. Friend the Member for Halifax (Holly Lynch) on securing this important debate. She absolutely hit the nail on the head when she said this policy is a kick in the teeth for young people. That comment was certainly well received by the Chair.

The Government are sending a worrying message about the generations by pitching them against each other. They are leaving an open goal. They are saying to young workers, “You are not as valuable as older workers.” During the debate we have heard some worrying examples of employers trying to circumvent the fundamental purpose of the increase in the minimum wage by deliberately hiring under-25s. What we have not heard, and I hope the Minister will rectify this, is an indication of a clear strategy from his Government as to how they will ensure that the so-called national living wage is not used by a small number of unscrupulous employers to manage out staff aged 25 or over or to change terms and conditions in a way that would fly in the face of provisions enshrined under the Equality Act.

As part of the shadow Equalities team, I must say that it does not come as a huge surprise that the Government have once again failed to consider equality. We have a Prime Minister who has referred to equality impact assessments as “pointless reports” and “bureaucratic

[Cat Smith]

nonsense” and who refuses to conduct a cumulative impact assessment of Government policies on women since 2010. In lieu of that, the Labour Equalities team commissioned research from the House of Commons Library that showed that, as of the Chancellor’s last Budget, 86% of the net savings to the Treasury through tax and benefit changes since 2010 have come out of the pockets of women. The Government appear to talk the talk on equality, but they fail to put in place the fundamental work to ensure that, advertently or otherwise, certain groups in our society do not end up the losers as a result of Government policy.

The Government could have worked in collaboration with key partners such as the Living Wage Foundation or the University of Loughborough to help to pilot the higher rate minimum wage before it went live, but instead it was rushed through so that the Chancellor could score a political hit at the Budget with a shiny new policy. The Government have self-appropriated the term “living wage” to mean their age-restricted minimum wage. That is what it really is, as it is based on median earnings, while the Living Wage Foundation rate is calculated according to the cost of living. That cost of living is the same for young workers as it is for older workers. I have never met a landlord who is willing to rent out a property for less money to someone who is under 25, or a baker who is willing to sell a loaf of bread for less because the person wanting to eat it is under 25. It costs us all the same to live.

We have seen the Government pinch and misappropriate a term to describe a policy pushed through without any proper equality safeguards. Some of the key questions posed during the debate must be answered. What safeguards are in place to ensure that employers cannot manipulate the terms and conditions of their staff to make them worse off as a result of the new higher national minimum wage? What strategy is in place to ensure that workers under 25 are not exploited and that the provisions of the Equality Act are not breached? Will companies be named and shamed? Will there be financial penalties? The Government must put their declarations of being a party of equality into action and demonstrate they are serious about that by answering those basic questions and ensuring that safeguards are in place for young people and all employees in the workplace. Of course, all that could have been thought through much earlier, had the policy not been rushed in the first place.

Young people deserve a better deal than the one they are getting from this Government. What message are the Government sending to young people with wages low, maintenance grants for the poorest students cut and voter registration rules cynically changed to lock young people out of democracy? The number of young people owning their own home is at its lowest level since records began. University tuition fees have trebled. It seems very much that the Government are not on the side of young people, and I fear that the consequences will be severe.

Even the former Tory MP David Willetts, who now heads the independent Resolution Foundation, has said that the Government are creating a “country for older generations”, in which pensioners benefit from constantly rising incomes while the young, their families

and children—under-25s can have a family and children—are battling constantly rising prices and falling incomes. He said:

“The social contract is a contract between the generations and in Britain it is being broken.”

The Government must not leave the next generation out in the cold and take them for granted. It seems that the policy of a minimum wage only properly kicking in at 25 has been dreamt up with an idea of young people who perhaps go through higher education and do some internships while living at home with their parents. The reality for many young people is that they are an adult at 18, leaving home and standing on their own two feet. I call on the Government to integrate equality into their thinking right across their policy, so that all groups in society are treated equally.

