

Monday
28 November 2016

Volume 617
No. 70



HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 28 November 2016

House of Commons

Monday 28 November 2016

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

COMMUNITIES AND LOCAL GOVERNMENT

The Secretary of State was asked—

EU Funding: Community Groups

1. **Thangam Debbonaire** (Bristol West) (Lab): What the Government's policy is on the replacement of EU funding to community groups after the UK leaves the EU. [907494]

The Secretary of State for Communities and Local Government (Sajid Javid): The Government have guaranteed support for projects that have signed agreements for EU funding. This guarantee applies even when those projects continue beyond EU exit. We are considering future arrangements regarding domestic support for local growth.

Thangam Debbonaire: A key aim of European funding for community groups is to promote skills and employment. Last week's autumn statement appeared to have no long-term strategy for investment in skills and employment. Given how important this is for the UK to compete globally post-Brexit, does the Secretary of State agree that this shows yet again that the Government simply have no plan for Brexit?

Sajid Javid: I completely disagree. I have noted that the hon. Lady's constituency has seen a 49% fall in unemployment since 2010, and I hope that she would welcome that. What we saw in the autumn statement were further measures to keep the strength in our economy, including the announcement of regional allocations of a local growth fund—it will apply to the hon. Lady's area—that will go on to generate both growth and jobs.

Mr Philip Hollobone (Kettering) (Con): Will my hon. Friend confirm that for every £2 we give to the European Union we get only £1 back? Under our own scheme, we could potentially be more generous than the EU is at the moment and we could give to community groups in line with national priorities rather than EU priorities?

Sajid Javid: As usual, my hon. Friend makes a very good point. Once we have left the EU, we will be able to design schemes for local growth and offer support through

funding that will meet all our national priorities, provide value for money for British taxpayers and lead to more jobs and growth.

Stuart Blair Donaldson (West Aberdeenshire and Kincardine) (SNP): On 25 February, the Government announced that they would make an application to the EU solidarity fund to provide extra support to flood-hit communities across the UK, including a number in my own constituency. Given that we have now voted to leave the EU, can the Minister give us an update on the progress of this application, so that communities that are still dealing with the consequences of flooding can be reassured that they will receive this money?

Sajid Javid: I am happy to tell the hon. Gentleman that we have made an application and that it is now being considered by the European Commission. We hope to update Members as soon as we can.

Henry Smith (Crawley) (Con): Does my right hon. Friend agree that there is no such thing as EU money—it is taxpayers' money—and that when business rates are kept locally by local authorities, thanks to this Government, local community groups will be able to benefit from that funding?

Sajid Javid: That is a very important reminder from my hon. Friend that it is all our money at the end of the day. He reminds us that, when we leave the EU, we can use that money locally as we wish. The connection that my hon. Friend has made to business rates is the right one.

Planning Permission

2. **Jason McCartney** (Colne Valley) (Con): How many planning permissions were granted in the most recent period for which figures are available. [907495]

The Secretary of State for Communities and Local Government (Sajid Javid): Some 100,900 planning permissions were granted in the quarter April to June 2016. This is a 6% increase on the same quarter in 2015. However, people cannot live or work in planning permissions, so developers need to move ahead to build.

Jason McCartney: What measures can be brought forward to get developers who are sitting on land with planning permission to get building? When I say "get building", I do not mean four or five-bedroom detached properties, but two and three-bedroom properties that are affordable to my constituents?

Sajid Javid: My hon. Friend raises an important point. We are clear that sites with planning permission should move ahead without delay, and we are taking steps to speed up development through our Neighbourhood Planning Bill and the new £3 billion home building fund. In addition, the national planning policy framework expects councils to plan for a mix of housing to meet local needs.

Heidi Alexander (Lewisham East) (Lab): Planning permissions mean absolutely nothing if homes are not actually built. Can the Secretary of State confirm the figures that were released last week, which show that

just over 141,000 homes were built in the year to September 2016—20% lower than the 176,000 that were built at the peak under Labour in 2007?

Sajid Javid: It is true that under the previous Labour Government, housing starts fell to their lowest level since the 1920s, and I can also confirm that the housing supply numbers for the latest year available are up by 9%.

Mr Andrew Mitchell (Sutton Coldfield) (Con): Does the Secretary of State understand the anger and disappointment felt throughout Sutton Coldfield at his decision last week to back Labour's wholly unnecessary plans to build on Sutton Coldfield's green belt? Does he realise that this is a breach of the Conservative party's election manifesto and his own words from just a few weeks ago? Does he now understand that we will seek to oppose his decision by all legal means and amend future legislation to give the protection that he has shown himself unable to provide?

Sajid Javid: My right hon. Friend has been a passionate and committed campaigner on this issue, and I respect that tremendously. The Government placed a hold on the Birmingham local plan precisely because they value the green belt: it is very, very special. However, when a local community has come forward with a robust plan, has looked at all the alternatives, has considered its housing needs and has prioritised brownfield sites, and when the independent planning inspectorate has said that the plan conforms to all the rules and regulations, the Government have no valid reason to stand in the way.

John Healey (Wentworth and Dearne) (Lab): Where on earth does the Secretary of State get his figures from? According to his Department's own official figures—I have them here—there were 140,000 fewer permissions last year than in the peak year under Labour. More important is the fact that, as he says, people cannot live in planning permissions; what they really need are decent, affordable homes. Will he tell us how many new affordable homes were built in this country last year?

Sajid Javid: Unlike the right hon. Gentleman, I get my figures from the Office for National Statistics. According to the ONS, housing supply amounted to 189,650 additional homes in 2015-16, which is an increase of 11%, and the level is the highest for eight years. I believe that when the right hon. Gentleman was the housing Minister, housing starts fell to their lowest level since the 1920s.

The right hon. Gentleman asked about affordable homes. We have provided more money for affordable homes than any previous Parliament, and there has been an increase of 304,000 since 2010.

John Healey: Those figures are just not accurate. Even if we include the money that has been announced, the Government's investment in new affordable homes over the current Parliament is still only half the level of Labour's investment in its last year in office. The number of new affordable homes built last year was the lowest for 24 years, notwithstanding 750 separate announcements on affordable housing since 2010. This is a disaster for families who are struggling to cope with housing costs. When will we—after six years of failure—see a serious

plan to help people on ordinary incomes with housing to rent and buy, and when will we see a proper Government plan to fix the housing crisis?

Sajid Javid: What was a disaster was a decline of 410,000 in the number of social housing units during the 13 years of the Labour Government. Since then, the number has risen by more than 60,000. If the right hon. Gentleman does not agree with me, perhaps he will agree with his former colleague, now the Mayor of London, who said of the money allocated to affordable housing in last week's autumn statement:

"This is the largest sum of money ever secured by City Hall for affordable housing."

Several hon. Members *rose*—

Mr Speaker: The hon. Member for Thirsk and Malton (Kevin Hollinrake) must know something about these matters. He is an estate agent. Let us hear from him.

Kevin Hollinrake (Thirsk and Malton) (Con): I tend to spend more time here these days, Mr Speaker.

Does the Secretary of State agree that if we are to create more opportunities for small and medium-sized house builders, we need to allocate more small sites in local plans?

Sajid Javid: Yes, I do agree with my hon. Friend. He will be pleased to know that the new accelerated construction fund will ensure that allocations of that kind are more forthcoming, and that the £3 billion home building fund will provide more support for small and medium-sized builders.

Neighbourhood Plans

3. **Mims Davies** (Eastleigh) (Con): What plans he has to enhance and extend neighbourhood plans. [907496]

The Secretary of State for Communities and Local Government (Sajid Javid): The Government are committed to neighbourhood planning, which enables communities to shape the development and growth of their local areas in a positive manner. The Neighbourhood Planning Bill will further strengthen and future-proof the process, while ensuring that communities have the support that they need.

Mims Davies: Well-supported neighbourhood plans and agreed local plans are critical to good local planning and housing. How does the Secretary of State aim to hold to account councils that fail to deliver agreed and well-supported local plans by early 2017, and those that fail to support and encourage neighbourhood plans and hence the right mix of local housing?

Sajid Javid: We expect all authorities to have a plan in place and to keep their plan up to date. We have put that requirement beyond doubt by legislating for it in the Neighbourhood Planning Bill. My hon. Friend's local council, Eastleigh Borough Council, has not taken the issue seriously and has let down local residents. She is right to stand up for her constituents. Her council should follow her example.

Dame Rosie Winterton (Doncaster Central) (Lab): Is the Secretary of State aware that, as part of the neighbourhood plan for Hexthorpe in my constituency, a selective licensing system was introduced for private landlords, which reduced all types of antisocial behaviour by between 20% and 45%? Will he look at how those schemes can be extended? Will he also look at how the planning process can be modified to allow councils to make quicker decisions about houses in multiple occupation, which can often be linked to antisocial behaviour?

Sajid Javid: The right hon. Lady makes a good point. We should always be looking at what more can be done to combat antisocial behaviour. She has raised an excellent example. I was not aware of it but, now that she has raised it, I will take a closer look to see whether we can extend it.

High Streets

4. **Luke Hall** (Thornbury and Yate) (Con): What steps his Department is taking to support high streets. [907497]

The Parliamentary Under-Secretary of State for Communities and Local Government (Andrew Percy): The Government are committed to supporting high streets. We are cutting business rates for many retailers and developing digital high street pilots in Gloucestershire. In the run-up to Christmas—my hon. Friend's background is in retail—I hope that we can all take the opportunity to support our local high streets, shop local and support Small Business Saturday this weekend.

Luke Hall: The Sodbury chamber of commerce is starting a programme to help local businesses to use social media to promote the high street. What are the Government doing to support initiatives such as that being demonstrated so skilfully in Chipping Sodbury?

Andrew Percy: My hon. Friend makes an important point. Last week, I chaired my first future high streets forum, where we heard about the excellent work undertaken in the digital pilots across Gloucester, Cheltenham and Stroud. That is an important tool through which we can attract people back to our high streets. We will be doing further work through the forum on these digital roll-outs.

Mr David Hanson (Delyn) (Lab): In my constituency, many small towns, such as Flint, Mold and Holywell, have to impose car parking charges because of the financial situation that they are in, yet large, out-of-town retail developments such as Cheshire Oaks, which is just over the border in England, have free parking. Has the Minister had a chance to look at how we can help to support small businesses on the issue of town centre parking?

Andrew Percy: I would be more than happy to welcome the right hon. Gentleman to North Lincolnshire Council, where, when we took control from the Labour party, we scrapped parking charges, introduced two hours of free parking and all-day free parking on Saturdays and Sundays. It had a wonderful effect: it brought people back to the high street. I would be delighted to see him in Brigg and Goole any time soon to discuss the matter further.

Peter Heaton-Jones (North Devon) (Con): When it comes to supporting our high streets, will the Minister join me in welcoming Small Business Saturday this weekend, because it plays such an important part in helping our smaller, independent retailers on our high streets? Will he join me in congratulating North Devon Council, which has just announced an hour's free parking in Barnstaple in the run-up to Christmas?

Andrew Percy: I am more than happy to congratulate North Devon Council on its announcement on free parking. As I have said, free parking has made a huge difference in my area in bringing people back to our town centres. I reiterate that I hope that Members will get out and support Small Business Saturday throughout the country.

Roger Mullin (Kirkcaldy and Cowdenbeath) (SNP): At the recent world town centres summit in Edinburgh, many things were on display, including apps that allow people to put entire towns, including high streets and small traders, online. What plans do the UK Government have in that regard?

Andrew Percy: We are working through the future high streets forum on the issue of connecting people better to their high streets through digital media, including social media. I point to the example of Bishy Road, York, which last year won the Great British High Street award and used its winnings to develop an app with Newcastle University to do just that. A lot of work is going on in that regard.

Graham Jones (Hyndburn) (Lab): Fixed odds betting terminals, the crack cocaine of gambling, have led to an explosion in the number of betting shops on our high streets. What are the Government going to do about it? Aside from my amendment, what is in the Neighbourhood Planning Bill to tackle the explosion in betting shops, which no one wants?

Andrew Percy: I welcome the hon. Gentleman's comments. It is important that we have a mix of different outlets on our high streets and I know that there are concerns about this in many town centres. It is of course for local councils to make appropriate use of the powers available to them, but I am happy to look into the issue further and discuss this with the hon. Gentleman if required.

Mark Pawsey (Rugby) (Con): The Minister has just referred to alternative uses in our town centres, and one of them can be tourism. Does he agree that a great example is provided by Rugby Borough Council in its development with World Rugby in creating the Hall of Fame, opened earlier this month, in the most appropriate place: the birthplace of the game of rugby?

Andrew Percy: There can be no better place for such a venue and I congratulate Rugby on that development and my hon. Friend on his support for it. It is true that we need our town centre spaces to include a mix of different uses to attract people back into our towns, to support the retail offer there too.

Mr Speaker: It is obviously a very remarkable facility if it is situated in the high street; it certainly has to be acknowledged.

House Building

5. **Michael Gove** (Surrey Heath) (Con): What steps he is taking to build and develop more homes. [907498]

The Secretary of State for Communities and Local Government (Sajid Javid): The Government are investing over £25 billion over this spending review period. Our home building fund will help small builders, our accelerated construction programme will see more homes built faster, and we announced a further £1.4 billion for our affordable homes programme in last week's autumn statement.

Michael Gove: I thank the Secretary of State for his response. He will be aware that communities welcome development all the more if the architecture is sympathetic to the local vernacular, artisan builders are involved in the development, and the environment is respected. In achieving all of those ends, what role do garden villages have to play?

Sajid Javid: We will be supporting a number of garden villages—those that are committed to being well-designed communities and that will stand out as exemplars of good development for years to come. We will ensure that there are real and important benefits that are rightly secured from the outset: quality, design, cutting-edge technology, local employment opportunities, accessible green space, and fantastic access to public transport.

Mr Clive Betts (Sheffield South East) (Lab): Will the Secretary of State give a bit more information about last week's statement? Will the extra money for additional affordable homes be for affordable homes to rent, which have so far been lacking from the Government programme? Will the relaxation of restrictions on Government grant to allow a wider range of housing types mean that the whole of the Homes and Communities Agency's £8 billion fund can be bid for with packages involving affordable homes for rent? At the same time will the Secretary of State say that, on section 106 agreements, priority will continue to be given to affordable homes for rent?

Sajid Javid: The Chairman of the Select Committee asks a number of questions. [Interruption.] I will answer most of his questions, but we have a number of opportunities to speak and perhaps I can give more detail then. The high priority the Government place on affordable homes was made clear by the Chancellor last week, and I can confirm that the £1.4 billion he announced is additional money. We estimate that it will lead to about 40,000 additional units. We have given housing associations the flexibility to decide on the types of unit—whether they are to rent or otherwise—which is precisely what they have asked for.

Mrs Maria Miller (Basingstoke) (Con): Under Labour, when more homes were built there was not the investment in infrastructure in constituencies such as mine. That has changed under this Government, particularly with last week's announcement of £2.3 billion in the housing infrastructure fund. Can the Secretary of State confirm to my constituents that they will also see the sort of investment we need to see in roads and rail, particularly on the Wessex route, which is now chronically overcrowded?

Sajid Javid: My right hon. Friend makes an excellent point about the importance of infrastructure if we are to unlock our housing sites. She rightly referred to the £2.3 billion of additional funding announced last week. There is over £1 billion of new money for transport projects as well, which will also go towards releasing homes and easing congestion, which she can also make use of locally.

Alison Thewliss (Glasgow Central) (SNP): The Secretary of State was a bit vague in his answer to the hon. Member for Sheffield South East (Mr Betts), the Chair of the Select Committee, on the Government's intention to build and develop homes for social rent, which ought to be a significant part of their intentions to help people who do not want to, or cannot afford to, buy their home. When will he bring forward a plan—such as the Scottish Government plan to build 35,000 social rented houses—for England.

Sajid Javid: I have referred to this at the Dispatch Box a number of times. We have seen a massive increase in affordable homes in England, involving more than £8 billion during this Parliament and an additional £1.4 billion announced last week. This is leading to thousands of new affordable homes, which is something that Scotland could learn from.

Alison Thewliss: Shelter has said that starter homes “will be a non-starter” for those who are just about managing. People on low incomes simply cannot afford the deposit for those houses. Would the Secretary of State not do better to look at how Scotland is investing in social rented housing and affordable housing for people who are just about managing?

Sajid Javid: The hon. Lady might be interested to know that Shelter's chief executive welcomed the autumn statement for increasing the number of affordable homes and for providing some of the flexibility that had been asked for. Shelter is an organisation that we work with and listen to, and we will continue to do so.

Sir Peter Bottomley (Worthing West) (Con): Given that half the new homes will be leasehold, and that part of the problem stems from the present and potential abuse of the system, will my right hon. Friend please get together with representatives of *The Sunday Times* and *The Guardian*, and others who are covering these abuses, to ensure that ordinary people buying their first home do not find that it is unsaleable and of no value when they decide to leave it?

Sajid Javid: My hon. Friend makes an important point. We must ensure that the kind of abuse he mentions is stamped out. We work with a number of stakeholders, and we will certainly see how we can do more.

Local Authority Planning Departments

6. **Steve McCabe** (Birmingham, Selly Oak) (Lab): What steps he is taking to ensure that local authority planning departments have sufficient resources to carry out their enforcement and other duties. [907499]

The Minister for Housing and Planning (Gavin Barwell): We have recently consulted on increasing planning fees, and we will be setting out our response in the forthcoming White Paper.

Steve McCabe: As the Minister might know, I have been pursuing the issue of protecting family homes. I am not against permitted development, but I am against rogue developers who are able to cause untold misery to ordinary homeowners through ruthless exploitation and breaches of permitted development because they are better resourced than local authorities to deal with enforcement. Will the Minister agree to look again at the issue of enforcement in that area?

Gavin Barwell: I share the hon. Gentleman's concern that local authorities should use their enforcement powers. The Housing and Planning Act 2016 has given local authorities substantial additional powers to tackle rogue landlords through the creation of a database, the use of banning orders, the extension of rent repayment orders and an increase in civil penalties. The powers are there, and I would be happy to meet him to discuss how they should be used.

Richard Benyon (Newbury) (Con): One of the best ways to ensure that local planning departments have sufficient resources to carry out their duties is to allow local authorities to charge the full cost of planning applications. This is something that the Government promised to introduce a long time ago, and I very much hope that this Minister will bring it in.

Gavin Barwell: I thank my hon. Friend for his comments. As I have said, we are consulting on the issue of greater resourcing for local authority planning departments, and virtually everyone I have met in the four months since I became Housing Minister has said that there is an issue that needs to be addressed. If my hon. Friend bears with us, he will see a solution in the housing White Paper.

Dr Roberta Blackman-Woods (City of Durham) (Lab): The Minister will know that, due to Government cuts, spending on planning in local authorities has fallen by a massive £1 billion since 2010. We have heard warm words from the Government this afternoon about plugging the huge funding gap, particularly in relation to allowing fees to rise, but will he tell us what more he plans to do to resource planning departments properly, so that they can produce local plans and make plans for the new settlements, new towns and garden cities that we so desperately need if we are to solve our housing crisis?

Gavin Barwell: The hon. Lady is quite right to say that local authority planning departments have a crucial role to play in tackling the housing problems that this country faces, but she undersells their record of achievement under this Government. She talked about local plans. When Labour left office, 17% of councils had a local plan; today, the figure is 72%.

Robert Neill (Bromley and Chislehurst) (Con): Will the Minister also bear in mind that there is great support for local flexibility on planning fees and that many respectable developers and builders would value that flexibility, provided that it was ring-fenced and reinvested

in local planning authorities? That is particularly important in areas such as London, where the cost pressures are especially great.

Gavin Barwell: My hon. Friend makes an important point. If we increase the resources raised through planning fees, it is essential that that money is spent on extra resourcing in planning departments. He is quite right to say that both local authorities and developers are pressing the case to solve the issue.

Planning Applications

7. **Steve Double (St Austell and Newquay) (Con):** What guidance his Department provides on the weighting of site allocations in local plans, neighbourhood planning and town frameworks when (a) local authorities consider planning applications and (b) planning inspectors consider appeals. [907500]

The Minister for Housing and Planning (Gavin Barwell): Our guidance is clear that decisions on planning applications, whether by local authorities or by planning inspectors, must be taken in accordance with the development plan unless material considerations indicate otherwise.

Steve Double: I thank the Minister for that answer. Housing developer Wainhomes recently submitted a planning application for 300 homes on a site in St Austell that was not allocated for development in the town framework. The local council consulted widely when producing the framework and found that 95% of local residents who responded did not want the site to be developed. I know that the Minister cannot comment on specific applications, but does he agree that if permissions are granted on sites that are not allocated for development, that does little to promote the public's confidence in the planning system?

Gavin Barwell: I share my hon. Friend's determination that we have a plan-led system. It is vital that local authorities get plans in place, so I was delighted that Cornwall voted to adopt its local plan on 22 November.

Maria Caulfield (Lewes) (Con): Does the Minister agree that the Secretary of State's actions last week completely undermined the neighbourhood plan of Newick in my constituency with the overturning of the decision on the Mitchelswood Farm site? Some 89% of people in Newick voted for their neighbourhood plan, which excluded that site. Does that not suggest that neighbourhood plans are not worth the paper they are written on?

Gavin Barwell: Neighbourhood plans are a vital part of an area's development plan. Where a local authority does not have a five-year land supply in place, my hon. Friend is quite right that that is an alternative consideration. With the White Paper, we want to consider how we can change policy so that the people who work hard to produce such plans have more confidence that they will have an effect on all applications.

Mr Speaker: I gently remind right hon. and hon. Members that they should not leave the Chamber until all the exchanges on the question to which they have contributed have been concluded. One fellow has just

beetled out of the Chamber having popped his question, taking precisely zilch interest in anybody else's. I am sure that the discourtesy was inadvertent, but it is in breach of a long-standing convention of this House, of which all Members ought to be aware. Modesty and kindness forbid me to mention the name of the offending individual on this occasion.

Community Pubs

8. **Graham Evans** (Weaver Vale) (Con): What recent discussions he has had with local authorities on support for community pubs. [907501]

The Parliamentary Under-Secretary of State for Communities and Local Government (Andrew Percy): I note my hon. Friend's interest as chairman of the all-party beer group. I am happy to work with local authorities to develop community pubs. Listing a pub as an asset of community value gives communities time to bid to buy it should the owner decide to sell. We have supported community buying through the £3.6 million "More than a Pub" programme.

Graham Evans: Many pubs will have welcomed the news about rural rate relief in the autumn statement, but they still face an immense challenge on business rates. What further steps could the Minister take with local authorities to help ease the burden of business rates on pubs?

Andrew Percy: We are permanently doubling the level of small business rate relief from next year, meaning that 600,000 small businesses will pay no business rates at all. In addition, 17,000 pubs may be eligible for small business rate relief from 1 April next year, depending on their rateable value. Around 13,000 are potentially eligible for 100% relief, compared with some 4,000 now.

15. [907508] **Rob Marris** (Wolverhampton South West) (Lab): Why are business rates on pubs calculated using a method different from that used for other business premises?

Andrew Percy: Before the review, we agreed a methodology with the industry through which the revaluations would take place, so that is why that mechanism is used.

23. [907517] **Marcus Fysh** (Yeovil) (Con): Like other businesses, pubs in my constituency are grateful for the raising of the threshold for the payment of rates, but they can suffer following bizarre Valuation Office Agency reassessment decisions that cancel out the benefit. As local authorities such as Somerset are now highly dependent on growing their rates revenue and on 100% rates retention, how can it be right that businesses face uncertainty from such a source?

Andrew Percy: This is an independent process and it would not be appropriate for Ministers to intervene in it. We have, of course, provided £3.6 billion of transitional relief for those businesses affected by the revaluation, but I refer back to the statistics I gave in an answer a moment ago about the number of businesses that could now qualify for 100% relief.

House Building: Rural Areas

9. **Huw Merriman** (Bexhill and Battle) (Con): What steps he is taking to ensure that new homes can be built in rural areas. [907502]

The Minister for Housing and Planning (Gavin Barwell): We want to see all areas with an up-to-date plan in place that meets housing need. We are doubling annual capital spending on housing over the course of this Parliament, and we will be announcing further measures, some specific to rural areas, in the forthcoming White Paper.

Huw Merriman: I thank the Minister for his response, and I am keen to see more local housing. With 75% of my constituency designated as areas of outstanding natural beauty, my district councils are in the midst of delivering a much-needed five-year land supply. Will he assure me that the Government will implement robust measures to prevent opportunist developers from applying to build anywhere in our AONB in the meantime?

Gavin Barwell: I am delighted to hear that my hon. Friend's local councils are getting their five-year land supply in place, as that is crucial. In the meantime, I can reassure him that the national planning policy framework says that great weight should be given to conserving landscape and scenic beauty in AONBs, so the protection is there in national policy.

Ruth Smeeth (Stoke-on-Trent North) (Lab): What will the Minister be doing to ensure that British-made ceramics—tiles and bricks—will be used for rural housing and, for that matter, for all housing?

Gavin Barwell: That is a good question and I am happy to meet the hon. Lady to explore what opportunities exist, as she is a doughty champion for her area and for her industry.

Mr David Nuttall (Bury North) (Con): Will my hon. Friend confirm that under the national planning policy framework, unmet housing need does not constitute an exceptional circumstance necessary to warrant building in the green belt?

Gavin Barwell: That is a timely question. The answer is that the NPPF does not define what the exceptional circumstances are that should justify changing green belt boundaries. That is rightly a matter for local communities to decide on.

Areas of Outstanding Natural Beauty: Infrastructure Projects

10. **Charlie Elphicke** (Dover) (Con): What his policy is on the ability of organisations responsible for areas of outstanding natural beauty to intervene in important infrastructure projects; and if he will make a statement. [907503]

The Parliamentary Under-Secretary of State for Communities and Local Government (Andrew Percy): Any individual or organisation can make representations on planning applications for infrastructure projects, and it is of course for the decision maker to decide what weight, if any, should be given to those representations.

Charlie Elphicke: For more than a year, my constituents have been battling to get rid of a 40 mph speed limit on the main motorway to the port of Dover—a road of national strategic importance—yet the infrastructure for this to happen is being held up by the AONB. What measures can be taken by the Department or through legislation to make sure that a better balance is struck?

Andrew Percy: I am aware of this issue and my hon. Friend's advocacy on behalf of his constituency. Clearly, legislation does require Highways England to have regard to the AONB's purpose to conserve and enhance that natural beauty. I am more than happy to meet him or to pass his concerns on to the appropriate Department with regard to this issue.

Mrs Cheryl Gillan (Chesham and Amersham) (Con): The Minister's colleague has just confirmed that the NPPF makes it clear that AONBs should have the highest status of protection, yet the Chilterns Conservation Board, the public body set up to protect the Chilterns AONB, had its proposal for a fully bored tunnel under the Chilterns rejected. When it comes to projects such as HS2, it appears that there is one rule for some AONBs and another for the Chilterns AONB. What is the Minister going to do to try, still, to persuade the promoters to have a fully bored tunnel under the Chilterns and to live up to his promise to protect our AONBs?

Andrew Percy: It is absolutely appropriate that AONBs receive the protection they do in the planning process. I am more than happy to pass on my right hon. Friend's question and concerns about the tunnel and the Chilterns to the Secretary of State for Transport.

Troubled Families Programme

11. **Bridget Phillipson (Houghton and Sunderland South) (Lab):** What assessment he has made of the cost-effectiveness of the troubled families programme. [907504]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): Between 2012 and 2015, nearly 120,000 families on the troubled families programme saw their lives improve. In October, we published a report on the programme's costs and potential fiscal benefits based on local authority data. A first assessment on the cost-effectiveness of the new programme will be available next year.

Bridget Phillipson: I am grateful to the Minister, but I am not sure whether he has had a chance to thoroughly read the report commissioned by his own Department on the scheme; that found no evidence of a significant or systematic impact on the key objectives of the programme. Will Ministers set out why the decision was taken to spend hundreds of millions of pounds expanding the programme before they could even know whether that was money well spent?

Mr Jones: I say to the hon. Lady that this party is absolutely focused on outcomes, not process. Nearly 120,000 families have had their lives improved, and I for one am proud that there are more children back at school, that youth crime is down and that more than 18,000 adults involved with the programme are back in work.

Kate Green (Stretford and Urmston) (Lab): Does the Minister accept that the report shows that although this was purportedly designed around the payment by results model, it was no such thing? Local authorities simply delivered the number of families for which there was funding. What do the Government intend to learn from the failure to design an effective contract? How will they ensure that in future taxpayers' money is well spent?

Mr Jones: As I said in my previous answer, we are confident that a significant number of families have benefited from the programme, but the new programme will be subject to a more robust evaluation, particularly of its cost-effectiveness.

Adult Social Care

13. **Lilian Greenwood (Nottingham South) (Lab):** What steps his Department is taking to ensure adequate funding for adult social care. [907506]

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): I fully recognise the pressures on adult social care, which provides a vital service to millions of people across the country. That is why the Government have provided extra funding for adult social care, with up to £3.5 billion available during this Parliament.

Lilian Greenwood: Yesterday, the former Health Secretary, Stephen Dorrell, commented on the Chancellor's autumn statement, saying that it was "a mistake" not to provide extra investment in the social care system, which was "inadequately funded". Last week, directors of social services said social care was "in real jeopardy", and the Conservative leader of Warwickshire County Council said that

"it is no exaggeration to say that our care and support system is in crisis."

The Minister says that he is providing extra money, but when are the Government going to wake up and provide the funds needed to prevent the whole system from collapsing?

Mr Jones: During the spending review last year, we consulted the sector carefully. We spoke with the Local Government Association, and looked at length at what it said. It said that we should have £2.9 billion of extra funding available for adult social care across this spending period, but we have provided up to £3.5 billion.

Mr Peter Bone (Wellingborough) (Con): Social care should not be a party political matter, and there are concerns on both sides of the House. Would it not be a good idea if the Government worked with the Opposition to see whether we could agree on a way forward so that social care progresses satisfactorily? Perhaps an independent body responsible for social care could be created, rather than the issue being left to local government and the national health service.

Mr Jones: My hon. Friend makes a sensible point. These issues are often important, and we need to speak to a wide group of people to make the right decisions. We are certainly interested in speaking to anyone who wants to come up with sensible and practicable solutions in relation to this vital issue.

20. [907514] [R] **Wes Streeting** (Ilford North) (Lab): The Care Quality Commission says that the social care system is about to topple over. The LGA says that councils cannot cope with the cost pressures, and much of the funding that the Minister has discussed is either repackaged funding or funding that will not kick in until late in this decade. When is he going to come clean about the scale of the crisis, take his head out of the sand and lobby the Treasury to make sure that the promised money for 2020 is brought forward and we get to grips with the care crisis?

Mr Jones: This is not repackaged money: this is new money for adult social care—up to £3.5 billion across the spending review period. The hon. Gentleman mentioned the report by the LGA, which is absolutely right that the key is better integration of health and social care. The £1.5 billion that we are providing through the better care fund is the best way to continue to promote that.

Ms Angela Eagle (Wallasey) (Lab) *rose*—

Maria Eagle (Garston and Halewood) (Lab) *rose*—

Mr Speaker: I am loth to come between sisters, especially twins, but I call Angela Eagle.

Ms Angela Eagle: Thank you, Mr Speaker; you may have caused me some trouble later this evening. In the past six years, the Government have cut social care funding by nearly £5 billion. In my authority of Wirral, there is a £3.5 million hole in the budget only halfway through the year. The system is on its knees, and there has been an 18% increase in emergency admissions to hospital as a result. The Prime Minister did not have an answer to this last Wednesday. When is the Minister responsible going to have an answer?

Mr Jones: We have enabled councils to raise additional funding through the adult social care precept, but this is all about priorities and the way in which local government allocates its finance. The hon. Lady might want to have a word with her local council leader and group, as they have sought to spend £270,000 on a propaganda newspaper. Is that good value for money when they say that they need more for social care?

Mr Speaker: I call Maria Eagle.

Maria Eagle: Thank you, Mr Speaker. I am grateful to follow my sister—as I always have.

Liverpool City Council, which covers most of my constituency, raises £146 million in council tax every year from its council tax base. This year it has spent £151 million on adult social care, yet since 2010, this Government and their predecessor have cut 58% of the budget that the council has to fulfil its statutory obligations. Is the Minister really saying that Liverpool City Council is in a position to spend any more on adult social care, which it needs to do, without more money coming from central Government?

Mr Jones: I refer the hon. Lady to the indicative allocations that have been made through the better care fund, which takes into account councils' ability to raise council tax. In terms of its average spending power per dwelling, Liverpool gets £100 more than the national

average. She might want to discuss with her council leader how the council can improve its collection of council tax, which in Liverpool is well below the national average.

Kate Hollern (Blackburn) (Lab): It has been interesting to listen to the Minister's responses, which demonstrate that the Government do not accept that there is a crisis in adult social care. That denial leads me to worry about the 1.2 million people who cannot even access a service. Local authorities have had to cut between 40% and 50% of their budget. Blackburn Council raises £900,000 with a 2% precept, but to stand still it needs £1.2 million per year and it already has a £5.8 million black hole. Are we seriously saying that we will wait to have conversations to see how we can take things forward? There is a crisis happening now—we are heading for winter and we are putting old people in danger. Will the Secretary of State find the £2.6 billion that is needed now?

Mr Jones: I am not sure that the Secretary of State has that money down the back of the sofa or of the green Benches. We recognise that this is an extremely important issue, and that is why we are giving additional precepting powers, which will have a cumulative effect over time. I note that the hon. Lady is looking for an extra £2.6 billion off the cuff. That is interesting, given the fact that at the last general election, the then shadow Chancellor said that if the Labour party were in power, local government would be subject to cuts.

Property Management Agents

16. **Alistair Burt** (North East Bedfordshire) (Con): What recent representations he has received on the effectiveness of the regulation of property management agents working on newly developed housing; and if he will make a statement. [907509]

The Minister for Housing and Planning (Gavin Barwell): My right hon. Friend is right to raise concerns about the quality of service provided by some managing agents. That is why we are introduced legislation to ensure that property management agents belong to an approved redress scheme.

Alistair Burt: I am working with constituents who, despite a number of complaints about management services on a relatively newly built estate, find that the management agents are not prepared to meet them as a group. They find that their local parish council has discontinued contact with the management agents, and the management agents have not held an annual general meeting, as they promised in their agreement. If this is in any way familiar to my hon. Friend, will he tell me what more my constituents can do to redress the balance of power between themselves and the people who seem to have them over a barrel?

Gavin Barwell: Sadly, the situation that my right hon. Friend describes is familiar, and something that he has raised before. The Government are looking to address it. Although there are existing legal powers, we are exploring whether further changes are required to address this problem.

Mr Speaker: To speak with exemplary brevity, I feel sure, I call Mr Andrew Slaughter.

Andy Slaughter (Hammersmith) (Lab): Thank you for squeezing me in, Mr Speaker.

Speaking of regulation, the Housing Minister thought two months ago that Labour's ban on letting fees was a bad idea. Does he agree that, if we want security and affordability in the housing market, he should, in addition to signing up to that ban, sign up to Labour's other manifesto promises—three-year tenancies and control of inflationary rent increases in the private sector?

Mr Speaker: The hon. Gentleman can now breathe.

Gavin Barwell: It certainly would be good to see longer tenancies in the private rented sector, but in terms of regulating to force all private landlords to let for longer periods and to introduce rent controls, we have only to look at the record in our own country and around the world to see what the result of such policies would be: a smaller private rented sector, which would make our housing problems worse.

Topical Questions

T1. [907519] **Mims Davies** (Eastleigh) (Con): If he will make a statement on his departmental responsibilities.

The Secretary of State for Communities and Local Government (Sajid Javid): I am sure that the whole House will welcome the latest official house building numbers showing housing starts at an eight-year high, but there is still a lot more we need to do. That was why last week's autumn statement contained billions of pounds of funding to get Britain building, and it is why our White Paper, which is due to be published in January, will set out a range of radical plans to boost the housing supply. I can also confirm that we will start announcing local growth fund allocations later this week, and I hope to have all the deals announced before Christmas.

Mims Davies: Further to my recent question to the Leader of the House and a written parliamentary question, I would like to raise once again the importance of protecting ancient woodland from hostile development. In terms of delivering much-needed appropriate housing, do Ministers agree that once we bulldoze ancient woodland, it can never come back, and that options B and C in Eastleigh Borough Council's emerging local plan are completely inappropriate and will destroy a valued local community landscape?

Sajid Javid: My hon. Friend is right: ancient woodland is an irreplaceable habitat. The national planning policy framework is clear that

“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland”,

unless there are very exceptional circumstances. However, without a local plan, local people do not have the certainty they need. Once again, my hon. Friend has demonstrated that Eastleigh Borough Council is letting its residents down.

Teresa Pearce (Erith and Thamesmead) (Lab): Changes to the local government pension scheme that recently came into effect were debated in a statutory instrument Committee last week. During the debate, the Minister indicated that EU directive 41/2003 does not apply to the LGPS, yet a letter I have here from his own Department says that it does. Will he confirm that the directive does apply and that it has been applied?

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): I can assure the hon. Lady that the directive, we firmly believe, does not apply. If she would like to meet me to discuss the issue further, I would be more than happy to do so.

T2. [907520] **Richard Benyon** (Newbury) (Con): The Valuation Office Agency appears to be a law unto itself. At the click of a mouse, it seems to be able to change the way in which large sites such as the Vodafone headquarters and the Atomic Weapons Establishment at Aldermaston are rated, wiping millions off the income of a small unitary local authority such as West Berkshire. Will the Minister agree to look into this matter?

Mr Jones: My hon. Friend raises an important question. When a council's income is impacted by a successful business rates appeal or other losses in business rates income, there is a safety net, as I am sure he will be aware. However, he will be reassured by the fact that, during the design of the new 100% business rates retention scheme, we are looking at how risks around business rates income will be managed in the future.

T6. [907524] **Melanie Onn** (Great Grimsby) (Lab): As North East Lincolnshire Council is being forced to shut down its credit union services, does the Minister agree that his Department's funding cuts to councils have been great news for loan sharks?

The Parliamentary Under-Secretary of State for Communities and Local Government (Andrew Percy): We have provided a long-term funding settlement to North East Lincolnshire Council, which will have £592 million to spend over this Parliament. In addition, the two local enterprise partnerships serving the hon. Lady's area—the Humber LEP and the Greater Lincolnshire LEP—have received £114 million and £126 million respectively, and we will be making further announcements shortly.

T3. [907521] **Stephen Metcalfe** (South Basildon and East Thurrock) (Con): Does my right hon. Friend the Secretary of State agree that the actions announced in last week's autumn statement will improve not only access to housing but the living standards of ordinary working people and their families?

Sajid Javid: I could not agree more. Definitive action is what is required, and that is exactly what the Government are providing. The autumn statement detailed £7.2 billion of investment in housing, which is the biggest dedicated investment in housing in a generation. The Government expect to double in real terms annual capital spending for housing over the course of this Parliament. That is great news for Essex and great news for the country.

Diana Johnson (Kingston upon Hull North) (Lab): Through no fault of its own, Hull has struggled to be part of any devolution deal in Yorkshire and the Humber, despite accepting the elected mayor model and recognising the importance of devolution to economic regeneration for the city. Will the northern powerhouse Minister agree to meet local MPs, councillors and others to discuss what has worked elsewhere in the country and how we can take Hull forward?

Andrew Percy: I would be delighted to do so. The situation is deeply disappointing. I met Councillor Steve Brady, the Labour leader of Hull City Council, only on Friday, when we discussed devolution. The hon. Lady can of course turn up at this afternoon's meeting of the all-party parliamentary group on Yorkshire and North Lincolnshire, where she will see a devolution double whammy with the Secretary of State and me talking about Yorkshire devolution.

T4. [907522] **Ben Howlett** (Bath) (Con): As my hon. Friend the Minister will know, Bath and North East Somerset Council recently voted in favour of entering the west of England devolution deal. Will he join me in congratulating the council on making this decision, which will devolve powers to the region and allow it to invest in affordable housing projects across Bath and the west of England?

Andrew Percy: I absolutely congratulate local leaders in the west of England on their grown-up approach, and my hon. Friend on his work on this deal, which will bring an additional £1 billion of investment in infrastructure, as well as devolving powers from this place to the local community on transport, adult skills, and housing and planning.

Mr Ben Bradshaw (Exeter) (Lab): Did the Minister see last week's shocking report from the Alzheimer's Society showing that only 2% of people affected by dementia feel that their home carers have adequate training in dementia, that only 38% of home care workers have any dementia training at all, and that 71% did not have accredited training, with dreadful consequences for dementia sufferers and their families and carers? Does he accept that until social care is properly funded, this situation will just get worse?

Mr Marcus Jones: The right hon. Gentleman raises an important issue. By 2020, we expect all social care providers to provide appropriate training on dementia to all relevant staff. Over 100,000 care workers have already received such training. As I said with regard to the funding of adult social care, we have provided a package that will provide up to £3.5 billion of extra funding during this spending review period.

T5. [907523] **Stuart Andrew** (Pudsey) (Con): Leeds City Council is developing a local plan, but reports suggest that it is unable to demonstrate that it has a five-year land supply, which is endangering sites that the plan seeks to save. Has the Department considered giving some leeway to councils that are in the process of developing a local plan so that they do not need such a long-term housing supply?

The Minister for Housing and Planning (Gavin Barwell): My hon. Friend is right to underline the importance of local authorities having a five-year land supply and an up-to-date local plan, because that ensures that local communities can decide where development should go, what kinds of development should happen, and which sites should be protected. I am looking forward to visiting his constituency shortly, and I hope we can discuss these issues in more detail then.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): The amount of money that has been cut from social care since 2010 dwarfs what the Secretary of State's Department is going to be putting in over the next five years. He might wish to deny it, but there is a crisis in our health and social care services, with too many people stuck in our hospitals because there is no care available to enable them to come out. Why did the Secretary of State fail to make adequate representations to the Chancellor to ensure that funding was allocated in last week's autumn statement?

Sajid Javid: The hon. Lady rightly points to a very challenging situation. I am sure she will welcome the additional £3.5 billion of funding that is being provided during this Parliament. The other thing that I know she will welcome—she pointed to it in her question—is the need for more integration between the NHS and adult social care, which we are seeing in parts of the country such as Manchester. We want that to continue and to ensure there is a plan in place in every local region by 2020.

T7. [907525] **James Duddridge** (Rochford and Southend East) (Con): While I welcome the £55 million of funding for the South East local enterprise partnership, it falls well short of the £229 million that was applied for, which would have secured a great deal of business growth and economic development in the area. Will my hon. Friend point me in the direction of any future funding that might bring us to the table to secure the economic growth that is needed?

Andrew Percy: We have only announced regional allocations, so it is not correct to say at this point that the South East LEP will receive £55 million. The final figures will be announced in the coming weeks, and the initial funding allocations given to LEPs for discussion may change somewhat.

Tracy Brabin (Batley and Spennings) (Lab): In Kirklees, the amount spent on social care has gone down in real terms by 15.7% since 2010, despite demand increasing with a rapidly ageing society. What steps are the Government taking to help local councils with the £1.9 billion funding gap in adult social care this year?

Mr Marcus Jones: I welcome the hon. Lady to her place. We are taking the situation extremely seriously. We have enabled councils to raise additional funding through the adult social care precept—up to 2% on top of the council tax—and in a few weeks' time, she will be able to see the allocation for the better care fund, which will come into effect in April 2017 for the next financial year.

T8. [907526] **Bob Blackman** (Harrow East) (Con): With £3.15 billion allocated for 90,000 new homes in London and a doubling of the money spent to combat rough

sleeping, what action can Ministers take to ensure that that money is used quickly to provide the homes that people desperately need, so that no one is forced to sleep rough?

Gavin Barwell: That was a great question from my hon. Friend. The Greater London Authority will be launching its affordable housing programme tomorrow. It is worth reiterating what the Mayor has said, which the Secretary of State quoted:

“This is the largest sum of money ever secured by City Hall to deliver affordable housing.”

That is just the beginning, because last week the Chancellor announced another £1.4 billion, and London will get a share of that budget. That is a clear sign of the Government’s commitment to tackling our housing problems.

Nic Dakin (Scunthorpe) (Lab): People who live close to recreational airfields such as Hibaldstow do not have the same protection from noise and nuisance as people who live near to similar recreational activities that involve staying on the ground. Will the Secretary of State have a look into this and see what can be done about it?

Gavin Barwell: The Minister for Housing and Planning is very happy to meet the hon. Gentleman to discuss those issues.

T9. [907527] **Neil Carmichael** (Stroud) (Con): If we are to have a local plan-led system, what is the Minister going to do to make sure that local plans are saluted, especially by planning inspectors?

Gavin Barwell: Provided that local plans have a five-year land supply, the expectation should be that planning applications are decided in accordance with those local plans, unless clear material considerations suggest otherwise. My message to my hon. Friend is to make sure that his local authority has a local plan in place with a five-year land supply.

John Cryer (Leyton and Wanstead) (Lab): The housing waiting lists that apply to my constituency have been growing for a long time. Can the Secretary of State answer earlier questions and tell us what proportion of the much-vaunted new houses will be rented, and what proportion will be for social rent?

Gavin Barwell: What we have done with the affordable housing programme is to give complete flexibility, so I cannot give a specific answer, because it will depend on the bids that housing associations make from the programme. There is complete flexibility in relation to tenure. The Government have had a policy of focusing on affordable rent rather than social rent, because that allows us to deliver far more homes for a given level of public subsidy.

T10. [907528] **Luke Hall** (Thornbury and Yate) (Con): Many of my constituents are keen to see an ambitious devolution deal secured for the west of England. Will the Secretary of State update the House on the progress that is being made on that devolution deal?

Sajid Javid: I know that my hon. Friend is a big fan of this deal. Devolution will support jobs in the west of England and many other parts of England. The next step for that deal is for the Government to seek the

consent of all three councils involved for the parliamentary order, and we are well down the course with that. I congratulate my hon. Friend on supporting this transformative deal.

Alan Brown (Kilmarnock and Loudoun) (SNP): Will the new White Paper address the fact that under the Government’s flawed right-to-buy proposals, more socially rented houses are currently being sold than are being replaced?

Gavin Barwell: We are very proud of the right-to-buy policy, which gives ordinary working people the chance to buy their homes. Where I agree with the hon. Gentleman is that it is absolutely essential that we replace the affordable rented accommodation that is sold, and the Secretary of State and I are absolutely determined to make sure that that happens.

Paul Scully (Sutton and Cheam) (Con): Will the Minister meet me and representatives from the Royal Marsden hospital, the Institute of Cancer Research at my local Epsom and St Helier University Hospitals NHS Trust and Sutton Council to see what more can be done to bring publicly owned land at the Sutton hospital site back into use to deliver a world-class London cancer hub providing 13,000 highly skilled jobs?

Sajid Javid: I would be very happy to meet my hon. Friend. I know he supports our accelerated construction programme on public land, which seeks to do just that.

Fiona Mactaggart (Slough) (Lab): The increase in family homelessness has meant that more and more children are in unsuitable temporary accommodation in bed and breakfasts. When did any Minister in the Department last discuss with Education Ministers the impact of homelessness on children’s achievements, and what are they planning to do about it?

Mr Marcus Jones: I can reassure the right hon. Lady by telling her that we have a ministerial working group that covers a multitude of different issues in relation to homelessness, and one of the Ministers around the table is from the Department for Education. I can also tell her that we are looking to change the way in which the temporary accommodation management fee works, which should lead to a far better situation in which local authorities can plan with regard to temporary accommodation to make sure that people are not in such accommodation for so long.

Neil Parish (Tiverton and Honiton) (Con): Over the years, planning has not taken enough notice of local and regional designs, so will Ministers get planning authorities to concentrate on that? A great garden village is being promoted at Cullompton—it has a water park and everything—which will be a very good design.