**Geraint Davies (in the Chair):** Before I call the Minister, may I make it clear that my somewhat ambiguous utterance in response to one of the comments made by the mover of the motion should not be interpreted as an affirmation? I am completely impartial in my job. Over to the Minister.

5.30 pm

**The Minister for Skills (Nick Boles):** Mr Davies, it is a pleasure to serve under your chairmanship. Whatever utterances you choose to make, I will still enjoy serving under your chairmanship.

I congratulate the hon. Member for Halifax (Holly Lynch) on securing the debate and for setting out her argument as clearly as she did. Hers was one of the more reasonable and well-founded arguments made, but listening even to her speech one would have thought it was not the Labour Government who introduced the idea of age-related minimum wages. Because you are, Mr Davies, like me, of a somewhat older generation than some of the contributors to the debate, you will remember that age-related rates were an integral part of the original National Minimum Wage Act 1998—Labour are right to be proud of that achievement. It was integral that the design should allow rates to vary up to the age of 26. That was done by the Labour Government explicitly to protect young workers in the labour market.

In advancing the argument that the national living wage is somehow an egregious act of discrimination, the Labour party and the hon. Member for Halifax have to accept that they are advancing the argument that the last Labour Government to win an election were a discriminatory Government. Although I am sure that the hon. Members from the Scottish National party would be only too happy to endorse that suggestion, I suspect that the hon. Member for Halifax and the shadow Minister, the hon. Member for Lancaster and Fleetwood (Cat Smith), would not want to go quite that far.

Let me turn to the impact on employment opportunities. Hon. Members seem to forget that there is a real reason why raising legal minimum wages for younger workers too quickly is a risk. When the last Labour Government—the same Labour Government who brought in the minimum wage with age-related bands—finally limped out of office in 2010, unemployment was high in general, but it was particularly high for young people. In the first quarter of 2010, more than 930,000 young people

throughout the United Kingdom aged between 16 and 24 were unemployed. The unemployment rate was much higher as a percentage than the rate for people over 24.

I am glad to say that under the coalition Government and the current Government, we have managed to bring unemployment down not only for people over 24, but particularly for people under 24. Now, 307,000 fewer people between the ages of 16 and 24 are unemployed than when the last Labour Government completed their term in office. The risk of unemployment for young people is a sensitive issue because we all know that a protracted period of unemployment can have long-term negative effects on people's chances as they go through life.

**Cat Smith:** Will the Minister give way?

**Nick Boles:** No. I heard a lot from the hon. Lady.

It is especially important that young people are given early opportunities, which explains the original construction of the national minimum wage. Opposition Members surely recognise that the Low Pay Commission is an independent body charged with advising the Government on what is a responsible increase for the national minimum wage. The commission is charged with looking in particular at what is called—forgive me for the rather unpleasant jargon—the varying bites of minimum wage rises. That refers to the percentage of the median wage for someone of that age that the national minimum wage would represent at that particular level. I am sure everybody can understand, because it is a matter of common sense, that the closer the national minimum wage rate for somebody of that age gets to the median wage, the greater the risk that raising the national minimum wage rate will reduce employment opportunities.

**Mhairi Black:** Will the Minister give way?

**Nick Boles:** I am not going to give way. I listened to the hon. Lady intently and I am trying to cover all the points raised in a longish debate.

It is critical to understand that although the national minimum wage bite—the percentage of the median wage—for 25 to 30-year-olds in 2015, before the national living wage came in, was only 59%, the bite for 21 to 24-year-olds was 78.7%. That is nearly 80% of the median wage, and that is before the substantial increase in the national minimum wage that was recently introduced for people under 25. There was a significant risk that, had the Government introduced the national living wage for everyone, including those under 25, that would have had a substantial and negative effect on those under-25s' employment opportunities.

The hon. Member for Heywood and Middleton (Liz McInnes) referred to the apprentice minimum wage. It is important to note that in 2015 the apprentice minimum wage rose by 21%. We had inherited from the previous Government, which she supported, an extremely low apprentice national minimum wage. Employers make a substantial investment in apprentices, so we understand that it is important not to choke off their willingness to make that investment by setting legal minimum wages that are too high.

Nevertheless, in Government—at the time, the coalition—we felt that the level of the national minimum wage for apprentices was egregiously and unfairly low.

On one of the few occasions when any Government of either, or any, stripe have rejected a recommendation of the Low Pay Commission, we rejected its recommendation for a small increase in the apprentice national minimum wage, and we instead increased it in one year by 21%, the equivalent of a £1,185 pay rise for a full-time apprentice working 40 hours a week. So we acted on the apprentice minimum wage.

We have taken the advice of the Low Pay Commission and also acted on the national minimum wage rates that apply to people under the age of 25. This year, we accepted all of the Low Pay Commission's recommendations for national minimum wage rates to come into force from this October. The main national minimum wage rate for 21 to 24-year-olds will increase by 25p, or 3.7%—substantially more than inflation or, indeed, average wage growth—to £6.95 per hour. That is the largest single increase in the main rate of the national minimum wage since 2008, in cash terms, with the expectation of the highest level ever in real terms.

Finally, hon. Members from the various Opposition parties may debate how discriminatory legislation brought in by the Labour Government was, but this Government will continue to invest in apprenticeships; to create millions of jobs, in particular for young people; and to increase wages of all working people, under and over the age of 25, through the national minimum wage and the new national living wage.

5.38 pm

**Holly Lynch:** I thank hon. Members for their valued contributions.

The hon. Member for Glasgow Central (Alison Thewliss) talked about how age discrimination not only affects under-25s, but leaves older employees particularly vulnerable in the workplace, which was a good point. The hon. Member for Strangford (Jim Shannon) said that we were a nation of shopkeepers, but also that young people in the workplace sweat just as much as older people. My hon. Friend the Member for Heywood and Middleton (Liz McInnes) identified policies across the board that have been unfriendly to younger people. The hon. Member for Paisley and Renfrewshire South (Mhairi Black) identified the disconnect in how we recognise the contributions of younger MPs in this place, but not the contributions of younger workers out in the real world.

I also thank the hon. Member for Lanark and Hamilton East (Angela Crawley), who talked about her experiences of working at 16. I started my first job at 14 and, by the time I was doing my A-levels at 18, I had three jobs: babysitting for a number of families, and working behind a bar and at weekends in a chemist's shop. To be told that I was unproductive, holding down three jobs while doing my A-levels, is why the issue is particularly close to my heart.

I thank the official Opposition's Front-Bench spokesperson—my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith) and I try to avoid being in the same place at the same time, as most Members struggle to tell us apart. Perhaps that says something about the demographics of Westminster, that younger, female politicians all look the same to their older, male colleagues—present company excepted, of course.

I am disappointed with the Minister's response. I understand that there are other opinions historically, but I make the point that when some of the decisions

[*Holly Lynch*]

were being taken, I was holding down three jobs while at school. However, I believe that he has failed to address any of the issues that I raised—the injustice of people being told that they are underproductive, and the reason given by the Minister. Also, clarity is desperately needed in industry, for employers, as highlighted by the Federation of Small Businesses. Do young people have an incentive to get into the workplace? If employers act on that, will they end up in the courts?

I would like to take the issue further. If the Minister can provide any more information in writing, I would be grateful to receive it. I hope that other hon. Members will join me in continuing to keep this campaign going.

*Question put and agreed to.*

*Resolved,*

That this House has considered age discrimination and the national living wage.

5.41 pm

*Sitting adjourned.*

# Written Statement

*Wednesday 8 June 2016*

## HOME DEPARTMENT

### Justice and Home Affairs Pre-council Statement

**The Secretary of State for the Home Department (Mrs Theresa May):** The final Justice and Home Affairs Council of the Dutch presidency will take place on 9 and 10 June in Luxembourg. My right hon. Friend the Minister for Immigration (James Brokenshire) will attend the justice day and I will attend the interior day.

Justice day (9 June) will begin with a discussion on the draft directive on the supply of digital content. The presidency will present a paper outlining progress in negotiations. The Immigration Minister will welcome progress on this dossier.