Gavin Barwell: My hon. Friend makes the very important point that getting good-quality design is key to the acceptability of building more housing. I had the great privilege recently of meeting him and some of his constituents to talk about the contribution that neighbourhood planning can make towards achieving that goal.

Chris Bryant (Rhondda) (Lab): Our countryside is not littered with advertising hoardings, unlike in other countries in Europe, because of the action taken by a Labour Government through the Town and Country Planning Act 1947. However, lots of farmers and other landowners are now circumventing the rules by parking great big lorries with hoardings by roads. What are the Government going to do to stop this?

Gavin Barwell: We have made sure that local authorities have the powers to take enforcement action in such places. As I said in response to an earlier question, we are determined to ensure that local authorities are properly resourced to take that enforcement action.

Justin Tomlinson (North Swindon) (Con): Further to the excellent question asked by my right hon. Friend the Member for North East Bedfordshire (Alistair Burt), the right to manage is a safety valve for leaseholders, but this complex legal issue often thwarts residents, so what more can the Minister do to share best practice and to advise frustrated residents?

Gavin Barwell: Some excellent organisations already exist to provide advice to people dealing with these problems. I can, however, tell my hon. Friend that there is a clear sense on both sides of the House that this issue needs addressing. The Government intend to take action, and I am keen to discuss that with him.

Aleppo

3.37 pm

Alison McGovern (Wirral South) (Lab) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in Aleppo.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr Tobias Ellwood): We are appalled by the entirely preventable humanitarian catastrophe now taking place in eastern Aleppo and across other besieged areas in Syria. The UN Under-Secretary General, Stephen O'Brien, has described what is happening in Aleppo as an "annihilation". Over the weekend, Syrian regime forces captured several opposition-held districts of Aleppo, potentially bisecting the besieged eastern part of the city, and there are reports of further advances today.

The regime's two-week assault on Aleppo has been backed predominantly by Iranian and Shia militias. There have been unconfirmed reports of Russian airstrikes, but our understanding is that since airstrikes resumed a fortnight ago, the vast majority have been by the regime. During that time, hundreds have been killed and thousands more have been forced to flee. The last functioning hospital was put out of action on 19 November. Humanitarian access has been deliberately blocked by the regime and its allies for over four months now, leading to the 275,000 civilians in eastern Aleppo facing imminent starvation. Across the rest of Syria, there has been almost no progress in delivering the UN humanitarian plan for November. The latest UN plan to deliver humanitarian aid was agreed by armed opposition groups last week, but the regime is still blocking it. This is just the latest of many failed efforts.

I make it clear to Russia that using food as a weapon of war is a war crime. So, too, is attacking civilian infrastructure, such as hospitals and schools—another favoured tool of the regime and its backers. We call upon those with influence on the regime, especially Russia and Iran, to use that influence to end the devastating assault on eastern Aleppo and to ensure that the UN's humanitarian plan can be implemented in full. As my right hon. Friend the Foreign Secretary said this morning, that requires an immediate ceasefire and access for impartial humanitarian actors to ensure the protection of vulnerable citizens fleeing the fighting. All those involved in the siege and assault on Aleppo have a responsibility to change course to protect civilians.

Addressing the dire situation in eastern Aleppo and the wider Syrian conflict is a priority for this Government. I spoke to Britain's ambassador to the UN this morning to discuss what more we can do in the Security Council to bring diplomatic pressure to bear on the conflict. There can be no military solution to this conflict. What is needed is for the regime and its backers to return to diplomacy and negotiations on a political settlement, based on transition away from President Assad.

The Government stand ready to engage fully in discussions and offer whatever support we can in the quest for a political settlement, working in partnership with the international community, including Russia. We need to maintain international pressure to that end. That is why we are strong supporters of the recent EU

effort to extend 28 new sanctions designations against the regime in October and November. In the meantime, we continue to work with our key partners to look at every option to alleviate the suffering of millions of Syrians, especially those in Aleppo.

For as long as the regime and its backers deny humanitarian access, whether by land or air, such options, I am afraid, are difficult to come by. By the same token, the real solution is straightforward: the Syrian regime must simply agree to allow UN aid agencies to access those in need. All that is needed is the decision from Damascus, nothing more.

Alison McGovern: Last week, I and the hon. Member for Tonbridge and Malling (Tom Tugendhat) welcomed the head of the Syria Civil Defence force, the White Helmets, to Parliament. Raed Saleh told us of the terrible situation in Aleppo: the lack of food, the lack of medical supplies, and the constant bombing by Assad and the Russians. Since then, the situation has worsened. A renewed assault by Assad has recaptured a large part of the city, as the Minister described, forcing thousands to flee with just the clothes on their backs.

This morning, I was sent a statement from the White Helmets, which read:

"Dear Friends in Britain,

Aleppo is in a state of emergency. 279,000 people have been under siege for 94 days. In the last 13 days the Syrian Regime and Russia have launched more than 2,000 airstrikes and unleashed a variety of banned weapons...

We are calling on you, as the friends of the Syrian people to act. The Syrian Regime and Russia are refusing to let aid into the city so we are calling on you to airdrop aid to provide urgent relief to the starving civilians trapped...

We can not believe that one of the world's most powerful countries, in the full glare of the media, will allow 279,000 people to be starved and bombed to death."

My question is this: is the counsel of despair that we heard this morning from the Defence Secretary on the radio really all we have left? There is something we can do. We can airdrop aid into the besieged areas, as the White Helmets are calling for and as a cross-party letter signed by 126 Members of this House has demanded. I ask the Minister to respond to that letter to the Prime Minister here. We can renew the push in the UN for the creation of a humanitarian corridor to get help to civilians. Will the Minister confirm that he raised that in his conversations with our ambassador?

The Government have always said that airdrops are a last resort and I understand that, but Gareth Bayley, the UK special representative for Syria, has tweeted about Aleppo today, saying:

"Situation in #Aleppo could not be more dire: every hospital out of service; official food stocks run out; nowhere for civilians to run".

He called Aleppo "a coffin". Does the Minister agree that the Government need an urgent strategy to protect civilians? When hundreds of thousands of civilians are being starved and bombed into submission, we must consider airdrops. It is time for the last resort.

What Britain stands for on the world stage is being challenged. This is a test. There is no risk-free course of action left, but I believe there is a right course of action. Let us not stand and watch as one of the great cities of the world is destroyed. Let us not allow 100,000 children to starve in eastern Aleppo.

[*Alison McGovern*]

When Kosovo was under attack, Britain led the response. When people in Sierra Leone cried out for our help, Britain led the way. The people of Syria need us to show that leadership. Jo Cox said that our response to Syria would be “emblematic” of our generation, and “how history judges us”. Her words are ever more true today, so let us not fail.

Mr Ellwood: First, may I say how grateful I am to the hon. Lady for her work in raising this matter in the House through urgent questions and by working with other colleagues as well?

I had the opportunity to meet the head of the White Helmets at the same time as the hon. Lady. He stressed his frustration that the west—indeed, the world—was not doing enough as we saw the annihilation of an historic city. It is a city that goes back to the sixth millennium. It is the financial centre of Syria, its largest city, and now condemned, almost, to ruin.

The hon. Lady touches on the letter, now with 126 signatories. I made it clear in my statement that we are looking at all options, but she must understand that, as has been repeated in this House, unilateral or even multilateral aid drops would place us in harm’s way, in what is already a complicated air environment. The question therefore has to be asked whether that is the best and safest way of getting aid to where we need it to go. We are not ruling out options, but we have to ask ourselves whether introducing British aircraft into that air environment would compound or improve matters, and whether there are other, safer ways of getting the aid in.

The hon. Lady also raises a larger point, namely what Britain and the international community are doing. She also mentioned the work of Jo Cox. We all agree in this House that Britain has the ability and the aspiration to play a significant role on the world stage. In August 2013 we had that opportunity and we blinked. We had an opportunity to hold Assad to account. As a result we have ended up with a situation where both Russia and Daesh have now come in. The question I pose to this House—

Fiona Mactaggart (Slough) (Lab): What are you doing now?

Mr Ellwood: The question I pose to this House, and to the right hon. Lady who is screaming from her seat, is that, unless this Parliament gives the Executive the support we need, our hands are tied in terms of what we can do. I therefore turn to the Labour Front-Bench team, who I think are of a different opinion to some behind them, and say that Britain wants to engage on this, but five resolutions have been vetoed at the UN Security Council by Russia, so we need to look at other opportunities. We can do that only if we have the full support of this Parliament. I hope we will get that so the Executive can lean into this challenge in the way Jo Cox would expect.

Mr Andrew Mitchell (Sutton Coldfield) (Con): The whole House will welcome the Minister’s unequivocal statement on behalf of the Government that Russia is committing war crimes in Aleppo and in Syria. The

position in Aleppo is unclear today, but there are two things we can surely say. Will the Government put in their undoubted diplomatic efforts and bend every sinew to secure unfettered access for UN and humanitarian support? Secondly, will they also bend every sinew to secure a ceasefire, so that negotiations under UN auspices, through Staffan de Mistura, can begin?

Mr Ellwood: I pay tribute to my right hon. Friend for engaging with this and doing his best to make sure that Parliament is up to date and involved in what is happening in Aleppo. He touches on the issue of war crimes. It is important to understand that it is unlikely that we will be able to hold the perpetrators to account today or tomorrow, but we will hold them to account in the months and years to come. We are keeping lists so as to understand who the military leaders are who are conducting the air attacks, no matter what country they come from, and all those participating in these crimes and supporting the Syrian regime must remember that their day in the international courts will come. We are collecting that evidence to make sure we can hold them to account.

On the important question of airdrops, the UN has tens of thousands of pieces of kit and material that it wishes to get into these areas, but it is being denied access by the Syrian regime. We cannot enter the regime’s airspace, or use its roads, without its permission. If we sought to do so without its permission, we would end up with exactly the situation we had on 19 September, when a UN-led convoy moved into Aleppo and was destroyed from the air by Russian aeroplanes.

Emily Thornberry (Islington South and Finsbury) (Lab): Thank you, Mr Speaker, for granting the urgent question from my hon. Friend the Member for Wirral South (Alison McGovern). As she made clear, there is no more urgent situation in the world right now than the humanitarian crisis in east Aleppo. With no functioning hospitals to handle the mounting civilian casualties, food supplies exhausted and tens of thousands of people already facing starvation, we truly have reached the point of last resort, and the Government have previously made it clear what that should mean. The former Foreign Secretary said in June:

“While air drops are complex, costly and risky, they are...the last resort to relieve human suffering across many besieged areas.”

To be clear, nobody in the House underestimates the complexity and risks involved, but with no alternatives and thousands facing death if they do not get immediate supplies of food and medical equipment, these are risks that we must be prepared to take. Will the Minister take the urgent steps required today to agree a plan for airdrops by British planes with the UN and our international partners, as has been called for by the White Helmets, whose representatives I too met last week? The UN’s humanitarian adviser, Jan Egeland, was asked at the weekend what plan B was if Russia and Assad kept up their criminal assault on east Aleppo and continued to block supplies of aid by road. He said:

“Plan B is that people starve. And can we allow that to happen? No, we cannot”.

He is quite right, and I hope that the Minister will agree.

Mr Ellwood: Britain’s humanitarian effort should be praised by everyone in the House. We are providing £2.3 billion—that makes us the second-largest donor—

£23 million of which is going directly to UN organisations geared to making sure that the aid gets to where it is most urgently required. We are now debating the tactics of how to get the equipment into place, and the hon. Lady is advocating that British aeroplanes—Hercules aircraft or otherwise—go into Syrian airspace and make those drops.

The Minister for the Armed Forces (Mike Penning): They would be shot down.

Mr Ellwood: They would be shot down, as my right hon. Friend says. I am not even aware that the UN has requested airdrops. I am not saying that they will be ruled out or who should do them. It may be that we can co-ordinate and make them happen. They are not being dismissed; I am simply telling the House that it is hugely complicated. I have been in the armed forces and involved in several airdrops, so I know that very often, when the drop zone is particularly small, the kit lands in the wrong place and goes to the very people we do not want to receive it. As I touched on before, the scale of the aid required means that an enormous number of sorties would have to be conducted; but with transport trucks, we could get the aid to the exact locations, if they are given the permissions. I am sorry to labour the point, but were we to conduct airstrikes, it would require Syrian support. If we can get that support, it is better that it be for the trucks, which could get through to the exact people requiring the aid.

Sir Hugo Swire (East Devon) (Con): I think my hon. Friend meant airdrops rather than airstrikes, but he is right that we can be proud of what we have done as a country for those who are in the camps surrounding Syria. Today's urgent question is about those who are trapped in the most hideous situation in Aleppo.

What I believe Members are trying to convey to the Minister is that we regard this as possibly one of the most urgent issues in global politics today. We think this is an opportunity for the British Government to show leadership, to convene likely partners, to kick-start the peace process and the peace talks, while at the same time coming to the House with some concrete ideas about how we can alleviate the appalling, biblical suffering of the men, women and children in what remains of one of the great cities of Syria.

Mr Ellwood: My right hon. Friend gives me licence to pay tribute to the neighbouring countries of Syria for the work they have done in taking on board literally millions of refugees—Lebanon, Turkey and Jordan in particular. One reason why we organised the Syrian support conference this year was to make sure that there were funds available so that those countries can look after those refugees, ensure that they are educated and have the health services they need and make sure that they can eventually move back to Syria once the guns fall silent.

My right hon. Friend talks about Britain wanting to do more. I hope that what I said earlier is not being misconstrued. My request is that I want and would like to, but we are at the will of Parliament when it comes to ensuring that it happens. *[Interruption.]* Opposition Members are shouting, but the Leader of the Opposition had five opportunities to vote on Syria, but we ended

up not having the opportunity to check Daesh before it had been created and to hold Assad to account. We cannot afford to go down that road again. If there is appetite in this House, I absolutely welcome it.

Several hon. Members *rose*—

Mr Speaker: Order. I entirely understand that passions are running high. It might help the House to know that I intend to call everyone, so there is no need for any hon. Member to speak from her seat, when she will have the opportunity to speak on her feet in due course.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): Thank you, Mr Speaker.

I congratulate the hon. Member for Wirral South (Alison McGovern) on securing this urgent question and, indeed, on the work she has done to get cross-party support for calling on the UK Government to authorise the airdropping of aid. A quarter of a million people, including 100,000 children, have been trapped in deteriorating conditions in Aleppo's eastern district since the summer. There are no functioning hospitals; there is no more food. Independent observers have estimated that yesterday alone, at least 219 civilians were killed.

I understand that finding a practical and political solution to this horrific, almost unimaginable situation is complex and challenging. I say to the Minister, however, that no practical challenge should be too tough and no political obstacles too insurmountable to do the right thing by these people whose suffering is growing day by day. Who could fail to be moved by the seven-year-old Bana al-Abad who was tweeting live from Aleppo, asking for help when bombs were falling on her. That is a serious call for help, and we must act. What discussions have taken place with Russia to demand that it sign up now to the agreement brokered by the UN to provide aid? What practical assistance has been offered by UK forces to support the delivery of aid?

Mr Ellwood: On that last point, as I say, we are doing all our work through the UN agencies, which are best placed and neutral. There is an important difference in that if we start to act as a unilateral operator in this very difficult, complex and multi-sided environment, we could be seen and labelled as some form of antagonist by the Russians and, indeed, the Syrians. That is the main complication. Alternatively, we can do things neutrally through the United Nations and on a humanitarian ticket, which is why we are pushing forward our efforts and our funds to support the work of the UN.

The hon. Lady's other point has been raised before, and I view it as well summarised by two pictures that I have used before in this House. The first is of Omran Daqneesh, the boy photographed after being bombed. He was alive and hon. Members may recall he was thrown in the back of an ambulance. The other stark image that reminds us of the hell of Syria is that of Alan Kurdi, the poor boy who was washed up on the Turkish beach. Is that the choice that we are leaving the people of Syria? I do not want that. I very much want us to do more, and I hope that—together—we will be able to achieve that.

Bob Stewart (Beckenham) (Con): I have organised airdrops in a benign environment. That is the ideal situation, because airdrops are not high but low, and aircraft carrying them out are very vulnerable. If the

[*Bob Stewart*]

House wants airdrops to be carried out in a non-benign environment, it must expect our aircraft to be brought down. If that is the risk that this Parliament wishes to take, let it please, in future, vote for it—and everyone in the House should take responsibility for that vote when an RAF aircraft containing seven or eight people is brought to the ground and everyone is killed: that is the responsibility that the House will have to bear.

Mr Ellwood: My hon. Friend, with the experience that he brings to the House, articulates the challenges that we face. We must work with the United Nations, and receive its advice on how best to get the aid in. I do not rule out the use of airdrops, but it must be a last resort when we are unable to get the trucks in by gaining permissions on the ground.

Hilary Benn (Leeds Central) (Lab): I think that, in truth, all of us in the House, and in the world, feel ashamed by the fact that we are unable to bring food and medical supplies to the 250,000 people who are trapped in eastern Aleppo, including, as we have heard, 100,000 children. They are in harm's way today. I understand—we all understand—the difficulties involved in airdrops, such as the one raised by the hon. Member for Beckenham (Bob Stewart), but back in the summer—as we heard from my hon. Friend the Member for Islington South and Finsbury (Emily Thornberry)—the then Foreign Secretary told the House that agreement had been reached for airdrops to be used if necessary. I simply say to the Minister that if this is not the last resort, given what is being reported every day, what on earth is?

Mr Ellwood: I pay tribute to the right hon. Gentleman and the work that he has done in this regard, and I have listened carefully to what he has said. I spent some time discussing what we could do with Matthew Rycroft, head of the United Kingdom Mission to the United Nations in New York. Unless we have permission for aircraft to enter that space—not necessarily British aircraft; any aircraft—the dangers that those aircraft are likely to face will be considerable. We need to weigh up the options to ensure that we are content for those risks to be taken.

Alistair Burt (North East Bedfordshire) (Con): I have immense sympathy for my hon. Friend. The people of Syria could have had no better friend than him and the Government over the past few years, and I fully appreciate the difficulty in which he finds himself. Whatever we may have asked of the Prime Minister—I signed the letter as well—it is important for us to remember that the United Kingdom is not the perpetrator here and that we are seeking to do something good in very difficult circumstances.

May I follow up the question asked by the right hon. Member for Leeds Central (Hilary Benn)? In May, the International Syria Support Group, which includes the United States and Russia, agreed that if by 1 June the United Nations had been denied humanitarian access to any of the designated besieged areas, it would call on the World Food Programme to immediately carry out a programme for air bridges and airdrops. If it was possible at that time, in those circumstances, for people to secure the agreement that my hon. Friend is seeking for airdrops,

is it not possible—bearing in mind that we are at the last resort—to redouble those efforts to receive the permission that he, and those whom we would be asking to drop the food, require to proceed?

Mr Ellwood: The work of the International Syria Support Group has been difficult, and has been tested. The most recent meeting took place at the United Nations General Assembly, and I attended that meeting with the Foreign Secretary. It was clear that Russia was starting to split away from its intent to provide support and to seek a political settlement, which had been the purpose of bringing the group together. Again, we are left with the problem of gaining the necessary permission for the aircraft. However, I will certainly consider what my right hon. Friend has said, and I will write to him with more details.

Mr Ben Bradshaw (Exeter) (Lab): I have a lot of time for this Minister, but he should not rewrite the history of what happened in 2013. As one of the Labour MPs who did support action against Assad back then, may I gently point out to him that two of his colleagues who were recently Foreign Office Ministers, a former Secretary of State on his own Benches, the Labour Front-Bench team and Labour Back Benchers are all calling for the Government to bring something back to the House on airdrops, so why does he not just do it?

Mr Ellwood: I will answer that in two parts. First, why do we not just do it? Because of the very challenging issues that we face. We do not have permission to send in aircraft. We saw what happened to the Russian aircraft that wandered into Turkish space. It is a volatile environment and we would need to gain the permissions at this point to make that happen. On the other part, I do not wish to antagonise the House and try to rewrite the history. It is as much the Government's fault for failing to win across all parliamentarians. For me, that is the biggest error from our Government—we did not take with us Parliament itself. We collectively need to work together to ensure we are all up to date and, in that way, the Executive can be empowered to do such things, whether no-fly zones or airdrops. However, only with the will and support of Parliament can we make that move forward.

Sir Desmond Swayne (New Forest West) (Con): Has any estimate been made of the willingness of refugees to return to Syria if the regime prevails?

Mr Ellwood: Yes. My understanding is that the absolute majority wish to return to Syria. That is their homeland, where they grew up and where they want to return to. That is one of the reasons why—this is debated regularly in the House—the amount of money that we spend in taking on refugees in this country, compared with the amount of money we pour into looking after refugees in the region, is not the same—we cannot offer the same support—but the same amount of money goes 20 times further per number of individuals. That is why we invest so much in supporting Lebanon, Jordan and Turkey. Those people want to stay in the region, where the language is similar and from where they can return as quickly as possible once the fighting stops.

John Woodcock (Barrow and Furness) (Lab/Co-op): The Minister knows that I respect him and I know that he wants to do more, but I have to say that for a Minister of the Crown to stand at the Dispatch Box and effectively read from a Kremlin press release in saying that any aid mission will be shot down is a poisonous and sickening counsel of despair. He has said that he wants parliamentary backing for us to do more—for a unilateral or multilateral mission. He has that, so why do the Government not have the courage of their convictions and make sure that this can be another Kosovo, rather than another Rwanda?

Mr Ellwood: First, in Kosovo, we had troops on the ground. It was a very different situation there. We had control of the airspace—the environment was very different. I will check what I said in *Hansard*, but there is the possibility that a British aircraft could be shot down. [Interruption.] If I said anything near that, I correct myself and use this opportunity to say that we would be putting British air personnel in harm's way. I hope that that is something with which the hon. Gentleman would concur. Therefore, it is a point that colleagues such as my right hon. Friend the Minister for the Armed Forces must consider when they make a recommendation to the Foreign Office on whether or not this is practical.

Sir Edward Garnier (Harborough) (Con): The Minister's frustration is both palpable and entirely understandable. It goes back to the August 2013 vote. Times are somewhat changed. The parliamentary Labour party is perhaps of a different complexion and others have come into this Parliament since then. Would he think it sensible for the Foreign Office, the Ministry of Defence and 10 Downing Street perhaps to go away and come back in 10 to 14 days with a proposal to put before the House, so that this matter can be fully considered and debated—all the concerns that my right hon. Friend the Minister for the Armed Forces may have and the concerns that other people with military and other experience may have, which have been spoken about this afternoon—so that we can reach a single answer to what is a hugely complex problem?

Mr Ellwood: I concur with my right hon. and learned Friend. It is important that we are able to move forward on this and be aware of the consequences of our doing nothing. I sit here with the briefings I receive and the responsibility I have as Minister for the middle east, and I am very conscious of the comments, the concerns and the anger expressed here today. We have to work with what is the art of the possible and what is the art of the legal as well, but the Foreign Office is looking at various options, and I hope we will be able to advance this, better understand it ourselves, and—dare I say it?—better understand and better educate the British public, so we take them with us, which was a concern back in 2013 as well. We were all haunted by what happened in Afghanistan and Iraq: was this another situation we were going to get sucked into? Things are different now, as my right hon. and learned Friend says, so, absolutely, we should move forward on that note.

Tom Brake (Carshalton and Wallington) (LD): Since the critical final phase of the assault on Aleppo started, with which foreign Governments has the Minister discussed the feasibility of airdrops?

Mr Ellwood: The question of airdrops has been debated with our allies, the Americans, and is raised at the International Syria Support Group, and I raised it this morning with Matthew Rycroft, our UN head of mission, who is discussing it as our representative in New York.

Antoinette Sandbach (Eddisbury) (Con): My constituency predecessor, Stephen O'Brien, is head of the Office for the Co-ordination of Humanitarian Affairs and has been working hard to call out these war crimes for what they are. Can the Minister reassure me that British air assets—in particular, eye-in-the-sky assets—are being used to gather evidence that can then be available for the international war crimes tribunal, to make sure that, when these people are held to account, we have the evidence to prove it?

Mr Ellwood: My hon. Friend raises an important point. If she will allow me, I will not—especially with the Minister for the Armed Forces sitting next to me—go into the detail of how we are collecting that evidence, as that would probably be operationally unhelpful, but I will say that that is exactly what we are doing. But this may take some time; we are identifying those who are responsible, who are those in leadership positions who are giving the orders for these strikes to take place and for the siege of Aleppo to occur. We will hold these people to account.

I pay tribute to Stephen O'Brien, a former colleague in this House, who is doing a commendable job. We can all be very proud of the work he is doing to highlight the humanitarian plight in what is going on.

Fiona Mactaggart (Slough) (Lab): I was distressed by the implication in the Minister's remarks that those of us who voted against airstrikes in Syria were somehow responsible for his decision not to put forward airdrops for aid. Frankly, at that point, we were not convinced that the balance of harms was being sorted in the right way. I think if he was today to call for a vote of this House, those who, like me, opposed military strikes on Syria would strongly support any action that can get humanitarian aid to those starving communities. I know that he is talking about this, but what is he actually going to do to get this aid to the people who are starving?

Mr Ellwood: All actions should be taken through the UN, as it is the conduit that can be deemed as neutral by the Syrian regime and, indeed, by Russia. I hope the right hon. Lady will understand how our turning up and starting to do these airdrops ourselves would change the dynamics of our involvement in the air in a difficult terrain. That is not to say we do not rule it out; I am just saying that it is a more complicated scenario.

The UN does conduct its own airdrops—it has that capability; it has a facility to do so—but it only does that where it has the permission of the Syrian regime for those flights to take place. That is the important point.

On the right hon. Lady's latter point, I am sorry that this Government did not do more to win people like her across. That was our failure as much as anybody else's, and that, more than anything, is what we need to learn from what happened in August 2013.

Richard Benyon (Newbury) (Con): As one of the Members of Parliament who has visited RAF Akrotiri and looked into the eyes of the C-130 crews who would be asked to carry out these missions, I think we should be careful to avoid making a “something must be done” response to a situation that shames humanity and that is on a par with Rwanda, Srebrenica and other events us that have shamed us collectively in the west. Learning from those events, could other actions be taken not only to hold Russia to account but to look at what really hurts that evil regime? London is full of people with connections to that regime who are doing business and educating their children in this country. They need to understand that they cannot behave with impunity and seek to enjoy the benefits that we all take for granted in this country.

Mr Ellwood: I pay tribute to my hon. Friend’s military experience. The role of the C-130 in conducting these airdrops would be exceedingly difficult. As I have said, we do not rule this out, but it would be a huge challenge. He asks what more can be done. At the heart of this is the role of Russia, which is pivotal in being able to exercise influence over Assad, to introduce a ceasefire and to allow access to humanitarian aid. Unfortunately, Russia has vetoed five United Nations Security Council resolutions, thereby preventing even the most basic humanitarian aid from getting through. The Canadians are now seeking to pursue a General Assembly vote, which, if not in an emergency session, would require half the votes. This would be tricky, however, because Russia would use its influence to prevent it from succeeding. We are collectively looking to see what could happen in this dire situation that is reminiscent of Rwanda and Srebrenica. If the UN machine is not working, we have to find ways of circumnavigating it.

Mike Gapes (Ilford South) (Lab/Co-op): Can the Minister confirm that the action taken in Kosovo did not have a UN Security Council resolution? Many of us called on William Hague, when he was Foreign Secretary in 2011 and 2012, to support no-fly zones similar to the ones John Major had established to protect the Kurds in Iraq. Is it not time for us all to recognise that we have allowed Russia to get into this position because we failed to act, not in 2013, but in 2011 and 2012, when Assad started murdering peaceful protesters? Is it not time to recognise that the UN Security Council is hamstrung and that we need to act, even without a Security Council resolution, to save hundreds of thousands of lives?

Mr Ellwood: Following Rwanda, a new international initiative establishing a duty of care was agreed, under which the international community would not stand by when a leader chose to kill his own people. That agreement was introduced so that comments about acts of genocide and other phrases that came out at the time could no longer be used to justify the hesitancy of the international community to step forward. The hon. Gentleman is suggesting that we bypass certain legal processes to move forward. In Kosovo, we had troops on the ground and we had collective international, regional and local support. In Kurdistan, a UN resolution backed the action taken there. He has raised a profound question. Should we go into a situation to do the right thing, even

though we do not have international legal cover because such cover has been vetoed by a P5 member at every opportunity?

Sir Edward Leigh (Gainsborough) (Con): I am sure that the Minister is right—for the reasons given by my hon. Friend the Member for Beckenham (Bob Stewart)—to rule out unilateral action, but what did he mean by his attacks on the Labour Front Bench and on people like me who refused to support military action in Syria? What could possibly be achieved by more bombs falling on that benighted country? Surely, our priority should be peace. We should condemn violence wherever it comes from, including the terrible violence inflicted by the Assad regime and the attack on a school in western Aleppo, which has not been widely reported. I hope that the Minister will condemn that attack. If our priority is to strive for peace and end violence, we have to accept—whether we like it or not—that the appalling Assad and his Russian backers are going to stay. We must therefore drop our demand for them to go. We have to engage with everyone—Assad, the Russians, the Sunni rebels—to try to get peace, because that is what the people want.

Mr Ellwood: My hon. Friend is familiar with the complex make-up of Syria today given all its history. Once we move forward from this situation, it is likely that there will be a federal model that recognises the country’s differences and groupings. We face a situation today in which Russia is backing and placing all its money on the existing regime. It has a connection and relationship that goes back to 1946, which needs to be honoured and reflected. I say to the Russians—to Bogdanov, to Lavrov and to Putin—that they should have that relationship with the people of Syria, not the Syrian regime. They should have a conversation with Dr Riyad Hijab, the co-ordinator of the free Syrian opposition, and then move forward from there, so that Russia can continue to have a sphere of influence without attaching itself to the tyrant that is President Assad.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): Next week, Monzer Aqbiq of the Syria’s Tomorrow Movement should be in London. If the Minister has not already done so, will he undertake to meet him to discuss Syria’s future?

Mr Ellwood: I would be more than happy to look at that if there is an opportunity to meet. I do make an effort to meet any representatives who come through Syria, including when I am in the region—for example, in Istanbul in Turkey, where the free Syrian opposition is based—to try to engage. I would be delighted to speak to the hon. Lady afterwards to discuss things further.

Jason McCartney (Colne Valley) (Con): I, too, signed the letter in support of airdrops. As a former RAF serviceman, I fully appreciate the concern for our aircrews from not only the Minister, but my hon. Friend the Member for Beckenham (Bob Stewart). Will the Minister tell us whether the Prime Minister had the opportunity to raise airdrops with Jens Stoltenberg, the Secretary-General of NATO, when he was at 10 Downing Street last week?

Mr Ellwood: I pay tribute to my hon. Friend, who I think was involved in the air campaign in Kurdistan. He brings a huge amount of expertise to the Chamber. I am unaware of the details, but I know that Syria came up. I will write to him with more details of the conversation.

Joanna Cherry (Edinburgh South West) (SNP): In the letter of the hon. Member for Wirral South (Alison McGovern), whom I congratulate on her work on this issue, she points out that the Government said back in May:

“preparations for airdrops will now take place and go forward rapidly because there isn’t a moment to lose”.

The situation has worsened significantly since May, so I do not understand what has happened to that enthusiasm. More importantly, my constituents, and those of other Members, are appalled by what they see on the news and do not understand why there is not the same enthusiasm for airdrops as there was for bombing this time last year.

Mr Ellwood: I do not want to get drawn into discussing the hon. Lady’s latter point, which is an unhelpful comparison. The will of the House has been made clear and the Executive are looking seriously at what we can do to support the concept of airdrops, but they involve all the dangers and caveats that have been discussed. We take the lead from the United Nations personnel who are on the ground. If we are to do this in a neutral manner, it must be done through the UN. If we step in and start doing things ourselves, our involvement in the Syria campaign will take on a very different perspective, for which we would need the permission and support of this House.

Richard Drax (South Dorset) (Con): I share the concern of my hon. Friend the Member for Newbury (Richard Benyon) and point out that the airdrops that are being pushed by many in this House come with huge risks. Does the Minister, who is in a difficult situation, agree that if they are to be done unilaterally we would inevitably need aircraft to deliver, fighter cover above, and helicopters and special forces to pick crews up if they get downed and wounded? We risk the awful prospect of seeing our service personnel being dragged through the streets or killed in some horrific manner by people down there who are behaving like barbarians. Does the Minister agree that there is a lot of concern?

Mr Ellwood: My hon. Friend and Dorset neighbour spells out some of the intricacies involved in airdrops. It is not simply about the Hercules transport or C-17 aircraft to provide that, but the air cover required, the emergency operations in case the pilots have to bail out and the rescue missions that may have to take place. We are also left facing the stark challenge of hostages being taken. All those factors need to be taken into consideration, from an operational perspective, in deciding on the best method of getting our aid to where we want it to go. As I say, the UN conducts airdrops, but only when it has clear permission from the Syrian regime.

Chris Bryant (Rhondda) (Lab): Putin’s standard *modus operandi* is the excessive use of force, as we saw in the Beslan massacre, in the siege of the Moscow theatre, in Chechnya, in Georgia and in Crimea, and as we now see

in the complete obliteration of Aleppo. Is not the really worrying thing for the future, even beyond the situation in Syria, that the robust facing up to Putin, in so far as it has existed at all, is now fracturing? How are the Government going to make sure we maintain a steady, robust course?

Mr Ellwood: The hon. Gentleman, who has huge experience and knowledge of Russia, spells out the challenge we face in getting the Russians to come to the table, recognising not only the leverage they can provide, but that there is not a threat in respect of Russia’s continued involvement and influence. He touches on some of the previous events that have taken place, but we could also look at what has happened in the Balkans and the Baltics, and prior to the iron curtain. The sphere of influence that Russia had was enormous. Every time one of these countries then moved forward and swung to the west, Russia lost that sphere of influence, and I believe at the heart of this issue is the fact that the Russians do not want to lose a maritime Mediterranean influence which is so critical to them.

Kevin Foster (Torbay) (Con): I am sure the Minister will agree that the scenes in Aleppo of civilians being targeted and the use of starvation as a weapon of war bring echoes of some dark periods, particularly in the 1930s, which international law was supposed to try to stop. What lessons for the system of enforcement of international law can be taken from this dreadful situation?

Mr Ellwood: We are looking very carefully at where international law is left after this experience in Aleppo and indeed across Syria. The UN in New York, the international body that builds alliances and that is designed to bring together states—192 of them—to solve the world’s problems, is now kyboshed because a single permanent member is able to veto absolutely everything. How we can circumnavigate that is a huge question for us to answer.

Mary Creagh (Wakefield) (Lab): All of Aleppo’s hospitals are out of action, meaning that medics are having to amputate children’s limbs without anaesthetic and to deal with the victims of chemical attacks with just water and oxygen. The Minister asks whether there is a safer way to deliver aid, yet he knows that the Syrian regime has bombed the latest humanitarian convoy which went to the city in September. He knows that there will be no political solution while Assad and Putin think they can win the upper hand through military activity. The residents of Aleppo do not want to die and it is in our power to help them—if not now, when?

Mr Ellwood: The hon. Lady, who has shadowed the Department for International Development portfolio and knows these issues well, mentions the 19 September convoy, and I have taken some notes on that. The convoy was approved by the Syrian Foreign Ministry and comprised trucks loaded by the Red Crescent, with enough equipment for 78,000 people. However, it came to a checkpoint, and the UN was told to leave the vehicles and Aleppo residents were told to jump in them. Russian drones were overhead following the convoy all the way until it got into Aleppo territory and then the aeroplanes came in and bombed every single truck. That happened with Syrian permission—it was with

[Mr Ellwood]

approval and they knew exactly what they were doing. I am afraid that this is the regime we are working on, which is why the challenge of looking after those people who are in harm's way is so difficult indeed.

Rehman Chishti (Gillingham and Rainham) (Con): On a way forward in Syria and Aleppo, our key ally is the United States and its President-elect has said that Syria represents influence for Russia. If that view remains, and in line with our consistent view in challenging the Russian aggression, will we chart our own foreign policy position on Syria and the region?

Mr Ellwood: As we come to the end of the current Administration, may I pay tribute to the work of John Kerry in trying to bring the various stakeholders and parties together? He has worked tirelessly to make that happen, and I am sorry that there has not been greater progress with the international Syria support group. We wait to see the strategy and approach of the new Administration. I simply say that we need to work closely with our international partners, not least America, to make sure that we can exert greater pressure and influence on Russia.

Douglas Chapman (Dunfermline and West Fife) (SNP): My hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) alluded to the words of seven-year-old Bana al-Abed, who said on Twitter last Sunday that her home in Aleppo had been bombed. She went on to say:

“Under heavy bombardments now—in between life and death. Please keep praying for us.”

The Minister will know that there are no fully functioning hospitals left in Aleppo and that food ran out in early November. What recent discussions has the Foreign Office had with the United Nations, the EU and other nations of good will about urgent humanitarian relief? Does the RAF not have a crucial and immediate role to play in easing this humanitarian disaster, albeit with the risks that that entails? Our prayers are not enough: it is time to act, and if the Minister did so, a large swathe of the House would be behind him.

Mr Ellwood: I am grateful to the hon. Gentleman. I do not know whether he is speaking on behalf of all Scottish National party Members in his final phrase, but that would be very welcome indeed. The Prime Minister raised the issue of Syria at the last European Council, and our ambassador in New York is also engaged. Britain wants to make sure that it can keep up the pressure in trying to effect an avenue for the aid to get in. If that is not forthcoming, yes, we will have to look at other options.

Mr Philip Hollobone (Kettering) (Con): People in Kettering, horrified by the news that 250,000 people in Aleppo effectively have no access to hospital care and face imminent famine, are conscious that that population is equivalent to two and half times the number of people in the borough of Kettering. To get a sense of the scale of humanitarian effort required, would the Minister tell the House how many Hercules aircraft, or how many trucks on the ground, would be required to supply the requisite needs of a population of 250,000?

Mr Ellwood: That question is probably more for my counterpart in the Department for International Development, who can supply the details. It is an interesting comparison that needs to be made, but we anticipate that dozens of trucks need to go through daily to keep the people of Aleppo alive and supported.

Diana Johnson (Kingston upon Hull North) (Lab): I have a great deal of respect for the Minister, but I am disappointed that there was no statement from the Government today. Does he not believe that it would strengthen the Government's hand on the world stage in negotiating on airdrops to have the will of Parliament, which should express its view on a Government motion?

Mr Ellwood: If we are to move forward we need to work together. We need to take the British nation with us, and we need to work as a Parliament. I hear what the hon. Lady says. We need to make sure that we debate these matters more regularly so that people are prepared to recognise the danger in which we may be putting our service personnel, as well as the options available for us to lean further forward and get the result that we want.

Tom Pursglove (Corby) (Con): The Minister has been candid in his reflections on the vote in the House in August 2013. What direct impact has that parliamentary vote had on policy thinking? If one of our planes is shot out of the sky we have to be prepared to retaliate.

Mr Ellwood: Without revisiting the question too much, I believe that collectively our inability to secure that vote before Russia moved into this sphere, before we even knew what the word “Daesh” meant, was a missed opportunity to hold Assad to account. For different reasons, we blinked, and Government need to learn what more we can do collectively to work together to make sure that we do not repeat that mistake.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): In his initial answer to the urgent question, the Minister rightly labelled the bombing of hospitals and other acts as war crimes by the Syrian Government forces and Russia. With that in mind, what specific measures can the UK Government take with international partners to hold those responsible to account?

Mr Ellwood: A motion was put forward with British support, if not with Britain leading on it, at the United Nations Security Council to slide the matter across to the International Criminal Court, and guess what? It was vetoed by Russia. We are collecting the necessary evidence to make it possible in due course—it may take some time, as I mentioned earlier—to hold to account in the longer term those who are perpetrating the damage and causing the atrocities.

Maria Eagle (Garston and Halewood) (Lab): The Minister set out in some detail the difficulties that he and his colleagues face in dealing with this very difficult situation, and I appreciate that. He said, however, that the Government were considering a number of options. Given that 100,000 children are on the point of starving and 250,000 people in total are enduring the conditions in Aleppo, will he undertake to come back to the House with a statement next week about the options that the

Government are considering and set out what the Government propose to do? The situation is incredibly urgent.

Mr Ellwood: I agree with what the hon. Lady says. It is important that we keep the House updated. I, the Foreign Secretary or the Secretary of State for International Development will endeavour to do that on a regular basis.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I thank the Minister for his statement. According to the Syrian Observatory for Human Rights, at least 225 civilians have been killed, including 27 children, since the latest assault started on 15 November. The Government must do all they can to assist those in Syria now. However, they must also do more to help those who have managed to flee the conflict. Will the Minister please commit to pushing his Cabinet colleagues to accept more refugees from that war-torn country?

Mr Ellwood: I touched on that earlier. There is a choice: whether we look after refugees in this country—as we have done for the numbers of thousands that are coming this way—or we provide support in the region. The price of looking after one refugee in the UK equates to looking after around 20 refugees in the region. Different standards, absolutely, but I hope the hon. Lady recognises that with £2.3 billion-worth of support, we are playing our part in the region.

Anna Turley (Redcar) (Lab/Co-op): Like many colleagues, I pay tribute to all our armed forces in service around the world, and I know that no one in this House would ever put them in harm's way unless there was no alternative. What alternatives is the Minister considering, such as drones or unmanned aircraft, to carry out airdrops? I can think of few other clear-cut humanitarian crises in my lifetime that deserve intervention by the British armed forces in order to save the lives of innocent children at risk from barrel bombs, chemical warfare and starvation.

Mr Ellwood: We want to use our influence with our allies and others to work across not just the military aspect, if our military were used, to provide the necessary humanitarian relief, but in the diplomatic corridors to get a political solution. We are not looking at one particular area, but trying to work across the piece.

Patrick Grady (Glasgow North) (SNP): If my postbag and those of colleagues are anything to go by, there is huge public support for scaled-up humanitarian intervention, so what contingency plans are in place so that when or if permission for aid drops comes, they can begin immediately?

Mr Ellwood: I hope the hon. Gentleman recognises that I will not be able to answer that. It is an operational decision as to how any form of airdrops might be conducted and it must be part of a wider package of humanitarian support for those people requiring aid. It is extremely complicated, so I hope the hon. Gentleman will understand that I am not able to give a direct answer to his question.

Kate Green (Stretford and Urmston) (Lab): I voted against airstrikes in 2013, and I agree with the Minister about the need to deliver aid on the ground, not least because some of the aid that is needed is medical care—physical and mental—which can be delivered only in person. However, I signed the letter that was published this morning, because the people of Aleppo are suffering in the most acute circumstances, and it is no longer acceptable to me or my constituents to stand by. I echo the calls of my right hon. and hon. Friends for the Minister and his colleagues to bring a fully worked plan to the House at the earliest possible opportunity, explaining fully the risks so that hon. Members can take a fully informed decision about the issues we face. I am confident that that decision, reflecting the wishes of our constituents, will be to find a way to alleviate the terrible suffering in Aleppo at the earliest possible opportunity.

Mr Ellwood: When we had a meeting, co-hosted by John Kerry and the Foreign Secretary, only a couple of weeks ago, John Kerry gave a press statement saying that he felt there was no appetite to do more, in a general capacity, in dealing with the situation in Aleppo. That was his observation, having not just visited the country but spoken with leaders across Europe. It is important that the debate that we are having here is also held in other capital cities, because that collective effort is what we need to effect change in what is going on in the country of Syria.

Alan Brown (Kilmarnock and Loudoun) (SNP): Everyone is rightly concentrating on the worst foreign aggressor, which is Russia, but the Minister's opening remarks also mentioned Iranian influence. Given that the Iranian nuclear deal was all about bringing Iran back into the international fold, what are the UK Government doing to stop Iran's influence in this humanitarian disaster?

Mr Ellwood: There was a coincidence in the sense that the opening of our embassy—for different reasons, our embassy was closed—tied in with the signing of the joint comprehensive plan of action. There is much greater dialogue with Iran, so we are able to discuss these issues. Indeed, I spoke to the Iranian ambassador on Friday, covering a wide variety of issues. It is important that Iran is aware that, if it wants to take on a more responsible role in the international community—it has proxy relationships or interests in the region itself—it must advance the way it does business. This situation provides a great example: Iran could show the leadership which, at the moment, we are missing from Russia.

Tom Blenkinsop (Middlesbrough South and East Cleveland) (Lab): What conversations have the UK Government had with the US President-elect, who has a desired policy of rapprochement with Russia and the Assad regime? What consequences will it have for British policy if we have to act more unilaterally given the US President-elect's current policy?

Mr Ellwood: We are looking forward to the confirmation of the President-elect's nomination for Secretary of State. When that appointment is made, I am sure we will be engaging to encourage America to be as involved in, and committed to, not just this issue in Syria but other challenges we face in the middle east.

Alison Thewliss (Glasgow Central) (SNP): The Minister has mentioned some of the difficulties in dealing with Russia and has pleaded with it from the Dispatch Box about the actions he would like it to take, but he has not answered the question my hon. Friend the Member for Ochil and South Perthshire (Ms Ahmed-Sheikh) posed earlier, so will he tell us what discussions have taken place with Russia to demand that it sign up to the agreement brokered by the UN to provide aid? What more can be done to get the talks back on track?

Mr Ellwood: This is raised on a regular basis. It was raised by the Foreign Secretary with Foreign Minister Lavrov only last week. Russia has a pivotal role in turning the situation round and allowing access for humanitarian aid, allowing a cessation of hostilities—at least a 10-day ceasefire—and allowing political discussions to recommence.

Point of Order

4.44 pm

Paula Sherriff (Dewsbury) (Lab): On a point of order, Mr Speaker. You may be aware that over the weekend it was revealed that thousands of families with disabled children, including some in my constituency, have lost out by up to £4,400 a year in tax credits after an administrative error by the Department for Work and Pensions as a result of the Department failing to inform Her Majesty's Revenue and Customs about families' eligibility for the award over a three-year period. That has resulted in an estimated 28,000 families in which children qualified for disability living allowance during 2011 to 2014 missing out on an additional tax credit premium of between £60 and £84 a week. At last week's autumn statement, the Government set aside £360 million over six years to ensure that families who were eligible for child disability tax credits could be awarded this money. However, the payments will be backdated only to April 2016, meaning that individual families may have lost out on an entitlement totalling up to £25,000 over the past five years.

Have you, Mr Speaker, had any indication from the Work and Pensions Secretary, or any other Minister, that they will come to this House and make a statement so that we can clarify the impact on our constituents? If not, could you give us any other guidance about how we might raise this issue in this House and scrutinise Ministers on it at the earliest opportunity?

Mr Speaker: I am grateful to the hon. Lady for her point of order and for her courtesy in offering me some advance notice of it. The short answer to the inquiry towards the end of her point of order as to whether I have received any indication of a likely ministerial statement on the matter is no. However, she has sought my advice more widely, and I am very happy to try to oblige. There is, I believe, a range of options open to her. Tomorrow we have oral Treasury questions when hon. Members may, if they wish, raise this matter with the Minister responsible for HMRC. I anticipate that a plentiful supply of colleagues will be in their places looking to do precisely that, doubtless including no less august a figure than the hon. Lady herself.

It is a little while until the next Work and Pensions questions—that is regrettable but it is a fact. However, there will be opportunities to seek debates in Westminster Hall on the matter, or alternatively end-of-day Adjournment debates in the Chamber—a matter in which, as the hon. Lady knows, I take a keen and ongoing interest—in December. Alternatively, she may wish to gather support for a bid to the Backbench Business Committee, with whose Chair she will be well familiar. I have no doubt that the hon. Lady will pursue one, or perhaps more than one, of those options with her usual persistence and vigour. I hope that this reply is helpful not only to her but to other Members in various parts of the House who feel very strongly about this matter.