The presidency will next seek a general approach on the draft regulations relating to matrimonial property regimes and registered partnerships. These proposals are being considered under the enhanced co-operation procedure, and the UK does not participate.

The presidency will seek member states' support for the way forward on a range of issues relating to the internal functioning of the European Public Prosecutor's Office (EPPO). The UK is clear that it will not participate in an EPPO.

Next on the agenda will be a progress report on negotiations on the draft directive on the protection of the Union's financial interests. The UK has not opted into this directive.

The presidency will seek support for the proposal to extend the European criminal record information system (ECRIS) to include third country (non-EU) nationals. The Immigration Minister will intervene to support the principles behind the ECRIS proposal and to emphasise the importance of finding a suitable technical solution.

Over lunch, the presidency intends to hold a discussion on compensation for victims of crime. It will focus on improving co-operation between member states' competent authorities to enhance access to compensation for victims of crime in the EU.

After lunch, the presidency will seek agreement of Council conclusions on improving criminal justice in cyberspace and a steer from Ministers on the direction of further work by an expert group, notably around jurisdictional issues. The Immigration Minister will intervene to agree the importance of tackling cybercrime and to stress that best use should be made of existing tools.

The presidency will present a report setting out a mid-term review of the e-Justice Action Plan 2014-18.

Under any other business, the presidency will update on discussions with service providers on tackling online hate speech.

The presidency will also update Ministers on the recent EU-US JHA ministerial meeting in Amsterdam on 1-2 June, and the Slovakian presidency will present its JHA priorities.

Interior day (10 June) will begin with a discussion on the draft weapons directive, which relates to the control of the acquisition and possession of weapons. The presidency will seek a general approach on this directive. I will welcome the presidency's efforts to reach this position but will continue to press for more restrictive controls on some types of weapons.

The Council will then turn to the presidency's data-sharing road map. The road map contains a number of practical proposals aimed at enhancing data sharing between EU member states for JHA purposes, which reflects proposals from the UK and France. I welcome the presidency's prioritisation of this work to enhance internal security across Europe.

The next discussion, on the fight against terrorism, will focus on a paper from the European Counter Terrorism Co-ordinator which makes a number of recommendations, including promoting the role of the Europol Counter Terrorism Centre (EUCTC) in tackling the terrorist threat. I will support the work of the EUCTC in tackling terrorist finance, online radicalisation and firearms, while re-asserting the importance of respecting Member State competence in relation to national security.

Next, the presidency will seek an exchange of views on a report on the implementation of the renewed internal security strategy, which is a Council-led initiative. I support the implementation of the strategy.

Over lunch, the presidency will lead a discussion on migration, before a formal agenda item on the implementation of the EU-Turkey statement of 18 March and on migration through the central Mediterranean. I will seek to ensure a continued focus in the Council on the effective implementation of the statement, and that the Council continues to retain oversight of both the levels of migration through the central Mediterranean and activities to manage this migration.

The Council will then discuss proposals on the relationship between the Schengen states and Georgia, Ukraine, Kosovo, and Turkey. The presidency will seek a general approach in relation to Georgia and an exchange of views on the other proposals. There are no direct policy implications for the UK as we do not participate in the immigration and border aspects of the Schengen area.

Next on the agenda is the European border and coast guard, where the presidency will provide a progress update on negotiations with the European Parliament. The UK supports action by Schengen states to improve management of the external border. The UK will, of course, not participate in this Schengen-building measure.

The Council will then turn to a discussion on the situation within the Schengen area as far as internal controls are concerned, based on a report from the Commission covering developments up to March 2016. The UK does not participate in the border elements of Schengen.

Under any other business, the Commission will formally present their proposals to the Council on reform of the common European asylum system. No discussion is expected on this item. The presidency will also update Ministers on the outcomes from the high-level meeting on cyber-security, which took place in Amsterdam on 12-13 May.

[HCWS37]



# ORAL ANSWERS

Wednesday 8 June 2016

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