DIGITAL ECONOMY BILL (PROGRAMME) (NO. 3)

Ordered,

That the Order of 13 September (Digital Economy Bill (Programme)) be varied as follows.

1. Paragraphs 4 and 5 of the Order shall be omitted.

2. Proceedings on Consideration shall be taken in the order shown in the first column of the following Table and (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table:

Proceedings	Table Time for conclusion of proceedings
New Clauses and new Schedules relating to Part 3 and safety responsibilities of internet websites; amendments to Part 3; new Clauses and new Schedules relating to Part 2; amendments to Part 2; new Clauses and new Schedules relating to Part 1; amendments to Part 1.	Two hours after the commencement of proceedings on the motion for this order.
New Clauses and new Schedules relating to Part 6; amendments to Part 6; new Clauses and new Schedules relating to Part 4; amendments to Part 4; new Clauses and new Schedules relating to Part 5; amendments to Part 5; new Clauses and new Schedules relating to Part 7; amendments to Part 7; remaining proceedings on Consideration.	One hour before the moment of interruption.

3. Any proceedings in Legislative Grand Committee and Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption.—(*Matt Hancock.*)

Digital Economy Bill

Consideration of Bill, as amended in the Public Bill Committee.

[Relevant documents: Oral evidence taken before the Culture, Media and Sport Committee on 15 November, on Ticket Abuse, HC 823; and Independent Review of Consumer Protection Measures concerning Online Secondary Ticketing Facilities, presented to Parliament pursuant to section 94(3) of the Consumer Rights Act 2015, May 2016.]

New Clause 28

AGE-VERIFICATION REGULATOR'S POWER TO DIRECT INTERNET SERVICE PROVIDERS TO BLOCK ACCESS TO MATERIAL

“(1) Where the age-verification regulator considers that a person (“the non-complying person”) is—

- (a) contravening section 15(1), or
- (b) making prohibited material available on the internet to persons in the United Kingdom,

it may give a notice under this subsection to any internet service provider.

(2) The notice must—

- (a) identify the non-complying person in such manner as the age-verification regulator considers appropriate;
- (b) state which of paragraphs (a) and (b) of subsection (1) applies;
- (c) require the internet service provider—
 - (i) to take steps specified in the notice, or
 - (ii) (if no such steps are specified) to put in place arrangements that appear to the provider to be appropriate,

so as to prevent persons in the United Kingdom from being able to access the offending material using the service it provides;

- (d) provide such information as the regulator considers may assist the internet service provider in complying with any requirement imposed by the notice;
- (e) provide information about the arrangements for appeals mentioned in section 17(4)(d);
- (f) provide such further particulars as the regulator considers appropriate.

(3) The steps that may be specified or arrangements that may be put in place under subsection (2)(c) include steps or arrangements that will or may also have the effect of preventing persons in the United Kingdom from being able to access material other than the offending material using the service provided by the internet service provider.

(4) The notice may require the internet service provider to provide information specified in the notice, in a manner specified in the notice, to persons in the United Kingdom who—

- (a) attempt to access the offending material using the service provided by the provider, and
- (b) are prevented from doing so as a result of steps taken, or arrangements put in place, by the provider pursuant to the notice.

(5) The notice may specify the time by which the internet service provider must have complied with any requirement imposed by the notice.

(6) The notice may be varied or revoked by a further notice under subsection (1).

(7) The age-verification regulator may publish, in whatever way it considers appropriate, a notice given under subsection (1).

(8) It is the duty of an internet service provider to comply with any requirement imposed on it by a notice under subsection (1).

(9) That duty is enforceable in civil proceedings by the age-verification regulator—

- (a) for an injunction;
- (b) for specific performance of a statutory duty under section 45 of the Court of Session Act 1988; or
- (c) for any other appropriate relief or remedy.

(10) Before giving a notice to an internet service provider under subsection (1), the age-verification regulator must—

- (a) inform the Secretary of State of its decision to do so, and
- (b) give notice of that decision to the non-complying person under this subsection.

(11) A notice under subsection (10) (other than notice of a decision to revoke a notice under subsection (1)) must—

- (a) where subsection (1)(a) applies—
 - (i) say why the regulator considers that the non-complying person is contravening section 15(1), and
 - (ii) indicate what steps the regulator considers might be taken by the non-complying person to comply with that section;
- (b) where subsection (1)(b) applies, say why the regulator considers that the offending material is prohibited material;
- (c) indicate the circumstances in which the regulator may consider revoking the notice it has decided to give under subsection (1) and the manner in which the non-complying person may notify the regulator of steps taken to satisfy the regulator that the notice ought to be revoked;
- (d) provide information about the arrangements for appeals mentioned in section 17(4)(e).

(12) In this section—

“the offending material”, in relation to a non-complying person, means the material which the age-verification regulator considers is—

- (a) being made available in contravention of section 15(1) by the non-complying person; or
- (b) prohibited material which the non-complying person is making available on the internet to persons in the United Kingdom;

“prohibited material” has the meaning given in section 22(4).—(*Matt Hancock.*)

This new clause enables the age-verification regulator to require internet service providers to prevent persons in the United Kingdom from being able to access material on the internet where it is being made available in contravention of clause 15(1) or is “prohibited material” as defined in clause 22.

Brought up, and read the First time.

4.48 pm

The Minister for Digital and Culture (Matt Hancock): I beg to move, That the clause be read a Second time.

Mr Speaker: With this it will be convenient to discuss Government new clause 29—*On-demand programme services: specially restricted material.*

New clause 1—Power to require the blocking of access to pornographic material by internet service providers—

“(1) Where the age-verification regulator determines that a person has made pornographic material available on a commercial basis on the internet to persons in the United Kingdom—

- (a) in contravention of section 15(1), and
- (b) the person has been the subject of a financial penalty or enforcement notice under section 20 and the contravention has not ceased,

the age-verification regulator may issue a notice to internet service providers requiring them to prevent access to the pornographic material that is provided by the non-complying person.

(2) A notice under subsection (1) must—

- (a) identify the non-complying person in such manner as the age verification regulator considers appropriate;
- (b) provide such further particulars as the age-verification regulator considers appropriate.

(3) When the age-verification regulator gives notice under this section, it must inform the non-complying person, by notice, that it has done so.

(4) An internet service provider who fails to comply with a requirement imposed by subsection (1) commits an offence, subject to subsection (5).

(5) No offence is committed under subsection (4) if the internet service provider took all reasonable steps and exercised all due diligence to ensure that the requirement would be complied with.

(6) An internet service provider guilty of an offence under subsection (4) is liable, on summary conviction, to a fine.

(7) In this section “internet service provider” has the same meaning as in section 124N of the Communications Act 2003 (interpretation).”

This new clause gives a power to the age-verification regulator to require internet service providers to block pornography websites that do not offer age-verification.

New clause 3—Safety responsibilities of social media sites—

“(1) This section applies to a person who operates an internet site for commercial purposes which requires a user to create a personal account to fully access the internet site.

(2) A person under subsection (1) must—

- (a) undertake and publish an online safety impact assessment in respect of their account holders,
- (b) inform the police if they become aware of any threat on its internet site to physically harm an individual,
- (c) remove any posts made on its internet site that are deemed to be violent or that could incite violence.”

New clause 10—Internet pornography: requirement to teach age requirement and risks as part of sex education—

“After section 403(1A)(b) of the Education Act 1996, add—

- “(c) they learn about the risks and dangers of internet pornography, and the legal age requirement to access internet pornography under Part 3 of the Digital Economy Act 2017.””

This new clause would mean that the Secretary of State would have to include in guidance to maintained schools that pupils learn as part of sex education the risks and dangers of internet pornography and the legal age requirement to access it, as provided for under Part 3.

New clause 13—Code of practice for commercial social media platform providers on online abuse—

“(1) The relevant Minister must issue a code of practice about the responsibilities of commercial social media platform providers in dealing with online abuse.

(2) The code of practice must include guidance on—

- (a) how a commercial social media platform providers shall respond to cases of a person being victim of online abuse on its internet site;
- (b) quality service standards expected of the commercial social media platform providers in determining, assessing, and responding to cases of online abuse; and
- (c) the setting and enforcement of privacy settings of persons aged 17 or under, where deemed appropriate.

(3) A commercial social media platform providers must comply with the code of practice.

(4) The relevant Minister may from time to time revise and re-issue the code of practice.

(5) As soon as is reasonably practicable after issuing or reissuing the code of practice the relevant Minister must lay, or arrange for the laying of, a copy of it before—

- (a) Parliament,
- (b) the Scottish Parliament,

- (c) the National Assembly for Wales, and
- (d) the Northern Ireland Assembly.

(6) In this section “commercial social media platform providers” means a person who operates an internet site on a commercial basis on which people can interact.”

New clause 32—*Approval of Age-verification providers*—

“(1) Age-verification providers must be approved by the age-verification regulator.

(2) In this section an “age-verification provider” means a person who appears to the age-verification regulator to provide, in the course of a business, a service used by a person to ensure that pornographic material is not normally accessible by persons under the age of 18.

(3) The age-verification regulator must publish a code of practice to be approved by the Secretary of State and laid before Parliament.

(4) The code will include provisions to ensure that age-verification providers—

- (a) perform a Data Protection Impact Assessment and make this publicly available,
- (b) take full and appropriate measures to ensure the accuracy, security and confidentiality of the data of their users,
- (c) minimise the processing of personal information to that which is necessary for the purposes of age-verification,
- (d) do not disclose the identity of individuals verifying their age to persons making pornography available on the internet,
- (e) take full and appropriate measures to ensure that their services do not enable persons making pornography available on the internet to identify users of their sites or services across differing sites or services,
- (f) do not create security risks for third parties or adversely impact security systems or cyber security,
- (g) comply with a set standard of accuracy in verifying the age of users.

(5) Age-verification Providers must comply with the code of practice.

(6) To the extent that a term of a contract purports to prevent or restrict the doing of any act required to comply with the Code, that term is unenforceable.”

Amendment 27, in clause 15, page 18, line 7, after “material” insert “or adult material”.

This amendment and amendments 28, 29, 30, 31, 32, 33 and 34 would require all providers of internet content which is not suitable for children to put in place a robust age-verification system. In the offline world, children are not allowed to view material which the BBFC has classified to be only suitable for adults. This amendment ensures that these restrictions apply equally to the online world.

Amendment 28, page 18, line 11, after “material” insert “or adult material”.

See explanatory statement for amendment 27.

Amendment 29, page 18, line 18, after “material” insert “or adult material”.

See explanatory statement for amendment 27.

Amendment 30, page 18, line 24, after “material” insert “or adult material”.

See explanatory statement for amendment 27.

Amendment 2, page 18, line 36, at end insert—

“(7) The Secretary of State must make regulations to ensure that the definition of specially restricted material in section 368E(5) of the Communications Act 2003 is amended to reflect the definitions in this Part.”

The amendment requires the making of regulations to ensure that there is a parity of protection for children using different online media. The regulations would amend the definition of specially restricted material for UK based video on demand programming and extend it to 18 material as well as R18 material.

Amendment 31, in clause 16, page 19, line 17, at end insert—

“16 (1A) In this Part “adult material” means any of the following—

- (a) a video work in respect of which the video works authority has issued an 18 certificate;
- (b) any other material if it is reasonable to assume from its nature that any classification certificate issued for a video work including it would be an 18 certificate; and
- (c) any other material if it is reasonable to assume that the video works authority would determine that a video work including it was not suitable for a classification certificate to be issued in respect of it.”

See explanatory statement for amendment 27.

Government amendments 35 and 36.

Amendment 32, in clause 19, page 21, line 9, after “material” insert “or adult material”.

See explanatory statement for amendment 27.

Amendment 1, in clause 20, page 22, line 26, at end insert—

“(13) Where a person is—

- (a) based in a country outside the United Kingdom, and
- (b) refusing to comply with the requirements of the age-verification regulator, the age-verification regulator shall notify Ofcom that the relevant person is refusing to comply with its requirements.

(14) Following a notification made under subsection (13), Ofcom shall direct internet service providers in the United Kingdom to block public access to the material made available by the person on the internet.

(15) An internet service provider that fails to comply with subsection (14) within a reasonable period would be subject to financial penalties imposed by the age-verification regulator under section 21.”

Amendment 33, in clause 22, page 24, line 33, after first “material” insert “, adult material,”.

See explanatory statement for amendment 27.

Government amendment 37.

Amendment 34, in clause 23, page 25, line 5, after first “material” insert “, adult material,”.

See explanatory statement for amendment 27.

Government amendments 38 to 42.

New clause 7—*Bill limits for all mobile phone contracts*—

“(1) A telecommunications service provider supplying a contract relating to a hand-held mobile telephone must, at the time of entering into such a contract, allow the end-user the opportunity to place a financial cap on the monthly bill under that contract.

(2) A telecommunications service provider under subsection (1) must not begin to supply a contracted service to an end-user unless the end-user has either—

- (a) requested the monthly cap be put in place and agreed the amount of that cap, or
- (b) decided, on a durable medium, not to put a monthly cap in place.

(3) The end-user should bear no cost for the supply of any service above the cap if the provider has—

- (a) failed to impose a cap agreed under subsection (2)(a);
- (b) introduce, or amend, a cap following the end-user’s instructions under subsection (2)(b); or

- (c) removed the cap without the end-user's instructions or has removed it without obtaining the consumer's express consent on a durable medium under subsection (2)."

New clause 14—Impact assessment of macro not-spot roaming—

"(1) Within three months of this Act coming into force, the Secretary of State must commission an impact assessment of enabling a system of macro not-spot roaming in the UK, and shall lay the report of the impact assessment before each House of Parliament.

(2) In this section "macro not-spot roaming" means the ability for hand-held mobile telephone users based in relatively large areas of non or partial broadband coverage to access coverage from networks other than their own."

This new clause calls for an impact assessment of macro not-spot roaming in the UK, in line with the recommendations of the British Infrastructure Group report on mobile coverage.

New clause 20—Ability of end-user to cancel telephone contract in event of lack of signal at residence—

"A telecommunications service provider must allow an end-user to cancel a contract relating to a hand-held mobile telephone if, at any point during the contract term, the mobile telephones is consistently unable to obtain a signal when located at the end-user's main residence."

New clause 21—Use of emergency serve network wireless telegraphy infrastructure by multiple network providers—

"After section 8(4) of the Wireless Telegraphy Act 2006, insert—

"(4A) A licence issued in respect of a wireless telegraphy station or apparatus that is used for the purposes of emergency service network shall stipulate that more than one network provider can use the station or apparatus."

New clause 22—Ofcom power to enforce structural separation of BT Openreach—

"After section 49C of the Communications Act 2003 insert—

"(49D) Ofcom has the power to enforce the structural separation of BT Openreach, should Ofcom consider this necessary."

New clause 25—Ability of end-user to cancel mobile telephone contract in event of lack of signal at residence and place of employment—

"A telecommunications service provider must allow an end-user to cancel a contract relating to a hand-held mobile device if, at any point during the contract term, the mobile device is consistently unable to obtain a signal when located at the end user's main residence or main place of employment."

New clause 26—Wireless telegraphy licences and medical or hearing technology—

"After section 14(4) of the Wireless Telegraphy Act 2006, insert—

"(4A) Before granting a wireless telegraphy licence, Ofcom shall carry out tests to identify the risk of any interference with any medical or hearing technology and publish its findings.

(4B) Ofcom shall not grant a licence if tests carried out under section 14(4A) have found there is a risk of interference with medical or hearing technology unless—

- (a) action is taken to eliminate the risk; or
- (b) a fund is set up to meet the costs of replacing all medical or hearing technology affected by the interference.

(4C) Where a fund is set up under section 14(4B), Ofcom shall require that any person who is granted a licence takes action to inform its customers of the risk that its devices may lead to interference with medical or hearing technology."

This new clause would place a duty on Ofcom to carry out tests in advance of the sale of radio frequencies to ensure that any interference identified with medical or hearing devices is made public. Where a risk of interference is identified, Ofcom shall not grant a wireless telegraphy licence unless action is taken to remove

the risk of interference or a fund established to cover the cost of replacing medical or hearing technology affected. This new clause is supported by the National Deaf Children's Society.

New clause 27—Introduction of broadband connection voucher scheme as alternative to universal service order provision—

"The Secretary of State shall introduce a broadband connection voucher scheme to allow an end-user to access broadband other than that supplied by the provider of the universal service order, under Part 2 of the Communications Act 2003."

Although most individuals are likely to choose the standard universal service order offering, this new clause would provide individuals with the option of a voucher scheme that empowers them to take up an alternative solution.

Government amendments 23 and 24.

Matt Hancock: The Digital Economy Bill will help to connect modern Britain, support the digital economy and keep people safe online. The measures in this group are about strengthening the enforcement of protections for children, improving access to online media, and addressing consumer protection in telecoms. I will take in turn those three sub-groups of your excellent grouping, Mr Speaker.

Turning first to child protection, I am delighted by the cross-party support for delivering the Conservative manifesto commitment to require age verification to access online pornography. During the Bill's passage through the House, my hon. Friend the Member for Devizes (Claire Perry), who is in the Chamber, ably supported by my hon. Friend the Member for North West Hampshire (Kit Malthouse), has led debate about this by powerfully expressing the view that the enforcement proposed in the Bill is not strong enough—she is right. We have listened to the case that she and others have made. They have advanced the argument that some companies, especially those based overseas, simply will not abide by the law that is enacted by this House, so it is clear that there is a case to direct a UK internet service provider to prevent access.

We all want the internet to be free, but freedom operates within a framework of social responsibility, norms and the law. The approach set out in Government new clause 28 will protect the freedom of adults to watch pornography online, but provide adequate protections by giving children the same sorts of safeguards online as they have offline. We have worked closely with the industry and I am confident that it will take a responsible position. I therefore envisage the regulator needing to use this power only sparingly, because the vast majority of companies will want to obey the law. We will work through the technical detail with the regulator—it is expected to be the British Board of Film Classification—and others to understand the broader implications and make the new system work as we take the proposals through the other place.

We have been persuaded of another argument that was made powerfully on Second Reading. The provisions we have discussed today will see children protected by one of the most robust and sophisticated regimes globally but, as my hon. Friend the Member for Congleton (Fiona Bruce)—I see her in her place—has said, supported by my hon. Friend the Member for St Ives (Derek Thomas) and the hon. Member for Upper Bann (David Simpson), the protections have resulted in a disparity between UK-based on-demand services on the one hand,

and overseas-based on-demand services and online commercial providers of pornography on the other. We have carefully considered that and concluded that we do not want disparate regimes. Government new clause 29 will ensure that children are protected from pornographic content from wherever it is derived. I am grateful to my hon. Friend the Member for Congleton for making her case; I believe that we will have a stronger system as a result.

New clause 3 proposes a legal requirement to undertake an online safety impact assessment. I understand the intent behind the new clause, but I think that the measure is unnecessary, because leading social media companies already report on their online safety practices voluntarily as part of the safety framework of the ICT Coalition. We work closely with social media companies to ensure that they take down content that is violent or that incites violence, and to flag terrorist-related content. The system is important and is working well. Since 2010, we have secured the voluntary removal of more than 220,000 pieces of content. A requirement for a safety assessment is likely to be difficult to apply in practice because of the extraterritorial organisations that are involved in this space, and it would be almost impossible to target individuals who run small online websites for commercial purposes.

Helen Goodman (Bishop Auckland) (Lab): I am grateful to the Minister for agreeing to amend the Bill in this important area. As he is addressing the responsibility of social media sites, what action is he thinking of taking to prevent what happened recently, when Facebook refused to give the police information that it had relating to a missing child?

Matt Hancock: It is incredibly important to get the framework that operates in that sort of space right, as is the case for terrorist material and child protection online. The system that we have in place—it is essentially non-statutory, although it is underpinned by online and offline offences—is working well. Social media organisations' collaboration with the police and others is incredibly important, and I urge them to collaborate with the police whenever they are asked to do so. We have taken the view that the effective and rigorous enforcement of rules relating to age verification is an important step to get that system up and running. The system is working well, with 220,000 take-downs since 2010, so we want to leave it in place. In all such instances, there might be difficult individual cases, but overall the system is, on the whole, working effectively. That is why we have taken different approaches for the two different areas.

New clause 10 would introduce some very specific requirements around online education. I maintain that the measure is not necessary, because e-safety is already covered at all stages in the new computing curriculum that was introduced in September 2014. From primary school, children are taught how to use technology safely, respectfully and responsibly, how to keep personal information private, how to recognise acceptable and unacceptable behaviour, and how to report a range of concerns. As hon. Members will see, we care deeply about protecting children online both through direct rules for the internet and through education. The new clause is not necessary, and I worry that putting in place a more static system would risk making the task at hand harder.

When it comes to broader protection, we expect social media and interactive services to have in place robust processes that can quickly address inappropriate content and abusive behaviour on their sites. It would be difficult to make the sort of statutory code of practice proposed in new clause 13 work, as there is not a one-size-fits-all solution. The way in which to deal properly with inappropriate content and abuse will vary by service and by incident. Technological considerations might differ by platform as innovation changes the way in which the internet operates. Legislating in this area is difficult because of the pace of change, and users will benefit most if companies develop a bespoke approach for reporting tools and in-house processes. Existing arrangements and the action taken by social media companies provide the best approach to tackling this problem.

Mrs Maria Miller (Basingstoke) (Con): Will the Minister tell us which companies and sectors already have a code of practice in place? How he is monitoring whether such codes of practice are being brought up to date?

Matt Hancock: We are working on codes of practice in a series of different areas. About 10 days ago, as my right hon. Friend will have seen, Twitter—one of the main players in this space—brought forward work towards a code of practice on online abuse. There is more to do in this area, but it is better that we have codes of practice that the organisations themselves can buy into and that can change with the times as the usage of social media changes. My goodness, we all know how social media changes over time—not always in a good way—so we need to make sure that we keep pace with that. I worry that putting something static into legislation would get into the way of such efforts. However, I agree with my right hon. Friend that it is incumbent on social media companies to play their part in establishing and rigorously enforcing norms and social responsibility in this area if we decide not to go down, or not yet to go down, the legislative route.

Rob Marris (Wolverhampton South West) (Lab): I quite understand that the Minister wants buy-in from the commercial social media platform providers. In response to the right hon. Member for Basingstoke (Mrs Miller), he sketched out a position that appears to be that there is no actual code of practice, but that codes are being developed. Perhaps I misunderstood the Minister because I thought he had said before the right hon. Lady's intervention that codes of practice are in place and working well.

I will quickly mention the changing circumstances. The Minister is quite right that this is a fast-changing world. Subsection (4) of new clause 13 states:

“The relevant Minister may from time to time revise and re-issue the code of practice”,

so the very flexibility that he is praying in aid would be delivered by the new clause.

Matt Hancock: Let me be clear: when I said that there are codes of practice, I was talking about taking down online terrorist and child abuse material, on which there have been clear codes of practice for a number of years. Regarding social abuse online, we are working with the companies involved to make further progress.

Ian C. Lucas (Wrexham) (Lab): The Minister is being very generous in giving way. He mentioned the computing curriculum, which I assume relates only to England. What discussions has he had with the devolved nations about these issues?

Matt Hancock: The Government have had significant discussions with the devolved nations on these questions. They, of course, treat these questions differently—there is a different system in Scotland and Wales, and in Northern Ireland in fact—and it is a matter for them. The hon. Gentleman is quite right that the response I gave about the computing curriculum is a matter for England, although most of the Bill involves UK matters. I am very happy to clear up that point.

The Public Bill Committee considered the subject matter of new clause 32, which calls for the regulator to approve age-verification providers and to publish a code of practice with which the providers must comply. As I said in Committee, such a measure is not necessary because clause 15 requires the regulator to publish guidance about the types of arrangements it will treat as being in compliance. That may include the characteristics of age-verification controls that would be considered acceptable. I have been made aware of a number of proposed technical solutions for age-verification controls during the passage of the Bill. Clause 15 already takes into account the need for guidance in that area.

5 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): The Minister will be aware that such age verification will inevitably require the companies concerned to hold a lot of data. What assurances can he give the House that those data will not be liable to being hacked, as happened in the Ashley Madison case?

Matt Hancock: That is incredibly important. We will come on to the data protection provisions later, but this whole area operates within the scope of the Data Protection Act 1998, which provides for very strong safeguards that are set to get stronger. The Government have said that we will opt in to the forthcoming general data protection regulation, which includes stronger enforcement measures than the current Data Protection Act. All the data measures in the Bill, and all the consequences of the age-verification process, will be covered by the Data Protection Act, which has a very broad consensus of support behind it and has operated effectively over a number of years. That means that companies are responsible for the security of their data, including their cyber-security.

Mr Carmichael: Will the data therefore be held in an anonymised form that will not allow the people who have provided them to be identified, should the data be stolen? The best security in the world can still be breached?

Matt Hancock: It will be a requirement that the data are held in such a way that they are secure and not made available. It is a common principle across swathes of life that data must be held safely. The Data Protection Act is in place to make sure that that happens.

Returning to new clause 32, it is likely that a requirement on the regulator to approve providers would be unnecessarily restrictive. However, I understand of course the need to ensure that the age-verification process is of high quality.

As I have stressed, these measures are part of a broader effort to protect children online. For instance, parental control filters are an important tool to protect children from harmful online material. They were introduced by industry after the efforts of my hon. Friend the Member for Devizes in the previous Parliament. In Committee, we discussed the concern that EU net neutrality regulations will render such controls, which have worked well, illegal. I am clear that our interpretation of the EU regulations is that filters are allowed when they can be turned off, as they are therefore a matter of user choice. I know that there is still uncertainty about this matter, as well as concerns that filters could be challenged. I am happy to confirm to the House that, to put this issue beyond doubt, we will table an amendment in the other place to the effect that providers may offer such filters.

Amendments 27 to 34 have been tabled by my right hon. Friend the Member for Basingstoke (Mrs Miller), the former Secretary of State. The introduction of a new law requiring appropriate age-verification measures for online pornography is a bold step involving many challenges. It represents the first stage in ensuring that commercial providers of pornographic material are rightly held responsible for what they provide and profit from. While the internet brings incredible and unlimited opportunities, it has the potential to change the way in which younger generations grow up to understand and experience healthy relationships.

Delivering on our manifesto commitment to stop children and young people from accessing online pornographic sites remains our priority, and we want to get that right. I believe that the provisions in the Bill will enable us to do that. Our measures will protect children from exposure to material that is clearly inappropriate for them and that would be harmful to their development. Of course, pornography is not the only online content that may be harmful to children, but AV controls are part, not all, of the approach to protect children from possibly harmful content online.

The inclusion of other adult material within the scope of the Bill, as proposed in amendment 27, might not be the most effective way to address these issues. Most importantly, we must be careful to take a proportionate approach to ensure the success of our proposals. I assure my right hon. Friend the Member for Basingstoke that we will continue to work to make sure that we take all action necessary on all fronts where children are at risk of harm. I look forward to continuing discussions with her and others. I believe our approach is a targeted and effective way of protecting children from accessing or stumbling across the pornographic material that is most readily available and potentially harmful, and that the Bill fulfils our manifesto commitment.

Mr John Whittingdale (Maldon) (Con): My right hon. Friend will be aware that one means by which young people are, more and more, accessing pornography is social media and sites such as Twitter. How will his age verification requirements apply to Twitter?

Matt Hancock: The age verification requirements apply to the commercial provision of pornography. That is not only the paid-for but that which is provided for a commercial return. There is a difference between websites that provide commercial pornography and platforms on which others can upload images. Getting this right with

regard to that second group is much harder than it is with regard to the first. We are therefore proposing to put forward the measures in the Bill to deal with the larger swathe or mainstay of the problem, get them working properly and then see how they are working.

I appreciate that there is a big challenge in stopping those who really want to access porn online, but all the evidence suggests that children's first interaction is often by accident. We are legislating to prevent as much as possible of that inadvertent viewing by those who are not desperately actively seeking to do so. I appreciate that the Bill is not a utopia, but it is a very important step forward. I hope my right hon. Friend will accept that.

Mrs Miller: The Minister is being very generous with his time. Is it not fair to say that four years ago providers such as Twitter told us it was impossible to take down visual images of children being sexually abused, but now, as he says, there is quite rightly a code of practice in place? Surely where there is a will there is a way. He has already proved that he can make significant progress, so should he not put more pressure on organisations like Twitter?

Matt Hancock: Yes is the short answer. The Bill does so, and we will best achieve that pressure by delivering on its proposals and then working with the platforms on the issue of platform-based pornography, because that is a much more difficult technical nut to crack.

Fiona Mactaggart (Slough) (Lab): The Minister has spent more time in the past few weeks thinking about children and pornography than I am sure he wanted to. The Bill deals with the publication of pornography, but we also need to help children to be more resilient and understand that those images are not normal sexual behaviour and are the kind of violence that should not be part of relationships, because research by the NSPCC and others tells us that children, and boys in particular, think it is normal. What discussions has he had with the Department for Education to try to build greater resilience among children to some of the images that, despite the efforts in the Bill, they will see?

Matt Hancock: I agree with every word of the right hon. Lady's intervention—both the first part and the second. Yes, working with the DFE is incredibly important in building resilience and actively ensuring that people's health through relationships is taught effectively. The Secretary of State for Culture, Media and Sport and I have both been in discussions with the DFE on that point. That said, the right hon. Member for Slough (Fiona Mactaggart) makes an important point about the broader circumstances that should be taken into consideration, as well as the clarity in the amendment, which I hope she welcomes.

Turning to mobile phone contracts—a bit of a shift—new clause 7 seeks to place a mandatory obligation on mobile phone service providers to agree with the customer at the time of their entering into a contract a financial cap on their monthly bill. Since the new clause was first tabled in Committee, we have had further contact with mobile network operators, and providers already offer consumers ways to manage their usage: apps that allow customers to turn financial caps on and off, warning text messages when customers are approaching their allowance limits, dedicated phone numbers that tell the

customer their usage, and online tools that explain how much data is needed to carry out different online activities. I expect providers to continue to take steps to minimise bill shock and ensure that their customers are sufficiently equipped to manage their usage, but I am sure that the hon. Member for Sheffield, Heeley (Louise Haigh) will agree that legislation is not currently necessary, although the movement in this direction is.

On new clause 14, I understand the frustrations of people whose mobile experience does not live up to their expectations, but while roaming appears to offer a quick fix, it risks doing more harm than good, because it could undermine the incentive for operators to invest in new infrastructure. This is particularly damaging in areas with no coverage from any provider at all. There is no incentive to invest capital in a new mast if operators can by law simply piggyback off others' investment. The Government considered roaming in 2014, but for the above reasons it was rejected in favour of licence conditions to drive increased coverage by all mobile operators.

That agreement locked in £5 billion of investment to deliver improved coverage across the UK, and we now have 4G coverage to 97.8% of UK premises. I can confirm that this is happening: a mast was turned on just last weekend in my own constituency, and coverage on the road to Newmarket from my house is now better than it ever has been—so I have seen it for myself. The House will also have seen the recent announcements from mobile providers that they are expanding coverage to meet their 90% landmass requirements, which they must now meet under the contracts in their licence agreements. The Bill strengthens the fines they face if they miss those agreements. Of course, however, we want further improvements. Last week, new planning laws came into force to allow taller masts, and we are reforming the electronic communications code in the Bill to help operators to extend their networks, making mast-sharing easier and infrastructure deployment cheaper. These reforms have been widely welcomed by industry, and Ofcom will hold providers to account for the delivery of wider geographic coverage.

New clauses 20 and 25 seek to place mandatory obligations on mobile phone service providers to allow an end user to terminate their contract upon their being unable to obtain a mobile signal at their main residence or main place of employment. Existing consumer protections are already in place, while the automatic compensation measures in clause 3 strengthen Ofcom's powers to require automatic compensation when there is a complete failure to provide a contracted service. I think that the ability to break a contract when one's signal is not good enough at home is already dealt with, as contracts purchased at distance can be cancelled under the statutory 14-day cooling-off period, while for "in shop" purchases there is often a "check your coverage" cooling-off period for the first two weeks after sign up. Some providers also offer extended periods to ensure that the service meets needs, with the option of cancellation without penalty.

Grant Shapps (Welwyn Hatfield) (Con): Does my right hon. Friend accept that this must be the only product that someone can buy and end up not being able to use? People do not just move house during the first 14 days of a contract; it can happen at any time during the two years of a contract. Will he look again at this?

Matt Hancock: I want to tackle this problem primarily by achieving universal mobile phone coverage for UK properties, and we are on track to hit 98%. By comparison, the universal broadcasting service requires 98.5%. We are getting to the point where we have near-universal service, but that is not necessarily good enough. With the forthcoming Green Paper on consumers and markets in mind, I propose to work with my right hon. Friend to make sure that it addresses the issues of concern, so that we ensure that consumers get a good deal from their mobile phone contracts and that those contracts will work.

5.15 pm

Chris Bryant (Rhondda) (Lab): I hear all these statistics about the level of coverage there is meant to be here, there and everywhere, but they never seem to match the reality on the ground or in the living room or in the shop. I live in the town of Porth in the Rhondda, and through the main street almost right through the town there is absolutely no mobile coverage from any of the companies, so it does not matter whether one of them is providing a good enough service—none of them are.

Matt Hancock: No doubt the hon. Gentleman will share my deep frustration over the fact that when mobile phone 3G licences were auctioned in the early 2000s, in order to get a big return to the Treasury they were auctioned without geographic coverage requirements. I think that was a serious mistake for this country. We have since engineered into the licence agreements mobile phone geographical coverage of 90%. The geography that is being covered is rising rapidly at the moment. For instance, one provider had 50% coverage last year; it is 75% now, and it has to get up to 90%. That shows how it is increasing. It is pity that from the period of the 3G licence in the early 2000s up to 2014, there were no requirements for geographic coverage, which meant that we fell behind. Thankfully, we are now catching up. As the head of Ofcom has confirmed to the Select Committee, we are in discussions with the mobile operators about getting to a universal 100% geographical coverage in the next licence period.

Chris Bryant: I am not trying to make a partisan point, but I think the Minister was trying to there. All I am saying is that even with the changes to the electronic communication codes that are in the Bill, I do not think we will be able to achieve that 98% or 100% coverage, because it is still too easy for an individual landholder to make it difficult for significant improvements to be made to the infrastructure in the area. Surely we should now be seeing access to mobile telephony as the same as access to water.

Matt Hancock: I am not making a partisan point at all. In fact, after cheering on Ed Balls on Saturday night, I am feeling about as unpartisan as I ever have! I send him my condolences.

I am speaking out of a deep frustration over the lack of geographic coverage by mobile phones in the UK. If I may say so, my constituency is significantly more rural than the hon. Gentleman's, and this is a real problem in constituencies up and down the country. I look forward to my campaigning visit to the shortly marginal seat of Rhondda.

Damian Collins (Folkestone and Hythe) (Con): Will my right hon. Friend give way?

Matt Hancock: Yes, thank you!

Damian Collins: I, too, was pleased to hear Ofcom say in front of the Select Committee that it and the Government were looking at a universal service obligation for 3G and 4G phone signals. Does the Minister agree that there is sometimes a real frustration in communities where the statistics suggest that they have been covered, but local topography means that the mast signal does not reach homes? If the Minister visited Elham Valley in my constituency, he would meet people who suffer in that way.

Matt Hancock: Well, I have news for my hon. Friend. Next month, Ofcom will publish data for both fixed-line broadband and mobile phone coverage at the premise level for each individual premise. If the supposed coverage is different from what Ofcom says, there will be a mechanism to feed that back so that we get a proper map of coverage in both those respects. I look forward enormously to that happening, and I am sure that the Select Committee will investigate that data with great aplomb.

Simon Hoare (North Dorset) (Con): I ask the Minister to ensure that proper discussion takes place with the Department for Communities and Local Government so that the most sensible, but liberal, planning regime for new mobile telephone masts is in place in order to provide what amounts to a basic technological requirement.

Matt Hancock: Yes, and the new rules came into place last week. Nobody prayed against the statutory instruments in either House, so there was unanimous support for a more liberal planning regime. If my hon. Friend would like to work with me on what steps might be needed to improve the planning regime further, I am all his.

Rob Marris: The Minister is being very generous, but may I caution him and press him a little on the methodology of the “premises by premises” survey? I live in a dense urban area. The coverage is nominally 4G, but I check my phone periodically, and I see that sometimes I get 3G and sometimes I get 4G. What will the premises survey say about properties like mine? I am paying for 4G, and it is the future, but I am not getting it all the time.

Matt Hancock: I would say that 5G is the future. As for the hon. Gentleman's substantive point, I do not want the debate to turn into a seminar on mobile connectivity, but those in the industry have a wonderful phrase for the phenomenon that occurs as more people use data over a particular mast: they say that the coverage “breathes”. In other words, it comes in and goes out as other people use the data. Of course, at any one point in time the coverage may be different. The very best people to conduct the analysis are those at Ofcom, and they are conducting it, so I think it best for us to engage in this particular debate once they have published the “premises by premises” data.

Grant Shapps: I am grateful to my right hon. Friend for his offer to incorporate some of the issues raised by the new clauses in the Green Paper. He says that those at Ofcom are the best people to make the decisions. No one in the House, indeed no one in the country, will believe Ofcom's claim that nearly 98% of UK premises

are covered. It does not stack up with reality, and it does not stack up with what the British Infrastructure Group of Members of Parliament found either. I appeal to the Minister to ensure that he does not himself start to believe this nonsense.

Matt Hancock: I am looking forward to seeing the data for exactly that reason. In my rural constituency, I can drive for 10 minutes without getting a signal at all—that includes driving past houses—and the same probably applies to many other people. The lived experience is critical to judging whether the figures are broadly correct. I am entirely with my right hon. Friend on that. My job, and our job in the House, is to hold the mobile network operators to account and ensure that they deliver high-quality geographic coverage, whether it is in Rhondda, Welwyn, in Suffolk or, indeed, in Buckinghamshire, Mr Speaker.

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP): Will the Minister give way?

Matt Hancock: I will take one more intervention on this subject.

Calum Kerr: May I make what I hope is a quick, constructive point? May I urge all Members to encourage their constituents to download the Ofcom android app, which is specifically designed to gather data so that we can be better informed, and to publicise it in their constituencies?

Matt Hancock: Quite so. As you may say yourself, Mr Speaker, I am not sure that that is entirely a matter for the Bill, but the hon. Gentleman has made his point.

New clauses 21, 22 and 27, tabled by Plaid Cymru and Scottish National party Members, are not necessary, because they call for what is already the position. New clause 21 is not necessary because it is already a requirement that when emergency services network sites are used to provide coverage for the public, they must be made available to all mobile network operators. New clause 22 is not necessary because Ofcom already has the power to impose structural separation on BT Openreach if it considers that that is required. New clause 27 is not necessary because there is already a universal service obligation in the Bill to take high-speed broadband to all premises. I hope that we can use that as the means to deliver the goals that we no doubt share.

As for new clause 26, the Government take the issue of interference with assistive listening devices very seriously, and we will work with Ofcom to take appropriate action when harmful interference with such devices has been identified. I have met representatives of the National Deaf Children's Society, and I can tell the House that further testing will begin next month and Ofcom will publish its findings by April 2017. I hope that we are making some progress on that important matter.

Richard Fuller (Bedford) (Con): I am very encouraged by what the Minister has said about gathering further information. There is a particular issue for deaf children because of the way in which they learn. Interference from the spectrum can have a deleterious effect on their education. Will the Minister pay particular attention to the impact on children in schools?

Matt Hancock: Of course I will. I have discussed that precise issue with the National Deaf Children's Society, and I will continue to work on it.

Government amendments 23 and 24 are detailed technical amendments concerning the installation of electronic communications apparatus on tidal land owned by the Crown.

I hope that, following my explanations and the commitments I have given, Members will withdraw their amendments and new clauses.

Kevin Brennan (Cardiff West) (Lab): I rise to speak to new clauses 10, 32 and 7, which stand in my name and those of my hon. Friends, the Government new clauses, which the Minister has outlined, and new clause 1, tabled by the hon. Member for Devizes (Claire Perry), whom the Minister mentioned. I will also refer to some of the other amendments in the group.

In Committee, Labour Members, and indeed the hon. Lady, made it clear that we could not see how age verification could operate without a backstop power to block sites that failed to comply. In Committee, the Minister resisted that strongly. He said:

“The powers are not a silver bullet; sites that were actively trying to avoid the Bill's other enforcement measures would also be able to actively avoid these measures. It is questionable how much additional enforcement power they would bring, given those downsides.”

He went on to say:

“I think the Bill has ended up with the correct balance.”
—[*Official Report, Digital Economy Public Bill Committee, 20 October 2016; c. 209.*]

Clearly, the Secretary of State disagreed with him on that. She has now overruled her junior Minister by tabling new clauses 28 and 29 in her name, as we can see on the amendment paper. The new clauses tabled by the Secretary of State, who unfortunately is no longer in her place, represent significant changes at quite a late stage in the passage of the Bill in the Commons, confirming our contention that the Bill as published was not ready to leave home when it was allowed to do so.

Claire Perry (Devizes) (Con): As the hon. Gentleman knows from his ministerial experience, it is the job of junior, middle-ranking Ministers to do all the work and Secretaries of State to take all the credit. In this case, I assure him that the ears of all the Government Front Benchers were open to the changes that he and I wanted to make.

Kevin Brennan: I am grateful for that intervention. All I can say is that I have just given the Secretary of State credit for the change, as the hon. Lady suggests I should.

The new clauses introduce significant changes at this late stage in the consideration of the Bill. We support blocking, but concerns have been raised about them in the press that they go beyond a backstop power to block sites to under-18s and could be used in practice to extend internet censorship to adults. The Government need to be clear whether that is the intention of the new clauses.

Matt Hancock: I have also seen those reports. I think that they misread the Bill. That is neither our intention, nor our understanding of the working of the new clauses.

Kevin Brennan: It is helpful to have that on the record. No doubt, the new clauses will be pored over in a lot more detail after they arrive in the other place. Given our time constraints today, I want to put on the record our concern that we did not have an opportunity in Committee to pore over such proposals; had the Bill been ready, perhaps we would have had. Notwithstanding our support for blocking, we think a lot more scrutiny will be required when there is more time available in the other place to discuss these Government new clauses, on the assumption that the House passes them tonight.

We have argued repeatedly that the Bill should have prepared the UK for the challenges faced by the digital economy and, crucially, should have featured digital resilience as a key part of the provisions. The opportunities of the digital economy cannot be exploited unless we feel safe and secure online, and that is nowhere more important and clear than with our children.

Children are growing up in the midst of an information revolution that, even a decade ago, was unimaginable, with instant access to an astonishing range of content and information. Today's children are taking in an astonishing five times more information than the generation that grew up in the not so distant 1990s. So, far from tabloid stories about a distracted generation, those growing up today are in some ways on course to be the most informed generation in history. But of course knowledge is not understanding, and wisdom comes in part from experience.

5.30 pm

The challenges of this digital revolution for protecting our children cannot be ignored, and they are challenges parents across the country worry about every single day. They are worried they may not know what their children are being subjected to online, whether bullying or coming across inappropriate images, and as their children come to know much more about the online world than they do, parents feel they may not be best placed to stop it.

Our new clause 10 would help us all face up to that challenge. It would amend the Education Act 1996, so that secondary school pupils would be taught in an age-appropriate way and with the usual safeguards which apply to that Act about the dangers of the online world and how to keep safe. With digital devices more widespread among children than ever before and with five to 15-year-olds spending an average of 20 hours and six minutes online every week, having no clear education to sit alongside the blunt instrument of age verification is an important missing part of the Bill.

Age verification for online pornography to stop children seeing harmful content is of course welcome in the Bill, but, as the Minister himself hinted, it is not the whole answer. We can build a swimming pool, fill it with water, build a fence around it and put up a sign saying swimming is dangerous, but the most important thing is to teach our children to swim. If we solely rely on age verification as the main way to tackle this problem, that is going to be inadequate. Age verification cannot teach children consent or about healthy relationships, or help them to navigate the expectations placed on them and reinforced online; that can only be done through well-devised and taught sex and relationship education, which incorporates discussions about online pornography, so that children can question what they see online in a safe environment.

A recent NSPCC report into the effect of online pornography on under-18s was revealing and troubling. It found that most of them felt that it was a poor model for consent and practising safe sex and that it could distort their image of a healthy relationship. But the Government have so far refused to even consider statutory online sexual education, and their recent "Keeping children safe" strategy dedicated only three paragraphs to the online world. Taking that in tandem with the Bill, which does not make a single mention of online abuse or online education, it seems that Ministers are ducking the challenge—or perhaps they are not able to comprehend it.

We have always known education in this area matters. It is why when we were in government we expanded and updated sex education and commissioned the Tanya Byron review, whose lessons were largely abandoned after 2010. That is also why in the Bill we want to take steps towards developing statutory online education for this smartphone generation. We want it to extend beyond simple sex education to the entire online world, so that children, who, as many people say, are digital natives, can make safe and informed decisions.

With an 800% increase in the number of children contacting the NSPCC about online abuse, it is clear this is becoming a real problem for today's schoolchildren. They clearly need more support and more advice, and someone to turn to. Statutory online education would work in tandem with a code of conduct for social media providers to prevent online abuse.

Mrs Miller: I am attracted to the shadow Minister's proposal because I, too, feel more needs to be done to educate children in this area, but I am concerned that it is talking about internet pornography in isolation and potentially will not address the problems he is trying to address in his remarks, which go far broader than simply internet pornography.

Kevin Brennan: I would certainly welcome the right hon. Lady's support for a wider amendment and for a wider change in Government policy in this area, because a problem does exist. Our proposals have had to be drawn up to be within the scope of the Digital Economy Bill. In Committee, we were unable to table an amendment that was in scope, so I am incredibly grateful that we have been able to get one in scope and within the confines of the Bill today.

Rob Marris: I entirely support my hon. Friend. I suspect that his experience of going round schools—particularly secondary schools—will be similar to mine. Among the things that bedevil teachers are mobile phones, online bullying and sexting, but the teachers—God bless 'em—often do not have the training to deal with those issues. Although they have the best intentions, they sometimes fumble in their attempts to help. Having these measures structured into the curriculum would help just about every secondary schoolteacher, even if they did not have to teach these things.

Kevin Brennan: My hon. Friend makes a valuable point. I am a former teacher—from the analogue age, I hasten to add—and I have no doubt that many teachers who started their careers around the same time as I did would fall into that category.

Statutory online education could work in tandem, as I have said, but protecting our children is a major challenge and it cannot happen without education.

That is why I was disappointed that the Minister chose not to support our proposal. I believe that it represents the other side of the coin to what the Government are trying to achieve through age verification. We contend that our measures are necessary, and we will therefore divide the House on this matter if we have to.

Our new clause 32 would oblige the age verification regulator to ensure that all age verification providers—the companies that put the tools on websites to ensure compliance—were approved by the regulator. It would also oblige those providers to perform a data protection impact assessment and to make it publicly available, as well as to perform an array of other duties. The new clause is designed to address concerns about the practicality of age verification checks. It would ensure that only minimal data were required, that those data were kept secure and that individuals' liberty and privacy were protected.

We have not been reassured by the Minister's comments, either in Committee or today, that the fact that age verification software is improving is enough. We should be able to guarantee the privacy of an individual before the verification tool comes into force. We are not asking anything unreasonable of the regulator or of the age verification providers. The principles of privacy, anonymity and proportionality should underpin the age verification tool, but as far as I am aware, they have not as yet featured in any draft guidance, codes of practice or documents accompanying the Bill.

If anyone thinks I am being partisan, I can tell them that the Information Commissioner agrees with me on this. In its response to the Department's consultation on age verification for pornography, the Information Commissioner's Office stated:

"The Commissioner's concern is that any solution implemented must be compliant with the requirements of the DPA and PECR." That refers to the Data Protection Act 1998 and the Privacy and Electronic Communications (EC Directive) Regulations 2003 that sit alongside it.

Matt Hancock *rose*—

Kevin Brennan: I will finish the quote, then I will give way. The Information Commissioner's response went on: "The concept of 'privacy by design' would seem particularly relevant in the context of age verification—that is, designing a system that appropriately respects individuals' privacy whilst achieving the stated aim. In practical terms, this would mean only collecting and recording the minimum data required in the circumstances, having assessed what that minimum was. It would also mean ensuring that the purposes for which any data is used are carefully and restrictively defined, and that any activities keep to those restricted purposes. In the context of preventing children from accessing online commercial pornography, there is a clear attribute which needs to be proven in each case—that is, whether an individual's age is above the required threshold. Any solution considered needs to be focussed on proving the existence or absence of that attribute, to the exclusion of other more detailed information"—

[*Interruption.*] I will go on for a lot longer if the Minister keeps making gestures at me. The quote concludes:

"Any solution considered needs to be focussed on proving the existence or absence of that attribute, to the exclusion of other more detailed information (such as actual date of birth)."

Matt Hancock: I am grateful to the hon. Gentleman for giving way; I just want to clear up this point. When this question was asked while I was on my feet, I responded by saying that the Data Protection Act, as cited by the ICO, is the legal framework for delivering this.

The further quotes that the hon. Gentleman read out outline how the Act would operate in this case. In a sense, therefore, those quotes prove the point that the required legislation for ensuring protection of data already exists in the Data Protection Act and other measures.

Kevin Brennan: We will see whether the Information Commissioner agrees. She made it clear that she would have

"significant concerns about any method of age verification that requires the collection and retention of documents such as a copy of passports, driving licences or other documents (of those above the age threshold) which are vulnerable to misuse and/or attractive to disreputable third parties."

The Minister gave no real reason in his intervention about why he does not support new clause 32, which would provide that reassurance.

The risks of creating databases that potentially contain people's names, locations, credit card details—you name it—alongside their pornographic preferences are clear. Our priority here is the protection of children and that is agreed across the House, but one consequence of the recent hack that was mentioned by the right hon. Member for Orkney and Shetland (Mr Carmichael) was the number of suicides. We should take things seriously and proceed with caution before creating anything that would result in the storing of data that could be leaked, hacked or commercialised that would otherwise be completely private and legitimate. That is the reasoning behind our reasonable, straightforward new clause, which the Minister rejects. It would place a series of duties on the age verification regulator to ensure that adequate privacy standards were applied, that any data obtained or stored were not for commercial use and that security was given due and proper consideration.

New clause 7 would mean that mobile phone service providers give all consumers the opportunity to place a financial cap on their monthly bill and that a mobile phone service cannot be provided until the service provider has put in place a cap of the agreed amount if the consumer has made an express request. Again, the Minister's arguments, both in Committee and today, were nowhere near sufficient. The new clause would be welcomed by the many who have found that when they receive an email or check their bank balance at the end of the month, their mobile phone bill has come in much higher than expected. Mobile tariffs are complex, particularly on data, and few of us actually understand how much data we need for an average month. Consumers of all kinds can find that they use much more data than they expected.

Citizens Advice provided an example that reveals the problems. One of its clients changed his shift pattern and started using his mobile phone to watch films. He then received a text message saying that he had gone over his monthly allowance. He did not think too much about it until he received a bill for more than £2,000 at the end of the month. Unsurprisingly, his service was subsequently cut off. Research suggests that as many as one in five consumers find it difficult to keep track of how much they spend on data. The average unexpectedly high bill is often double the cost of the original monthly fee.

Helen Goodman: Another problem with the unpredictability is that people under some contracts pay for what they receive—what other people send in texts, emails and so on—but that is not under their control.

Kevin Brennan: My hon. Friend is absolutely right. That is why new clause 7 is so helpful. Consumers could prevent that from happening by voluntarily asking for a cap. Citizens Advice received more than 60,000 inquiries about telephone and broadband debt, with its in-debt specialists dealing with nearly 27,000 individual mobile phone debt cases. Consumers support the measure, with more than 77% of them welcoming the idea.

This is not the first time such a proposal has been considered: in 2012, Ofcom considered introducing regulations but could not overcome the objections of providers, who argued it would be too costly. In fact, the lack of regulation is what has proved too costly—too costly for struggling consumers. Two providers now do what is suggested in our new clause. The Government say they want to help the JAMs—those who are just about managing—so if they fail to support the new clause, it will show they are not serious when they say that.

5.45 pm

Ian C. Lucas: I strongly support this proposal and the new clause. Constituents have contacted me specifically about this point, because the complexity of the tariffs and the lack of knowledge about what makes up the information and the cost is huge for consumers, and this proposal would be a major step forward for them.

Kevin Brennan: I welcome my hon. Friend's intervention in support of our proposal for caps on mobile phone bills, and so that I do not exceed mine at this point, I will hang up, Madam Deputy Speaker.

Mrs Miller: It is a pleasure to follow the hon. Member for Cardiff West (Kevin Brennan), and I share his regret that it is not possible to address online abuse in this Bill. I hope that the Minister will show the Government's determination on this issue, as Ministers have done regularly in response to questions on a number of other measures. I particularly noted his response to my intervention about codes of practices. He is right to say that the industry has been able to move swiftly and effectively to deal with issues relating to terrorism and child abuse, but I think issues relating to online abuse more broadly are just as worthy of their attention. I hope that he is clear about the Government's priorities in this area, to make sure that the industry really does act.

It is an art form to draw the scope of a Bill, and the Minister should get a grade-A medal for drafting the scope of this Bill extremely tightly to make sure that a number of issues that many of us would have liked to have drawn to the attention of the House are not covered by this Bill. That does not, however, mean that they are any the less important.

I really welcome Government new clauses 28 and 29 on the powers to block access to material where age verification is not sufficiently robust. That shows the Government's intention. They have done well to reflect the intentions of my hon. Friend the Member for Devizes (Claire Perry) in her new clause 1 and of my hon. Friend the Member for Congleton (Fiona Bruce). It shows action and energy from Government to try to clean up the internet so that it is safer for children to use. My amendments 27 to 34 raise the question of whether the Government could have gone further in that, although I acknowledge that they are very much adhering to the manifesto commitments we made at the general election.

We have heard from the Minister at length, and I listened carefully, particularly to his response to my amendments. With his usual elegance and wit, he attempted to explain how this Bill can be at odds with Government policy but people can be very happy with it—I may be being a little unkind. He often tells us at the Dispatch Box that what is illegal offline is illegal online too, but it is illegal for children under the age of 18 to view adult material—I refer not just to pornography; as he knows, “adult material” is drawn more broadly than pornography alone. It therefore seems a little arbitrary for us to introduce a new law that makes such a distinction. I do not understand why one needs to be made.

Mr Whittingdale: My right hon. Friend says it is illegal for children to view adult material, but she will be aware that vast amounts of adult material are broadcast by our national broadcasters after the watershed at 10 o'clock, and it is not illegal for children to watch that, although it may be undesirable. How does she propose to deal with BBC iPlayer, ITV Play and 4oD, which broadcast 18 material?

Mrs Miller: My right hon. Friend, the former Secretary of State, makes an extremely important point. I suppose that the advantage broadcasters have over the online world is that they can use a notional watershed, although, as he rightly says, that is clearly not the case when it comes to iPlayer. I shall come on to technology that is on our side. Technology has moved on and given us opportunities, which my right hon. Friend would welcome, to make sure that children do not view things that we have said in Parliament are inappropriate.

I gently urge the Minister to consider how he might embrace my amendments in future. The law makes it clear that adult material does not just mean pornography. In response to my right hon. Friend the former Secretary of State, that is the point that I am making. Whether it is extreme violence, beheadings, sadomasochism or other such behaviour or material, it is deemed as adult-related. However, for reasons that are unclear, that is excluded from the Bill. Perhaps the Minister can give me a little more information about why he decided to do that, and assure me that in future that will be dealt with.

I took the time to talk to some primary schoolchildren in my constituency about the sort of things that they came across on the internet. A group of them talked about viewing age-appropriate material—I think it was pictures of small kittens—but at the end material popped up that frightened them to their core. They were young children, and they were not out and out looking for such material—it just popped up. Restrictions and parental controls could be put in place to catch that, but the Minister has an opportunity to make sure that organisations such as YouTube are more careful about advertisements linked to child-related material. That is an important point for him to consider further in relation to my amendments.

Ofcom has done a great deal of work in this area, and the Minister will be well and truly aware of that. It says that this is a significant problem, and that this year, one in 10 under-11s have seen something online that is “worrying, nasty or offensive”. Two thirds of young people think that sites should do more to protect them from that type of adult content. One of the guiding principles of the new regulator, the British Board of

Film Classification, is to protect children from harmful media content. We protect them on television, albeit with the problems that my right hon. Friend the former Secretary of State has mentioned, and we protect them in the cinema. In one of the most uncontrolled environments—online—we allow them freely to view things that are far more difficult for us as parents to control. My amendments would help to draw those restrictions and website blocking more broadly if proper age verification procedures are not put in place, and it is worth the Government considering that further.

Ofcom was charged with looking at common media standards four or five years ago, so perhaps the Minister can update the House on the progress that has been made in that area. Can he explain how the new regulator will balance its narrow responsibilities to look solely at pornography with the organisation's broader remit offline with regard to adult-related material? Organisations such as Childline have to deal daily with the aftermath when young people look at more broadly defined adult material online, as I have said before, in videos of extreme torture, violence, and—this is particularly upsetting—beheadings. My amendments, which have the full support of the National Society for the Prevention of Cruelty to Children seek to put safeguards that we take for granted offline into the online world. Content that would require an 18 certificate in a film or video game would be subject to an age-verification system.

The technology exists to do that. We have an incredible IT sector in this country, and it has invented ways to verify age in an anonymised way online, particularly with the use of passport data and biometrics. Companies such as Yoti have developed facial recognition apps linked to passports so that they can make sure, using anonymous data, that individuals are the age that they say they are. These things exist; Parliament does not need to invent them.

Accepting that adult over-18 material should not be viewed by children does not undermine freedom of speech, because we insist on it offline. It does add to costs for businesses, but we accept that cost for offline businesses, and I believe we should accept it for online businesses too. Fundamental rights and freedoms have always been subject to limits within the law, and the amendments simply call for the law relating to adult material in general to apply online, and for children to be protected. People who choose to flout the law should be subject to the same action by the regulator as people who distribute pornography.

I should like briefly to touch on a couple of other amendments in this group. New clause 3, which was tabled by the hon. Member for Dwyfor Meirionnydd (Liz Saville Roberts), talks about the creation of personal accounts and removing anonymity on the internet. I sympathise with the measures that it proposes, but it is as important for non-commercial sites as commercial sites to adopt such a measure, and I do not think that the Bill is the appropriate vehicle for such a change.

New clause 10 was discussed at length by the hon. Member for Cardiff West. As I said in an intervention, I sympathise with the point that he made, because the guidance on sex and relationships education is 16 years out of date. It does not quite pre-date the internet, but it is close to doing so, and it does not address issues such as pornography and the way in which it drives young people's understanding of relationships—something that

no one in the Chamber feels very comfortable with. I do not believe, however, that the Bill is the proper vehicle for him to achieve the objectives that he has set out, as he may well end up distorting the issue, because people might think that we have addressed it with his provision. However, we would not have done so, because the measure deals only with online pornography. He will agree, especially if he has read my Select Committee report on sexual harassment in schools, that any measure to address SRE and its improvement in schools should be drawn much more widely than the internet alone. I hope he will forgive me for not supporting that narrowly drawn provision, although I accept that he probably did not have any choice, given the scope of the Bill—he is absolutely right about that.

I urge the Minister to consider stronger undertakings than those he gave me in his opening statement, given the importance of prohibiting children from viewing adult material in the broader sense, rather than the narrow sense on which the Government have chosen to focus. He has a personal responsibility to children who use the internet day in, day out. We need to make sure that it is a safe place. He has done more than any other Minister today in making the internet a safer place for children such as mine and his, but he needs to do more, so will he give me that undertaking today?

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): A large number of hon. and right hon. Members want to catch my eye. This debate finishes at 6.47pm, so I urge speakers to keep their remarks brief so that everyone can speak. I call George Howarth.

6 pm

Mr George Howarth (Knowsley) (Lab): I am grateful, Madam Deputy Speaker, and I shall try to comply with your instructions. It is a great pleasure to follow the right hon. Member for Basingstoke (Mrs Miller), who made a powerful case for her amendments. She certainly has my support.

I shall try to be brief as I talk to a narrow and esoteric part of the Bill. Virgin Media has a workplace in my constituency that employs 250 people. The company has a particular concern which I shall take the liberty of connecting to new clause 27, because it is about the position before that measure could take effect. I am not arguing against new clause 27, which would provide individuals with the option of a voucher scheme that would empower them to take up an alternative solution. It has been tabled on the presumption that most individuals would be likely to choose the standard universal service order offering.

My argument is that in order for that proposal to be successful, there needs to be coverage in the first place to enable people to choose one option or the other. There are a number of obstacles in the way of that happening, and the Bill does not resolve the problem. Virgin Media argues that communications providers should, in effect, be treated the same as utility companies when it comes to being granted access rights or wayleaves from landowners to deploy their infrastructure on their land. The Government talk of broadband as a fourth utility, which generally is the case, but the code reform in the Bill is, in the words of Virgin Media, “a halfway house”.

[Mr George Howarth]

Under the reforms as currently envisaged, broadband companies would face three drawbacks that water companies do not face and, as a result, higher deployment costs, which I shall say more about in a moment. The first drawback is that communications operators have to pay a rent for accessing land, whereas water companies do not. Instead, they have only to compensate landowners for any loss of value. Secondly, water companies have a right to net off any compensation that they pay with any increase in the value of the land resulting from the fact that sewerage is in place. Communications operators do not have that right, although in some cases they might seem to be carrying sewage of a different kind. Thirdly, water companies notify landowners of their intention to deploy by giving 42 days' notice, whereas communications operators have to negotiate access with landowners who often have no particular incentive to grant it, which can cause huge delays.

Rob Marris: I have great sympathy with what my right hon. Friend is saying. We talk glibly about access to telephony being almost a human right in our country. Obviously we need water to live, and having telephony is not a physiological necessity, but in modern life telephony is a necessity. Some 40% of the Bill is contained in schedule 1, which runs to 60 pages and deals with issues relating to that raised by my right hon. Friend. Does he agree that there is a missed opportunity in schedule 1 of dealing with the particular issue that he raises?

Mr Howarth: I am grateful to my hon. Friend for pointing that out. Earlier today I waded through schedule 1, after which I was no wiser about its relevance to my argument. He, as a Member with a reputation for having an eye for the fine detail of legislation, will have spotted that in rather less time than it took me.

According to Virgin Media, it costs a communications service provider—Virgin Media or any other—150% more to put in infrastructure than it costs a water company, and 66% more than it costs an electricity company. I do not want to steal the thunder of the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr), although I condemn him roundly for not using new clause 27 as an opportunity to resolve the problem—that is not a criticism, really—but I ask the Minister to consider this problem before the Bill gets to the House of Lords. I have a handy amendment available if he wants one, but if he does not, I shall try to persuade somebody in another place to table it so that the issue can be more thoroughly debated there.

Claire Perry: As the House knows, I welcomed part 3 of the Bill on Second Reading, but I did raise, as did many other right hon. and hon. Members, the question of enforcement. We considered the possibility of internet service providers being asked to block sites that disregarded the Government's requirement for age verification, and I tabled a series of amendments on that point in Committee. I disagree with the hon. Member for Cardiff West (Kevin Brennan) because I think that Ministers absolutely were in listening mode about a manifesto commitment that they were clearly keen to deliver. Against that backdrop, I am delighted to speak on Report by welcoming new clause 28 and Government amendments 35 to 42, which address this critical concern.

The Government had argued for rather a long time that it was disproportionate to make provision for statutory IP blocking because that had been dealt with on a voluntary basis for child pornography—we are all aware of the wonderful work done by the Internet Watch Foundation—and with reference to terrorist material. There was perhaps a hope that internet service providers would voluntarily get involved in blocking sites in the absence of age verification. Many right hon. and hon. Members campaigned for years for the voluntary introduction of family-friendly filters by internet service providers. We have led the world by working across industry and across the Government to produce a sensible set of provisions. We now have online filters that are introduced—in some cases automatically—by ISPs and others on a voluntary basis, and they seem to be working well.

There were, however, significant problems in assuming that ISPs would operate voluntarily. It was not just me and other colleagues in the House who were concerned. Bodies such as Christian Action Research and Education, the Children's Charities Coalition for Internet Safety, the NSPCC, the British Board of Film Classification, which is now the regulator, and the Digital Policy Alliance were concerned that this sensible provision for age verification would not stick unless there was a more robust enforcement regime.

I am delighted that new clause 1, which I tabled, has been co-signed by 34 colleagues from seven political parties. That demonstrates that although we might like to stand up and shout at each other, our best work is done when we work together on such vital issues. It is a testament to the power of this place that we can work together so effectively to get this done. I know that this is a difficult argument; we have only to look at some of our Twitter feeds to see that. I am no longer on Twitter, but we know from other parts of the internet how difficult these conversations are because they go right to the heart of issues surrounding the regulation of the internet, which grew up, very properly, in a regulation-free environment, and in many respects that environment contributed to its growth and its glory.

Are we asking Governments and companies to restrict legal material for adults? I would argue strongly that the new clause is not about censorship or the restriction of legal access for adults; it is about proving that those who are consuming the material are indeed over 18. The new clause simply puts in place the sort of Government regulation and advice, and corporate socially responsible behaviour, that has been seen in many other industries. Example of that include the watershed in broadcasting, the fact that adult content often sits behind PINs on online media, and restrictions on what children can buy on the high street.

There is also a sense that the argument in relation to child sex abuse images and terrorist material is really not relevant. There is a strong global consensus that images or movie materials relating to neither of those things should be tolerated, so there is no need for statutory compulsion. However, the sites we are talking about, which offer material defined as pornographic, are quite different, because they provide a product that it is generally entirely legal for adults to access, and in many cases entirely reasonable, as there is no sense in which this is a kind of anti-pornography crusade. In that context, it is completely unsurprising that the ISPs

made it clear they would not block pornographic sites without statutorily defined age-verification checks. Indeed, in evidence given on 25 October to the Communications Committee in the other place, the director of policy at Sky said of IP blocking under part 3 of the Bill:

“If there is a desire for ISPs to be blocking access to those sites, then legislation is required...If you want ISPs to block, I think they will struggle to do so, unless they are compelled to, and not because they do not want to but because they would probably be breaking the law.”

Indeed, Ofcom gave the Committee a similar message a week later, saying:

“If ISPs were to take any action blocking non-compliant sites, they would do so on a voluntary basis...I think you...have heard from ISPs about the legal difficulties they...would face if they were to undertake voluntary blocking...it would raise issues in relation to net neutrality.”

The second point, which has been widely raised among colleagues, is that there is overwhelming support among the majority of the British public for introducing these age-verification measures robustly. Eight out of 10 people absolutely support this very good manifesto commitment and want it to work. Indeed, the BBFC, which the Minister has chosen to be the regulator—I think all of us absolutely support it as a trusted brand in the space; it is not me or anyone else deciding what is over-18 material, because that will be based on the BBFC’s tried and tested guidelines—said itself that it felt that the regulator needed this power if it was effectively to carry out its work.

Mrs Miller: My hon. Friend says that this power is consistent with the guidelines that the regulator uses already, but my point was that it is not. Its powers are far more broadly drawn with regards to adult material over and above simply pornography.

Claire Perry: I do have great sympathy with the provisions my right hon. Friend has tabled; she is absolutely right to keep pushing on the issue. We defined the manifesto commitment and the Bill very tightly in terms of the online pornography space, and I wanted to achieve that first before we moved to broader definitions which, as she will be aware, quickly throw up many more questions about the scope of regulation. As she and I both know, there is a great desire in this space to make the perfect the enemy of the good, and with almost every advance we have made, we have been told, “Back off,” because something is not absolutely perfect. She, I and many other Members think that this is a process of iterative steps forward, and the Government are doing a great job in that respect.

The final argument for putting such blocking on a statutory basis is the precedent for IP blocking in the case of copyright infringement under the Copyright, Designs and Patents Act 1988. It would seem perverse for the House to argue that it was legal to instruct people to block sites that infringe copyright, but not those that infringe a legal requirement for age verification. It would be quite wrong for us to suggest that child protection is less important than protecting the interests of often very large commercial businesses.

I have two other quick points to make about why the case for change is so compelling. The first is that the BBFC has said that it will focus primarily on offshore sites, which are the main source of much of this material. Of course, as we know, it will be very difficult to enforce fines outside the UK jurisdiction. Secondly, we know

that many sites are not reliant purely on financial transactions coming through the sorts of sites discussed in the Bill, given that there are systems such as Bitcoin and other forms of revenue generation.

I am absolutely delighted that the Government have tabled new proposals. I will not press my new clause and I will support their measures wholeheartedly. However, I want to probe the Minister—perhaps he will answer this question in a moment—about who will actually enforce the Bill. My understanding is that the BBFC does not currently have the enforcement powers required by new clause 28, which was why many of us assumed that Ofcom would be the enforcer of choice, as was set out very explicitly by my neighbour, my hon. Friend the Member for North West Hampshire (Kit Malthouse). We would therefore be keen to hear who will actually enforce the Bill, because we know that, without robust enforcement, there will be little incentive for websites to implement age verification, despite these new powers, and I think almost the whole House will support me in saying that we want this to be a great success.

6.15 pm

I finish by sincerely thanking those who have campaigned so tirelessly on this issue in this House and, indeed, in the other place. They include my hon. Friends the Members for Enfield, Southgate (Mr Burrowes) and for Congleton (Fiona Bruce), the hon. Member for Bishop Auckland (Helen Goodman), who was so instrumental when we first had the review, the right hon. Member for Slough (Fiona Mactaggart), who is no longer in the Chamber, as well as several new Members, including the hon. Member for Berwickshire, Roxburgh and Selkirk (Calum Kerr)—I should call him the hon. Gentleman who represents the borders, because his constituency is far too long to spell out—and my hon. Friend the Member for North West Hampshire.

Calum Kerr: I stand to speak to new clauses 22 and 27, neither of which I think the Minister referred to—unless I slept through that bit. I hang on his every word normally, so I am sure that was not the case.

Before I do that, I would like to touch on a couple of other new clauses. It is a pleasure to follow the hon. Member for Devizes (Claire Perry). She and her many colleagues in the House have campaigned hard on this issue, and the Government’s move in new clause 28 is welcome. However, I would just quickly recount a story. When I was on the Bill Committee, I phoned home one night. Of course my wife said, “What have you been up to today?” I explained about access to under-age pornography, and she said, “Well, funnily enough, I came home today from work and found Robert”—he is seven years old—“looking at inappropriate content.” My heart sank. She said, “He was watching the third presidential debate,” and I can see where she was coming from. She said to him, “Robert, do you know what you are watching here?” He said, “Yes, I do.” She said, “Well, why are you watching that?” He said, “Because it’s important, and I have a friend at school called Donald.”

That brings me on to the concerns raised by the hon. Member for Cardiff West (Kevin Brennan), which we share. As we proceed down this route, it is important that these powers are a last resort, that they do not stop access to sites they were not intended to affect and that, as a result, we proceed with care. We should take sufficient time to look at the implications, and we

[Calum Kerr]

should seek to avoid unintended consequences for ISPs and websites, while still developing a robust set of measures that stop young Robert accessing the content we really want him to avoid.

Earlier, we had mention of the importance of the method of verification and of the tool Yoti. I always pronounce it “yachty”, because I like yachty a lot, given that it means that databases are not built of what people are accessing, and individuals are protected. I commend those on the Labour Front Bench for some of their efforts to push these things further.

Let me quickly touch on two issues before going on to my own new clauses. On new clause 7, I am surprised by the Minister’s approach to mobile phone contracts. If he consulted Ofcom, it would tell him that it was highly supportive of measures such as a maximum bill level. It seems eminently sensible that when people sign up for a contract, they are asked, “Would you like to set a maximum amount?” I really cannot fathom why the Government would block that. I fully expect to revisit that sometime soon.

I would also ask the Minister to check some of the wording in terms of the ESN sites, which he said would be available to all providers. That is not my understanding. The ESN is provided by EE, but also by extended area network sites, and those are the sites that will be multi-platform, but they are only part of how the service will be provided, so perhaps the Minister will revisit and consider what he said there.

My hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry), whose constituency name is as long as mine, is worried he may not get to speak, so I will mention his new clause 20, which is very similar to new clause 25, and provides for a constituent to cancel a contract if they do not have service.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): In some circumstances, a consumer is unable to get what they have paid for. For example, I had consumers in Fort Augustus who had to wait over four months to be reconnected to their mobile signal and were threatened with a £200 cancellation fee. Does my hon. Friend agree that that is flatly unacceptable and they should have an option to get out of these contracts?

Calum Kerr: I wholeheartedly agree with that excellent point. This is another common-sense measure that should be taken. I also welcome some of the other comments about linking it to auto-compensation so that it should be a case of either cancelling a contract or potentially—

Drew Hendry: I wonder whether my hon. Friend is surprised, as I am, although perhaps I should not be, that the Minister has refused to accept this, given that last year his predecessor said to me:

“The suggestion you make—that mobile customers ought to be able to leave their contracts if the service is unacceptable is a good one. Mobile customers should not be trapped in contracts if they have no effective signal and an unusable service.”

Calum Kerr: I thank my hon. Friend for that extra clarification. This is why we entered the Bill Committee in a spirit of naive optimism that our sensible new clauses could yet be accepted.

Drew Hendry: How we learned!

Calum Kerr: How we learned, indeed.

I now move on to my two new clauses. New clause 22 proposes that there should be an explicit power for structural separation of BT Openreach were that deemed necessary. We in this place know how critically important connectivity is, and I am sure that all right hon. and hon. Members welcomed, as I did, Ofcom’s digital communications review. I support its taking a fairly strong line on the measures that BT should take on access to ducts and poles, and on making a planning tool and other things more readily available, while retaining the option of structural separation. Indeed, the Secretary of State confirmed this on Second Reading. If structural separation is truly to be an option on the table, it is essential that Ofcom is confident that it can enforce it if it concludes that it is necessary.

The current situation is that Ofcom considers that it has the power under the EU framework directive to impose structural separation. Clearly, though, taking such a case to the EU Commission at a time when Brexit means Brexit is fraught with difficulty, especially considering that it is highly likely that BT would appeal any such move. It is also worth noting that BT has stated publicly that it believes there is no mechanism for structural separations of a telecoms company, and has even threatened 10 years of litigation and arguments. This Bill offers a simple way to remove any ambiguity around the issue, and that is what the new clause aims to do.

Unfortunately, owing to the processes of the House, I can press only one new clause in this group to a vote, so I will not press this one, much as I would like to. However, I encourage the Minister to revisit this measure and add it in, even though I still believe that the Ofcom strategy is right and that separation is the correct route only if combined with something else, such as a significant investment plan in Openreach from other providers who are currently making a lot of noise.

New clause 27 is about introducing a broadband voucher scheme as an alternative to the standard USO provision. Let me first say that I welcome, as I am sure we all do, anything that improves connectivity, but I have huge reservations about the approach being taken. I appreciate that, as the Government outlined in supplementary papers during the Bill’s progress, there is a flexible element to their design of the USO in terms of download speed, upload speed, latency and other aspects, but much is undecided. Although I disagree fundamentally with the 10-meg starting point, what really concerns me is the use of a universal service obligation. Pursuing this route pushes the Government into having to follow a very prescriptive process that will lead to a provider, or perhaps of couple of providers, being selected. It looks highly likely, as I think we all know, that it is likely to be BT. Sharon White confirmed before the DCMS Committee that BT is in pole position on this.

Drew Hendry: My hon. Friend is making an excellent point. Does he agree that the people who need the service should be able to choose the best option for them, and that in rural areas one size does not fit all?

Calum Kerr: I absolutely do agree. I will come on to that point later.

I would contrast the USO measure with last week's announcements. We have heard the Government say that fibre is the future, but our record in this country on fibre-to-the-home, or fibre-to-the-premises, is pretty woeful. The broadband investment fund announced in a previous Budget had some money put into it, and hundreds of millions of pounds were committed to 5G trials and fibre backbone. All that is welcome, if slightly unambitious, but we have not seen anything specifically for rural areas. We are talking about a fibre and gigabit future in urban areas while telling rural areas that they should settle for 10 megs and a USO. That is not closing the digital divide—it is turning it into a gaping chasm of inequality. A badly implemented USO will not fix the issue but might, through legislation, cement this digital divide.

My new clause aims to address this issue. From the start, as I have looked at potential solutions, the one that I kept coming back to was a voucher alternative. At the Broadband World Forum, a representative from the Independent Networks Cooperative Association said that if we introduce a voucher scheme, we turn a universal service obligation into a universal service opportunity. In our constituencies we have highly motivated groups of people who will, yes, okay, maybe on day one, be happy with 10 megs because if they have been living with 1 meg it will be transformational, but quickly see that they are being left behind and be very unhappy about it. Although the Bill includes provision to revisit this, it does not specify when, and these people will be left further and further behind. The idea of a voucher scheme was endorsed by INCA chairman David Cullen, who said:

“The principle of a Universal Service Obligation is an outdated concept in a sector focused on significant growth and could well translate into a ‘ceiling’... a voucher scheme for premises could be far more effective.”

The Minister did not deal with this new clause in his opening remarks. I urge the Government to embrace the option of a voucher alternative to empower our rural communities, who, as I know from my own community, want to go further. They understand technology. They will put in fibre-to-the-home, providing a much faster solution. This is not a one-size-fits-all—

Matt Hancock: I did address this point. I said that the USO contained in the Bill will get high-speed broadband everywhere. Furthermore, a broadband voucher scheme does not require legislation. In fact, we have had one in the past without legislation. This new clause is therefore unnecessary.

Calum Kerr: I thank the Minister for that intervention. He makes a point that I forgot to make, which is that there is previous history in this area. Broadband Delivery UK managed a voucher scheme that was phenomenally successful. Perhaps I have become a cynic far too quickly in this place, but if the Government do not put this in the Bill, I do not believe it will happen. I will therefore press the new clause to a vote. We should ensure that as the Government say that fibre—

Matt Hancock: As an example of the fact that we can do this through non-legislative means, not only did we have such a scheme in the past, but at the autumn statement last week we announced that we are to consult on a new one. I think that that takes care of the concerns behind the new clause.

6.30 pm

Calum Kerr: I thank the Minister for that positive news, but it does not take care of those concerns. I am seeking a specific alternative to the USO, so that my communities who want fibre to their home can have this foundational voucher that sets them on a path to something far more ambitious than what the Government propose. The Government say that fibre is the future. Guess what? My constituents want to be part of that future, too.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. We have about 15 minutes and quite a few Members wish to speak, so brevity would be fantastic.

Mr Whittingdale: I start by making it clear that I fully support the provisions in the Bill to require age verification to access pornographic sites. As I observed on Second Reading, it is just as well, since my name is on the front of the Bill.

I would like to introduce an element of caution. Unlike a lot of other material online that has been discussed—child pornography, racist material, hate speech, extremist encouragement and copyright breaches—we are talking here about legal content. Like it or not, the sites we are discussing are visited by millions and millions of people every day. They are some of the most popular sites on the entire internet.

As I have said, I support the idea of age verification to ensure that only those who can appropriately view this material do so, although there are concerns. I have yet to see exactly how age verification is going to work. We have seen examples of existing content access control systems through things such as credit cards, or mobile phones that have been verified as belonging to an adult. It is, in my view, asking a lot to ask people who want to access legal content to hand over their credit card numbers to pornographic website operators. The right hon. Member for Orkney and Shetland (Mr Carmichael) was absolutely right to flag up the data protection concerns about that. I hope that Ofcom will look very carefully at how the CAC systems work.

As I mentioned earlier, one of the main ways in which young people are now exposed to pornography is through social media such as Twitter, and I do not really see that the Bill will do anything to stop that happening. That is not to say that we should not take action against pornographic sites. The original Bill contained a number of quite significant enforcement measures, such as requiring payment providers, website hosting companies and advertisers to stop dealing with websites that had been identified as not complying with the law under the Bill. There are already signs that a number of the big providers are going to comply. MindGeek, which is probably the biggest operator, has said that it will introduce age verification systems, although it wanted others to do so as well. I hope that it will happen.

Claire Perry: Will my right hon. Friend give way?

Mr Whittingdale: If my hon. Friend will forgive me, I am very conscious of the Deputy Speaker's strictures.

[Mr Whittingdale]

I was not persuaded of the necessity of introducing ISP blocking. It represents a considerable infringement of the civil liberties of individuals who want to access material that, as everybody has recognised in this debate, they are perfectly entitled to access. At a time when we are very concerned about the growth of censorship online, and when certain countries would like to take this as a precedent for saying, “It is fine to block content that we do not particularly like,” I think that it is a dangerous road to go down. I hope that the measures originally in the Bill will prove sufficient, that operators will introduce age verification and that we will pause before taking the next step and introducing ISP blocking. To that extent, I rather hope that this Digital Economy Bill is like the Digital Economy Bill that we debated in 2010. That Bill provided for the Government to intervene and require ISP blocking, but the measure was never introduced.

Helen Goodman: I am pleased to take part in this debate, and I was pleased to put my name to new clause 1. I am extremely pleased to follow the right hon. Member for Maldon (Mr Whittingdale), and I am glad to see the new regime on the Government Front Bench, who have basically accepted new clause 1. The right hon. Gentleman’s argument that because something is legal and enjoyed by grown-ups, we should not have restrictions for children, is patently absurd.

Mr Whittingdale: I support age verification completely. I have said that I support age verification.

Helen Goodman: The right hon. Gentleman said that, but he also said that he thought that this was a difficult area, and one of the reasons why he thought so was that people enjoyed doing it. Grown-ups enjoy having sex and grown-ups enjoy drinking alcohol, but that does not mean that those things are okay for children.

My real purpose this evening is to speak to new clause 26, which I had considerable help from the National Deaf Children’s Society in preparing. The new clause is designed to protect from frequency interference those with hearing loss who have hearing aids, radio aids, cochlear implants and other hearing technologies. Ofcom is about to sell spectrum, and there is a concern that the part of the spectrum that it is going to sell is so close to the wavelength used by such technologies that interference will be caused.

The new clause would place a duty on Ofcom to carry out tests in advance of the sale of the radio frequencies to ensure that any interference is identified and made public and to take appropriate action. That action could take two forms: either Ofcom should not grant a wireless telegraphy licence unless action is taken to remove the risk of interference; or a fund should be established to cover the cost of replacing medical and hearing technology affected by interference. That is important for the 10 million people who suffer from hearing loss and the 45,000 deaf children in this country, and it will enable Ofcom to fulfil its duties under the Equality Act 2010.

The Minister has said that tests have been done and more tests will be done and that we will know what those tests come up with in April 2017, so everything is fine. That is not the view of the National Deaf Children’s

Society, which is not confident about the way in which the tests will be carried out. It has undertaken considerable correspondence with the regulator, and there is still dispute about how the tests should be done and how the results should be interpreted. Even if the tests are done and the results published on this occasion, as the Minister suggested, what happens then? What if there is interference? Will the spectrum then not be auctioned off as the Government intend? Will there be some funding for people who have to have new hearing aids as a result? The Minister’s response, I am sorry to say, is not adequate.

Interference will be a problem for children who use radio aids in the classroom to help them to hear what their teachers are saying. Unlike grown-ups, they cannot easily guess what a person is saying, because they are hearing things for the first time. The tests done in 2014 found that someone with a mobile phone using the relevant frequency could interfere with a hearing aid 4 metres away. I know quite a lot about hearing aids, because my husband has terrible hearing and he has two hearing aids. If he goes to a party, he can hardly hear what other people are saying anyway, and if his hearing aids were interfered with by other people standing in the room, it would be a nightmare. I urge the Minister to be flexible and to look at the matter again.

Grant Shapps: I rise to support my new clause 25, on the ability of end-users to cancel mobile contracts. It is very similar to new clauses tabled by other hon. Members—indeed, on the last count, by hon. Members from four different parties. I am grateful to the Minister for saying that this will now be considered in the Green Paper that the Department for Business, Energy and Industrial Strategy will bring out next year. However, I want to point out that the idea that a 14-day cooling-off period after purchasing a phone is somehow sufficient for a contract lasting for two years is, frankly, completely inadequate. Some 60% of people now have contracts for two years, and there has been a 19% increase in the number of people with lengthy contracts during the past five or six years.

It in no way negates the problem to say that, if someone realises during the first 14 days they cannot get a signal, they can exchange their contract. What happens if they move or if their place of work moves and they are stuck with such a contract? This problem can actually be solved quite easily. All we need to do is to split out the cost of the device—on average, about £800—from the cost of the mobile contract for the phone and data elements. If we did that, the person could stay within the contract to buy the device, while being able to move to another operator that can provide a contract with the ability to access a signal for phone and data use.

My point is very simple. I think that the briefing on this is extremely misleading. I do not believe that Ofcom is likely to do anything about this in the next year or two. I thank the Minister for his advice that this will be considered in the Green Paper next year, because unless we get a bit more radical, people will be forced to pay hundreds of pounds for a service they quite simply never receive.

Hywel Williams (Arfon) (PC): I would have liked to speak to new clauses 3, 14 and 21, but I will restrict myself to new clause 13. New clause 13 would introduce a statutory code of practice to improve the performance

of social media platforms when dealing with incidents of online abuse that cross the criminal threshold. It would place an obligation on the Minister to issue a code of practice, which would cover the processes and quality of the services provided. Such matters are commonplace in complaints procedures that already exist throughout the public utilities sector.

The code of practice would also cover an industry-specific requirement to set and enforce appropriate privacy settings for minors. This would be drafted after consultation with the industry, the criminal justice system, charities and other key stakeholders. An extensive consultation with a number of significant bodies would guarantee a comprehensive set of guidelines.

Technology is ever adapting, which is why subsection (4) of new clause 13 states:

“The relevant Minister may from time to time revise and re-issue the code of practice.”

As technology is ever adapting, it is right and proper that legislation protecting vulnerable people from predatory and unacceptable behaviour online should be updated to reflect the dynamic nature of the online world. The new clause would have allowed that. I would have talked about this matter extensively had there been the time, but I hope that the points I would have made will be taken up in another place.

Fiona Bruce (Congleton) (Con): I am pleased to say that I will not press my amendment 2, but that I will support new clause 29. The new clause addresses the loophole that my amendment sought to address, and about which I spoke on Second Reading. I thank the Minister for listening and for acting by tabling the new clause.

The loophole is that, as established under the Communications Act 2003, the current law covering pornographic content online in the form of video on-demand only requires age verification for R18, not 18-rated, material when streamed from sites based within the UK. Without the new clause, the Bill would only deal with the provision of age verification for 18 and R18 video on-demand pornography streamed into this country from abroad.

New clause 29 will deal with the issue. The House has determined that it is not appropriate for under-18s to purchase videos that are 18-rated from a shop, and rightly so, so where the technology is available to apply similar protections online, it would be quite wrong not to use it. I am grateful to the Minister for tabling the new clause. Public opinion is very much with us on this issue. ComRes polling of 2,000 adults in Great Britain in July last year showed that 73% of people support age verification of any 18-rated DVDs shown online and that just 13% disagreed.

Mr Alistair Carmichael: I rise to echo some of the concerns that have already been expressed by the right hon. Member for Maldon (Mr Whittingdale) about new clause 28. I should say at the outset that, as the parent of two teenagers, I completely understand the motivation of those who have raised these concerns with the Government. I commend them for the way in which they have done so, and, indeed, I commend the Government for responding in the way they have. However, I fear that this is another occasion on which the Government are responding because, as we say,

something must be done. I fear that we are in fact going down a road that will leave us exposed to the law of unintended consequences.

6.45 pm

My primary concern is that, ultimately, the proposed provisions will not be that effective. They are capable of being circumvented pretty easily by any tech savvy 14-year-old. Therefore, where do we strike the balance between the protection offered against the risks that come with it? One of the risks we have not touched on is that of complacency. Seeing such changes being made, parents will think that this problem has been solved and has gone away and that they no longer need to be vigilant in the way they may have been hitherto.

My real concerns centre on the holding of the data. As I put it to the Minister when he was at the Dispatch Box, there are no provisions in the Bill to secure the privacy and anonymity of those using these sites. He said that the data will be held in accordance with the Data Protection Act, but as we saw in the Ashley Madison leaks, that was of no great assistance. Let us not forget just exactly what is at stake: as a consequence of that hack and of the information being put into the public domain, a number of people committed suicide. We seem to be treating the symptom rather than the disease, and what would really make the significant changes we all want is better sex and relationships education.

Kit Malthouse (North West Hampshire) (Con) *rose*—

Madam Deputy Speaker (Natascha Engel): Unfortunately, the hon. Gentleman will not get his one minute of speaking time.

6.47 pm

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

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

Question agreed to.

New clause 28 accordingly read a Second time, and added to the Bill.

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

New Clause 29

ON-DEMAND PROGRAMME SERVICES: SPECIALLY RESTRICTED MATERIAL

“(1) Section 368E of the Communications Act 2003 (restrictions on harmful material contained in on-demand programme services) is amended as follows.

(2) In subsection (5), after paragraph (b) omit “or”.

(3) In that subsection, after paragraph (c) insert—

“(d) a video work—

(i) in respect of which the video works authority has issued an 18 certificate, and

(ii) whose nature is such that it is reasonable to assume that its principal purpose is to cause sexual arousal, or

- (e) material whose nature is such that it is reasonable—
- (i) to assume that its principal purpose is to cause sexual arousal, and
 - (ii) to expect that, if the material were contained in a video work submitted to the video works authority for a classification certificate, the video works authority would issue an 18 certificate.”

(4) In subsection (6), after “(5)(b)” insert “or (e)”.

(5) In subsection (7), after the definition of “the 1984 Act”, insert—

““18 certificate” means a classification certificate which—

- (a) contains, pursuant to section 7(2)(b) of the 1984 Act, a statement that the video work is suitable for viewing only by persons who have attained the age of 18 and that no video recording containing that work is to be supplied to any person who has not attained that age, and
- (b) does not contain the statement mentioned in section 7(2)(c) of the 1984 Act that no video recording containing the video work is to be supplied other than in a licensed sex shop;”.—
(*Matt Hancock.*)

Section 368E of the Communications Act 2003 prohibits an “on-demand programme service” (defined in section 368A) from containing “specially restricted material” except in a manner which secures that persons under the age of 18 will not normally see or hear it. This new clause adds further kinds of “specially restricted material”.

Brought up, and added to the Bill.

New Clause 10

INTERNET PORNOGRAPHY: REQUIREMENT TO TEACH AGE REQUIREMENT AND RISKS AS PART OF SEX EDUCATION

“After section 403(1A)(b) of the Education Act 1996, add—

- “(c) they learn about the risks and dangers of internet pornography, and the legal age requirement to access internet pornography under Part 3 of the Digital Economy Act 2017.”—(*Kevin Brennan.*)

This new clause would mean that the Secretary of State would have to include in guidance to maintained schools that pupils learn as part of sex education the risks and dangers of internet pornography and the legal age requirement to access it, as provided for under Part 3.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 181, Noes 278.

Division No. 96]

[6.47 pm

AYES

Abrahams, Debbie	Brake, rh Tom
Alexander, Heidi	Brennan, Kevin
Allin-Khan, Dr Rosena	Brown, Lyn
Ashworth, Jonathan	Brown, rh Mr Nicholas
Austin, Ian	Bryant, Chris
Bailey, Mr Adrian	Burgon, Richard
Barron, rh Sir Kevin	Butler, Dawn
Beckett, rh Margaret	Cadbury, Ruth
Benn, rh Hilary	Campbell, rh Mr Alan
Berger, Luciana	Campbell, Mr Ronnie
Betts, Mr Clive	Carmichael, rh Mr Alistair
Blackman-Woods, Dr Roberta	Champion, Sarah
Blenkinsop, Tom	Chapman, Jenny
Blomfield, Paul	Coffey, Ann
Brabin, Tracy	Cooper, Julie
Bradshaw, rh Mr Ben	Corbyn, rh Jeremy

Coyle, Neil	Lynch, Holly
Crausby, Mr David	Mactaggart, rh Fiona
Creasy, Stella	Madders, Justin
Cruddas, Jon	Mahmood, Mr Khalid
Cryer, John	Mahmood, Shabana
Cunningham, Alex	Malhotra, Seema
Cunningham, Mr Jim	Mann, John
Davies, Geraint	Marris, Rob
Debbonaire, Thangam	Marsden, Gordon
Doughty, Stephen	Maskell, Rachael
Dowd, Jim	McCabe, Steve
Dowd, Peter	McCarthy, Kerry
Dugher, Michael	McDonagh, Siobhain
Eagle, Ms Angela	McDonald, Andy
Eagle, Maria	McDonnell, rh John
Edwards, Jonathan	McFadden, rh Mr Pat
Efford, Clive	McGovern, Alison
Elliott, Julie	McInnes, Liz
Ellman, Mrs Louise	Meale, Sir Alan
Elmore, Chris	Mearns, Ian
Esterson, Bill	Miliband, rh Edward
Evans, Chris	Moon, Mrs Madeleine
Field, rh Frank	Morden, Jessica
Fitzpatrick, Jim	Murray, Ian
Flello, Robert	Nandy, Lisa
Flint, rh Caroline	Onn, Melanie
Fovargue, Yvonne	Osamor, Kate
Foxcroft, Vicky	Pearce, Teresa
Furniss, Gill	Perkins, Toby
Gapes, Mike	Phillips, Jess
Gardiner, Barry	Phillipson, Bridget
Glass, Pat	Powell, Lucy
Glindon, Mary	Qureshi, Yasmin
Godsiff, Mr Roger	Rayner, Angela
Goodman, Helen	Reed, Mr Steve
Green, Kate	Rees, Christina
Greenwood, Lilian	Reeves, Rachel
Greenwood, Margaret	Reynolds, Emma
Gwynne, Andrew	Reynolds, Jonathan
Hanson, rh Mr David	Rimmer, Marie
Harris, Carolyn	Ritchie, Ms Margaret
Hayes, Helen	Robinson, Mr Geoffrey
Hayman, Sue	Rotheram, Steve
Healey, rh John	Ryan, rh Joan
Hendrick, Mr Mark	Saville Roberts, Liz
Hepburn, Mr Stephen	Shah, Naz
Hillier, Meg	Sheerman, Mr Barry
Hodgson, Mrs Sharon	Sherriff, Paula
Hollern, Kate	Siddiq, Tulip
Hopkins, Kelvin	Skinner, Mr Dennis
Howarth, rh Mr George	Slaughter, Andy
Hunt, Tristram	Smeeth, Ruth
Huq, Dr Rupa	Smith, rh Mr Andrew
Hussain, Imran	Smith, Angela
Jarvis, Dan	Smith, Cat
Johnson, rh Alan	Smith, Nick
Jones, Gerald	Spellar, rh Mr John
Jones, Graham	Starmer, Keir
Jones, Mr Kevan	Stevens, Jo
Jones, Susan Elan	Streeting, Wes
Kane, Mike	Tami, Mark
Keeley, Barbara	Thomas, Mr Gareth
Kendall, Liz	Thornberry, Emily
Kinnock, Stephen	Timms, rh Stephen
Lammy, rh Mr David	Trickett, Jon
Lavery, Ian	Turley, Anna
Leslie, Chris	Turner, Karl
Lewis, Clive	Twigg, Derek
Lewis, Mr Ivan	Vaz, rh Keith
Long Bailey, Rebecca	Vaz, Valerie
Lucas, Caroline	Watson, Mr Tom
Lucas, Ian C.	Whitehead, Dr Alan

Williams, Hywel
Wilson, Phil
Winnick, Mr David
Winterton, rh Dame Rosie

Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Nic Dakin

NOES

Adams, Nigel
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
Barwell, Gavin
Bebb, Guto
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Bone, Mr Peter
Bottomley, Sir Peter
Bradley, rh Karen
Brady, Mr Graham
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burrowes, Mr David
Burt, rh Alistair
Cairns, rh Alun
Carmichael, Neil
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Mr Christopher
Churchill, Jo
Clark, rh Greg
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colvile, Oliver
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crabb, rh Stephen
Crouch, Tracey
Davies, Byron
Davies, Mims
Davies, Philip
Davis, rh Mr David
Dinenage, Caroline
Donelan, Michelle
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie

Drax, Richard
Drummond, Mrs Flick
Duddridge, James
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Evennett, rh David
Fabricant, Michael
Fallon, rh Sir Michael
Fernandes, Suella
Field, rh Mark
Foster, Kevin
Fox, rh Dr Liam
Frazer, Lucy
Freeman, George
Freer, Mike
Fuller, Richard
Fysh, Marcus
Gale, Sir Roger
Garnier, rh Sir Edward
Garnier, Mark
Gauke, rh Mr David
Ghani, Nusrat
Gibb, Mr Nick
Gillan, rh Mrs Cheryl
Glen, John
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Grayling, rh Chris
Green, Chris
Green, rh Damian
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, rh Ben
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, rh Mr Philip
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harrington, Richard
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip

Holloway, Mr Adam
Howarth, Sir Gerald
Howell, John
Howlett, Ben
Huddleston, Nigel
Hunt, rh Mr Jeremy
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot
Javid, rh Sajid
Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kennedy, Seema
Kirby, Simon
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lancaster, Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Sir Oliver
Lewis, rh Brandon
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lidington, rh Mr David
Lilley, rh Mr Peter
Lopresti, Jack
Loughton, Tim
Mackinlay, Craig
Mackintosh, David
Mak, Mr Alan
Malthouse, Kit
Mann, Scott
Mathias, Dr Tania
Maynard, Paul
McCartney, Jason
McLoughlin, rh Sir Patrick
McPartland, Stephen
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mundell, rh David
Murray, Mrs Sheryll
Neill, Robert
Newton, Sarah
Nokes, Caroline
Norman, Jesse
Nuttall, Mr David
Offord, Dr Matthew
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark

Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Philp, Chris
Pickles, rh Sir Eric
Pincher, Christopher
Poulter, Dr Daniel
Pow, Rebecca
Prentis, Victoria
Pursglove, Tom
Quin, Jeremy
Quince, Will
Raab, Mr Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Mary
Rudd, rh Amber
Rutley, David
Sandbach, Antoinette
Scully, Paul
Selous, Andrew
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Swire, rh Sir Hugo
Syms, Mr Robert
Thomas, Derek
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Truss, rh Elizabeth
Tugendhat, Tom
Turner, Mr Andrew
Tyrie, rh Mr Andrew
Vera, Mr Shailesh
Vickers, Martin
Villiers, rh Mrs Theresa
Walker, Mr Robin
Wallace, Mr Ben
Warburton, David
Warman, Matt
Wharton, James
Whately, Helen
Wheeler, Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin

Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Noes:
Mark Spencer and
Guy Opperman

Question accordingly negated.

Clause 17

THE AGE-VERIFICATION REGULATOR: DESIGNATION AND FUNDING

Amendment made: 35, page 20, line 15, at end insert—

- “(d) by an internet service provider to whom a notice has been given under section (*Age-verification regulator’s power to direct internet service providers to block access to material*) (1), against the giving of that notice; and
(e) by a person identified as the non-complying person in a notice given to an internet service provider under section (*Age-verification regulator’s power to direct internet service providers to block access to material*)(1), against the giving of that notice.”—(*Matt Hancock.*)

This amendment requires the Secretary of State to be satisfied, before designating a person as the age-verification regulator under clause 17, that the regulator will maintain arrangements for appeals against the giving of notices under NC28.

Clause 19

AGE-VERIFICATION REGULATOR’S POWER TO REQUIRE INFORMATION

Amendment made: 36, page 21, line 8, after “is” insert—

- “(a) an internet service provider, or
(b) ”.—(*Matt Hancock.*)

This amendment enables the age-verification regulator to require internet service providers to provide it with information to enable it to exercise, or decide whether to exercise, its functions under Part 3 (online pornography).

Clause 23

EXERCISE OF FUNCTIONS BY THE AGE-VERIFICATION REGULATOR

Amendment made: 37, page 25, line 3, leave out “and 22” and insert

“, 22 and (*Age-verification regulator’s power to direct internet service providers to block access to material*)”.—(*Matt Hancock.*)

Clause 23(1) provides that the age-verification regulator may exercise its powers under clauses 20 and 22 principally in relation to certain descriptions of persons. This amendment provides that the regulator’s powers under NC28 may be similarly exercised.

Clause 24

REQUIREMENTS FOR NOTICES GIVEN BY REGULATOR UNDER THIS PART

Amendments made: 38, page 25, line 19, leave out “or 22” and insert

“, 22 or (*Age-verification regulator’s power to direct internet service providers to block access to material*)”.

This amendment provides for the manner in which notices are to be given under NC28.

Amendment 39, page 25, line 22, leave out “or 22(1)” and insert

“, 22(1) or (*Age-verification regulator’s power to direct internet service providers to block access to material*)(1)”.

This amendment deals with the manner in which notices are to be given to internet service providers under NC28.

Amendment 40, page 25, line 30, leave out “or 22(3)” and insert

“, 22(3) or (*Age-verification regulator’s power to direct internet service providers to block access to material*)(10)”.

This amendment deals with the manner in which notices are to be given to non-complying persons under NC28.

Amendment 41, page 25, line 44, leave out “or 22” and insert

“, 22 or (*Age-verification regulator’s power to direct internet service providers to block access to material*)”.—(*Matt Hancock.*)

This amendment deals with the giving by email of notices under NC28.

Clause 25

INTERPRETATION OF THIS PART

Amendment made: 42, page 26, line 16, at end insert—

““internet service provider” means a provider of an internet access service within the meaning given in Article 2 of Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015;”.—(*Matt Hancock.*)

This amendment defines “internet service provider” for the purposes of amendments 35 and 36 and NC28.

New Clause 27

INTRODUCTION OF BROADBAND CONNECTION VOUCHER SCHEME AS ALTERNATIVE TO UNIVERSAL SERVICE ORDER PROVISION

“The Secretary of State shall introduce a broadband connection voucher scheme to allow an end-user to access broadband other than that supplied by the provider of the universal service order, under Part 2 of the Communications Act 2003.”—(*Calum Kerr.*)

Although most individuals are likely to choose the standard universal service order offering, this new clause would provide individuals with the option of a voucher scheme that empowers them to take up an alternative solution.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 221, Noes 277.

Division No. 97]

[7.2 pm

AYES

Abrahams, Debbie	Blackford, Ian
Ahmed-Sheikh, Ms Tasmina	Blackman, Kirsty
Alexander, Heidi	Blackman-Woods, Dr Roberta
Allin-Khan, Dr Rosena	Blenkinsop, Tom
Arkless, Richard	Blomfield, Paul
Ashworth, Jonathan	Boswell, Philip
Austin, Ian	Brabin, Tracy
Bailey, Mr Adrian	Bradshaw, rh Mr Ben
Bardell, Hannah	Brake, rh Tom
Barron, rh Sir Kevin	Brennan, Kevin
Beckett, rh Margaret	Brown, Alan
Benn, rh Hilary	Brown, Lyn
Berger, Luciana	Brown, rh Mr Nicholas
Betts, Mr Clive	Bryant, Chris
Black, Mhairi	Burgon, Richard

Butler, Dawn
 Cadbury, Ruth
 Campbell, rh Mr Alan
 Campbell, Mr Ronnie
 Carmichael, rh Mr Alistair
 Champion, Sarah
 Chapman, Douglas
 Chapman, Jenny
 Cherry, Joanna
 Coffey, Ann
 Cooper, Julie
 Corbyn, rh Jeremy
 Cowan, Ronnie
 Coyle, Neil
 Crausby, Mr David
 Creasy, Stella
 Cruddas, Jon
 Cryer, John
 Cunningham, Alex
 Cunningham, Mr Jim
 Dakin, Nic
 Davies, Geraint
 Day, Martyn
 Debbonaire, Thangam
 Docherty-Hughes, Martin
 Donaldson, Stuart Blair
 Doughty, Stephen
 Dowd, Jim
 Dowd, Peter
 Dromey, Jack
 Dugher, Michael
 Eagle, Ms Angela
 Eagle, Maria
 Edwards, Jonathan
 Efford, Clive
 Elliott, Julie
 Ellman, Mrs Louise
 Elmore, Chris
 Esterson, Bill
 Evans, Chris
 Ferrier, Margaret
 Field, rh Frank
 Fitzpatrick, Jim
 Ffello, Robert
 Flint, rh Caroline
 Fovargue, Yvonne
 Foxcroft, Vicky
 Furniss, Gill
 Gardiner, Barry
 Gethins, Stephen
 Glass, Pat
 Glindon, Mary
 Godsiff, Mr Roger
 Goodman, Helen
 Grady, Patrick
 Grant, Peter
 Gray, Neil
 Green, Kate
 Greenwood, Lilian
 Greenwood, Margaret
 Gwynne, Andrew
 Hanson, rh Mr David
 Harris, Carolyn
 Hayes, Helen
 Hayman, Sue
 Healey, rh John
 Hendrick, Mr Mark
 Hendry, Drew
 Hepburn, Mr Stephen
 Hillier, Meg
 Hodgson, Mrs Sharon
 Hollern, Kate

Hopkins, Kelvin
 Howarth, rh Mr George
 Hunt, Tristram
 Huq, Dr Rupa
 Hussain, Imran
 Jarvis, Dan
 Johnson, rh Alan
 Jones, Gerald
 Jones, Graham
 Jones, Mr Kevan
 Jones, Susan Elan
 Kane, Mike
 Keeley, Barbara
 Kendall, Liz
 Kerr, Calum
 Kinnock, Stephen
 Lamy, rh Mr David
 Lavery, Ian
 Law, Chris
 Leslie, Chris
 Lewis, Clive
 Lewis, Mr Ivan
 Long Bailey, Rebecca
 Lucas, Caroline
 Lucas, Ian C.
 Lynch, Holly
 Mactaggart, rh Fiona
 Madders, Justin
 Mahmood, Mr Khalid
 Mahmood, Shabana
 Malhotra, Seema
 Mann, John
 Marsden, Gordon
 Maskell, Rachael
 McCabe, Steve
 McCaig, Callum
 McCarthy, Kerry
 McDonagh, Siobhain
 McDonald, Andy
 McDonald, Stuart C.
 McDonnell, rh John
 McFadden, rh Mr Pat
 McGarry, Natalie
 McGovern, Alison
 McInnes, Liz
 Meale, Sir Alan
 Mearns, Ian
 Miliband, rh Edward
 Monaghan, Dr Paul
 Moon, Mrs Madeleine
 Morden, Jessica
 Mullin, Roger
 Murray, Ian
 Nandy, Lisa
 Newlands, Gavin
 Nicolson, John
 Onn, Melanie
 Osamor, Kate
 Oswald, Kirsten
 Paterson, Steven
 Pearce, Teresa
 Perkins, Toby
 Phillips, Jess
 Phillipson, Bridget
 Powell, Lucy
 Qureshi, Yasmin
 Rayner, Angela
 Reed, Mr Steve
 Rees, Christina
 Reeves, Rachel
 Reynolds, Emma
 Reynolds, Jonathan

Rimmer, Marie
 Ritchie, Ms Margaret
 Robertson, rh Angus
 Robinson, Mr Geoffrey
 Rotheram, Steve
 Ryan, rh Joan
 Saville Roberts, Liz
 Shah, Naz
 Sheerman, Mr Barry
 Sheppard, Tommy
 Sherriff, Paula
 Shuker, Mr Gavin
 Siddiq, Tulip
 Skinner, Mr Dennis
 Slaughter, Andy
 Smeeth, Ruth
 Smith, rh Mr Andrew
 Smith, Angela
 Smith, Cat
 Smith, Jeff
 Smith, Nick
 Spellar, rh Mr John
 Starmer, Keir
 Stephens, Chris
 Stevens, Jo

Adams, Nigel
 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
 Barwell, Gavin
 Bebb, Guto
 Benyon, Richard
 Beresford, Sir Paul
 Berry, Jake
 Berry, James
 Bingham, Andrew
 Blackman, Bob
 Blackwood, Nicola
 Blunt, Crispin
 Bone, Mr Peter
 Bottomley, Sir Peter
 Bradley, rh Karen
 Brady, Mr Graham
 Brine, Steve
 Brokenshire, rh James
 Bruce, Fiona
 Buckland, Robert
 Burns, Conor
 Burns, rh Sir Simon
 Burrowes, Mr David
 Burt, rh Alistair
 Cairns, rh Alun
 Carmichael, Neil
 Cartledge, James
 Cash, Sir William
 Caulfield, Maria
 Chalk, Alex
 Chishti, Rehman
 Chope, Mr Christopher

Streeting, Wes
 Tami, Mark
 Thewliss, Alison
 Thomas, Mr Gareth
 Timms, rh Stephen
 Trickett, Jon
 Turley, Anna
 Turner, Karl
 Twigg, Derek
 Vaz, rh Keith
 Vaz, Valerie
 Watson, Mr Tom
 Weir, Mike
 Whiteford, Dr Eilidh
 Whitehead, Dr Alan
 Williams, Hywel
 Wilson, Phil
 Wilson, Sammy
 Winnick, Mr David
 Winterton, rh Dame Rosie
 Wishart, Pete
 Zeichner, Daniel

Tellers for the Ayes:
Owen Thompson and
Marion Fellows

NOES

Churchill, Jo
 Clark, rh Greg
 Cleverly, James
 Clifton-Brown, Geoffrey
 Coffey, Dr Thérèse
 Collins, Damian
 Colville, Oliver
 Costa, Alberto
 Courts, Robert
 Cox, Mr Geoffrey
 Crabb, rh Stephen
 Crouch, Tracey
 Davies, Byron
 Davies, Mims
 Davis, rh Mr David
 Dinenage, Caroline
 Donelan, Michelle
 Double, Steve
 Dowden, Oliver
 Doyle-Price, Jackie
 Drax, Richard
 Drummond, Mrs Flick
 Duddridge, James
 Dunne, Mr Philip
 Ellis, Michael
 Ellison, Jane
 Ellwood, Mr Tobias
 Elphicke, Charlie
 Eustice, George
 Evans, Graham
 Evennett, rh David
 Fabricant, Michael
 Fallon, rh Sir Michael
 Fernandes, Suella
 Field, rh Mark
 Foster, Kevin
 Fox, rh Dr Liam
 Frazer, Lucy
 Freeman, George
 Freer, Mike
 Fuller, Richard
 Fysh, Marcus
 Gale, Sir Roger
 Garnier, rh Sir Edward

Garnier, Mark
 Gauke, rh Mr David
 Ghani, Nusrat
 Gibb, Mr Nick
 Gillan, rh Mrs Cheryl
 Glen, John
 Goodwill, Mr Robert
 Gove, rh Michael
 Graham, Richard
 Grant, Mrs Helen
 Gray, Mr James
 Grayling, rh Chris
 Green, Chris
 Green, rh Damian
 Grieve, rh Mr Dominic
 Griffiths, Andrew
 Gummer, rh Ben
 Gyimah, Mr Sam
 Halfon, rh Robert
 Hall, Luke
 Hammond, rh Mr Philip
 Hammond, Stephen
 Hancock, rh Matt
 Hands, rh Greg
 Harper, rh Mr Mark
 Harrington, Richard
 Harris, Rebecca
 Hart, Simon
 Haselhurst, rh Sir Alan
 Hayes, rh Mr John
 Heald, rh Sir Oliver
 Heapey, James
 Heaton-Harris, Chris
 Heaton-Jones, Peter
 Henderson, Gordon
 Herbert, rh Nick
 Hinds, Damian
 Hoare, Simon
 Hollingbery, George
 Hollinrake, Kevin
 Hollobone, Mr Philip
 Holloway, Mr Adam
 Howarth, Sir Gerald
 Howell, John
 Howlett, Ben
 Huddleston, Nigel
 Hunt, rh Mr Jeremy
 Hurd, Mr Nick
 Jackson, Mr Stewart
 James, Margot
 Javid, rh Sajid
 Jayawardena, Mr Ranil
 Jenkin, Mr Bernard
 Jenkyns, Andrea
 Johnson, Gareth
 Johnson, Joseph
 Jones, Andrew
 Jones, rh Mr David
 Jones, Mr Marcus
 Kawczynski, Daniel
 Kennedy, Seema
 Kirby, Simon
 Knight, rh Sir Greg
 Knight, Julian
 Kwarteng, Kwasi
 Lancaster, Mark
 Leadsom, rh Andrea
 Lee, Dr Phillip
 Leigh, Sir Edward
 Leslie, Charlotte
 Letwin, rh Sir Oliver
 Lewis, rh Brandon

Lewis, rh Dr Julian
 Liddell-Grainger, Mr Ian
 Lidington, rh Mr David
 Lilley, rh Mr Peter
 Lopresti, Jack
 Loughton, Tim
 Mackinlay, Craig
 Mackintosh, David
 Mak, Mr Alan
 Malthouse, Kit
 Mann, Scott
 Mathias, Dr Tania
 Maynard, Paul
 McCartney, Jason
 McLoughlin, rh Sir Patrick
 McPartland, Stephen
 Menzies, Mark
 Mercer, Johnny
 Merriman, Huw
 Metcalfe, Stephen
 Miller, rh Mrs Maria
 Mills, Nigel
 Milton, rh Anne
 Mitchell, rh Mr Andrew
 Mordaunt, Penny
 Morgan, rh Nicky
 Morris, Anne Marie
 Morris, David
 Morris, James
 Mundell, rh David
 Murray, Mrs Sheryll
 Neill, Robert
 Newton, Sarah
 Nokes, Caroline
 Norman, Jesse
 Nuttall, Mr David
 Offord, Dr Matthew
 Parish, Neil
 Patel, rh Priti
 Paterson, rh Mr Owen
 Pawsey, Mark
 Penning, rh Mike
 Penrose, John
 Percy, Andrew
 Perry, Claire
 Philp, Chris
 Pickles, rh Sir Eric
 Pincher, Christopher
 Poulter, Dr Daniel
 Pow, Rebecca
 Prentis, Victoria
 Pursglove, Tom
 Quin, Jeremy
 Quince, Will
 Raab, Mr Dominic
 Redwood, rh John
 Rees-Mogg, Mr Jacob
 Robertson, Mr Laurence
 Robinson, Mary
 Rudd, rh Amber
 Rutley, David
 Sandbach, Antoinette
 Scully, Paul
 Selous, Andrew
 Shapps, rh Grant
 Sharma, Alok
 Shelbrooke, Alec
 Simpson, rh Mr Keith
 Skidmore, Chris
 Smith, Henry
 Smith, Julian
 Smith, Royston

Soames, rh Sir Nicholas
 Soubry, rh Anna
 Spelman, rh Dame Caroline
 Stephenson, Andrew
 Stevenson, John
 Stewart, Bob
 Stewart, Iain
 Stewart, Rory
 Stride, Mel
 Stuart, Graham
 Sturdy, Julian
 Sunak, Rishi
 Swayne, rh Sir Desmond
 Swire, rh Sir Hugo
 Syms, Mr Robert
 Thomas, Derek
 Timpson, Edward
 Tolhurst, Kelly
 Tomlinson, Justin
 Tomlinson, Michael
 Tracey, Craig
 Tredinnick, David
 Truss, rh Elizabeth
 Tugendhat, Tom

Turner, Mr Andrew
 Tyrie, rh Mr Andrew
 Vara, Mr Shailesh
 Villiers, rh Mrs Theresa
 Walker, Mr Robin
 Wallace, Mr Ben
 Warburton, David
 Warman, Matt
 Wharton, James
 Whately, Helen
 Wheeler, Heather
 Whittaker, Craig
 Whittingdale, rh Mr John
 Wiggin, Bill
 Williams, Craig
 Williamson, rh Gavin
 Wollaston, Dr Sarah
 Wood, Mike
 Wragg, William
 Wright, rh Jeremy
 Zahawi, Nadhim

Tellers for the Noes:

**Mark Spencer and
 Guy Opperman**

Question accordingly negated.

Schedule 1

THE ELECTRONIC COMMUNICATIONS CODE

Amendments made: 23, page 124, leave out lines 11 to 37 and insert—

64 (1) An operator may not exercise a tidal water right in relation to land in which a Crown interest subsists unless agreement to the exercise of the right in relation to the land has been given in respect of that interest by the appropriate authority in accordance with paragraph 104.

(2) Where, in connection with an agreement between the operator and the appropriate authority for the exercise of such a right, the operator and the appropriate authority cannot agree the consideration to be paid by the operator, the operator or the appropriate authority may apply to the appointed valuer for a determination of the market value of the right.

(3) An application under sub-paragraph (2) must be made in writing and must include—

- (a) the proposed terms of the agreement, and
- (b) the reasoned evidence of the operator and of the appropriate authority as to the market value of the right.

(4) As soon as reasonably practicable after receiving such an application, the appointed valuer must—

- (a) determine the market value of the tidal water right; and
- (b) notify the operator and the appropriate authority in writing of its determination and the reasons for it.

(5) If the agreement mentioned in sub-paragraph (2) or an agreement in substantially the same terms is concluded following a determination under sub-paragraph (4), the consideration payable by the operator must not be more than the market value notified under sub-paragraph (4)(b).

(6) For this purpose the market value of a tidal water right is the amount that, at the date the market value is assessed, a willing buyer would pay a willing seller for the right—

- (a) in a transaction at arm's length,
- (b) on the basis that the buyer and seller were acting prudently and with full knowledge of the transaction, and
- (c) on the basis that the transaction was subject to the proposed terms set out in the application.

- (7) The market value—
- must be assessed on the basis of the value of the tidal water right to the holder of the Crown interest, and
 - must not be assessed on the basis of the value to the operator of the tidal water right or having regard to the use which the operator intends to make of the tidal waters or land in exercising that right.

(8) The market value must be assessed on the assumption that there is more than one site which the operator could use for the purpose for which the operator intends to use the tidal waters or land in question (whether or not that is actually the case).

(9) The appointed valuer may charge a fee in respect of the consideration of an application under sub-paragraph (4) and may apportion the fee between the operator and the appropriate authority as the appointed valuer considers appropriate.

- (10) In this paragraph “the appointed valuer” means—
- such person as the operator and the appropriate authority may agree;
 - if no person is agreed, such person as may be nominated, on the application of the operator or the appropriate authority, by the President of the Royal Institution of Chartered Surveyors.”

Paragraph 64 limits the level of consideration that can be enforced for the grant of tidal water rights where there is a Crown interest in the land. The amendment replaces this with provision for the consideration, if not agreed, to be determined by valuation at the outset.

Amendment 24, page 142, line 14, leave out “paragraph 64(2) to (5).”

This is consequential on amendment 23.—(Matt Hancock.)

New Clause 6

CODE OF PRACTICE: ACCESSIBILITY TO ON-DEMAND AUDIOVISUAL SERVICES FOR PEOPLE WITH DISABILITIES AFFECTING HEARING AND/OR SIGHT

“(1) It shall be the duty of Ofcom to draw up, and from time to time to review and revise, a code giving guidance as to—

- the extent to which on-demand audiovisual services should promote the understanding and enjoyment by—
 - persons who are deaf or hard of hearing,
 - persons who are blind or partially-sighted, and
 - persons with a dual sensory impairment, of the programmes to be included in such services; and
- the means by which such understanding and enjoyment should be promoted.

(2) The code must include provision for securing that every provider of a service to which this section applies ensures that adequate information about the assistance for disabled people that is provided in relation to that service is made available to those who are likely to want to make use of it.

(3) In complying with subsection (1) Ofcom must conduct a public consultation to inform Ofcom’s determination of the elements of the code.

(4) In complying with subsection (1), Ofcom must have regard, in particular, to—

- the extent of the benefit which would be conferred by the provision of assistance for disabled people in relation to the programmes;
- the size of the intended audience for the programmes;
- the number of persons who would be likely to benefit from the assistance and the extent of the likely benefit in each case;
- the extent to which members of the intended audience for the programmes are resident in places outside the United Kingdom;

- the technical difficulty of providing the assistance; and
- the cost, in the context of the matters mentioned in paragraphs (a) to (e), of providing the assistance.

(5) The code must set out the descriptions of programmes that Ofcom considers should be excluded programmes for the purposes of the requirement contained in that subsection or paragraph.

(6) The code shall make provisions about the meeting of obligations established, including by allocating relevant responsibilities between—

- broadcasters;
- platform operators; and
- any other provider or purveyor of programmes or programme services.

(7) For the purpose of subsection (1) a service is an on-demand audiovisual programme if it falls within the definition given in section 368A (Meaning of “on-demand programme service”) of the Communications Act 2003 (as inserted by the Audiovisual Media Service Regulations 2009).—(Kevin Brennan.)

Brought up, and read the First time.

7.14 pm

Kevin Brennan: I beg to move, That the clause be read a Second time.

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

New clause 8—Responsibility for policy and funding of TV licence fee concessions—

“After section 365(5) of the Communications Act 2003 insert—

“(5A) It shall be the responsibility of the Secretary of State to—

- specify the conditions under which concessions are entitled, and
- provide the BBC with necessary funding to cover the cost of concessions,

and this responsibility shall not be delegated to any other body.”

This new clause seeks to enshrine in statute that it should be the responsibility of the Government to set the entitlement for any concessions and to cover the cost of such concession. This new clause will ensure the entitlement and cost of over-75s TV licences remain with the Government. It would need to be agreed with Clause 76 not standing part of the Bill.

New clause 17—PSB prominence—

“(1) The Communications Act 2003 is amended as follows.

(2) At the end of section 310(1) add “that satisfy the qualification criteria to be set by OFCOM in the code.”

(3) In section 310(2) leave out “OFCOM consider appropriate” and insert “required by OFCOM”.

(4) In section 310(4)(a) after “programmes” insert “, including on-demand programme services.”

(5) In section 310(5)(a) after “service” insert “, including on-demand programme service.”

(6) In section 310(8)(a) after “services” insert “, including on-demand programme services.”

(7) In section 310(8)(b) after “services” insert “, including on-demand programme services.”

This new clause would modernise the PSB prominence regime, as recommended by Ofcom in its 2015 PSB Review. This proposal would extend the provisions in the Communications Act 2003 which currently only apply to traditional public service television channels and menus to on-demand services.

New clause 18—Listed events qualifying criteria—

“(1) The Broadcasting Act 1996 is amended as follows.

(2) Omit section 98(2)(b) and insert—

“(b) that the service has been watched by at least 90 per cent. of citizens in the United Kingdom in the course of the preceding calendar year.”

(3) After section 98(2) insert—

“(2A) The Secretary of State may by Order amend section (2)(b) by substituting a different percentage for any percentage for the time being specified there.

(2B) No Order under subsection (2A) shall be made unless a draft of the Order has been laid before and approved by a resolution of each House of Parliament.”

This new clause seeks to future-proof the listed events regime. This replaces the criterion on the capability of ‘receive’ a channel with an alternative based on its actual usage over the period of a year, lowers the threshold from 95% to 90%, and proposes delegating powers to the SoS to amend the 90% threshold.

New clause 24—Review of sale of counterfeit electrical appliances on the internet—

“(1) Within six months of this Act coming into force, the Secretary of State shall commission a review of the sale on the internet of counterfeit electrical appliances and shall lay the report of the review before each House of Parliament.

(2) The review under subsection (1) shall consider whether operators of trading websites that allow individual sellers to use those websites to sell electrical items should be obliged to report to the police and trading standards any instances of the selling of counterfeit electrical appliances during the course of their business of trading.”

New clause 33—Report of cost to UK economy of counterfeit electrical goods on the internet—

“(1) Within six months of this Act coming into force, the Secretary of State shall prepare and publish a report on the cost to the UK economy of counterfeit electrical goods on the internet and shall lay a copy of the report before Parliament.

(2) The report under subsection (1) shall include an assessment of—

- (a) the amount of counterfeit electrical goods being imported into the United Kingdom,
- (b) the efficacy of the 1994 Plugs and Sockets regulations, and
- (c) the amounts of counterfeit electrical good being sold on trading websites on the internet.”

New clause 34—Review of impact of digital platforms on media advertising—

“(1) Within 12 months of this Act coming into force, Ofcom shall conduct a review of the impact of digital platforms on media advertising and the sustainability of the UK media.

(2) Ofcom shall conduct another review on the matters under subsection (1) within five years of the publication of the first review, and within every five years thereafter.

(3) The Secretary of State must lay a copy of the report of any review in this section before Parliament.”

Government amendments 20 to 22.

New clause 15—Power to provide for a code of practice related to copyright infringement—

“(1) The Secretary of State may by regulations make provision for a search engine to be required to adopt a code of practice concerning copyright infringement that complies with criteria specified in the regulations.

(2) The regulations may provide that if a search engine fails to adopt such a code of practice, any code of practice that is approved for the purposes of that search engine by the Secretary of State, or by a person designated by the Secretary of State, has effect as a code of practice adopted by the search engine.

(3) The Secretary of State may by regulations make provision—

- (a) for the investigation and determination of disputes about a search engine’s compliance with its code of practice,

(b) for the appointment of a regulator to review and report to the Secretary of State on—

- (i) the codes of practice adopted by search engines, and
- (ii) compliance with the codes of practice;

(c) for the consequences of a failure by a specified search engine to adopt or comply with a code of practice including financial penalties or other sanctions.

(4) Regulations made under this section—

- (a) may make provision that applies only in respect of search engines of a particular description, or only in respect of activities of a particular description;
- (b) may make incidental, supplementary or consequential provision;
- (c) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

This new clause would amend the Bill to present an opportunity for the Government to fulfil its manifesto commitment to reduce copyright infringement and ensure search engines do not link to the worst-offending sites. There is an absence of a specific provision in the Bill to achieve this.

New clause 16—E-book lending—

“In section 43(2) of the Digital Economy Act 2010, leave out from “limited time” to “and loan.”

This new clause aims to extend public lending rights to remote offsite e-book lending.

New clause 30—Devices or services that infringe copyright—

“(1) The Copyright, Designs and Patents Act 1988 is amended as follows.

(2) In section 107(1)(d)(ii) after “offers” insert “, advertises”.

(3) After section 107(1)(d)(iv) insert—

- (v) installs, maintains or replaces, or
- (ii) otherwise promotes by means of commercial communications, or”

(4) In section 107(1)(e) after “article” insert “, device, product or component”.

(5) In section 107(1)(e) after “work” insert “or which is, and which he knows or has reason to believe is, primarily designed, produced, adapted or otherwise used in a manner described in this section whether alone or in conjunction with another article, device, product, component, or service supplied by or with the knowledge of the same person for the purpose of enabling or facilitating the infringement of copyright”.

This new clause allows the Government to fulfil its commitment in the IPO’s Enforcement Strategy to ensure that UK business and rights holders have the necessary legal means to protect their IP. It brings in language to cover the supply of IPTV boxes clearly being marketed or sold for the purpose of enabling or facilitating copyright infringement, recognising that many devices may not, themselves, infringe copyright, but are supplied in conjunction with information which enables users to infringe copyright.

New clause 31—Offence to use digital ticket purchasing software to purchase excessive number of tickets—

“(1) A person commits an offence if he or she utilises digital ticket purchasing software to purchase tickets over and above the number permitted in the condition of sale.

(2) A person commits an offence if he or she knowingly resells or offers to resell, or allows to be resold or offered for resale on a secondary ticketing facility, a ticket that the person knows, or could reasonably suspect, was obtained using digital ticket purchasing software and was acting in the course of a business.

(3) For the purposes of subsection (2) a person shall be treated as acting in the course of a business if he or she does anything as a result of which he makes a profit or aims to make a profit.

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

- (a) imprisonment for a period not exceeding 51 weeks,
- (b) a fine not exceeding level 5 on the standard scale, or
- (c) both.

(5) In this section—

- (a) “digital ticket purchasing software” means any machine, device, computer programme or computer software that, on its own or with human assistance, bypasses security measures or access control systems on a retail ticket purchasing platform that assist in implementing a limit on the number of tickets that can be purchased, to purchase tickets.
- (b) “retail ticket purchasing platform” shall mean a retail ticket purchasing website, application, phone system, or other technology platform used to sell tickets.

(6) Subsections (1) and (2) shall apply in respect of anything done whether in the United Kingdom or elsewhere.”

This new clause creates an offence to use digital ticket purchasing software to purchase tickets for an event over and above the number permitted in the condition of sale. It also creates an offence to knowingly resell tickets using such software.

New clause 5—Personal data breaches—

“(1) The Data Protection Act 1998 is amended as follows.

(2) After section 24 insert—

“24A Personal data breaches: notification to the Commissioner

(1) In this section, section 24B and section 24C “personal data breach” means unauthorised or unlawful processing of personal data or accidental loss or destruction of, or damage to, personal data.

(2) Subject to subsections (3), (4)(c) and (4)(d), if a personal data breach occurs, the data controller in respect of the personal data concerned in that breach shall, without undue delay, notify the breach to the Commissioner.

(3) The notification referred to in subsection (2) is not required to the extent that the personal data concerned in the personal data breach are exempt from the seventh data protection principle.

(4) The Secretary of State may by regulations—

- (a) prescribe matters which a notification under subsection (2) must contain;
- (b) prescribe the period within which, following detection of a personal data breach, a notification under subsection (2) must be given;
- (c) provide that subsection (2) shall not apply to certain data controllers;
- (d) provide that subsection (2) shall not apply to personal data breaches of a particular description or descriptions.

24B Personal data breaches: notification to the data subject

(1) Subject to subsections (2), (3), (4), (6)(b) and (6)(c), if a personal data breach is likely to adversely affect the personal data or privacy of a data subject, the data controller in respect of the personal data concerned in that breach shall also, without undue delay, notify the breach to the data subject concerned, insofar as it is reasonably practicable to do so.

(2) The notification referred to in subsection (1) is not required to the extent that the personal data concerned in the personal data breach are exempt from the seventh data protection principle.

(3) The notification referred to in subsection (1) is not required to the extent that the personal data concerned in the personal data breach are exempt from section 7(1).

(4) The notification referred to in subsection (1) is not required if the data controller has demonstrated, to the satisfaction of the Commissioner—

- (a) that the data controller has implemented appropriate measures which render the data unintelligible to any person who is not authorised to access it; and
- (b) that those measures were applied to the data concerned in that personal data breach.

(5) If the data controller has not notified the data subject in compliance with subsection (1), the Commissioner may, having considered the likely adverse effects of the personal data breach, require the data controller to do so.

(6) The Secretary of State may by regulations—

- (a) prescribe matters which a notification under subsection (1) must contain;
- (b) provide that subsection (1) shall not apply to certain data controllers;
- (c) provide that subsection (1) shall not apply to personal data breaches of a particular description or descriptions.

24C Personal data breaches: audit

(1) Data controllers shall maintain an inventory of personal data breaches comprising—

- (a) the facts surrounding the breach;
- (b) the effects of that breach; and
- (c) remedial action taken

which shall be sufficient to enable the Commissioner to verify compliance with the provisions of sections 24A and 24B. The inventory shall only include information necessary for this purpose.

(2) The Commissioner may audit the compliance of data controllers with the provisions of sections 24A, 24B and 24C(1).

(3) In section 40 (Enforcement notices)—

- (a) in subsection (1)—
 - (i) after “data protection principles,” insert “or section 24A, 24B or 24C”;
 - (ii) for “principle or principles” substitute “principle, principles, section or sections”;
- (b) in subsection 6(a) after “principles” insert “or the section or sections”.

(4) In section 41 (Cancellation of enforcement notice)—

- (a) in subsection (1) after “principles” insert “or the section or sections”;
- (b) in subsection (2) after “principles” insert “or the section or sections”.

(5) In section 41A (Assessment notices)—

- (a) in subsection (1) after “data protection principles” insert “or section 24A, 24B or 24C”;
- (b) in subsection (10)(b) after “data protection principles” insert “or section 24A, 24B or 24C”.

(6) In section 41C (Code of practice about assessment notices)—

- (a) in subsection (4)(a) after “principles” insert “and sections 24A, 24B and 24C”;
- (b) in subsection (4)(b) after “principles” insert “or sections”.

(7) In section 43 (Information notices)—

- (a) in subsection 43(1)—
 - (i) after “data protection principles” insert “or section 24A, 24B or 24C”;
 - (ii) after “the principles” insert “or those sections”;
- (b) in subsection 43(2)(b) after “principles” insert “or section 24A, 24B or 24C”.

(8) In section 55A (Power of Commissioner to impose monetary penalty)—

- (a) after subsection (1) insert—
 - (1A) The Commissioner may also serve a data controller with a monetary penalty notice if the Commissioner is satisfied that there has been a serious contravention of section 24A, 24B or 24C by the data controller.”;
- (b) in subsection (3A) after “subsection (1)” insert “or (1A)”;
- (c) in subsection (4) omit “determined by the Commissioner and”;
- (d) in subsection (5)—
 - (i) after “The amount” insert “specified in a monetary penalty notice served under subsection (1) shall be”;
 - (ii) after “Commissioner” insert “and”;

- (e) after subsection (5) insert—
 (5A) The amount specified in a monetary penalty notice served under subsection (1A) shall be £1,000.

- (5B) The Secretary of State may by regulations amend subsection (5A) to change the amount specified therein.”

- (9) In section 55B (Monetary penalty notices: procedural rights)—

- (a) in subsection (3)(a) omit “and”;
 (b) after subsection (3)(a) insert—
 “(aa) specify the provision of this Act of which the Commissioner is satisfied there has been a serious contravention, and”;

- (c) after subsection (3) insert—
 (3A) A data controller may discharge liability for a monetary penalty in respect of a contravention of section 24A, 24B or 24C if he pays to the Commissioner the amount of £800 before the time within which the data controller may make representations to the Commissioner has expired.

- (3B) A notice of intent served in respect of a contravention of section 24A, 24B or 24C must include a statement informing the data controller of the opportunity to discharge liability for the monetary penalty.

- (3C) The Secretary of State may by regulations amend subsection (3A) to change the amount specified therein, save that the amount specified in subsection (3A) must be less than the amount specified in section 55A(5A).”;

- (d) in subsection (5) after “served” insert “under section 55A(1)”;

- (e) after subsection (5) insert—
 (5A) A person on whom a monetary penalty notice is served under section 55A(1A) may appeal to the Tribunal against the issue of the monetary penalty notice.”

- (10) In section 55C(2)(b) (Guidance about monetary penalty notices) at the end insert “specified in a monetary penalty notice served under section 55A(1)”.

- (11) In section 67 (Orders, regulations and rules)—

- (a) in subsection (4)—
 (i) after “order” insert “or regulations”;
 (ii) after “section 22(1),” insert “section 24A(4)(c) or (d), 24B(6)(b) or (c).”;
- (b) in subsection (5)—
 (i) after subsection (c) insert “(ca) regulations under section 24A(4)(a) or (b) or section 24B(6)(a).”;
 (ii) for “(ca) regulations under section 55A(5) or (7) or 55B(3)(b),” substitute “(cb) regulations under section 55A(5), (5B) or (7) or 55B(3)(b) or (3C).”.

- (12) In section 71 (Index of defined expressions) after

“personal data” | section 1(1)”
 insert—

“personal data breach” | section 24A(1)”

- (13) In paragraph 1 of Schedule 9—

- (a) after paragraph 1(1)(a) insert—
 “(aa) that a data controller has contravened or is contravening any provision of section 24A, 24B or 24C, or”;
- (b) in paragraph 1(1B) after “principles” insert “or section 24A, 24B or 24C”;
- (c) in paragraph (3)(d)(ii) after “principles” insert “or section 24A, 24B or 24C”;
- (d) in paragraph (3)(f) after “principles” insert “or section 24A, 24B or 24C.””

This new clause seeks to create a general obligation on data controllers to notify the Information Commissioner and data subjects in the event of a breach of personal data security. The proposed obligation is similar to that imposed on electronic communication service providers by the Privacy and Electronic Communications (EC Directive) Regulations 2003.

New clause 11—Public register of information disclosures—

“(1) No disclosure of information by a public authority under Part 5 shall be lawful unless detailed by an entry in a public register.

(2) Any entry made in a public register under subsection (1) shall be disclosed to another person only for the purposes set out in this Part.

(3) Each entry in the register must contain, or include information on—

- (a) the uniform resource locator of the entry,
 (b) the purpose of the disclosure,
 (c) the specific information to be disclosed,
 (d) the data controllers and data processors involved in the sharing of the information,
 (e) any exchange of letters between the data controllers on the disclosure,
 (f) any other information deemed relevant.

(4) In this section, “uniform resource locator” means a standardised naming convention for entries made in a public register.”

New clause 12—Review of the collection and use of data by government and commercial bodies—

“(1) Within six months of this Act coming into force, the Secretary of State shall commission an independent review of the collection and use of data by government and commercial bodies and shall lay the report of the review before each House of Parliament.

(2) The review under subsection (1) shall consider—

- (a) the increasing use of big data analytics and the privacy risks associated with big data;
 (b) the adequacy of current rules and regulations on data ownership;
 (c) the collection and use of administrative data; and
 (d) any other matters the Secretary of State considers appropriate.

(3) In conducting the review, the designated independent reviewer must consult—

- (a) specialists in big data, data ownership and administrative data,
 (b) those who campaign for citizens’ rights in relation to privacy, personal information and data protection,
 (c) any other persons and organisations the reviewer considers appropriate.

(4) In this section “big data analytics” means the process of examining large datasets to uncover hidden patterns, unknown correlations, market trends, customer preferences and other useful business information.”

New clause 19—Disclosure of information by local authorities in relation to free school meals—

“(1) A “specified objective” under section 29(6) also refers to the disclosure of information held by a local authority to a relevant school to enable them to carry out the duty in Section 512 of the Education Act 1996 to provide free school meals to eligible children.

(2) For the purposes of this section, “information” refers to the disclosure of information to a relevant school on the names of—

- (a) pupils who live within a household that claims council tax benefit;
 (b) pupils who live within a household that claims housing benefit;

(c) pupils who live within a household that claims any other benefits administered by the local authority.

(3) The objective under section (1) may be specified by regulations only if it complies with the conditions under subsection (4).

(4) That condition is that the disclosure is for the purposes of assisting children eligible for free school meals to have access to the entitlement under section 512 of the Education Act 1996.

(5) Under subsection (1) local education authority must provide a relevant school with sufficient information collected to enable them to carry out the duty in subsection 3.

(6) For the purposes of this Act, a school is “relevant” to a local education authority if that school has on its pupil roll a qualifying child resident within that local education authority’s area.

(7) For the purposes of this Act, a “school” is any local authority maintained school, free school or academy, or voluntary-sector alternative provision working with the local authority.

(8) Local education authorities must provide the means for a parent or guardian of a qualifying child to—

(a) opt out of the arrangements envisaged in sections 1 to 4.

(b) consider opting in to free school meals at the beginning of each academic year, having previously chosen to opt out.

(9) Local education authorities and schools must take all reasonable steps to preserve the confidentiality and right to privacy of qualifying children and their parents or guardians in respect of the information, information-sharing and administrative arrangements provided.”

New clause 23—Provision of information on Government website in Welsh language—

“(1) Subject to subsection (2), services provided on the internet by the Government must be provided in the Welsh language in addition to English.

(2) Subsection (2) only applies to services provided on the internet by the Government relating to subjects not listed under Part 1 of Schedule 7 to the Government of Wales Act 2006.

(3) In this section “services provided on the internet by the Government” means—

(a) information on the www.gov.uk website, or

(b) interactive services on the www.gov.uk website.”

Amendment 3, in clause 32, page 31, line 30, at end insert—

“(8A) In its application to a public authority with functions relating to the provision of health services, section 29 does not authorise the disclosure of identifiable health information held by the authority in connection with such functions.”

This amendment is to ensure that there are adequate protections for the confidential health information of patients and to prevent the disclosure of identifiable health information.

Government amendments 4 to 11.

Amendment 25, in clause 49, page 48, line 6, at end insert—

“(g) for the purposes of journalistic publication or broadcast transmission in the public interest.”

Amendment 26, in clause 50, page 49, at end insert—

“(j) for the purposes of journalistic publication or broadcast transmission in the public interest.”

Government amendments 12 to 19.

Kevin Brennan: We have 12 new clauses and amendments—and one that we withdrew so that the Select Committee could table it—in this group. New clause 6 stands in my name and those of my hon. Friends the Members for Tooting (Dr Allin-Khan) and for Sheffield, Heeley (Louise Haigh). As the Minister has done many times, I pay tribute to the latter, who unfortunately is not here because she is part of a

pre-planned parliamentary delegation. She did a tremendous job in Committee and has been praised universally on both sides of the House for her efforts.

On new clause 6, although subtitling is at or near 100% across public service broadcasters, three quarters of the UK’s 90 on-demand providers still offer no subtitling at all, despite the fact that according to Ofcom nearly one in five of the UK population use them. The principle behind the Communications Act 2003 recognised that those with sensory loss should not be denied access to the information services that many of us take for granted, but those with sensory loss cannot keep up with changing technology. In July 2013, the then Minister for the Digital Economy, the right hon. Member for Wantage (Mr Vaizey), acknowledged this, arguing in the Department’s 2013 document, “Connectivity, Content and Consumers”, that if

“progress isn’t being made in three years’ time...we will consider legislation.”

Well, here we are, three years later, with an appropriate legislative vehicle right here in front of us, and the Government are failing to act.

We wonder why. There were strong rumblings that the Government were planning to act, and we were checking the amendment paper every day, anticipating that they would, so it is a bit odd that we, the Opposition, have to bring forward this new clause, which takes on the Government’s concerns, when it is supposed to be the other way around—the Government taking on the concerns of others in the House during consideration of a Bill. The new clause would update the existing regulatory regime and apply it to on-demand providers. It is clearly time the Government acted to reflect the digital world in which we live and allow those with sensory loss to play a full and active part in it. The Government should accept the new clause, and I look forward to the Minister telling us that he will.

Rob Marris: Does my hon. Friend find it shocking that just one of the 21 on-demand services offered through Virgin TiVo—we discussed Virgin’s telephony and telecommunications services under new clause 27—is subtitled? That is less than 5%. Is that not a prime example of why we need new clause 6?

Kevin Brennan: It is a prime example. I might even have had it in my notes, before I truncated them considerably in order to make some progress. My hon. Friend is absolutely right to point it out.

New clause 8 opposes the way the Government are dealing with the free television licences for over-75s. The continuation of free licences for over-75s was a promise made in the Conservative party’s manifesto, which many over-75s voted for in good faith, but now, just 16 months later, the Government are legislating to do away with that pledge in all but name, on the pretence that it should now be for the BBC to decide who gets a free television licence. I am afraid that the promise in the manifesto was unequivocal. It said:

“We will maintain all the current pensioner benefits including Winter Fuel Payments, free bus passes, free prescriptions and TV licences”.

Notice the list of Labour achievements in that quote, Madam Deputy Speaker! It said “maintain” not “play pass the policy parcel”, which is what the Government are doing. They are legislating to hand over responsibility to a body that cannot afford to maintain the entitlement.

Kelvin Hopkins (Luton North) (Lab): Does my hon. Friend accept that this is a political decision and that it is wrong to compromise the BBC in this way by drawing it into politics?

Kevin Brennan: Far be it for me to accuse the Government of taking political decisions—this is the House of Commons after all—but it is nevertheless a broken promise, masquerading as an administrative change. I think that is the point my hon. Friend is making. If he were trying to imply that this were a craven approach, he would be absolutely right about that, too.

I am sure that the Minister will argue that, in fact, the BBC has somehow been rewarded handsomely in the charter renewal process, and that the BBC will decide its funding policy for over-75s set within that context. He will claim support from the BBC for what the Government are doing, because the BBC has said that it is in favour of it. It is the kind of support given when someone has a loaded gun placed against their head and is asked for that support. There is a reason why the BBC has agreed to take over control of setting entitlement for over-75 licences: it knows it cannot afford it at its current rate. The BBC should never have been given the responsibility for delivering on a Conservative party manifesto pledge.

Kelvin Hopkins: I apologise for interrupting my hon. Friend's flow once again, but the BBC was given this short straw at the same time as its future was being renegotiated. The BBC was under duress and surely had to accept this move.

Kevin Brennan: Indeed. That was my reason for using the metaphor of holding a loaded gun to the BBC's head. Opposition Members do not consider that the deal was negotiated in good faith. As my hon. Friend's point suggests, it amounted to little other than blackmail.

Sir Edward Leigh (Gainsborough) (Con): I apologise for being controversial—the hon. Gentleman will not agree with me—but this is rather like the triple lock. The fact is that many pensioners over the age of 75 are perfectly capable of paying a licence fee, so perhaps we should concentrate resources on people who really cannot afford to pay, rather than piling up more and more benefits to pensioners. I know that is controversial, but it is a point that needs to be made.

Kevin Brennan: It is an entirely legitimate point of view, but that is not what is under discussion. We are discussing who should take that decision. We say that the decision should be taken by this House and that the Government should be brave enough to face the electorate and say that they have decided that the policy is not, as the hon. Gentleman suggests, a priority. Instead of that, however, the Government are pretending that they are somehow keeping their pledge while transferring responsibility to an unaccountable body. The hon. Gentleman has been a powerful advocate in his long career on behalf of democracy and this House and against that kind of transfer of responsibility from this House and the duly elected Government to unelected quangos or other bodies. That is why we tabled the new clause, which I hope the hon. Gentleman will support for that reason.

It is a point of principle for us. We cannot accept a policy that takes responsibility for even a small part of our social security system and gives it to an organisation with no direct accountability to the electorate. If the new clause fails, Labour will do everything in its power to make it clear to those millions of over-75s exactly what is going on. It is not the BBC that will be reducing or taking away their entitlement to TV licences; it is the Government who have knowingly engineered the change. If we look at the Red Book for Budget 2016, we see that it is absolutely clear how much money the Government intend to save from this measure: in 2018-19, £185 million; in 2019-20, £425 million; and in 2020-21, £725 million.

Our new clause 17 aims to modernise the public service broadcaster regime, as recommended by Ofcom. Existing law would be extended to include on-demand channels and menus. The broadcasting landscape has changed significantly due to the emergence of new technologies such as the BBC iPlayer, the iPad and digital TV switchover, so although the Communications Act 2003 ensured PSB prominence on broadcast TV, it does not apply to connected TV sets or to catch-up services.

Connected TVs, such as Sky Q box, move the TV guide, where PSBs occupy the most prominent positions, so that it is increasingly hard to find. Seven out of 10 of the public say that they want the BBC channels at the top of the channel listings and that they want BBC iPlayer and the on-demand service there too. Among connected TV users, people are 10 times more likely to prefer to see the TV guide than the platform operators' recommendations first. This holds true in focus groups, where consumers gave feedback on the obscuring of the TV guide. One said:

“I absolutely love Sky Q, but if there were one thing I would change, it would be where the TV guide is...it's almost tucked away somewhere on my screen. You expect technological advances to make life easier, but this is making it harder...it's an extra step.”

Essentially, the public are paying towards PSB content that is becoming increasingly hard to find.

The Minister argued in Committee that Ofcom should adapt the code in line with technological developments, but Ofcom itself has called for a legislative change. The point was made that the TV guide was of declining importance due to the increasing integration of TV and internet services. However, nine out of those who watch live or on-demand use the electronic programme guide to access TV programmes. Our new clause builds on the current system, with a strong duty placed on Ofcom to provide clearer guidelines than at present. The industry should then apply these as appropriate to their platforms. If the Government really believe in public service broadcasting—and they say they do—they should support our new clause 17.

New clause 18 deals with the listed sporting events regime, which ensures that events such as the Olympics are freely and widely available. Unfortunately, that is at risk, so our new clause would help to safeguard listed events into the future. Some 45 million people in the UK watched the Rio 2016 Olympics, while millions watched the Euros—including Wales's stunning run to the semi-final this summer. Listed events are responsible for 5% of sports output but 60% of sports viewing in this country. The current law specifies that 95% of the population must be reached by a channel for it to

acquire listed events rights. Due to the proliferation of alternative media devices, PSBs believe that by the end of this Parliament no TV channel will, in fact, meet that 95% reach criterion.

New clause 18 offers a solution. There is a crucial legal difference between receiving a channel and watching it. Replacing the criterion on the capability to “receive” a channel with the alternative that it “has been watched”, based on its actual uses over the past year, would capture factors such as continuous free-to-air availability, popularity and audience awareness. The new clause would lower the threshold from 95% to 90%, and give the Secretary of State powers to amend it so that the law is flexible enough to reflect consumption trends and change in new and unpredictable ways.

Let me deal now with new clause 15. Over the past few years, there has been a series of round-table discussions with search engines, including Google, Bing and Yahoo, and rights holders including the British Phonographic Industry, the Music Publishers Association and the Alliance for Intellectual Property. The various parties have been trying to negotiate a code of practice to tackle copyright infringement whereby search engines would do more to demote sites that carry pirate content. These discussions are dragging on and, years later, the search engines and rights holders are yet to come to an agreement. Our new clause would provide the Secretary of State with the powers to legislate for a code of practice to be agreed if the next rounds of talks fail to come to a conclusion.

Piracy continues to weaken the UK recorded music industry. For example, academic evidence based on average retail prices and Ofcom’s tracker survey indicate a loss of between £150 million and £300 million a year. Our new clause would give the Secretary of State a backstop power to legislate that a code of practice be agreed. I think the Government should accept that now is the time for action in this sphere.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Does my hon. Friend agree that, given that this issue featured in the Conservative manifesto, it would be fantastic if the Government came forward to support the new clause, so that they could implement a promise they made at the last general election?

Kevin Brennan: My hon. Friend anticipates something that I was intending to say, but did not say. She is absolutely correct to point that out. The figures clearly show that this measure is not being implemented, even though the Minister claimed in Committee that it was being implemented.

New clause 16 is about public lending right. Hon. Members might be surprised to know that it does not extend to e-books where they are borrowed remotely, which by their very nature, of course, they are. It is ludicrous that 2.3 million remote loans were made in the last year, none of which were counted for public lending right. The method by which a book is borrowed should not determine whether authors and illustrators receive fair payment for their work. That predicament has been significantly worsened by the closure of public libraries that has occurred on the Government’s watch as a result of its failed—as we now know—austerity policies. The new clause would close the loophole, and

it is supported by the Society of Authors, the Association of Illustrators, and the Authors’ Licensing and Collecting Society.

7.30 pm

In 2013, the Government seemed to be saying that they would do something about the problem. Following the independent review of e-lending in public libraries in England, they said that they intended to reflect technological changes. Had they done so, other inconsistencies involving e-books—such as the fact that they are subject to VAT, while physical books are not—could also have been resolved in the Bill, but they have not done so, and the problems therefore remain unresolved. Our new clause is very simple. The Government have already acknowledged the existence of the issue at hand, and it is in no one’s interest to leave it unresolved. The Government were disappointingly un-co-operative in Committee, but I hope that that will change today.

New clause 30 is intended to tackle a proliferation of devices that, either alone or in conjunction with other technology, give access to copyright-infringing material. The best-known example of such a device, although by no means the only one, is the internet protocol television box. According to a recent Government report, there was a 33% increase in the illegal downloading of television programmes between March and May 2015 compared with the same months two years earlier. When we discussed the issue in Committee, the Government claimed that that was covered by other laws such as the Fraud Act 2006 and the Serious Crime Act 2015 but, as the Minister knows, the broadcasting and creative industries do not think that that is enough. They argue that the legal routes are much more complex and can be pursued only by the police, whose resources—especially IT specialist resources—are already thinly spread. In other words, the laws are not purpose-built. Our new clause should command the Government’s support, particularly in the light of its enforcement strategy.

The intellectual property Minister has said that the Government will be

“looking at new areas where we might need to create new legal tools to tackle new modes of infringement.”

She continued:

“we will look at the legislation around set-top boxes, and whether we have enough effective remedies to tackle their misuse.”

Well, we do not. New thinking is needed, and it is presented in our new clause. If the Government will not legislate in this Bill, when will they legislate? If they are serious about meeting their obligations in their own enforcement strategy, they should support the new clause and ensure that profits reach creators, not criminals.

New clause 31 has not been tabled by the Opposition. We tabled it originally, under a different number, but then we withdrew it, so that the Culture, Media and Sport Committee could table the measure on a cross-party basis, and added our names to it. I know that other Members will want to say more about new clause, which is intended to deal with the buying of tickets by “bots”, and the extortionate prices for which those same tickets are sold on secondary sites, making live sport and music unaffordable, and preventing access to entertainment for the public. I pay tribute to my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson) for the tireless and energetic campaign that she has waged on the issue.

Nick Smith (Blaenau Gwent) (Lab): Does my hon. Friend agree that true fans do not stand a chance nowadays, because touts have evolved from blokes in sheepskin jackets lurking outside stadiums trying to sell spare tickets, to IT crooks who harvest thousands of tickets just seconds after they go on sale?

Kevin Brennan: I do agree with that. In Committee, the Minister told us a tear-jerking story about his efforts to buy tickets to a Paul Simon concert at the Royal Albert Hall. We look forward to a review when he rises to speak. At the moment he is chewing, so it is “The Sound of Silence”.

Luciana Berger: I look forward to hearing my hon. Friend the Member for Washington and Sunderland West (Mrs Hodgson) expand on this point in more detail. Is it not time for us finally to do something about ticket-touting, on behalf of all the fans in the country who just want to enjoy music? I have not been a Member of Parliament for all that long, but we have been talking about this issue for the past six years. I see that tickets for tomorrow’s Justin Bieber concert are on sale for more than £1,000. Can we not do something about that, and ensure that everyone in the country can enjoy music?

Kevin Brennan: My hon. Friend makes her point passionately. I pay tribute to my hon. Friend the Member for Washington and Sunderland West, and I hope that we can play a part in a good result for her today when the Minister gives way on this point and accepts the cross-party new clause tabled by the Select Committee. My hon. Friend drew attention, in correspondence with us, to an analogy that was sent to her by someone who pointed out that the ticket-tout approach was nothing more or less than a protection racket. The bad guys create a problem, and then go around charging everyone else for solving it. The new clause would acknowledge ticket touting for what it really is: criminal exploitation. I hope that the Government will listen to Members on both sides of the House and do everything in their power to prevent and prosecute such behaviour.

Rob Marris: The Bill might not be the vehicle with which to do it, but another thing that needs to be tackled is the absolute scandal of administration fees, or booking fees. When one tries to buy a ticket, one pays 50 quid for the ticket and another 20 quid for the booking; the price should be £70 upfront.

Kevin Brennan: I entirely understand my hon. Friend’s point, but I shall stick strictly to the new clauses that we have tabled.

New clause 5 would establish a duty for companies to report any breach of cyber-security and to inform customers when possible. Just 28% of such attacks are reported to the police. We have welcomed the Minister’s announcement that he will implement the general data protection regulation in full, but even the GDPR provides extensive caveats, and it falls a long way short of the comprehensive regulatory system that the United Kingdom needs. Our new clause would impose a general obligation on data controllers to notify the Information Commissioner and data subjects in the event of a breach of personal data security.

New clause 11 provides for a public register of shared data. It would require all disclosures of data between data controllers to be logged in a public register giving, at the very least, a title, a description and a web page so that people can find out more. If there is transparency through a register, there can be an informed conversation about whether a particular data disclosure will solve the problem that it claims to solve. There has been data-sharing to “prevent fraud” for decades, and there has been a complete absence of audited and accurate results from that work. With additional powers come additional responsibilities. The argument that because current data-sharing has not prevented fraud there should be more data-sharing could be described as doing the same thing over and over again and expecting a different result. While part 5 of the Bill will remain a concern—I am sure that our colleagues in the other place will examine it—we believe that the Government should accept new clause 11 and demonstrate that they understand the importance of transparency in data-sharing.

Let me now deal with new clause 12, which concerns a review of data collection. Data are the currency of the digital economy but, in yet another missed opportunity, the Bill does absolutely nothing to address people’s rights over their data, which are increasingly a cause for concern. It is time that the Government acted, because consumer mistrust in the digital economy and in the use of our data is becoming corrosive. That is why we are calling for a royal commission to examine the use of our personal data in the commercial sector, to establish the extent of that practice, and to draw up a series of rights on which consumers and customers can rely in the digital age. The new clause would require the Government to commission an independent review of information and big data, and data administration, which would seek to establish the direction in which the stated policy intent of Government and big business—for individuals to have control over their own data—is heading.

Many providers are in the market for data, and there are many ways beyond our imagination in which our data can be modified. However, it will only take one exposé on “Dispatches” or a *Mail on Sunday* scandal to force the Government to react, and it is likely to overreact, as all Governments do. The Bill provides an excellent opportunity for the issues to be viewed in the cold light of day rather than in the heat of reaction, and I strongly urge the Ministers to support new clause 12.

New clause 19 is about free school meals. Many families who are eligible currently do not claim them. The new clause would explicitly provide for councils to share benefit data with schools, thus allowing eligible children to be automatically enrolled to receive free school meals rather than having to apply.

Graham Jones (Hyndburn) (Lab): The issue of free school meals was raised in Committee. Does my hon. Friend agree that two-tier authorities consisting of a shire and a district should be able to share data seamlessly and automatically, as unitary authorities do in metropolitan areas?

Kevin Brennan: I do agree. My hon. Friend made that point brilliantly in Committee, and I recommend that people read his lengthier remarks if they want to find out more about that issue.

Frank Field (Birkenhead) (Lab): I am grateful for the new clause because it follows a private Member's Bill that I introduced. Following Liverpool's example, Wirral carried out automatic registration for free school dinners and the school premium, and that resulted in £750,000 more coming into the area to target those poorest families.

Kevin Brennan: My right hon. Friend is correct. I was about to say that I wanted to praise him and, again, my hon. Friend the Member for Washington and Sunderland West for their work on that matter. We hope that the Government will support this sensible new clause.

I turn to amendment 3—our final amendment, you will be glad to know, Madam Deputy Speaker, in the group. In the aftermath of the care.data scandal, it is vital that patients are able to have trust in the confidential nature of the health service and to feel confident in sharing sensitive information with health care professionals. Part 5 of the Bill—clause 29 in particular—appears to permit an unprecedented sharing of confidential information. We are extremely concerned that if the information-sharing powers cover information held by bodies providing healthcare services, patient confidentiality could be undermined.

Amendment 3 would ensure that identifiable information held by healthcare bodies in connection with their functions would be exempt from the information-sharing powers in clause 29, thereby upholding current protections for confidentiality. We believe that the Bill should be amended to ensure that patient confidentiality is protected by clarifying that the Bill does not give power to public authorities to disclose any identifiable healthcare information. That would bring clause 29 into line with clause 56, which addresses information sharing specifically for research purposes. That was amended by the Government in Committee to prevent any erosion of the status quo for sharing healthcare data for research purposes. We believe, as does the British Medical Association, that similar protections should be extended to cover part 5. I look forward to the Minister accepting that amendment, along with all the other measures in the group.

Sir Peter Bottomley (Worthing West) (Con): This may have come up in Committee, and it might come up later on Report: the concern of the National Union of Journalists about journalists not being mentioned on private data being shared. Is that coming up now, or does it come up later?

Kevin Brennan: The hon. Gentleman might have missed it, but we have already had Second Reading and Committee stage, and we are now on Report, so that matter is likely to come up in the House of Lords.

Helen Goodman: It might come up when we discuss my amendment.

Kevin Brennan: Sorry, I forgot that my hon. Friend's amendment is in this group.

Having spoken on the amendments that we have tabled, rather than anyone else's, I will sit down.

Mr Whittingdale: I will resist the temptation to be drawn by the hon. Member for Cardiff West (Kevin Brennan) into discussing his new clause 8 covering the funding of free television licences. We have already

debated the issue at some length. Instead, in the spirit of consensus, I would like to concentrate on some of his other amendments, with which I have greater sympathy.

The first is new clause 15. On Second Reading, we discussed complaints by the creative industries that, when content is sought, the majority of sites produced by search engines such as Google and others are illegal. That has been the subject of discussion among the search companies, the rights owners and the Government for a long time, and progress has been glacial.

Since that discussion on Second Reading, I have had the advantage of talking to Google. I suspect the hon. Gentleman will have had that advantage, too. Google makes the point that if we put into its search engine the name of the artist and the name of the track, the overwhelming majority are legal results. That is progress. There is no doubt that it is better than it used to be. That deals with the problem of people who do not necessarily want to break the law but just find themselves directed to illegal sites, even when they are not looking for them. That is a step forward, but it does not deal with the problem of people who do not want to pay for music. If we put an additional few terms into the search box, such as "MP3 free download", the position is completely different and the overwhelming majority of results from that search are illegal. That remains a big problem.

Pete Wishart (Perth and North Perthshire) (SNP): The right hon. Gentleman knows—he has probably seen the results from the Intellectual Property Office—that 78 million tracks were illegally accessed between March and May this year. It is still a huge problem. Twenty per cent. of all access to the internet for music is for illegal downloads. The Conservative party manifesto promised to deal with that. Does he believe that now is the time for action? We must act now.

7.45 pm

Mr Whittingdale: I do think that more needs to be done. The counter to the statistic that the hon. Gentleman has just quoted is the number of pages being taken down. The BPI alone is notifying half a million infringing pages and they are promptly removed, but this is a Hydra—as soon as one comes down, another three go up.

The need to achieve greater agreement between the search companies and the rights owners remains as great as ever. Therefore, the idea that the Government should spur them on to get that agreement by saying that, unless it can be obtained, the Government may have to impose the code of practice, is now something that we need at least to consider. I do not necessarily say that I support the new clause of the hon. Member for Cardiff West, but I have considerable sympathy with it because we still have a long way to go to solve the problem, and at the moment progress is almost impossible to detect.

The second new clause tabled by the hon. Member for Cardiff West that I wanted to refer to, which I have even greater sympathy with, is new clause 30. My right hon. Friend the Minister is a champion of the creative industries because he knows, as I do, that our economy benefits enormously from the strength of the UK creative industries. Their success rests upon IP rights. They have to be confident that their investment, their creation and

[Mr Whittingdale]

their skills will receive proper reward from consumers who pay for that content. It is not just the film, television and music industries and the sports companies; it is also our broadcasters, who are spending billions of pounds in some cases to acquire rights. They are entitled to expect that the people who access them do so legitimately and pay for that, and do not do so through illegal streams from offshore.

The latest development in the technology, which the hon. Gentleman rightly identified, is IPTV set-top boxes. These are being marketed in vast numbers. They arrive fully loaded with the codes and the access to go straight to the sites that are providing illegal content. An empty set-top box may not in itself be illegal but, clearly, when it is being marketed on the basis that it is all too simple to fill it with the apps and the codes that will access illegal sites, that is a problem that we need to address.

I give the Minister just one example that was quoted to me today. It is an advertisement for the Amazon “Black Friday” sale, so we are talking about no more than a couple of days ago. It read:

“Come with the newest KODI 16.1. Cut your monthly TV subscription and enjoy FREE Movies, shows and live entertainment from all over the world including sports. No restrictions! Forget the limitations and necessary payments by using Apple TV or ROKU! Android on your TV. Install your favorite apps from the Google Play Store.”

This is being marketed on Amazon and those boxes are being shipped in their millions from China in the main, but from elsewhere, too. They are clearly being used to make it easy for consumers to access content for free and illegally. That is doing real damage to our creative industries. The hon. Gentleman’s new clause is not perhaps the right way to proceed. I am sure that it is deficient and that the Government will find failings in it, but the problem it identifies is a real one, so I hope that the Government will look to see what additional measures we can take to ensure that our IP law remains up to date with the technological developments that are again threatening our creative industries.

Finally, I want to talk to new clause 31. When I had the privilege of chairing the Select Committee, we spent a lot of time discussing ticket touting, and at that stage we were unconvinced that it was right either to ban the secondary market, for which there is a legitimate role, or to impose a flat rate top-up limit as to how much extra could be charged on a ticket; those were two possible solutions advanced at that time. We felt to some extent that this was more an issue for the industry and the market to address, and indeed the industry has worked hard to introduce technological requirements designed to stop people selling on tickets.

However, I was interested to hear from the hon. Member for Cardiff West about my right hon. Friend the Minister’s Paul Simon experience. I have to say that I do not necessarily share his enthusiasm for Paul Simon, but when I sought to buy tickets for the V festival I was unable to get on the website for the first 10 minutes and then in the 12th minute was informed it was sold out, and in the 13th minute I discovered those same tickets on Seatwave for about four times their face value, so I have some sympathy.

John Penrose (Weston-super-Mare) (Con): My right hon. Friend mentioned earlier that there are possible industry-based solutions. I am reminded of the way the Government handled the 2012 Olympics, when it was not possible to get tickets without providing photo ID, and it was an end-user sale in the first place, which effectively meant the bots could not buy large numbers of tickets in the way he has just described for the V Festival, or indeed for a Paul Simon concert. Does he believe that the solution therefore lies with the sporting and entertainment industries, and that they could have done this several years ago, and it is peculiar that they have elected to come to this place asking for a legislation-based solution when there is a software answer out there right now?

Mr Whittingdale: I have a lot of sympathy with my hon. Friend on that. I was fortunate enough to attend one of the greatest concerts of all time—the Led Zeppelin reunion at the O2—where exactly that system was introduced. People had to produce the credit card used to purchase the ticket in order to get the ticket; they did not get the ticket until they arrived at the venue. There are ways around this problem, but that imposes quite a considerable additional burden on the ticket purchaser, either to supply a photograph or to take a credit card. Of course, it does not then assist when there is a legitimate reason why somebody might want to transfer their ticket to another person because for some reason they are not able to attend. We do not want to stop the secondary market working in a way that is wholly legitimate, which is the case in such circumstances.

Damian Collins: Does my right hon. Friend agree that since the Select Committee looked at this matter under his chairmanship one of the big changes is that it is less about the regulation of the secondary market than the fact that the technology has effectively destroyed the primary market, because most people have no chance of accessing the primary market to buy the tickets they want?

Mr Whittingdale: I agree, and that was my experience, and indeed my right hon. Friend the Minister’s, despite our different musical tastes, when we sought to purchase tickets. For that reason, I am interested in the suggestion in new clause 31 to target specifically the bot problem, or the electronic purchasing in a short period of almost the entire ticket allocation—hundreds of tickets in a matter of seconds bought up by these bots—which prevents ordinary fans from accessing the tickets. I cannot believe that that is what the promoters want, so looking specifically at this problem as the new clause does is an interesting approach, and certainly one worth exploring further.

Helen Goodman: I am pleased to follow the right hon. Member for Maldon (Mr Whittingdale). I was a little unkind to him earlier this evening, so I would like to make amends by saying that he spoke a lot of good sense on illegal downloads.

I would like to speak to amendments 25 and 26. I am chair of the all-party group on the National Union of Journalists, and the arrangements for the payment of the secretariat appear under my name in the Register of Members’ Financial Interests. The NUJ was extremely helpful in drawing this problem to my attention and drafting the amendments.

Part 5 of the Bill appears to put freedom of expression and journalistic rights under serious threat by criminalising onward unauthorised disclosure of information. Specifically, clauses 49 and 50 completely fail to recognise the role of journalists in providing information that is in the public interest; I think that is the point the hon. Member for Worthing West (Sir Peter Bottomley) was trying to make.

Sir Peter Bottomley: I think that clause 32, which comes earlier, should be mentioned, too, and I hope the Government will respond on them all—not just the two amendments, but all the way through that part.

Helen Goodman: The hon. Gentleman is right.

Under the Bill, publications made in the media that are in the public interest are not on the list of exceptional circumstances in which information to combat fraud against the public sector and related personal information can be disclosed. For example, if a whistleblower were to leak the records of a private company to a journalist without authorisation and the journalist ran a story based on this, both parties could receive criminal sentences. This is particularly pertinent to clause 50, which states that a person who discloses personal information not in one of the stipulated excluded situations will be committing an offence.

This is quite technical and complex, so if the Minister cannot respond in this debate today, I would like him to write to me about the definition of the information covered and of the public sector here. Let me give an example to explain why. I was given information that Coutts—which is currently owned by the taxpayer; it is a subsidiary of one of the banks we bought in 2008—was selling tax avoidance schemes in Switzerland. I spoke about that in the House, but if I had instead given the information to a journalist and it had been printed in a newspaper, it would appear that under these provisions the journalist or newspaper would be criminalised.

This cannot be the Government's intention. I am sure the Government do not like leaks about Concentrix or about sustainability and transformation plans in the NHS, but I am equally sure the Government are not trying to clamp down on the effectiveness of the media in our country to such an extent that we cannot use these leaks about these sources.

Matt Hancock: I can confirm that it is neither the intent, nor our understanding of the Bill, to do those things, but it is our intent to protect personal information.

Helen Goodman: I am glad that is not the Minister's intent—I did not think that it was—but the Media Lawyers Association highlighted in its written evidence that it thought there was a problem. So if the Minister wants to avoid his colleagues in another place having to have this debate again in two months' time, perhaps he could write to me with a full explanation of what he thinks is going on, because I think that there might be a problem with the Bill in this respect.

Sir Peter Bottomley: In very simple terms, the question is: where is the public interest defence for a journalist?

Helen Goodman: The hon. Gentleman puts it very well.

I point out that we have the Official Secrets Act and the libel laws and lots of protections; we do not need any tighter legal criminalisation on the statute book.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. We have one hour and one minute left in this debate and many Members want to speak—and I suspect they will also wish to have answers from the Minister and would not like to truncate his contribution to the debate. I cannot impose a time limit; I can only ask for courtesy from one Member to another and short speeches. I am not suggesting speeches so far have been too long, but I ask Members to speak as quickly as they possibly can.

Damian Collins (Folkestone and Hythe) (Con): I will try to adhere to your guidelines, Madam Deputy Speaker.

I would like to speak to new clause 31, but first I want to congratulate the hon. Member for Washington and Sunderland West (Mrs Hodgson) on her campaigning over many years to deal with the abuses in the secondary ticketing market. I also want to congratulate my Select Committee colleague, my hon. Friend the Member for Selby and Ainsty (Nigel Adams), who took up this issue strongly in the Bill Committee. In fact, the new clause that we are discussing tonight is exactly the same as the one he tabled for discussion in Committee. Such was the power of his argument that he persuaded the hon. Member for Cardiff West (Kevin Brennan) to pursue this matter on Report, and I am grateful to the shadow Minister for agreeing that the Select Committee could table this new clause for discussion on Report.

8 pm

Following the Bill's Committee stage, the Select Committee was so concerned about the bot problem—as the former Secretary of State, my right hon. Friend the Member for Maldon (Mr Whittingdale), described it—and the use of computer programmes to harvest tickets from the primary ticket market in large quantities, that we wanted to look at the matter further. So, between the Committee stage and today's debate on Report, we called in a number of representatives of the music industry and of the primary and secondary ticketing markets, along with industry experts, to discuss the problem. That left us with the clear view that major abuses are taking place in the ticketing market and that the victims of those abuses are the consumers: the man and woman in the street who want to go to see their favourite performers and concerts but have no chance at all of accessing any tickets.

Computer programmes are harvesting thousands of tickets as soon as they go on sale and immediately transferring them to other websites where they can be bought only at inflated prices. My hon. Friend the Member for High Peak (Andrew Bingham) cited an example in Committee of a Phil Collins concert at the Albert Hall next June for which no tickets were available on the Ticketmaster site. However, tickets were available on Ticketmaster's secondary site at many times their face value, providing a huge margin and handling fee for the secondary site. The venue itself had stated that those tickets were not for resale. When this is happening on a day-to-day basis, there is clearly a problem.

We were also concerned to hear that people in the secondary market in particular felt that it was not their responsibility to police the sale of tickets. As a consequence of that, tickets are routinely sold without the information that is required under consumer protection legislation, which should identify the seller of the ticket as well as the row and seat number, so that they can be identified by the venue. These are routine abuses. The issue of bots harvesting tickets and putting them on immediate resale is an abuse of the system.

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): I am grateful to the Chair of the Select Committee for giving way. I just want to place on record the fact that I was pleased to be able to attend and witness his Select Committee hearing. It showed the House and its Select Committee work at their best. I witnessed some of the excellent questioning of representatives of the secondary market on the policing of their sites, and the hon. Gentleman did sterling work. I want to commend him for that, here on the Floor of the House.

Damian Collins: On behalf of the Select Committee, I am grateful to the hon. Lady for her words. I was certainly shocked by some of the things I heard in that Committee hearing.

John Penrose: I want to ask the Chair of the Select Committee whether, in among the penetrating questioning that we have heard about, anyone on the Select Committee asked the people they were interviewing why they were not installing any of the safeguards that are already available. They are already being successfully used in sporting and entertainment events. If those safeguards already exist, why should we be expected to introduce a red tape-heavy legislative solution to a problem that the industry could solve for itself? Indeed, it could have solved it several years ago had it cared to do so.

Damian Collins: Those issues were covered in the Select Committee hearing; they are there in the transcript for all to see. Some venues have introduced direct selling technology, and it can work. However, as my right hon. Friend the Member for Maldon said, it would be unacceptable to many consumers if our blanket response to this crisis in the ticketing industry was to say to the industry, "Solve it yourself." That would place large costs and burdens on the venues, and it would be particularly unfair on the smaller ones. This problem affects not only the blockbuster events at the O2 or the Royal Albert Hall but events at small venues all around the country. I even saw tickets for a comedy event next year at the Winter Gardens in Margate being sold at three or four times their face value on the secondary market. This is affecting all sorts of venues.

More seriously, however, it is not in the interests of some of the primary ticketing sites to report the problem, because they own the secondary sites that are making the massive profits. The profit growth in the secondary market stands at between 30% and 40% a year. It is true that at the moment more tickets are sold through the primary market—through companies such as Ticketmaster—but very large profits are being made in the secondary market.

John Penrose: I completely agree with my hon. Friend on the diagnosis of the problem. I think everyone here shares the sense of injustice and iniquity that he is

describing. My concern, however, is that it is not just the punters who go to see these events who are being affected. The talent—the musicians, the actors and the sportsmen and women—are also losing out because they are getting less money from the initial ticket sale when the ticket is sold on at an inflated price. They and the punters could all win if more of that value could be captured for the talent and if the punters were able to pay less. Both sides therefore have a huge interest in cutting out the middle man, and I do not understand why they are not doing it.

Damian Collins: My hon. Friend is right to say that it is in the interests of many different stakeholders in the industry to do that, but at the moment it is not happening across the board. Some of the bigger artists and events have been able to introduce these measures, but it has been difficult to do it uniformly.

We must ask ourselves why the primary ticketing sites do not report the mass use of bots to the authorities. Why did they not report it as suspicious behaviour? It would be easy for them to do so. We heard in evidence to the Committee that it is so easy to do that the primary sites' biggest customers often have favourable terms of trade. Their own secondary ticketing sites certainly have favourable terms of trade with people who are bulk selling vast numbers of tickets. It is easy to identify who they are, and it would be easy for a primary site to report them if it became suspicious because they were selling thousands of tickets only minutes after they had gone on sale on the primary ticketing site. If they are able to do that so quickly, they must be using bot technology to pervert the market. It does not get reported, however, and we must ask ourselves why that is. Is it because they are making too much money?

Jim Shannon (Strangford) (DUP): The hon. Gentleman mention smaller venues, and I want to put on record something that happens in Northern Ireland. People often queue on phone lines or try to buy tickets online only to find that they have already all been sold. Does he agree that the industry needs to be regulated and that this is the place to do it? If it cannot regulate itself, let us do it here.

Damian Collins: I am grateful to the hon. Gentleman for his comments; he is right.

We are proposing a way to control the bots. The Government are in discussions with the industry, and they might find a better solution to achieve the same end, but I certainly think it is incumbent on us in this place to try to find a solution, not only because this affects the ticketing market but because it rips off the consumer. What kind of people seek to make money selling tickets in this way? We asked that question in the Select Committee and we were told that criminal gangs—some linked to paramilitary organisations in Ireland—were making money as industrial touts selling tickets on the secondary market. It is important that we regulate this industry, not only to protect the consumer but to clamp down on some serious criminal elements who are seeking to make money through this technology. If we can stop that, we will be doing this country a service.

Calum Kerr: I shall try to be brief because I am aware that a number of Members want to speak. I commend the hon. Member for Cardiff West (Kevin Brennan) for

his excellent run-through of some excellent ideas. If only the Government were more often in listening mode than in broadcast mode. I wholeheartedly agree with the hon. Gentleman's remarks about new clause 8. It was a political decision to introduce free television licences for the over-75s. We have an ageing population and a rising number of cases of loneliness among the elderly, and this is a welfare policy. Why would the Government outsource a welfare policy to an external body such as the BBC? Their answer was that the BBC wanted it as part of its financial settlement, but that does not make it right. The reality is that this is an abdication of responsibility and an outsourcing of bad news.

Kelvin Hopkins: The hon. Gentleman makes a good point. The BBC did not really want the responsibility. Did the BBC not just say that it did so because it wanted a good deal on the charter?

Calum Kerr: I wholeheartedly agree. I think people at the BBC were saying, "They've got us so worried about what the settlement could be. Let's just accept the offer that's on the table for heaven help us what might happen." There is cross-party support for this new clause.

Kelvin Hopkins: Six parties are in support.

Calum Kerr: Six-party support; I thank the hon. Gentleman for his clarification. He is well deserving of his TV licence—when he gets old enough. I truly support new clause 8 and also back the other measures relating to the BBC in new clauses 17 and 18. If we believe in public service broadcasting, the way to protect it is to cherish it, to look after it and to ensure its listings appear as technology evolves, not to give it a huge liability and line it up for a potentially deeply unpopular future decision.

Turning to new clause 15, it was interesting to hear and largely concur with the comments of the former Secretary of State, the right hon. Member for Maldon (Mr Whittingdale). I support the idea of pushing for something further on search engines, but I am conscious that there is a dialogue between parties that both have a stake in something. It is interesting that the right hon. Gentleman is now coming around to the idea of some legislative intervention, but we look to the new Front-Bench team for answers to what that might be and when. What movement do they expect to see before they would legislate? The Minister touched on that in Committee, but what would be the trigger for intervention if the industry was not going far enough?

Digital ticketing has been well discussed already. If someone behaves illegally by going into a shop and buying all the produce and then selling it in a way that was not intended, the answer is not necessarily better security; the answer is making it illegal. I get the point of the hon. Member for Weston-super-Mare (John Penrose), but let us make it illegal and drive out this morally unacceptable behaviour. If I may paraphrase the US moral philosopher Eric Holler, as I did in Committee, every great idea begins as a movement, becomes a business and eventually degenerates into a racket. That is what we have here. Fan-to-fan ticket exchanges have led to rampant touting.

Finally, I commend the Labour Front-Bench team for their valiant efforts to rescue part 5 of the Bill through measures such as new clause 5. We had two

days of evidence in Committee, during which witnesses were fairly damning of the approach being taken on data sharing or data access. As we have gone along, the Government have tried to give us a little more information and have applied sticking plasters here and there, but nothing has convinced me that they have learned from things such as the Concentrix episode. Somebody tried to buy bulk data and apply it to people receiving tax credits, leading to some of the most vulnerable in our society having their money stopped, being forced into debt or other far more severe consequences.

I remain unconvinced that the Government are heading in the right direction. There is an inherent paternalism. They say, "Don't you worry. We'll be fine. Trust us," and give us a pat on the head, but when it comes to protecting people's data we should be looking at the Estonian model, which puts the citizen at the centre. We should be open. I should be notified every time my data are shared if it is for my benefit. We should not hide that. Right from the start of the evidence-taking, people were saying that data-sharing is a good thing, but we must earn and retain public trust. I see little evidence that the Government understand that and are willing to do anything other than learn the hard way by making mistakes. I look forward with trepidation to the many debates in this place as various data breaches emerge. I urge the Government to consider removing this whole part of the Bill and to revisit it once they have actually done a proper job.

8.15 pm

Matt Hancock: I rise to answer the points made so far, but I hope there will be time afterwards for others who still want to speak. We have had a broad debate on the amendments relating to copyright, broadcasting, ticketing, data and intellectual property, and I will speak as quickly as I can and take as many interventions as I can. There are a total of 36 proposed new clauses and amendments, and I propose to address each in turn in broadly the same order.

On copyright, new clause 15 proposes that the Government take a power to have a code of conduct on search engines to dictate how they should work to prevent copyright infringement. This new clause was also proposed in Committee, and I would like to update the House on the progress. Since then, the Intellectual Property Minister, Baroness Neville-Rolfe, has chaired a further round-table among search engine and creative industries representatives. As my right hon. Friend the Member for Maldon (Mr Whittingdale) said, that group is now making some progress towards agreeing an outline code of practice, but much more needs to be done. Following the round-table, a revised draft code will be prepared by the IPO for consideration by the group before its next meeting on 10 January. Our position on online platforms is that they must act responsibly and work with rights holders to help enforce IP rights. We are clear on the importance of getting things right and do not rule out legislation, but given the progress being made it is not necessarily the right time for legislative intervention.

We also discussed new clause 30 in Committee, where I set out the range of criminal provisions that apply to the sale and use of devices that infringe copyright. This matter relates to the IPTV devices that my right hon. Friend the Member for Maldon, the former Secretary

[*Matt Hancock*]

of State, spoke about so powerfully. Following a number of investigations across the country, there are pending prosecutions relying on a number of offences. I am sympathetic to the intent behind the new clause, but it does not in and of itself offer any greater legislative protection to rights owners than the existing offences that target this type of behaviour. If the existing legal provisions are shown to be deficient when the pending prosecutions have concluded, we will bring forward proposals for legislation.

New clause 16 is another of the helpful proposals from the shadow Front-Bench team to deliver on a Conservative party manifesto commitment—this time on e-book lending. I am grateful for the degree of support that our manifesto has received from all parts of the House during the Bill's passage.

Kevin Brennan: Then why don't you implement it?

Matt Hancock: Just you wait. We of course agree that authors should be recognised for e-lending by ensuring appropriate compensation for them in an enhanced public lending right. I need to correct an omission. I belatedly declare a potential interest which I should have mentioned in Committee—at least, I hope that I can declare an interest, as I have a book that is available for borrowing in this way, although I have no idea whether it has ever been borrowed. As I said in Committee, we have been carefully considering the options for delivering the manifesto commitment. We had to wait for the conclusion of a court case, which ended earlier this month, before setting out the proposals, but I can confirm today that we intend to legislate to extend the public lending right to include the remote lending of e-books. It is important that we get that right and ensure that any changes are compatible with the copyright directive. We will therefore bring forward legislation as soon as possible.

Turning to broadcasting and subtitling for video on demand, new clause 6 was also considered in Committee. As I said then, we are keen to address this shortcoming and want to ensure that the requirements that are placed on on-demand programme service providers are appropriate and proportionate. Since then, we have discussed how best to increase the use of subtitles in video on demand with charities, broadcasters, Ofcom and others and have worked further on the best way to address the concerns that the new clause intends to address. Through working collaboratively with all interested parties, I hope to reach a resolution in the other place that results in an increase in the provision of access services for video on-demand services.

Let me turn to new clause 8, on TV licence fee concessions, a subject we discussed at length in Committee. Government Members are clear that we support the free TV licence for the over-75s, we committed in our manifesto to keeping it and we are glad that it is protected as part of the BBC charter and licence fee settlement, which has been debated extensively in this House and is delivering on our manifesto commitment. The new clause attempts to unpick that settlement and, in so doing, undermine the stability of the BBC. This funding settlement, which the new clause would undermine, was described by the director general of the BBC as a “strong deal” for the BBC and one that “gives us financial stability”.

Kelvin Hopkins: I have already covered that point, but surely asking the other BBC licence fee payers, staff and programmers inside the BBC to pay for what is a welfare benefit is nonsense.

Matt Hancock: The point is that it is not a welfare benefit; it is about funding policy, and the BBC asked for this policy to be determined by the BBC. Indeed, the shadow Secretary of State said that

“the charter provides the BBC with the funding and security it needs”—[*Official Report*, 18 October 2016; Vol. 615, c. 699.]

As part of that “security it needs”, we kept, in this Parliament, the free TV licence. The BBC itself has asked for this and only this morning the BBC said that

“the overall funding settlement reached with the government provides the financial stability for a strong creative BBC. The BBC is concerned that”—

this amendment—

could reopen the whole deal and make the BBC worse off.”

So we have here an 11-year charter renewal, a strong and stable financial settlement praised by the Labour party and a clause that has been requested by the BBC, whereas the new clause could, in the BBC's words, make the BBC worse off. Supporting new clause 8 would undermine the BBC and undermine its finances. This measure is expressly against the wishes of the BBC, and I urge anyone still considering supporting it to ask themselves how they will explain this attempt to undermine the BBC—Government Members will not do that.

New clause 17 deals with the issue of public sector broadcaster prominence, an important matter on which we consulted in the spring. In Committee, the point we reached was that a detailed, over-prescriptive regulation of the detail of the PSB prominence rules would be a mistake, and having not seen compelling evidence of harm to PSBs to date, we have decided not to extend the electronic programme guide—EPG—prominence regime for PSBs to on-demand. When PSBs make excellent content, audiences generally follow.

Finally on broadcasting, new clause 18, on listed events, was also discussed in Committee, and I have seen no evidence to change our view that the current listed events regime is not under threat—we will not let it be under threat. The range of our most loved and important sporting events will remain on free-to-air channels. Even if there were a problem, it would be undesirable to fix it in the way the new clause suggests, as it would lock in the incumbents' positions, as the requirement to be watched by 90% of the population would narrow considerably the number of channels that could qualify. So I suggest that the problem does not arise; that were it to arise, we would legislate; and that if we were to legislate, this would not be the way we would do it.

In this Bill, we have shown that we are open to being persuaded by good argument, and we have tabled amendments 20, 21 and 22 to ensure that Ofcom is able effectively to enforce requests for information from third parties in relation to its new functions as regulator of the BBC. I hope that these provisions have broad support.

I now turn to the much discussed issue of ticketing. New clause 31 seeks to deal with bots that harvest tickets for resale in the secondary market. We have heard very powerful explanations of the scale of the problem and its breadth, and I can confirm that I had great difficulty in buying Paul Simon tickets. Initially, I failed to buy

them despite having my finger hovering on my mouse the moment they went on sale, and so I had to buy them at a much greater price in the secondary market. They were worth every penny, but that in a way makes the point that my hon. Friend the Member for Weston-super-Mare (John Penrose) makes: the gap exploited is between the level at which the artists want to sell their tickets and the amount that they represent in true value to the customer. I was still happy to pay hundreds of pounds for my Paul Simon tickets, but the point is that they were meant to be on sale for £75 so that everybody could get them. I am persuaded by the arguments and we shall be holding a round-table meeting on Wednesday to discuss the best way to tackle the problem.

The Government will give full consideration to what is said at these round tables, in Parliament and in the Waterson report on the issue of ticketing bots and the harvesting market. I pay tribute to my hon. Friend the Member for Selby and Ainsty (Nigel Adams), who has made a huge amount of the running on this issue. He has made the argument powerfully and, as has been said, the Olympics showed that this can be done.

John Penrose: I am not normally reassured by the advent of a round table, but I am enormously reassured in this case because the Minister is a very persuasive man and I am sure that he will have around that table representatives from the sportsmen's agents groups, from Equity, the actors' union, and from all sorts of UK music organisations and various others. I am talking about the people who represent the talent, who are currently being ripped off because they are getting only the face value when these things go on sale, when they are bought by the bots, and not the eventual secondary market value. They are the people with a huge interest in getting this done so that they get a larger proportion of the eventual value and customers are not getting ripped off, too.

Matt Hancock: Yes, we have representatives of all sides coming to the round table, including my hon. Friend the Member for Selby and Ainsty—I am not sure that that will reassure my hon. Friend the Member for Weston-super-Mare. Although we would not want to close down the secondary market for tickets altogether, clearly the automatic harvesting of tickets sold below market price—so that fans can afford them—for resale at a higher value is wrong. I want to build a bridge over troubled waters, listen to the points made at the round table and bring forward legislation in this Bill if this is found to be necessary.

On digital government, amendment 3 and new clause 19 concern data-sharing powers in education and health. They address the same issue from the opposite end, and it is a bit of a surprise to find that they have been submitted by the same people. Not only can people's health and education data be incredibly powerful in improving lives, but they are very sensitive and need to be carefully handled. These two proposals from the Opposition represent amendments both to open up data sharing and to close it down. This is a slightly confused approach, but neither of the proposals is necessary, because the concerns expressed at the root of each are already addressed in the Bill. New clause 19 would open up more data sharing in education, and it is good to see this direction of travel supported by the Opposition Front-Bench team, because data sharing

can improve people's lives, for instance by making sure that we better identify eligibility for free school meals. The right hon. Member for Birkenhead (Frank Field) has made this argument strongly. This is a laudable aim, but it is already provided for in the Department for Education's electronic eligibility checking system. Indeed, the Bill sets out how aspects of data sharing can be expanded through secondary legislation in due course.

Frank Field: I am grateful to the Minister for his comments, but would he tell us what is in the Bill to make local authorities that seem to have no interest in sharing data obtain the numbers of children eligible for free school dinners, and thus increase the pupil premium to act in the interests of those children?

Matt Hancock: The proposals in the Bill are permissive, rather than requiring action. I would be concerned if we required the sharing of data, because of their sensitivity, especially when they are not anonymised, which they would not be if the aim was to find children who are eligible for free school meals. We want to make sure that the person receiving the data has the necessary assistance to handle them, and it is incredibly important that the law should make it clear that that data sharing is permitted, as that removes a reason not to share data.

8.30 pm

Frank Field: May I ask the Minister to keep a close eye on this, because in Wirral the number of families who have the right to opt out could be counted on the fingers on one hand, so there is a willingness for data to be shared so that schools and children can benefit?

Matt Hancock: I am glad that there is a willingness for that data to be shared, because I share the right hon. Gentleman's passion to improve the use of data to improve people's lives in Wirral and elsewhere. Given that passion, I hope that the clarity that we will achieve, not least as a result of this debate, will ensure that the data are indeed shared.

Clarity is supported by the Data Protection Act 1998, because all the data shared under powers in the Bill will continue to be protected under the firm boundaries of that Act, which rightly enjoys a broad consensus of support. We are strengthening in the Bill the sanction on the purposeful reidentification of data to make that a criminal sanction. The hon. Member for Cardiff West expressed concerns about the details, but the protections are important and strike the right balance. New clause 19 seeks to strengthen data sharing, but amendment 3 seeks to weaken it and put barriers in place. The amendment is not needed, as health bodies in England are not within the scope of the public service delivery power. For the rest of the UK, health is devolved. The Labour Administration in Wales and the Scottish National party Government in Scotland have signalled that they will seek the consent of their legislatures on the grounds that the amendment is not in place. The Labour party in Wales and the SNP in Scotland support this sort of data sharing for the precise reasons set out by the right hon. Member for Birkenhead, so I hope to persuade hon. Members not to divide the House on these matters. They should be reassured that we value data sharing as

[*Matt Hancock*]

well as its protection and safekeeping. I therefore urge Members on both sides of the House to resist the amendments.

New clause 5 would impose obligations on organisations to report data breaches, as has been said. That is covered in the general data protection regulation, which will come into force in May 2018, so it is not necessary to legislate here. New clause 11 deals with data-sharing registers. Part 5 includes a number of commitments to transparency and proportionality in the disclosure of information by public authorities. We are committed to the transparency of information shared under part 5, and I think that the new clause is aimed at testing that. However, there are a number of problems with it, not least the fact that setting the requirement in primary legislation reduces the flexibility to learn from and adapt to the consequences of publishing a register.

New clause 12 requires that the Government commission an independent review of the collection and use of data by Government and commercial organisations. The Royal Society and the British Academy are currently undertaking such a review to consider the ethical and legal frameworks that are needed in the UK as data technologies advance. I agree with the hon. Member for Cardiff West that it is important that we develop those ethical and legal frameworks to make sure that they are ahead of the use of data and data science, not behind, so that we can take the public with us. We will consider the findings of the review when it is published.

New clause 23 was tabled by Plaid Cymru. We are firmly committed to ensuring that the needs of Welsh language speakers are recognised and met. For example, gov.uk now publishes its frequently used web content in Welsh. The Government Digital Service has helped to produce exemplar Welsh language versions of new digital services such as the register to vote service. The GDS and the Wales Office have discussed with the Welsh language commissioner how they can help Departments meet their requirements under their Welsh language schemes. *Dwyn cefnogwyr brwd o S4C*—I support strongly the Welsh language is, I think, a rough translation.

Government amendments 4 to 19 apply the duty to review set out in clauses 45 to 53 of the fraud and debt chapters, which require the relevant Minister after three years to review the operation of the powers. The amendments are consistent with the devolution settlements and ensure that appropriate consent for any proposed changes is sought from the affected territories.

On the illicit online trade and internet sales of counterfeit electrical appliances, we take this very seriously. The Intellectual Property Office has recently published its IP enforcement strategy for the next four years, which I think takes into account the concerns raised.

Helen Goodman: Before the Minister sits down, will he commit to writing to me about the amendments that I tabled?

Matt Hancock: Yes, of course. I will happily write to the hon. Lady about the detail of the concerns—I think they are unfounded, but we want to ensure that they are indeed unfounded—that journalists might be caught by increasing the criminal penalty for the intentional disclosure of information under the data-sharing powers, which

are intended for the protection of data, especially in the bulk transfer of data around the system, rather than to militate against whistleblowing of the type that the hon. Lady described.

I appreciate the intention behind new clause 34, which was tabled by my hon. Friend the Member for Boston and Skegness (*Matt Warman*). Here and around the world, the media landscape is changing rapidly and the emergence of new digital platforms has impacted on a wide variety of sectors, including news. Ensuring that citizens have access to a full variety of news sources is essential, and it is vital that our media are vibrant and sustainable. There is a huge challenge in maintaining high-quality journalism when advertising revenues increasingly go to the platform, but the costs fall on the content provider or the newspaper. The Government are actively engaged in examining this, and I am meeting the News Media Association later this week to discuss this very issue.

Ofcom publishes an annual report on news consumption across the UK. It includes the sources and platforms used in news consumption and the role of intermediaries, such as Facebook and Google. Ofcom undertakes ad hoc reviews where appropriate and we will explore whether this is an area where such a review is needed. Although I acknowledge the importance of the issue, I urge my hon. Friend, who has a lot of experience in this area, to work with us under existing powers to seek a solution.

I ask that hon. Members do not press their amendments and new clauses to a Division, but support the Government amendments.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. We have 22 minutes left in this debate and 10 Members who wish to speak—that is two minutes each.

Kate Green (*Stretford and Urmston*) (Lab): I want to address briefly the Minister's comments on new clause 6. I welcomed his saying that he hoped progress would be made when the Bill proceeds to the House of Lords. Will he encourage his colleagues in the other place to take a positive and inclusive approach to ensuring accessibility of on-demand services? The new clause drafted by my hon. Friends suggests in subsection (4) a number of considerations which might be taken into account. I hope these will be interpreted in the most generous and ambitious way if they inform the Government's thinking.

Lilian Greenwood (*Nottingham South*) (Lab): Like my hon. Friend, I welcome the Minister's commitment to return to the matter in the other place. Does she agree that it might be helpful if the Minister were willing to meet the all-party parliamentary group on deafness, which has made the subtitled campaign one of its top priorities for this year?

Kate Green: Indeed. My hon. Friend makes my second point. The Minister indicated that discussions had taken place with disability organisations. It is vital that the approach to developing on-demand accessible services is undertaken as a co-production, that disabled people and disability groups are right at the heart of the design of these services, and that the Government make progress on this matter.

Finally, I encourage the Minister and his colleagues to think big about whether this is an opportunity to take forward the use of British sign language in broadcast and online on-demand services. There is the opportunity to offer signed services on these channels too, and I hope the Minister might be willing to investigate how far that could be taken in this context.

Nigel Adams (Selby and Ainsty) (Con): I would like to talk to new clause 31, which is incredibly important, and I am extremely grateful to the hon. Member for Washington and Sunderland West (Mrs Hodgson) for the incredible amount of work she has done on the issue. I would also like to thank the hon. Members for Sheffield, Heeley (Louise Haigh) and for Cardiff West (Kevin Brennan) for allowing the Select Committee to table the new clause.

I would also like to thank the Minister, whose words a few moments ago—that the Government are prepared to take action to outlaw bots, if necessary following the meeting later this week—are incredibly encouraging. I shall be at that meeting, and I am grateful for the invitation—hopefully, I will be allowed my two penn’orth. It is incredibly important that we get all the players involved.

We have heard countless examples of where this racket is going on. In the music business, there is Iron Maiden, The 1975 and Black Sabbath. We have heard about Phil Collins and KT Tunstall. My own example—of trying to buy tickets for Green Day—even made it to Prime Minister’s questions. I am not sure whether the Prime Minister is a fan of Green Day, but I am sure that, if she did go to a concert, she would have the time of her life.

However, the problem also affects all sorts of other marketplaces, including the theatre. Today, my colleagues and I met Sonia Friedman, the producer of “Harry Potter and the Cursed Child”, who told me that 60,000 tickets were released last week, and thousands of those tickets ended up on the secondary market at hugely inflated prices because of bots. That is clearly unacceptable.

To conclude, I hope we can get somewhere following the meeting on Wednesday. We are also keen to see the Government’s response to the Waterson report, and I am sure that their response will follow that meeting. It was interesting to note that, at our Select Committee inquiry, Professor Waterson agreed that action to outlaw ticket bots could be a solution, which is very encouraging.

I thank the Minister and the Secretary of State for arranging the meeting. *[Interruption.]* It seems that I am being wound up, so hopefully everybody else will get a chance to chip in.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): I rise to speak on new clause 24, which stands in my name and those of my hon. Friends and other hon. Members.

The charity Electrical Safety First is calling on the Government to legally require online retailers to report to trading standards and/or the police people consistently selling fake electrical products. This is a growing problem, and it is estimated that 64% of fake electrical goods are now being sold online. Much of the current legislation around the sale of counterfeit goods is over 20 years

old, and we need to be mindful of the fact that, in this digital age, parts of it simply may not be fit for purpose.

Sales of dodgy electrical goods are rising rather rapidly. Research found that around 2.5 million adults have purchased a counterfeit electrical product in the last 12 months—double the number who reported purchasing a fake in the previous year.

Not all counterfeit electricals may be substandard, but many carry a substantial risk. People may view these fakes as harmless—perhaps in the same way they might consider a counterfeit pair of sunglasses to be—but the fact is that they can prove deadly. These products have the potential to deliver a fatal electric shock.

As well as the safety implications, we need to be mindful of the revenue that sales of these goods generate, which is thought to be worth more than £1.3 billion per year in the UK. A large portion of this—an estimated £900 million—is thought to help to fund organised crime.

Many people who buy fake electrical goods do so without realising it. Unwittingly, they are placing their families, friends and neighbours at risk. Vendors often sell through reputable online marketplaces, so they enjoy an almost implied credibility, further giving customers confidence in their purchases.

I would like to finish by asking the Government to take those points into account so that we can begin addressing this problem and perhaps placing some of the responsibility on the websites that enable this black market trade.

Sir Peter Bottomley: I support the Minister’s response to new clause 6, which will be useful.

New clause 8 refers to clause 76 on page 76—one of the 18 times in the Bill where the clause number is the same as the page number. Perhaps that could be a Christmas quiz for the Clerks, if they are paying attention.

The point about this is that neither the BBC nor the Government consulted Back Benchers. It was Parliament that, in 2001, agreed the concession for the over-75s. The cost of £750 million can be compared with the cost of local radio at £115 million, Radio 4 at £90 million, BBC 4 at £49 million, and CBBC and CBeebies at £97 million—a total of about £340 million. We could double that and still not have got to the cost of this so-called concession.

8.45 pm

A letter in *The Times* today from Mr John Moss says that many people over 75 can afford either to pay tax or to have the concession gone. I am not arguing for that, but if we had a serious discussion we could ask in what other ways the BBC could have the concession money while allowing for the flexibility to change what the concession is. My view is that if Parliament and Government bring in the concession, Parliament and Government should be big enough to make a change afterwards, but that could go on being discussed. I know that the Government are not keen on my saying this, but it is my view and, I think, one that the Government ought to hold to as well. The fact that the BBC does not want the whole thing unstitched is a matter for it. The people in Parliament set the rules, and that is what we should be doing.

[*Sir Peter Bottomley*]

Finally, I want to back up what was said on a separate point about the public interest defence for journalists. If I am the P who is mentioned several times in the various clauses on disclosure, and I am a journalist who discloses some knowledge that I have that should not have been disclosed to me, and it is in the public interest that it should be printed, then that, to my mind, should be a defence against any prosecution.

Matt Hancock: I can confirm that any public prosecution has to be in the public interest. The public interest is not covered in this Bill, but that is because the nature of a public prosecution is that it has to be in the public interest. I hope that deals with my hon. Friend's concern.

Sir Peter Bottomley: I am grateful to my right hon. Friend. That may be the test of whether the prosecution is brought, but if it is brought because the prosecution is thought to be in the public interest, and the journalists want to say that the public interest defence is why it has been done, then the Government ought to think again. If I may, I ask them to do so.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): I rise to speak to new clause 23, which would ensure that all services provided by the UK Government respect the right of the UK's 700,000 Welsh speakers to receive those services in our language. "Digital by default" must translate as "digidol yn ddiofyn"—not something to request but something that is clearly available and welcoming to use. Digital language use increasingly touches every area of communications, from social media to digital government. If a language is not on the web, it can be said, in a sense, no longer to exist for 21st-century communications. The Welsh Language Commissioner has voiced criticism of the UK Government for weakening the Welsh language services on their gov.uk website since its 2012 launch, saying:

"Over the past year I have seen agencies of the Westminster government approaching us complaining about the Cabinet Office and gov.uk and saying that it is now hampering their work and they are concerned that the strong bilingual services that they have put in place have been hampered by gov.uk."

Given the issues arising from legacy IT systems and designing bilingual platforms, I urge the Minister to consider our new clause and commit to ensuring interactive and user-friendly Government digital services for Welsh speakers on the same basis as that for English speakers.

Matt Warman (Boston and Skegness) (Con): I rise to speak to new clause 34. I should start by saying that it is not an attack on Facebook or Google, but it does ask Ofcom to examine whether the digital advertising world has made our media impossible to sustain. By that, I mean, "Today our local papers, tomorrow our national papers, and perhaps in due course our TV networks." I do not ask for a review because I think there is a single answer, or even because I necessarily think that this is simply a moment in history where our media must reinvent itself for a new age that may yet be brighter than the last. The fact remains, though, that local papers and even national papers are closing, and it cannot be right for the Government to stand idly by in the knowledge that these undesirable events are happening.

Via this new clause, I seek to plant in the vast expanse of the Minister's mind the idea that the Government should seek to reassure themselves and our constituents

that if our media falls into a state of disrepair, we will have explored every possible option—whether considering copyright laws, or looking at who owns the lucrative conversation around a story to ensure that a publisher and a platform benefit equally—to find the media a role. I hope that we will ensure that we do not lose the press that have kept us all on our toes for many years, simply for want of looking for a solution.

Mrs Hodgson: I want to speak for my two or three minutes in support of new clause 19 and new clause 31. I welcome these two new clauses after my many years of campaigning to put fans first and to improve access to free school meals.

Hungry children struggle to learn in school, and they fall behind their peers. That is why it is important that we improve the provision that is on offer and the access to it, and new clause 19 will do just that. This policy proposal was first introduced by my right hon. Friend the Member for Birkenhead (Frank Field) as a ten-minute rule Bill earlier this year. I have fully supported this policy change, and I congratulate my hon. Friends on the Front Bench on bringing it forward. It is estimated that having a child on free school meals can save a family up to £400 a year. A school will net £1,320 a year for each child who is currently on free school meals or who has been in receipt of free school meals in the previous five years. The proposed changes are simple and have been tried and tested by Calderdale Council and Greenwich Council, which have both used data sharing to improve the take-up of free school meals and, in turn, pupil premium in their boroughs.

I want to speak briefly to new clause 31. I thoroughly welcome this new clause, which has been introduced by the hon. Member for Folkestone and Hythe (Damian Collins) on behalf of the Culture, Media and Sport Committee after its excellent short inquiry into bots and ticket touting a few weeks ago—I had the pleasure, as I said earlier, of witnessing it at first hand—following the amendment originally tabled by the hon. Member for Selby and Ainsty (Nigel Adams) and supported by the Labour Front-Bench team and me. The new clause would take us one step closer to sorting the market out, but it is not a silver bullet; far from it. Alongside the new clause, we need the enforcement of existing legislation, such as the Consumer Rights Act 2015, and the implementation of the Waterson review recommendations on the secondary ticketing market.

Over the years, like the Minister and the hon. Member for Selby and Ainsty, I have heard about examples—I have experienced it myself—of people trying to buy tickets but finding that they were already sold out, and within minutes finding those tickets up on the secondary market. I never relented; I refused to buy any tickets from touts, but one can only deduce that there is a serious issue about how the tickets get on to the secondary market so quickly. One way in which they do so is definitely through the use of bots. Fans are not getting a fair crack at getting tickets, just as the Minister and other Members have not had a fair crack at getting them.

In the past 18 months, there has been a massive escalation in the number of tickets harvested by the aggressive software used by touts, with these attacks becoming more and more sophisticated. Attacks appear to emanate from all over the world, but the majority of

attacks on ticketing systems are orchestrated by UK-based and UK-resident touts. Some 30% to 50% of tickets for high-demand events are harvested by aggressive software and immediately placed for resale on viagogo, GetMeIn!, StubHub and Seatwave, despite the best efforts of the industry, which has tried to police itself and to bring in technical solutions. The industry has tried to sell tickets through fan clubs, but even those are attacked. Where tickets are sold by ballot, there are ballot bots. Where fan club registration is required, there are email-generating bots that flood systems with thousands of false identities. There is not one single way to offer tickets for sale to the public for which there is not already a bot out there that will attack the system.

The situation is deteriorating. Primary ticket sites have to detect an attack, examine the data, identify the software used, reverse engineer it and develop measures to prevent a further attack. That process can take months. In the meantime, a tout can simply pay a coder overseas a few hundred pounds to develop a new bot to circumvent the new security features. Bots can be coded to attack a specific ticketing system in as little as a day.

Although legislation is in place in the form of the Computer Misuse Act 1990, which has broad applications that could be used to address bots, it is 25 years old and it is yet to be tested in this regard. This is an arms race that the primary ticket sellers simply cannot win. The secondary market has already shown its blatant disregard of civil remedy legislation, such as the amendment to the Consumer Rights Act 2015, which is flouted daily. The only effective deterrent is a very clear criminal offence, with appropriate punishment on conviction, and that would be provided by new clause 31.

Madam Deputy Speaker (Mrs Eleanor Laing): I thank the hon. Members who spoke for only two minutes. Their courtesy has been noticed and they will get brownie points. There is now plenty of time left for Mr Pete Wishart.

Pete Wishart: Thank you ever so much, Madam Deputy Speaker. I refer the House to my entry in the Register of Members' Financial Interests in relation to my recorded work.

I would say that this has been a good evening. The concessions we have heard from the Minister are most definitely to be welcomed. I am a veteran of the former Digital Economy Bill. Looking around the Chamber, I can see a few people who still bear the scars of that experience. I must say—this is my first contribution on this Digital Economy Bill—that this one seems to be being given a much more convivial and consensual outing. I am looking at the hon. Member for Cardiff West (Kevin Brennan), and I just hope we do not get a version of “Smoke on the Water” from the right hon. Member for Maldon (Mr Whittingdale), as we did when we went out to celebrate the passage of the Digital Economy Bill last time. The hon. Gentleman does a fantastic impersonation of the right hon. Gentleman singing that, which I hope we will never hear in this House.

We have made real and substantial progress, and I welcome the Minister's words on new clause 15. That was the provision I wanted to address most firmly. When we consider search engines, we must remember that these are the pipes or the infrastructure, and they create no content of their own. Our creative industries are very important to this country. They are driving the

economy now—they are growing at a faster rate than the rest of the economy—and we are firing economic growth on the imagination of the people of this country. What a way to grow our economy. It is therefore absolutely right that we should make substantial progress on this, and the Minister's words are welcome.

I would only say to the Minister that we are listening very carefully, and if the companies do not come up with the voluntary code, we will need him to act. We need him to ensure that our artists, creators and inventors—those who produce in this country the wonderful content that is known right around the world—are properly rewarded for their works. We are all looking forward to seeing what plans will be introduced.

On new clause 16, I have the pleasure and privilege of chairing the all-party writers group, and we welcome the Government's clear commitment to deal with the very real measures on e-learning. All writers and authors, all those involved in publishing and all those across the country who support literature and books have been asking for this for a long time. Again, we welcome the solid progress that will be made.

Lastly, we welcome the progress that the Government have committed to make on ticket touts and the whole issue of bots. I have been in the House for 15 years, and one of the first debates I was involved in the House was about ticket touting. Many Members have stood up in the House and demanded solid action from Governments when it comes to this really pernicious industry, which corrodes our live music scene. Live music is one of the major features and one of the growing parts of music across this country. Artists continually go on about this issue, and, at last, it looks as though it will be addressed. I pay tribute, obviously, to the hon. Members for Selby and Ainsty (Nigel Adams) and for Washington and Sunderland West (Mrs Hodgson), but also to people such as John Robertson, the chair the all-party group on music before the hon. Member for Selby and Ainsty, who stood up in the House to try to get something done about ticket touts. Again, we have made solid progress.

As we wind up these proceedings on the Bill, we have heard the Minister make these commitments—he has said that he is prepared to make progress—and it is now incumbent on us all to ensure that these commitments are brought into legislation. We have made very good progress on the Bill this evening. We have a range of provisions that mean my hon. Friends and I will be able to support the Bill. We look forward to the Government honouring their commitments, and we look forward to hearing what the Minister has to say on Third Reading.

Madam Deputy Speaker (Mrs Eleanor Laing): We have a whole minute to spare.

Matt Hancock: Since the Secretary of State will open the Third Reading debate, may I take this opportunity to thank the House for all the comments we have heard, especially those from Opposition Front Benchers? It has been a very collaborative effort, especially on this group of provisions, but also more broadly. I hope that the Bill leaves the House in better shape than it entered it, as it goes off to be considered in the other place. I thank everybody involved, from the officials in the Box to all the stakeholders more broadly. I ask the House to support the Government's proposals.

Question put and negatived.

9 pm

Proceedings interrupted (Programme Order, this day).

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

New Clause 8

RESPONSIBILITY FOR POLICY AND FUNDING OF TV LICENCE FEE CONCESSIONS

“After section 365(5) of the Communications Act 2003 insert—

“(5A) It shall be the responsibility of the Secretary of State to—

- (a) specify the conditions under which concessions are entitled, and
- (b) provide the BBC with necessary funding to cover the cost of concessions,

and this responsibility shall not be delegated to any other body.”—(Kevin Brennan.)

This new clause seeks to enshrine in statute that it should be the responsibility of the Government to set the entitlement for any concessions and to cover the cost of such concession. This new clause will ensure the entitlement and cost of over-75s TV licences remain with the Government. It would need to be agreed with Clause 76 not standing part of the Bill.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 220, Noes 267.

Division No. 98]

[9 pm

AYES

Abbott, Ms Diane	Coffey, Ann
Abrahams, Debbie	Cooper, Julie
Ahmed-Sheikh, Ms Tasmina	Cowan, Ronnie
Alexander, Heidi	Coyle, Neil
Allin-Khan, Dr Rosena	Crausby, Mr David
Arkless, Richard	Creasy, Stella
Ashworth, Jonathan	Cruddas, Jon
Austin, Ian	Cryer, John
Bailey, Mr Adrian	Cummins, Judith
Bardell, Hannah	Cunningham, Alex
Barron, rh Sir Kevin	Cunningham, Mr Jim
Beckett, rh Margaret	Davies, Geraint
Benn, rh Hilary	Day, Martyn
Berger, Luciana	Debonnaire, Thangam
Betts, Mr Clive	Docherty-Hughes, Martin
Black, Mhairi	Donaldson, Stuart Blair
Blackford, Ian	Doughty, Stephen
Blackman, Kirsty	Dowd, Jim
Blackman-Woods, Dr Roberta	Dowd, Peter
Blenkinsop, Tom	Dromey, Jack
Blomfield, Paul	Dugher, Michael
Boswell, Philip	Eagle, Ms Angela
Bottomley, Sir Peter	Eagle, Maria
Brabin, Tracy	Edwards, Jonathan
Bradshaw, rh Mr Ben	Efford, Clive
Brennan, Kevin	Elliott, Julie
Brown, Alan	Elliott, Tom
Brown, Lyn	Ellman, Mrs Louise
Brown, rh Mr Nicholas	Elmore, Chris
Bryant, Chris	Esterson, Bill
Burton, Richard	Evans, Chris
Butler, Dawn	Fellows, Marion
Cadbury, Ruth	Ferrier, Margaret
Campbell, rh Mr Alan	Field, rh Frank
Champion, Sarah	Flelo, Robert
Chapman, Douglas	Flint, rh Caroline
Chapman, Jenny	Fovargue, Yvonne
Cherry, Joanna	Foxcroft, Vicky

Furniss, Gill	Meale, Sir Alan
Gardiner, Barry	Mearns, Ian
Gethins, Stephen	Miliband, rh Edward
Glass, Pat	Monaghan, Carol
Glindon, Mary	Monaghan, Dr Paul
Godsiff, Mr Roger	Moon, Mrs Madeleine
Goodman, Helen	Morden, Jessica
Grady, Patrick	Mullin, Roger
Grant, Peter	Murray, Ian
Gray, Neil	Nandy, Lisa
Green, Kate	Newlands, Gavin
Greenwood, Lilian	Nicolson, John
Greenwood, Margaret	Onn, Melanie
Gwynne, Andrew	Osamor, Kate
Hanson, rh Mr David	Oswald, Kirsten
Harris, Carolyn	Paterson, Steven
Hayes, Helen	Pearce, Teresa
Hayman, Sue	Perkins, Toby
Healey, rh John	Phillips, Jess
Hendrick, Mr Mark	Phillipson, Bridget
Hendry, Drew	Powell, Lucy
Hepburn, Mr Stephen	Qureshi, Yasmin
Hillier, Meg	Rayner, Angela
Hodgson, Mrs Sharon	Reed, Mr Steve
Hollern, Kate	Rees, Christina
Hopkins, Kelvin	Reeves, Rachel
Howarth, rh Mr George	Reynolds, Jonathan
Huq, Dr Rupa	Rimmer, Marie
Hussain, Imran	Ritchie, Ms Margaret
Jarvis, Dan	Robertson, rh Angus
Johnson, rh Alan	Robinson, Mr Geoffrey
Jones, Gerald	Rotheram, Steve
Jones, Graham	Ryan, rh Joan
Jones, Mr Kevan	Saville Roberts, Liz
Jones, Susan Elan	Shah, Naz
Kane, Mike	Sheerman, Mr Barry
Keeley, Barbara	Sheppard, Tommy
Kendall, Liz	Sherriff, Paula
Kerevan, George	Shuker, Mr Gavin
Kerr, Calum	Siddiq, Tulip
Kinnock, Stephen	Skinner, Mr Dennis
Lammy, rh Mr David	Slaughter, Andy
Lavery, Ian	Smeeth, Ruth
Law, Chris	Smith, rh Mr Andrew
Leslie, Chris	Smith, Angela
Lewis, Clive	Smith, Cat
Lewis, Mr Ivan	Smith, Nick
Long Bailey, Rebecca	Starmer, Keir
Lucas, Caroline	Stephens, Chris
Lucas, Ian C.	Stevens, Jo
Lynch, Holly	Streeter, Wes
Mactaggart, rh Fiona	Stuart, rh Ms Gisela
Madders, Justin	Tami, Mark
Mahmood, Mr Khalid	Thewliss, Alison
Mahmood, Shabana	Thompson, Owen
Malhotra, Seema	Timms, rh Stephen
Mann, John	Trickett, Jon
Marris, Rob	Turley, Anna
Marsden, Gordon	Turner, Karl
Maskell, Rachael	Twigg, Derek
Matheson, Christian	Vaz, rh Keith
McCabe, Steve	Vaz, Valerie
McCaig, Callum	Watson, Mr Tom
McCarthy, Kerry	Weir, Mike
McDonagh, Siobhain	Whiteford, Dr Eilidh
McDonald, Andy	Whitehead, Dr Alan
McDonald, Stuart C.	Whitford, Dr Philippa
McFadden, rh Mr Pat	Williams, Hywel
McGarry, Natalie	Wilson, Phil
McGovern, Alison	Winnick, Mr David
McInnes, Liz	

Winterton, rh Dame Rosie
Wishart, Pete
Zeichner, Daniel

Tellers for the Ayes:
Jeff Smith and
Nic Dakin

NOES

Adams, Nigel
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
Barwell, Gavin
Bebb, Guto
Bellingham, Sir Henry
Benyon, Richard
Beresford, Sir Paul
Berry, Jake
Berry, James
Bingham, Andrew
Blackman, Bob
Blackwood, Nicola
Blunt, Crispin
Bone, Mr Peter
Borwick, Victoria
Bradley, rh Karen
Brine, Steve
Brokenshire, rh James
Bruce, Fiona
Buckland, Robert
Burns, Conor
Burns, rh Sir Simon
Burrowes, Mr David
Burt, rh Alistair
Cairns, rh Alun
Carmichael, Neil
Cartlidge, James
Cash, Sir William
Caulfield, Maria
Chalk, Alex
Chishti, Rehman
Chope, Mr Christopher
Churchill, Jo
Cleverly, James
Clifton-Brown, Geoffrey
Coffey, Dr Thérèse
Collins, Damian
Colville, Oliver
Costa, Alberto
Courts, Robert
Cox, Mr Geoffrey
Crouch, Tracey
Davies, Byron
Davies, Glyn
Davies, Mims
Dinenage, Caroline
Djanogly, Mr Jonathan
Dodds, rh Mr Nigel
Donelan, Michelle
Double, Steve
Dowden, Oliver
Doyle-Price, Jackie
Drax, Richard
Drummond, Mrs Flick

Duddridge, James
Dunne, Mr Philip
Ellis, Michael
Ellison, Jane
Ellwood, Mr Tobias
Elphicke, Charlie
Eustice, George
Evans, Graham
Fabricant, Michael
Fernandes, Suella
Field, rh Mark
Foster, Kevin
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
Glen, John
Goodwill, Mr Robert
Gove, rh Michael
Graham, Richard
Grant, Mrs Helen
Gray, Mr James
Green, Chris
Green, rh Damian
Greening, rh Justine
Grieve, rh Mr Dominic
Griffiths, Andrew
Gummer, rh Ben
Gyimah, Mr Sam
Halfon, rh Robert
Hall, Luke
Hammond, Stephen
Hancock, rh Matt
Hands, rh Greg
Harper, rh Mr Mark
Harris, Rebecca
Hart, Simon
Haselhurst, rh Sir Alan
Hayes, rh Mr John
Heald, rh Sir Oliver
Heapey, James
Heaton-Harris, Chris
Heaton-Jones, Peter
Henderson, Gordon
Herbert, rh Nick
Hinds, Damian
Hoare, Simon
Hollingbery, George
Hollinrake, Kevin
Hollobone, Mr Philip
Holloway, Mr Adam
Howarth, Sir Gerald
Howell, John
Howlett, Ben
Huddleston, Nigel
Hunt, rh Mr Jeremy
Hurd, Mr Nick
Jackson, Mr Stewart
James, Margot

Jayawardena, Mr Ranil
Jenkin, Mr Bernard
Jenkyns, Andrea
Johnson, Gareth
Johnson, Joseph
Jones, Andrew
Jones, rh Mr David
Jones, Mr Marcus
Kawczynski, Daniel
Kennedy, Seema
Kirby, Simon
Knight, rh Sir Greg
Knight, Julian
Kwarteng, Kwasi
Lancaster, Mark
Leadsom, rh Andrea
Lee, Dr Phillip
Leigh, Sir Edward
Leslie, Charlotte
Letwin, rh Sir Oliver
Lewis, rh Dr Julian
Liddell-Grainger, Mr Ian
Lilley, rh Mr Peter
Lopresti, Jack
Loughton, Tim
Mackinlay, Craig
Mackintosh, David
Mak, Mr Alan
Malthouse, Kit
Mann, Scott
Mathias, Dr Tania
Maynard, Paul
McCartney, Jason
McPartland, Stephen
Menzies, Mark
Mercer, Johnny
Merriman, Huw
Metcalfe, Stephen
Miller, rh Mrs Maria
Mills, Nigel
Milton, rh Anne
Mitchell, rh Mr Andrew
Mordaunt, Penny
Morgan, rh Nicky
Morris, Anne Marie
Morris, David
Morris, James
Mundell, rh David
Murray, Mrs Sheryll
Neill, Robert
Newton, Sarah
Nokes, Caroline
Nuttall, Mr David
Offord, Dr Matthew
Opperman, Guy
Parish, Neil
Patel, rh Priti
Paterson, rh Mr Owen
Pawsey, Mark
Penning, rh Mike
Penrose, John
Percy, Andrew
Perry, Claire
Philp, Chris
Pincher, Christopher
Poulter, Dr Daniel
Pow, Rebecca
Prentis, Victoria
Pursglove, Tom
Quin, Jeremy

Quince, Will
Raab, Mr Dominic
Redwood, rh John
Rees-Mogg, Mr Jacob
Robertson, Mr Laurence
Robinson, Gavin
Robinson, Mary
Rutley, David
Sandbach, Antoinette
Scully, Paul
Selous, Andrew
Shannon, Jim
Shapps, rh Grant
Sharma, Alok
Shelbrooke, Alec
Simpson, David
Simpson, rh Mr Keith
Skidmore, Chris
Smith, Henry
Smith, Julian
Smith, Royston
Soames, rh Sir Nicholas
Soubry, rh Anna
Spelman, rh Dame Caroline
Stephenson, Andrew
Stevenson, John
Stewart, Bob
Stewart, Iain
Stewart, Rory
Stride, Mel
Stuart, Graham
Sturdy, Julian
Sunak, Rishi
Swayne, rh Sir Desmond
Syms, Mr Robert
Thomas, Derek
Timpson, Edward
Tolhurst, Kelly
Tomlinson, Justin
Tomlinson, Michael
Tracey, Craig
Tredinnick, David
Tugendhat, Tom
Turner, Mr Andrew
Vara, Mr Shailesh
Villiers, rh Mrs Theresa
Walker, Mr Robin
Wallace, Mr Ben
Warburton, David
Warman, Matt
Wharton, James
Whately, Helen
Wheeler, Heather
Whittaker, Craig
Whittingdale, rh Mr John
Wiggin, Bill
Williams, Craig
Williamson, rh Gavin
Wilson, Mr Rob
Wilson, Sammy
Wollaston, Dr Sarah
Wood, Mike
Wragg, William
Wright, rh Jeremy
Zahawi, Nadhim

Tellers for the Noes:
Mark Spencer and
David Evennett

Question accordingly negated.

Clause 75

FUNCTIONS OF OFCOM IN RELATION TO THE BBC

Amendments made: 20, page 75, line 37, leave out “Section 198 of the Communications Act 2003” and insert—

“() The Communications Act is amended as follows.

() Section 198”

This is consequential on amendment 21.

Amendment 21, page 76, line 6, at end insert—

“() After section 198 insert—

“198ZA Penalties for failure to provide information

(1) This section applies if—

- (a) under a power conferred by virtue of section 198(2A), OFCOM require a person other than the BBC to provide information, and
- (b) OFCOM determine that there are reasonable grounds to believe the person has not provided the information.

(2) OFCOM may give the person a notice which sets out the determination and specifies—

- (a) what information the person must provide,
- (b) the time within which the person must provide it,
- (c) a penalty that OFCOM may impose if the person does not provide it, and
- (d) a period in which the person may make representations.

(3) OFCOM may impose a penalty on the person if they fail without reasonable excuse to provide the information in accordance with the notice.

(4) The penalty may include an amount for each day the person fails to provide the information after the time required by the notice.

(5) The penalty in respect of any notice—

- (a) must not be more than OFCOM determine to be proportionate,
- (b) must not be more than the penalty specified in the notice, and
- (c) must not be more than £250,000.

(6) OFCOM may withdraw a notice without imposing a penalty, and that does not affect the power to issue a further notice in relation to the same information.

(7) OFCOM must publish and keep up to date a statement of their proposed approach to issuing notices and imposing and recovering penalties under this section (subject to the guidelines published under section 392).”

Section 198 of the Communications Act 2003, together with the Charter and Framework Agreement, enables OFCOM to impose penalties on the BBC. The amendment provides for OFCOM to be able to impose penalties on other persons if they fail without reasonable excuse to provide information for the purposes of OFCOM’s regulation of the BBC.

Amendment 22, page 76, line 16, leave out subsection (6) —(Matt Hancock.)

Subsection (6) is not needed. The expression it defines is not used except in a textual amendment where the definition in the Communications Act 2003 will apply anyway

Clause 45

DUTY TO REVIEW OPERATION OF CHAPTER

Amendment made: 4, page 44, line 10, at end insert—

“() The relevant Minister may only make regulations under subsection (5) with the consent of the Scottish Ministers if the regulations—

- (a) repeal this Chapter,

(b) amend or remove the power of the Scottish Ministers to make regulations under section 40(4),

(c) affect the disclosure of information under section 40 by a Scottish body to another such body,

(d) affect the use by a Scottish body of information disclosed under that section by such a body, or

(e) affect the further disclosure to a Scottish body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Scottish body.

() The relevant Minister may only make regulations under subsection (5) with the consent of the Welsh Ministers if the regulations—

(a) repeal this Chapter,

(b) amend or remove the power of the Welsh Ministers to make regulations under section 40(4),

(c) affect the disclosure of information under section 40 by a Welsh body to another such body,

(d) affect the use by a Welsh body of information disclosed under that section by such a body, or

(e) affect the further disclosure to a Welsh body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Welsh body.

() The relevant Minister may only make regulations under subsection (5) with the consent of the Department of Finance in Northern Ireland if the regulations—

(a) repeal this Chapter,

(b) amend or remove the power of the Department to make regulations under section 40(4),

(c) affect the disclosure of information under section 40 by a Northern Ireland body to another such body,

(d) affect the use by a Northern Ireland body of information disclosed under that section by such a body, or

(e) affect the further disclosure to a Northern Ireland body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Northern Ireland body.”—(Matt Hancock.)

This amendment and amendments 5 to 11 make provision for the relevant Minister to obtain the consent of the Scottish Ministers, the Welsh Ministers or the Department of Finance in Northern Ireland to certain regulations which, following a review under clause 45, amend or repeal Chapter 3 of Part 5.

Clause 47

INTERPRETATION OF THIS CHAPTER

Amendments made: 5, page 45, line 11, leave out “(7)” and insert “(6)”

See the explanatory statement for amendment 4.

Amendment 6, page 45, line 21, at end insert—

““Northern Ireland body” means—

(a) a Minister within the meaning of the Northern Ireland Act 1998,

(b) a Northern Ireland department,

(c) a Northern Ireland public authority within the meaning of the Statistics and Registration Service Act 2007, or

(d) a person providing services to a person within paragraph (a), (b) or (c);”

See the explanatory statement for amendment 4.

Amendment 7, page 45, line 35, at end insert—

““Scottish body” means—

(a) a person who is a part of the Scottish Administration,

(b) a Scottish public authority with mixed functions or no reserved functions (within the meaning of the Scotland Act 1998), or

- (c) a person providing services to a person within paragraph (a) or (b);”

See the explanatory statement for amendment 4.

Amendment 8, page 45, line 36, at end insert—

““Welsh body” means—

- (a) a person who wholly or mainly exercises functions which could be conferred on the person by provision which falls within the legislative competence of the National Assembly for Wales, or
- (b) a person providing services to a person within paragraph (a).”

See the explanatory statement for amendment 4.

Amendment 9, page 45, line 40, leave out subsection (3)

See the explanatory statement for amendment 4.

Amendment 10, page 46, line 1, leave out subsection (5)

See the explanatory statement for amendment 4.

Amendment 11, page 46, line 9, leave out subsection (7) —(*Matt Hancock.*)

See the explanatory statement for amendment 4.

Clause 53

DUTY TO REVIEW OPERATION OF CHAPTER

Amendment made: 12, page 51, line 23, at end insert—

() The relevant Minister may only make regulations under subsection (5) with the consent of the Scottish Ministers if the regulations—

- (a) repeal this Chapter,
- (b) amend or remove the power of the Scottish Ministers to make regulations under section 48(5),
- (c) affect the disclosure of information under section 48 by a Scottish body to another such body,
- (d) affect the use by a Scottish body of information disclosed under that section by such a body, or
- (e) affect the further disclosure to a Scottish body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Scottish body.

() The relevant Minister may only make regulations under subsection (5) with the consent of the Welsh Ministers if the regulations—

- (a) repeal this Chapter,
- (b) amend or remove the power of the Welsh Ministers to make regulations under section 48(5),
- (c) affect the disclosure of information under section 48 by a Welsh body to another such body,
- (d) affect the use by a Welsh body of information disclosed under that section by such a body, or
- (e) affect the further disclosure to a Welsh body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Welsh body.

() The relevant Minister may only make regulations under subsection (5) with the consent of the Department of Finance in Northern Ireland if the regulations—

- (a) repeal this Chapter,
- (b) amend or remove the power of the Department to make regulations under section 48(5),
- (c) affect the disclosure of information under section 48 by a Northern Ireland body to another such body,
- (d) affect the use by a Northern Ireland body of information disclosed under that section by such a body, or
- (e) affect the further disclosure to a Northern Ireland body by such a body, or by a member, officer or employee of such a body, of information disclosed under this Chapter by a Northern Ireland body.”—(*Matt Hancock.*)

This amendment and amendments 13 to 19 make provision for the relevant Minister to obtain the consent of the Scottish Ministers, the Welsh Ministers or the Department of Finance in Northern Ireland to certain regulations which, following a review under clause 53, amend or repeal Chapter 4 of Part 5.

Clause 55

INTERPRETATION OF THIS CHAPTER

Amendments made: 13, page 52, line 24, leave out “(7)” and insert “(6)”

See the explanatory statement for amendment 12.

Amendment 14, page 52, line 34, at end insert—

““Northern Ireland body” means—

- (a) a Minister within the meaning of the Northern Ireland Act 1998,
- (b) a Northern Ireland department,
- (c) a Northern Ireland public authority within the meaning of the Statistics and Registration Service Act 2007, or
- (d) a person providing services to a person within paragraph (a), (b) or (c);”

See the explanatory statement for amendment 12.

Amendment 15, page 52, line 40, at end insert—

““Scottish body” means—

- (a) a person who is a part of the Scottish Administration,
- (b) a Scottish public authority with mixed functions or no reserved functions (within the meaning of the Scotland Act 1998), or
- (c) a person providing services to a person within paragraph (a) or (b);”

See the explanatory statement for amendment 12.

Amendment 16, page 52, line 41, at end insert—

““Welsh body” means—

- (a) a person who wholly or mainly exercises functions which could be conferred on the person by provision which falls within the legislative competence of the National Assembly for Wales, or
- (b) a person providing services to a person within paragraph (a).”

See the explanatory statement for amendment 12.

Amendment 17, page 52, line 45, leave out subsection (3)

See the explanatory statement for amendment 12.

Amendment 18, page 53, line 7, leave out subsection (5)

See the explanatory statement for amendment 12.

Amendment 19, page 53, line 15, leave out subsection (7) —(*Matt Hancock.*)

See the explanatory statement for amendment 12.

Mr Deputy Speaker (Mr Lindsay Hoyle): I will now suspend the House for no more than five minutes to make a decision about certification. The Division bells will be rung two minutes before the House resumes following certification. The Government will table the appropriate consent motion, copies of which will be available shortly in the Vote Office and will be distributed by the Doorkeepers.

9.12 pm

Sitting suspended.

9.17 pm

On resuming—

Mr Deputy Speaker (Mr Lindsay Hoyle): I can now inform the House of my decision about certification. For the purposes of Standing Order No. 83L(2) and on behalf of Mr Speaker, I have certified clause 85 of the Digital Economy Bill as relating exclusively to England and within devolved legislative competence. Copies of the certificate are available in the Vote Office. Under Standing Order No. 83M, a consent motion is therefore required for the Bill to proceed. Does the Minister intend to move the consent motion?

Matt Hancock indicated assent.

The House forthwith resolved itself into the Legislative Grand Committee (England) (Standing Order No. 83M).

[MR LINDSAY HOYLE *in the Chair*]

Motion made, and Question proposed,

That the Committee consents to the following certified clause of the Digital Economy Bill:

Clauses and schedules certified under Standing Order No. 83L(2) as relating exclusively to England and being within devolved legislative competence

Clause 85 of the Bill (Bill 87).—(*Matt Hancock.*)

The Chairman of Ways and Means (Mr Lindsay Hoyle): The debate will take place now. Come on in, Mr Wishart.

Pete Wishart (Perth and North Perthshire) (SNP): I am very grateful to you, Mr Hoyle, and I promise to be brief when it comes to this substantial and significant—*[Interruption.]*

The Chairman: Order. We cannot hear the hon. Gentleman.

Pete Wishart: We are discussing substantial and significant clauses that relate exclusively to England. We are here, in what is the de facto English Parliament, to debate important measures. The relationship between tuition fees and qualifications is very important to England, and I am surprised that we are not hearing more contributions from English Members. They have a fantastic opportunity to speak at length about England-only clauses, an opportunity that was demanded at the time of the last general election. So many Members, particularly Conservative Members, said then that the system was required, but none of them are here to participate in tonight's debate.

Patrick Grady (Glasgow North) (SNP): The former Prime Minister, David Cameron, stood on the steps of No. 10 Downing Street on 19 September 2014 and said that millions of English voices must be heard. This is the procedure that was to allow those millions of English voices to be heard. However, the Constitution Unit produced a report just this afternoon which showed that there had been a maximum of about 40 minutes of debate in all the Legislative Grand Committee procedures. Does that not show that “English votes for English laws” is not meeting the purpose for which it was set up?

Pete Wishart: I am grateful to my hon. Friend for raising that point. I have a copy of the report produced by the Constitution Unit, which goes into great detail and depth about the functioning of EVEL.

Clause 85 is critically important to the Bill. It concerns the payment of tuition fees for qualifications in England. It is important that it be debated fully, and it is important for English Members to have their say. That is what “English votes for English laws” is all about. English Members have an opportunity to express their concern about parts of Bills that relate exclusively to England, and we now invite them to contribute to the debate.

According to the Constitution Unit, a maximum of two minutes has been taken every time the House has resolved itself into an English Legislative Grand Committee. We must ensure that we use this time properly and appropriately, because clause 85 is an important measure. It is the only part of the Bill that relates exclusively to England, and I think it deserves all the debate that can possibly be mustered. I am very surprised that not even the Minister is using his opportunity.

We cannot say that this is a waste of the House's time, because it obviously is not. It is important that the House breaks up its usual routine examination of legislation and forms a English Legislative Grand Committee to consider significant measures such as clause 85. It is important that the bell rings and the House is suspended for two minutes before the certification can take place, and that Members have an opportunity to examine such measures in detail. I hope that I shall not be the only Member to contribute, given that this was considered to be so important that the Standing Orders had to be changed.

I know that other Members wish to speak—*[Laughter.]* Perhaps they do not, but they have an opportunity to debate this important clause, and I am very surprised that there are to be no more contributions tonight. That demonstrates the absolute and utter absurdity of the EVEL proposals and the Standing Order changes. We are sitting here, and not one Member representing an English constituency is prepared to—

The Chairman: Order. I may be able to help. I think that there will be a speech to follow that of the hon. Gentleman, so he should not worry. Has he finished his speech?

Pete Wishart: Yes.

The Chairman: In that case, I call the Minister.

Matt Hancock: I shall not detain the House for long. All I can say is that the hon. Member for Perth and North Perthshire (Pete Wishart) had an opportunity to talk about clause 85 on Second Reading. Did he do so? No, he did not. There was spare time during the Committee stage. The hon. Gentleman could have joined the Committee, enjoyed our company, and talked about clause 85. Did he do so? No, he did not. On Report, he could have tabled any sort of amendment to clause 85, or, indeed, tried to vote against it, but he chose not to. I think we can see through all his bluster.

Question put and agreed to.

The occupant of the Chair left the Chair to report the decision of the Committee (Standing Order No. 83M(6)).

The Deputy Speaker resumed the Chair; decision reported.

Third Reading

Queen's and Prince of Wales's consent signified.

9.25 pm

The Secretary of State for Culture, Media and Sport (Karen Bradley): I beg to move, That the Bill be now read the Third time.

The Bill will cement the UK's status as a world-leading digital economy. It will help people to connect to high-speed broadband, expanding their personal opportunities and stimulating economic activity. It will improve public services, thanks to better information management, and it will protect the vulnerable from some of the hazards of the digital world. It is an important measure in building a country that works for everyone.

I am very grateful to the House for the way it has engaged with the Bill. I put on record my thanks to the Minister for Digital and Culture; the Parliamentary Secretary, Cabinet Office, the Minister with responsibility for the constitution; the Culture, Media and Sport Committee; the Public Bill Committee; the Whips; and the Clerks, who have all been particularly helpful. I also want to thank the Front-Bench teams of the Opposition and the SNP for their constructive approach.

We are increasing connectivity by moving forward with a new broadband universal service obligation. There are reforms to the electronic communications code and we have greater protections for intellectual property and consumers. We have strengthened protections for children too, and I extend special thanks to my hon. Friends the Members for Devizes (Claire Perry) and for North West Hampshire (Kit Malthouse).

As well as helping to bring the country online, the Bill enables Government to share information between public bodies, where there is a public benefit. That will help an additional 700,000 fuel-poor households. It means that the public sector will be more considerate when pursuing debts from the vulnerable. There will be fewer burdensome surveys for businesses to complete. No more unwarranted post will be sent to the families of the deceased. We have ensured the provision of both transparency and robust safeguards. Those measures will benefit the whole country.

The Government added a number of important new measures in Committee. There is now further support for the financial technology sector, enabling payment firms that are not banks to access payment systems currently accessible only to banks. That will improve competition in financial services and benefit consumers. We are offering free digital skills training for adults in England who lack relevant qualifications, and the Bill gives Ofcom more power to keep harmful content from being broadcast both on radio and on television. I hope that the successful way that the Bill has been discussed and improved as it passes through this House will reassure and encourage those in the other place as they consider the Bill.

Digital technology offers tremendous opportunities. Many of them are currently hard to predict and some are unfathomable, yet we know that we must be ready now if we are to enjoy innovations in future. I want the UK to be in a position to lead the world in the development of digital technology. I want us to lead the world in digital connectivity and skills for everyone, not just the professionals and not just a privileged few.

The Bill will make our country wealthier, more efficient, more skilful, more connected and safer. I commend it to the House.

9.29 pm

Kevin Brennan: I thank my hon. Friends who served on the Public Bill Committee and the many individuals and organisations who submitted evidence to aid the scrutiny of the Bill, as well as the Clerks for their patience and advice. I also thank the Secretary of State and the Ministers for their hard work.

The Minister for Digital and Culture has been most assiduous, as we in the Opposition have tried to be also. On Report earlier, he even tried to speak some Welsh. It reminded me a little bit—as he often does—of Winston Churchill, who when he attempted to speak French said as a warning, “Prenez garde, je vais parler français”, or “Take guard, I am going to speak French.” The Minister did not quite give us that warning when he spoke Welsh. He did say he thought what he said meant that he backed the Welsh language; in fact he said that he backed Channel 4 Wales. I think that is what he said, anyway, in Welsh. I congratulate him on his commendable effort in speaking the language of heaven.

The Opposition will not be opposing this Bill on Third Reading as it contains a number of uncontroversial measures which we welcome and support and have no wish to block. However, that is not the same as saying that we think it is a good Bill. Its weaknesses lie as much in what it omits as what it contains. President Lyndon Johnson once said of a Bill that it was like grandma's nightshirt; it covers everything. This Bill attempts to cover everything, but I am afraid there are quite a few holes in it, because a digital economy Bill would look much better if it properly recognised the importance of the digital economy to the whole country, if it took account of the pace of change in the development and use of new technology, and if it saw its central role in the way that work itself is changing for millions of people in the UK.

Let us imagine what the Bill would be like if it was much more ambitious about delivering ultrafast fibre broadband and mobile network coverage to everyone who needs it. Imagine a digital economy Bill that recognised the need to provide people with digital skills so that they can benefit from new technologies and the jobs of the future, or paid attention to the need for digital resilience and saw fit to mention cyber-security and preventing online abuse. A digital economy Bill that did any of those things would look very different from the Bill before us.

I want to focus on the areas where there is some agreement. On connectivity, we of course support the universal service obligation, but it is too tiny and too slow a step in the right direction. Labour called for this to be introduced back in 2010, and left fully costed plans for it to be achieved by 2012. The 10 megabits that will be guaranteed to households is less than half of what is needed to achieve superfast broadband. If anyone is wondering whether 10 megabits really is inadequate, they should not just take my word for it: the Minister for Digital and Culture said in a speech to the Broadband World Forum just last month that

“while 10 megabits may be enough for today's needs, it won't be enough for tomorrow's.”

Even the Minister admits that his own legislation will be out of date by the time it is implemented.

[Kevin Brennan]

On age verification, we all share the objective of protecting children from online pornography, and we support the provisions in the Bill that aim to do that, but we remain unclear about how they will work in practice and we hope that more details emerge as the Bill continues its scrutiny in the other place. There are legitimate concerns about privacy and the security of individuals' personal data, which the Government must do much more to answer. The Bill still lacks any mention of the need for online sex and relationships education for young people, which is at least as important as age verification in protecting children from the risks of early exposure to inappropriate material.

There are some measures related to public service broadcasting which we support and which will help to give greater stability and certainty to the sector, but one way in which the Government could clear up an element of great uncertainty that hangs over our public service broadcasting system is by clarifying their thinking about the future of Channel 4. It is now 14 months since it became known that the Government were considering options including privatisation of Channel 4, and we are still none the wiser as to their thinking. Bringing this matter to a speedy conclusion—I hope by announcing their continued support for Channel 4's current remit and model—would help to bring stability and certainty not just to that important public service institution, but to the wider creative industries with which its work is intimately bound up.

As this Bill moves to the other place, I hope that the Government will be able to provide reassurance on many of the concerns that have been raised by our colleagues in this House, and to think harder about more of the questions which have so far gone unanswered. It is not too late for the Bill to address questions around people's rights over their own personal data, on which it is currently silent. It is not too late for the Government to come forward with measures to secure the rights of more than 1 million workers in the digital economy, many of whom are in precarious roles with uncertain rights, hours, contracts and even legal status. It is not too late for the Bill to recognise the needs of the 12 million people in the UK who do not have basic digital skills, which are increasingly necessary to navigate public services, to do business and to get jobs.

If the additional scrutiny to be provided in the other place can do these things and more, then when the Bill comes back to this House it will enjoy more wholehearted support from the Labour Benches than it has so far.

9.35 pm

Mrs Miller: We are seeing the internet come of age through this Bill. I very much welcome the change in the tone of Members on both Front Benches. The digital economy in this country is hugely important, but we need rules in this area just as we need them in other aspects of our lives. The acknowledgement that we need clear rules on content is welcomed across the board. I congratulate Ministers on the amendments that have been made to strengthen enforcement, particularly around harmful content, and I hope that when the other place considers the Bill, it will be able to look at some of the other points that right hon. and hon. Members have raised today. I wish the Bill well.

9.36 pm

Calum Kerr: I should like to add to the positive vibes coming from both Front Benches and join them in thanking the Clerks. I particularly want to thank those in the Public Bill Office, who have been fantastic in dealing with someone who is still relatively new to all this and sometimes does not get things right first time. Officials in the Department for Culture, Media and Sport and in Ofcom have also been particularly constructive and helpful to us as we have found our way.

My hon. Friend the Member for Inverness, Nairn, Badenoch and Strathspey (Drew Hendry) and I entered the Bill Committee with all the optimism of newbies, thinking, "We have such massive logic behind our case that the Government's going to bite our hands off to get at our new clauses and amendments." Of course, we learned the hard way that that never happens. Even when they completely agreed with us, there was always a wee excuse for why they had to do things in their own way. I remember that the Minister even spoke to my new clause. The Chair had called him to speak before me, and I sat there thinking, "Oh, this could be one of ours. I fundamentally agree with him." Then I realised, and thought, "Oh, perhaps we'll need a consultation on this."

On Second Reading the former Secretary of State, the right hon. Member for Maldon (Mr Whittingdale), compared the Bill to a Christmas tree. That was quite an interesting analogy, considering where we have ended up. I said at that time that the Digital Economy Bill's title was something of a misnomer, in that it lacked any strategy, ambition or drive to take advantage of digital opportunities. There was certainly no guiding light or star on the top of this tree. It is also fair to say that some of the things that have been hung on it leave a little to be desired. However, we should acknowledge that many of its elements are very welcome, as my hon. Friend the Member for Perth and North Perthshire (Pete Wishart) did in his own inimitable style. He has probably now set a precedent by speaking in an EVEL debate, which he will rejoice in.

Some of those welcome elements did not get touched on today. I think we all agree that the reform of the electronic communication code is overdue, for example, and the measures on customer compensation and switching are very welcome, as are some of the powers for Ofcom and the review of spectrum. However, other parts of the Bill leave something to be desired, as I have said. They feel more tokenistic than meaningful. I am referring in particular to the universal service obligation.

Philip Boswell (Coatbridge, Chryston and Bellshill) (SNP): Does my hon. Friend agree that constituents in all parts of this country want a fibre future and access to ultrafast, not just fast and superfast, broadband?

Calum Kerr: I totally agree. The Government have missed an opportunity and I am disappointed that they did not accept my new clause 27, although it might be the foundation for the sudden emergence of a strategy on vouchers. Government Members will have to explain to their constituents why 10 megabits per second is okay for rural areas while urban areas aim for a gigabit connection—100 times faster.

The Bill has good intentions in some areas but, as I articulated earlier, its execution will be flawed. My hon. Friend the Member for Rutherglen and Hamilton West (Margaret Ferrier) talked about faulty goods, and I guess these bits are a bit like the parcel under the Christmas tree that looks quite nice, but is deeply flawed when it is opened and will be returned to sender. I would have liked part 5 of the Bill to be returned to sender, but I welcome the Minister's commitment to continue to iterate and evolve the measures—I thought the amendment paper was going to get bigger than the Bill at one point such was the desire to amend it. I read a tweet from Big Brother Watch that said:

“Good to hear support for GDPR from the minister... can govt now write part 5 so it clearly adheres to it”.

I look forward to continual efforts to ensure that that happens.

In conclusion, among all the sparring and comments—they were light-hearted at times and serious at others—there has been genuine movement on this Bill. We have tried to be constructive in discussions and by setting forward our ideas, and I look forward to continuing in that vein.

9.41 pm

Nigel Adams: I shall speak only briefly on Third Reading. I enjoyed being a member of the Public Bill Committee, which was only the second such Committee that I have served on—[*Interruption.*] I notice the Whips looking at me, but this is by no means an application to be involved in more any time soon.

The team in the Bill Committee was very constructive, and we have just had an encouraging debate on Report, but I want to touch on one issue that is worth pressing home: ticketing, bots and touts. People have said to me that this is free-market issue—rightly so—but a principle of any truly free market is that there is a willing buyer and a willing seller. We cannot forget the second part of that equation. While some fans might be willing to spend, perhaps through gritted teeth, many thousands of pounds on tickets—dozens of times over the face value—to see a favourite artist, not many artists are willing to sell their tickets to parasitical touts. Touts rob artists of their right to set prices that might be more accessible to their fans. If Adele, for example, wanted to charge £10,000 or £20,000 for a ticket to one of her shows, she would, but she does not. As a seller, that is absolutely her right. We should support a free market in which a seller's right to make such choices to develop their fan bases is respected.

I was pleased that the Minister committed on Report to act against bots if necessary, following his meeting with the Secretary of State and the industry. I have no doubt that all involved would like to work together as the Bill progresses, and I stand ready to play a small part if possible. The fundamental point is that we have now achieved broad cross-party consensus. Other countries have brought in similar laws to outlaw bots, and now is the time for this House to take action. This is a technical area that is not simple to resolve. While this is not the only measure that will tackle ticketing problems, it has cross-party support, as well as support outside the House, including from ticketing companies, which want action and bots to be outlawed. I look forward to the Minister's response to the Waterson report and hope that any action that the Government take in the other place will give consumers the confidence that this Government are on everyone's side, not just the side of a privileged few.

9.44 pm

Drew Hendry: I will be brief. Overall, the work of the Bill Committee was positive, and there were several things that we can take forward and look to see the benefits of in the future. I would add that in the future there needs to be much more of a focus on the consumer, and the rights of the consumer and of the end user. There will be further opportunities to make sure that the right solutions are delivered in the right places, particularly for rural areas. When we consider speeds, we should think about going “outside in” and think of those people who normally get the technology latest having the opportunity to get it first. Consumers should also be protected when they buy things—if they make a contract, that contract should protect them as much as it does the company, so there is a balance to be achieved. I welcome a lot of the measures in the Bill and I look forward to seeing progress in the future.

Question put and agreed to.

Bill accordingly read the Third time and passed.

SPEAKER'S COMMITTEE FOR THE INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY

Ordered,

That the Motion in the name of Mr David Lidington relating to the Speaker's Committee for the Independent Parliamentary Standards Authority shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Delegated Legislation Committees) in respect of which notice has been given that the instrument be approved.—(*Michael Ellis.*)

Business of the House (29 November)

Motion made, and Question proposed,

That, at the sitting on Tuesday 29 November, notwithstanding the provisions of Standing Order No. 20 (Time for taking private business), the private business set down by the Chairman of Ways and Means may be entered upon at any hour (whether before, at or after 4.00pm) and may then be proceeded with, though opposed, for three hours, after which the Speaker shall interrupt the business.—
(*Michael Ellis.*)

9.46 pm

Mr Peter Bone (Wellingborough) (Con): We rarely have the opportunity to debate this particular type of motion whereby we are changing the position under Standing Orders, which are here to protect Parliament from the Executive. The Standing Orders clearly say that opposed private business on a Tuesday should start at 4 o'clock and, in effect, run for three hours. The reason is so that the promoters of the Bill, and the people who support it and are interested in it, can know when they should be here. As MPs, we are here all the time. We should not inconvenience the promoters of private Bills, but that is routinely done. Standing Order No. 20 is not being suspended because there is a particular worry about what is going to happen tomorrow; that is happening because the Government routinely do it. If we get into a habit of letting the Government routinely suspend Standing Orders, which are here to protect Parliament, it is a dangerous course to tread.

Will the Deputy Leader of the House tell us why the motion is needed in this case? I have looked at tomorrow's business, so I know that we could quite happily start with Government business. When we reach 4 o'clock, we could do the opposed private business, after which we could then return to the Government business. What happened time and again under previous Governments was that opposed private business was taken very late at night, which was not fair on the promoters of the Bills in question and was absolutely not the way to proceed. We should not be promoting Government business over the right of Parliament, so I would like the Deputy Leader of the House to tell us why we specifically need to do this in this case.

9.48 pm

The Deputy Leader of the House of Commons (Michael Ellis): My hon. Friend the Member for Wellingborough (Mr Bone) has, not for the first time, made an interesting point. It is not the case that this is a routine matter, and I take on board what he has said. I undertake to review the situation, and we will write to him with a full and detailed explanation of the matter.

Question put and agreed to.

COMMITTEES

Mr Deputy Speaker (Mr Lindsay Hoyle): With the leave of the House, we will take motions 5 to 12 together.

Ordered,

ADMINISTRATION

That Mr Robin Walker be discharged from the Administration Committee and Mr Robert Syms be added.

ENVIRONMENTAL AUDIT

That Dr Alan Whitehead be discharged from the Environmental Audit Committee and Mr Gavin Shuker be added.

EUROPEAN SCRUTINY

That Peter Grant and Calum Kerr be discharged from the European Scrutiny Committee and Alan Brown and Dr Paul Monaghan be added.

JOINT COMMITTEE ON THE NATIONAL SECURITY STRATEGY

That Damian Green and Keith Vaz be discharged from the Joint Committee on the National Security Strategy and Yvette Cooper and Mrs Theresa Villiers be added.

NORTHERN IRELAND AFFAIRS

That Mr Nigel Evans be discharged from the Northern Ireland Affairs Committee and Mark Pritchard be added.

PETITIONS

That Mr Nick Hurd be discharged from the Petitions Committee and Luke Hall be added.

PUBLIC ACCOUNTS

That Anne Marie Morris be a member of the Committee of Public Accounts.

SCOTTISH AFFAIRS

That Maggie Throup be discharged from the Scottish Affairs Committee and Anna Soubry be added.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

PETITION

The boundaries of the Wellingborough Parliamentary Constituency

9.49 pm

Mr Peter Bone (Wellingborough) (Con): It is a great pleasure to present a petition on behalf of the residents of Finedon. I attended a public meeting about the boundary proposals for Wellingborough. Unbelievably, the borough of Wellingborough will be represented by four MPs if the boundary proposals go through. I went to a public meeting in Finedon, attended by hundreds of people on a horrible night in November. They were very animated about the issue. The three lead signatories are Ray Ogle, Councillor Malcolm Ward and Councillor Barbara Bailey. The petition is addressed to the honourable Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled.

The petition states:

The Humble Petition of residents of Finedon, Northamptonshire and the surrounding areas,

Sheweth,

That the Petitioners believe that the boundaries of the Wellingborough Parliamentary Constituency should continue to include the village of Finedon due to the geographical, local government and historical ties that exist in the area.

Wherefore your Petitioners pray that your Honourable House urges the Cabinet Office to encourage the Boundary Commission for England to retain Finedon as part of the Wellingborough Constituency in its upcoming review.

And your Petitioners, as in duty bound, will ever pray, &c.

[P001983]

Children's Funeral Costs

Motion made, and Question proposed, That this House do now adjourn.—(*Heather Wheeler.*)

9.51 pm

Carolyn Harris (Swansea East) (Lab): On 5 June 1989, my little world blacked over and nothing was to be the same again. My eight-year-old son, Martin—a bright, beautiful and wonderful little boy—stepped out onto the road and was tragically knocked down. Much of what happened over the following weeks was and still is a blur.

The pain is so acute and the sensation incomprehensible. The tragedy seems almost surreal. At times I felt I was floating above the room where all this grief was dwelling and that I was not really a part of what was going on. It was a dream—I wished.

Mostly, I felt my life was a bank holiday when shops shut and mail was not delivered and the milkman did not come, so seeing people outside my little world going about their normal everyday business just did not seem right. I asked myself, did they not know that the world had come to an end? I always felt that my brain and my senses were full of cotton wool or clouds and nothing I saw, or I sensed, or I heard or I experienced resonated. It did not hit a hard surface—nothing registered; it just floated around in my head.

I have a vague recollection of chatting with my vicar and the undertaker about the kind of service I wanted. I may well have been given prices at that time, but considering I needed to be told to wash and eat and sleep, it certainly did not register in my brain. I understand retrospectively that a cremation would have been cheaper than a burial, but I had to bury my son.

At the time I was making a decision on the funeral, I was actually deciding whether to join my son on the other side or not; or to stay for Stuart, my then three-year-old who really needed his mam. I calculated—and I use that word deliberately—as I actually sat in the bath and assessed which of my two children needed me the most. I eventually reasoned that Stuart, who was only three, could not lose his mam and brother all in one go. My much loved grandparents were buried together in Morrision cemetery, now in my constituency, and I felt that putting Martin in the grave with them meant that my nana, who loved him dearly, was there to look after him until I could be with him again.

I had to bury my little boy. At least that gave me some peace of mind. Later in life I went on to have another child, Tomas, who is now 15. Stuart, my three-year-old, is now 31, and he and his wife have given me a wonderful grandson, Liam, so I made the right decision in not joining Martin and staying with Stuart, but mothers will understand the position I was in. We all live for our children: when you lose one, you have to decide who needs you the most.

We all want to give our children the skills to help them build good lives. We want to give our children the latest toy, the latest gadget. We want to give them the best of everything. As young parents, we save for Christmas and birthdays to allow us to do that, but when you lose a child, the only thing you can give them is a funeral and a grave. I am told that my son had a wonderful funeral. I cannot remember much about it because my world was black and nothing had resonated in my

mind. I could not function, as I have said. I could not do simple chores like washing my hair or cooking a meal.

When the undertaker was explaining to me what the plans for my little boy's funeral were, I just wanted to hold my little boy, not bury him. I remember the day the bill arrived and that fear in my stomach as to how I would pay it. My husband David and I come from a community who reacted to loss in the only way they knew how—they had a whip-round, a collection. Out of the blue two of David's mates—I can see them now standing at my front door, not knowing whether to come in or run away—turned up with an envelope of money. Thank God for my community and thank God for my friends, because that collection was enough to cover three quarters of the funeral cost. The following day my husband went to his bank and asked for the other £750 and the bank said yes, so I had the money for the funeral.

I have chosen to share my story at this time because I am in a position to be the voice of bereaved parents. Approximately 5,000 babies and children pass away each year in this country, and it is not something any parent can or could be prepared for. No one expects to bury their children; it is completely in the wrong order. So when that tragedy happens, parents will be totally unprepared, both emotionally and financially. Since I first spoke out on this issue, I have received support from colleagues across the House. I have received emails, calls and letters from other parents who are in a similar position to me.

A member of the House staff stopped me to say that he and his wife lost an 18-month-old baby and his local authority charged him for an adult funeral. He had to battle that local authority to get the cost reduced. Another gentleman wrote that he had lost two children, a one-year-old and a 17-year-old. This man told me that he was ashamed to ask for help to cover the funeral costs as he had wanted to give that to his children. Today I learned of a couple who had a very premature baby who passed away after four weeks in special care. When the parents weighed up the cost of a funeral, they just could not afford it so they had to leave the baby for the NHS to deal with. That is not uncommon.

A teacher told me that when her school lost a pupil, it held a non-school uniform day to help parents pay for the funeral. Just tonight CLIC Sargent, the cancer charity, contacted me about a survey that it has undertaken in connection with issues that most concern the parents of children with cancer, and many say that paying for the funeral is a very big worry. I was told of one family whose little boy's football club undertook fund-raising to help them cover the cost of a funeral.

Across local authorities, fees for children's funerals vary greatly. On a more compassionate note, I have heard from a mum who lost very, very premature twin babies, and Rhondda Cynon Taf, an authority in Wales, not only covered the local authority fees but absorbed the total cost of the funeral. To Rhondda Cynon Taf, authorities that currently do not charge and those that are planning to scrap fees, I say from the bottom of my heart thank you.

It is a very small amount of money that I am asking the Government to put in. For £10 million, the fees for children's funerals could be covered right across the country. This is an easy and a small ask, but it would

[Carolyn Harris]

impact greatly on the cost of a funeral and in no small way give comfort to bereaved parents. At Prime Minister's questions recently the Prime Minister suggested that the social fund could be used to help, but I say to the Prime Minister that at the darkest moment of a parent's life, I could not even fill a kettle, let alone fill in a 35-page application form. I have subsequently written to the Prime Minister asking that she consider my request, but I have not yet received a reply.

I conclude by saying to the Minister please do this. Make this happen. It is the right thing to do, it is the respectful thing to do, and it is the compassionate thing to do.

9.59 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): I begin by thanking the hon. Member for Swansea East (Carolyn Harris) for her work in bringing this sensitive and important issue to national attention. It is always difficult to know how others feel in such circumstances—

10 pm

Motion lapsed (Standing Order No. 9(3)).

Motion made, and Question proposed, That this House do adjourn.—(Heather Wheeler.)

Mr Jones: Just to reiterate, it is always difficult to know how others feel in such circumstances, although it is always easy to say we do when we have not been in those circumstances ourselves. I am a father of two children, and I am very lucky, but losing a child must be the worst thing that can happen to a parent.

It is important that the arrangements that the state can put in place in such circumstances are as helpful in giving support to grieving parents as they can be. This is clearly, therefore, a matter of great sensitivity and importance, and it is incumbent on all public sector organisations with a role to play to ensure that they are understanding and helpful.

I am very grateful to the hon. Lady for setting out this issue so powerfully. It certainly cannot have been easy for her to come to the House tonight to make a speech on this subject. She has shown great strength and courage in bringing this issue to the House tonight. [HON. MEMBERS: "Hear, hear!"]

Let me start by setting out the context in which my Department and local government operate. As democratically elected organisations, local councils are independent of central Government and are responsible for managing their budgets in line with local priorities. I understand that a number of local authorities already choose to waive fees for children's funerals. I hope all local authorities would carefully consider their policy in this area, and whether it is right to go further in the light of the concerns the hon. Lady has raised today. I note that very recently Telford and Wrekin Council and Clipstone Parish Council have decided to do just that, as the hon. Lady requested.

There is also a role that central Government can play. The Government recognise that the period following a death will have emotional, social and financial impacts for the bereaved, and people may need to draw on a

wide range of support at that difficult time. It is for that reason that the Department for Work and Pensions operates the social fund funeral expenses payments scheme, which makes a significant contribution towards a funeral for families in receipt of a qualifying income benefit. The scheme meets the full necessary costs of a cremation or burial, including the purchase of a grave with exclusive burial rights. Other costs, such as the coffin, and church and funeral directors' fees, are limited to a maximum scheme payment of £700. However, there is no restriction on the type of funeral expenses that can be claimed under this category, and applying the limit allows the bereaved a choice of how best to spend the payment.

I certainly hear what the hon. Lady has said about the social fund, and I absolutely understand her concerns about the way in which it works. It is good that we have on the Treasury Bench today my hon. Friend the Under-Secretary of State for Welfare Delivery, from the Department for Work and Pensions, which operates the scheme, and she will have heard what the hon. Lady had to say about the scheme.

Barbara Keeley (Worsley and Eccles South) (Lab): I hope that the Minister has listened to and heard what has been said. As we have heard, parents in a fog of bereavement cannot even think of filling in DWP forms, and a grant of £700 goes nowhere towards the cost of a funeral in many parts of the country—it costs thousands. My hon. Friend the Member for Swansea East (Carolyn Harris) has put an incredibly courageous case for having that cost covered by the Government. It cannot be right to make a local council choose between doing this or providing social care, and that might be the choice that it has. Will the Minister think again and not give my hon. Friend, or any of us, pat answers but really take this away and think about it?

Mr Jones: I fully understand the points that the hon. Lady makes and the sentiment behind them. With regard to the social fund, the maximum payments for certain costs are limited to £700, but there are other funds that can be realised. I appreciate what she says in relation to how the fund is accessed. In many cases, the funding from the social fund funeral expenses payments and social fund budgeting loans offers an adequate level of support. The amount spent by the Government in 2015-16 was £40 million.

I realise that this evening I am unable to give the hon. Member for Swansea East the assurances that she has come to the House to seek and will not be able to go as far as she would like, but I recognise the very significant pain that she has articulated to the House, and the very significant pain that families find themselves in when they are in the same situation.

Jim Shannon (Strangford) (DUP): I commend the hon. Member for Swansea East (Carolyn Harris) for the very compassionate way in which she put her case. No one in this House would not have had a tear in their eye along with her. We commiserate with her very much.

The hon. Lady and the hon. Member for Worsley and Eccles South (Barbara Keeley) have indicated that those on benefits receive help through the funeral social fund while those who are in work do not, but those on lower incomes should be helped. The Minister will be

aware that various charities such as the Child Funeral Charity can help as well. I want to put it on record that I support the hon. Lady, and all right hon. and hon. Members who are here, in asking the Government to consider this very seriously, and ask the Minister to grasp the understanding and compassion that we want him to have on behalf of the hon. Lady and all the other people out there who need help.

Mr Jones: I thank the hon. Gentleman for his intervention and certainly understand the sentiment behind it. I am aware that there are charities that support families in this sense, but I also understand what he is asking of Government, as I do in relation to what the hon. Member for Swansea East is looking for.

My hon. Friend the Under-Secretary of State for Welfare Delivery is restarting a round table group with the funeral industry and bereavement charities, because it is important that the Government have a better understanding of how the funeral industry works in this regard and what more can be done to help.

Wes Streeting (Ilford North) (Lab): I congratulate my hon. Friend the Member for Swansea East (Carolyn Harris) on the incredible courage that she has shown this evening and in recent days—in fact, years.

Does the Minister recognise that for people of different faiths, this can add additional complexity and cost, particularly if a rapid burial is required? Having in mind particular cases of my constituents who have experienced funeral poverty where faith has been a dimension, may I urge him and his colleagues to make

sure that faith organisations, particularly Muslim and Jewish organisations but those of other faiths as well, are represented in the discussions in the round table group?

Mr Jones: I fully understand what the hon. Gentleman says. I represent many Muslim constituents and I know that when they have a bereavement in the community, they seek to deal with the burial as soon as possible, quite often within 24 hours. He makes a very good point, and my hon. Friend the Under-Secretary has just nodded to me to confirm that she would be more than happy to include the groups that the hon. Gentleman mentions.

As I have said several times, I know that the assurances that I have been able to give tonight will not go as far as the hon. Member for Swansea East would like. I recognise the difficulty and the trouble that she has gone to in bringing the matter to the House tonight. I hope that bringing this matter to the wider attention of the House and of the public will mean that local authorities will consider their approach to charging and take their local residents' views into account. The Economic Secretary to the Treasury, my hon. Friend the Member for Brighton, Kemptown (Simon Kirby), who is here on the Treasury Bench, has heard what the hon. Lady said. I am sure that as a result of tonight's debate, we will all reflect on what she has suggested the Government do.

Question put and agreed to.

10.11 pm

House adjourned.

Westminster Hall

Monday 28 November 2016

[PHILIP DAVIES *in the Chair*]

Child Cancer

4.30 pm

Ben Howlett (Bath) (Con): I beg to move,

That this House has considered e-petition 162934 relating to child cancer.

It is a pleasure to serve under your chairmanship today, Mr Davies. I thank all right hon. and hon. Members present for attending.

The debate arises from an online petition on child cancer started by a couple whose child, Poppy-Mai, sadly passed away after a battle with a very rare cancer. She contracted a progressive and aggressive malignant rhabdoid tumour, which progressed into a metastatic brain tumour. The petition is entitled:

“Force child cancer to the forefront of the NHS and government funding schemes”,

and it calls for “more funding” to be made

“available in the fight against child cancer.”

It also calls for more to be done

“to spread awareness...more genetic testing and research. Child cancer needs to be at the forefront of our minds.”

At this point, it is important that I clarify to the petitioners that, as a member of the Petitions Committee, my job today is to lead the debate and not to take a position on behalf of the Committee. I promise to take as many interventions from as many Members as possible, to involve them in the debate.

One of the charities that got in touch with me before this debate was Christopher’s Smile, whose motto—“coz kids get cancer too”—shows the sad reality of childhood cancer. There is something even sadder when cancer—in fact, any disease—attacks children: they have the rest of their life ahead of them and cannot be said to have caused or encouraged cancer themselves by their lifestyle choices. However, there is a smaller national profile for childhood cancer, with less attention focused on the important signs to look out for and the ways to avoid it, than for cancers that usually affects adults, even though childhood cancer is the biggest killer by disease of children in the western world.

Child cancer recently hit the headlines when the singer Michael Bublé announced that he was taking a break from performing while his three-year-old son undergoes treatment for liver cancer. I am sure that all Members here today will join me in sending our best wishes to Michael, Noah and their family at this very upsetting time. What they are going through at the moment is unthinkable and there are many families across the UK in exactly the same position, with parents feeling helpless while wanting to do everything possible to protect their children from this dreadful and cruel disease.

Unfortunately, that sad story shows that cancer can strike anyone at any time. More needs to be done to educate all of us on what signs to look out for, so that

cancer can be caught early and there is a higher chance of survival. I thank the Government for their response to the petition. I am sure that Members from all parties in the House support the Government’s ambition to lead the world in fighting cancer. More attention needs to be given to the ways that we can become the world leader, so that we can see the number of cancer diagnoses fall and the number of cancer survivors increase.

The cancer taskforce’s five-year plan to achieve world-class cancer outcomes includes many recommendations on cancer in children, including

“a possible review of CTYA services”—

that is, services for children, teenagers and young adults—

“to provide improved integrated care”,

and to seek

“consent from children and young people for their data and tissue collection for use in future research studies and development of services and...ways in which access to clinical trials for teenagers and young adults with cancer could be significantly increased.”

All these things are crucial to beating childhood cancer and improving the care received by those who contract the disease.

On multiple occasions, charities have raised with me and the Petitions Committee the importance of getting real data to help with future developments in a range of different diseases. I chair the all-party group on rare, genetic and undiagnosed conditions, so I know that this problem does not only affect childhood cancers; it also affects other areas of the health debate. It is potentially even more important when it comes to child cancer, because thankfully child cancer is rare, relative to the population. I urge the Government to look carefully at ways in which researchers can gain access to those important, albeit anonymised data as a priority.

I was pleased to read in the Government’s response to the petition their understanding that

“a cancer diagnosis can have devastating consequences for the lives of young people and their families”,

and that the Department of Health recognises that the most important thing is that

“Care should be built around what matters to the young person and their family”.

The Department is

“working closely with cancer charities to ensure patients get the support they need during and after their treatment.”

However, more can still be done to ensure that when a cancer diagnosis is received—especially if, sadly, it is a terminal diagnosis—the child is made as comfortable as possible and is able to spend time with people who love them.

Mark Tami (Alyn and Deeside) (Lab): As a parent who went through this when my son was nine, I know that the news is devastating for parents. What happens to the family around the child and the level of support that is provided are also important. I was an MP at the time, with a good salary, but a lot of people do not have that level of income, or perhaps they do not have other family members to come round. We really need to put in extra support, and not months afterwards but straight away, when parents actually get that news.

Ben Howlett: I agree with the hon. Gentleman. There is a multitude of different organisations out there to help at the point when a diagnosis is received, but of

[Ben Howlett]

course that should not distract from the fact that the Government also need to look at early intervention to support the family of a child when the child receives a diagnosis. I hope that the Minister will mention that when responding to the debate.

I am the MP for Bath, which is in the south-west, and I pay personal tribute to the great work done by the Children's Hospice South West, which serves my constituency and others across the entire region. The hospice's dedication and the service it provides in the final days of a child's life is tremendous. I thank the hospice on behalf of my constituents for all the work that it does.

Research and funding are obviously critical. Evidence has been submitted throughout the course of the discussions around this issue. I am sure that all colleagues in this House will welcome the fact that the number of children dying from cancer each year in the UK has fallen in the last 20 years, but one child dying is obviously far too many. Research has been at the heart of the progress made, helping more children to survive cancer than ever before, but as I said, childhood cancer remains the biggest killer by disease of children in the western world.

Seema Kennedy (South Ribble) (Con): My hon. Friend rightly mentions research and progress. I intervene briefly to speak about my constituent, Paula Adair, whose daughter, Katy Holmes, died in 2012 of a diffuse pontine glioma. Paula made the point to me that Katy received the same treatment that Neil Armstrong's daughter had received nearly 40 years before, showing that there had not been adequate progress on these terrible diseases.

Ben Howlett: I thank my hon. Friend for her intervention, and I pay tribute to her and to other colleagues for championing cases such as that one in their work as constituency MPs. She makes an incredibly important point. Months ago, I took part in another Petitions Committee debate in relation to brain tumours and it is quite clear to me that the rarer a cancer is, the less attention is paid to the funding of research to find the underlying causes. There has been a change during the last few months and years, with more attention focused on some of the rarer cancers, but there is still a long way to go. I hope that some of the major progress made on the more common cancers, such as prostate cancer and breast cancer, and the evidence gathered can be applied to some of the rarer cancers as medical technology improves.

Approximately 3,800 children and young people in the UK are diagnosed with cancer each year, and approximately 260 children in the UK die each year from cancer before their fifteenth birthday. For those who survive, there are often lifelong treatment-related health problems to be dealt with. In addition, as the hon. Member for Alyn and Deeside (Mark Tami) made clear, there are also the ongoing costs in relation to the treatment and support for the families as well throughout the entire process. To be frank, we must do an awful lot more.

Mark Tami: Does the hon. Gentleman agree that it is not only the physical side of the illness that we must address, but what happens to children if they get through their illness—hopefully they do—including all the questions they will have, such as “Why has this happened to me?”

and “Why do I look different?”, their reintegration into school and their anger? We might put a lot of money into addressing the illness itself, but we put very little into looking after the child afterwards. It is no accident that children who have had cancer have a higher suicide rate than those who have not.

Ben Howlett: I pay tribute to the work the hon. Gentleman has been doing in this area and I completely agree with him. The health benefit analysis that is at the heart of the Department of Health in a number of areas is under review—it is constantly under review—but it needs a much more holistic understanding of the costs, not just in economic terms but in terms of societal issues, including mental health and ongoing support for a child's family for, hopefully, the rest of their life.

I welcome the Government's focus on improving earlier diagnosis, as it makes it more likely that patients, including children with cancer, will receive effective treatment. Additionally, it is good news that the Government have committed to implementing all the recommendations of the cancer taskforce, including that by 2020 everyone referred with suspected cancer will receive either a definitive diagnosis or the all-clear within four weeks.

Michael Dugher (Barnsley East) (Lab): I thank the hon. Gentleman for setting out the arguments so well. Will he join me in paying tribute to the many good organisations and charities in the field, in particular Be Child Cancer Aware, which does fantastic work on the need for early diagnosis, gives wonderful support to families and runs campaigns, including in memory of my nephew, Oliver Shaw, who died of leukaemia in 2011?

Ben Howlett: I will come on to awareness later. I join the hon. Gentleman in congratulating that charity and the others around the country that do huge amounts of work, often with limited resources in these difficult times.

Returning to early diagnosis, I wish to ask the Minister about the four-week all-clear or definitive diagnosis period and whether it is being performance managed and adhered to. I am sure it is. I welcome the good news that NHS England has the funding necessary to improve cancer services over the next five years, including up to £300 million by 2020 to support earlier diagnosis of cancer, and £10 billion of real-terms increases in NHS funding by 2020-21. I also welcome the recommendations in the taskforce report that give direction on where the funds should be targeted. When it comes to NHS England, performance management is crucial, just as it is in the rare diseases space. We need to know that funding will be spent on the ground on the people who really need support, particularly children who are suffering on an almost daily basis. Campaigners rightly point out that significant progress is still to be made on childhood cancer. Will the Minister confirm that the work undertaken by NHS England will routinely be performance managed on the basis of what has been said by many organisations in the sector?

Childhood cancer is, thankfully, not common, with children accounting for only 1% of cancer patients. Unfortunately, that constitutes a tiny market for pharmaceutical companies, so there are often far too few incentives for child drug development. The pharmaceutical industry generally targets the largest markets for its

research and development and it wants its latest drugs to go into front-line use as quickly as possible, to gain maximum benefit from the patent protection. Although many of the genetic abnormalities in childhood cancers also occur in adults and both adults and children can be treated with the same drugs, paediatric drug development trials and availability always lag many years behind. I urge the Government to do more to encourage pharmaceutical companies to invest in research and development for lifesaving paediatric drug development. Will the Minister highlight what she will do to encourage NHS Improvement to focus on that market?

Access to cross-border trials is particularly important for rare diseases such as childhood cancers, as there are often not enough cases in a single country to make a trial viable. The European Union's new clinical trials regulation will come into force in October 2018, and will hopefully make it much easier to carry out cross-border trials, by requiring that a single application be submitted to a central point rather than one in every country. I seriously ask the Government to consider how we can remain party to that system as we exit the European Union.

The overall survival rate for children with cancer is 82% in England and Wales, but the rate varies considerably according to the different types of cancer, and by age and gender. One thing we all know about the chances of survival is that the earlier cancer is caught the more likely it is to be beaten, and the same applies to cancer in children, so I will now talk about the importance of awareness campaigns.

Awareness campaigns can be aimed at and useful to a wide variety of people. It is not just parents and family members who can benefit from improved campaigns. One of the most important things the health system can do is give a child a diagnosis as early as possible, with swift treatment where necessary. However, CLIC Sargent, the childhood cancer charity, states that parents often explain that their journey to diagnosis was far from straightforward. For example, children are disproportionately diagnosed through emergency medical care, with 53% of children aged 0 to 14 diagnosed through A&E or emergency referral compared with 20% of adults. There must be something causing that large disparity. I think two issues need to be addressed.

First, there are some excellent national awareness campaigns for many of the more common adult cancers. This month is dedicated to prostate and testicular cancer for example, not just to raise funds but to highlight what men should be looking out for. There are also multiple campaigns encouraging women to regularly check their breasts and to encourage their friends and family to do so. Those campaigns must be applauded and they should be learned from and replicated for other cancers, including childhood ones. If parents are aware of and sensitive to the various early warning signs, we might see a decrease in the number of emergency diagnoses and an increase in diagnosis by GPs, who often know a child's history far better.

Secondly, GPs need to be educated about some of the less well known symptoms, so that they can be alert when examining children. CLIC Sargent is working with the Teenage Cancer Trust and the Royal College of General Practitioners to produce an e-learning module on children and young people's cancers for GPs across the country. I thank those bodies for their work and I encourage other organisations to collaborate similarly, to get the crucial awareness messages out there. I am

sure that the Minister agrees that continuing professional development is vital for GPs and all medical professionals. If GPs are more aware and more ready to carry out further tests, we might see an improvement in childhood cancer survival.

Last year, the National Institute for Health and Care Excellence addressed non-site-specific symptoms of concern for children and young people, recommending that GPs take into account the insight and knowledge of parents and carers when considering making a referral for a suspected cancer. NICE noted that more lives could be saved each year in England if GPs followed the new guidelines, which encourage GPs to think of cancer sooner and lower the referral threshold. I ask the Government to support some of the excellent childhood cancer campaigns and charities in their aim to achieve national coverage for awareness campaigns and to reach parents and doctors through a variety of means.

Every year in the UK about 3,800 children and young people are diagnosed with cancer, 1,600 of whom are aged 0 to 14. For young people, when the doctor says "cancer" normal life stops. It is a devastating experience for the whole family. The petition highlights the huge impact that cancer has on families across the country and the need for more investment, research and awareness. I urge the Government to consider how we can increase engagement with charities to encourage awareness campaigns that garner national attention, develop greater incentives to increase research and development into lifesaving paediatric drugs, and improve early diagnosis for child cancer patients.

I thank colleagues for their attendance today and in particular I thank the petitioners for highlighting this incredibly important issue. I look forward to hearing the comments of other Members and the Minister.

4.50 pm

Steve McCabe (Birmingham, Selly Oak) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I begin by congratulating the hon. Member for Bath (Ben Howlett) on introducing the debate and on the thoughtful way in which he presented the arguments. I am pleased to make a short contribution. I have come at the urging of my constituent Debbie Moran, whose young daughter Abigail is just five and was diagnosed with a childhood cancer at the age of three. I understand Abigail is in remission, and we wish her and the rest of the family all the best for the future.

The figures I have seen suggest that each year more than 6,000 young people across Europe die of cancer, but by 2020 there will be nearly half a million childhood cancer survivors. I hope we will bear that progress in mind today. I welcome the work of the European Network for Cancer Research in Children and Adolescents, SIOPE—the European Society for Paediatric Oncology—and the European paediatric haematology and oncology community. I particularly welcome SIOPE's seven-point plan to increase over the next 10 years the cure rate and the quality of survivorship for children and young people with cancer.

Like the hon. Gentleman, I hope that whatever decisions this country makes over Brexit, we will remain an active part of the important European cancer research and treatment community. As the hon. Member for South Ribble (Seema Kennedy) said, we need more innovative treatments introduced into child cancer care. We need

[*Steve McCabe*]

the development of precision cancer medicine to help guide decisions on which therapies to use. We need to increase our knowledge of tumour biology and speed up the translation from basic research to clinical care. As my hon. Friend the Member for Alyn and Deeside (Mark Tami) said, we also need to improve the quality of survivorship and address the consequences of cancer treatment, such as the long-term side effects in all their various forms. Basically, we need to understand more about the causes of childhood cancers.

Although there has been significant progress over the past 50 years—the hon. Member for Bath described some of that—it has largely been achieved by using intensive chemotherapy regimens combined with surgery and/or radiotherapy. There is some evidence to suggest that patient survival has plateaued over the past five years, which hastens the demand for more innovative treatments.

The petition focuses on the problems we need to address, such as the lack of sustained and sufficient funding. As has been suggested, there is also poor access right across Europe to new paediatric drugs. Too many countries do not recognise paediatric haematology and oncology as a sub-speciality. For the sake of Abigail and thousands of children like her, and in memory of Poppy-Mai, whose parents are the originators of the petition, we need to dedicate ourselves to saying that we recognise the seriousness of the issue and that we are going to do more.

4.54 pm

Sir Roger Gale (North Thanet) (Con): I had not intended to take part in this debate, but having heard what I have heard, I am moved to make a brief contribution. One of the most harrowing of the many harrowing things that a Member of Parliament has to deal with, particularly any MP who is a parent, is to be confronted by desperate parents with a desperately sick infant or young adult who are begging for help and are coming to their Member of Parliament as the last resort. In the course of a parliamentary career, I suspect that most colleagues will face that circumstance. If they have not already, they will in time.

Most of us will have been faced with the need or desire to fundraise to send that child to another country, often but not exclusively to the United States, for treatment that is not available here and that may or may not be efficacious. In my case, I experienced that at second hand rather than at first hand, unlike some colleagues present, but those of us who have experienced it know only too well that people will clutch at any straw. I would do the same, and I am sure you would too, Mr Davies. If the chance of success is 10%, they will take it, because 10% is better than 0%.

What grieves me is that so much effort goes into trying to react and therefore relatively little effort goes into trying to pre-empt. There are wonderful children's hospices around the country, and I pay tribute to them. Demelza House in Kent is fantastic—there are many others—but the object of the exercise is to try to ensure that treatment is available so that children do not need to go into hospices at all.

One case that hit the headlines not so long ago was a child who was effectively abducted from hospital care and taken first to Spain and then elsewhere for treatment,

because something was not available here and was available somewhere else. That straw was clutched at, and I would have done the same. Looking at what happens overseas and thinking of those hard cases, a couple of things come out from what has been said already today. Thankfully, the scale is relatively small. Equally thankfully, the scale of individual cancers is smaller still, but that in itself creates a problem. The point has been made that drug companies are reluctant to invest in the research and generation of drugs that might not be viable because there is no real market for them.

My hon. Friend the Minister has a background in science, and she will understand the possibilities that flow from co-operation probably better than anyone in the room. Having looked at the matter over a number of years and having seen the work that the Teenage Cancer Trust has done, it seems to me that we need to pull together all the expertise and concentrate in one or two centres of excellence, so that the scale and the ability for young medics to learn are viable. It is very difficult for someone to become expert in something if they do not have a patient to study. I urge the Minister to give an indication that the Government will make a Herculean effort, in a way that there has not been before, to pull together all the strands. We also need to maximise the possibilities of international co-operation, because work is being done in other countries.

Mark Tami: Sorry for talking about my experience again, but my son was very fortunate to find a donor. He had a stem cell transplant in the end. As a parent, that was great for us, but we were with other parents who were not so fortunate and who saw their children pass away because they could not find a donor. The awful thing is that there are people out there who would be a match, but they do not know it. I want to put on the record my support for Anthony Nolan and other charities that have saved so many lives. We really do need to do more. Stem cell transplants offer a great opportunity not only for cancer, but for other things as well in the longer term. I simply want to put on the record how important it is that that very important work carries on and that we do not have the situation in which some are fortunate and some are not.

Sir Roger Gale: The hon. Gentleman is absolutely right. He was also right to pay tribute, as I and others should have done, to the Anthony Nolan trust.

I do not often argue for centralisation, but, in this case, given the scale and the limited resources that are available, it seems that a concentration of effort might deliver more results than a dissipation of that effort.

Finally, I want to endorse what the hon. Member for Alyn and Deeside (Mark Tami) said earlier. There is a crying need for support for families from day one from the moment the diagnosis is made and the family is informed. There is a huge need for support. Some are fortunate in having large and supportive families. Others much less fortunate face terrifying circumstances and isolation.

Hannah Bardell (Livingston) (SNP): I pay tribute to the hon. Gentleman and others who have spoken so bravely. He is making a very moving speech. On support for families, I want to bring to the Chamber's attention my constituent, Allison Barr, who lost her son Jak Trueman

last year very tragically to cancer. She has worked to fulfil his dream of having a den for siblings, because the siblings of children who are lost are often forgotten. She has done a huge amount of work in the West Lothian community to bring Jak's dream to fruition. We must remember that many different parties are involved when people lose a child to cancer.

Sir Roger Gale: That point is very well made indeed.

I conclude by saying that co-ordination and co-operation are necessary. International co-operation is necessary, and support for families is vital. In small rural communities and in close families, support may be built in, but in cities such as London, New York, Washington and Berlin, as in any big city in the world, there are lonely people facing difficult circumstances. I cannot think of any more difficult or more harrowing circumstance than the sudden knowledge that your child is faced with a life-threatening disease. I urge my hon. Friend the Minister to do everything she can to promote the co-operation necessary to solve these problems.

5.2 pm

Ronnie Cowan (Inverclyde) (SNP): It is a pleasure to serve under your chairmanship, Mr Davies. I welcome the opportunity to contribute to the debate as we continue the fight against childhood cancer. I am aware that the petition, which is the subject of today's debate, is primarily written with reference to the NHS in England. As a Scottish MP, Members will forgive me for using the debate as a chance to highlight some of the local champions in my constituency who have done so much to help raise awareness of childhood cancer. Whether we are in Scotland or England, and regardless of our party affiliation, I hope all Members can come together to provide constructive suggestions for the UK Government. I hope too that the Minister is receptive to those suggestions in the spirit in which they are given.

We know that childhood cancer is relatively rare, yet in Scotland around 150 children are diagnosed every year.

Stuart Blair Donaldson (West Aberdeenshire and Kincardine) (SNP): My constituent Sam Dorrance was five years old when he lost his battle with cancer earlier this year. Will my hon. Friend join me in congratulating Sam's brother, Ethan, who has raised £10,000 for CLIC Sargent, and also Sam's family and friends who have raised more than £65,000 for Super Sam's fund for research into high-grade brain tumours?

Ronnie Cowan: Absolutely. I had the privilege of meeting the family when they were here for the British Red Cross event a couple of weeks ago. They are an inspiration and an example to us all.

The 150 individual cases that I mentioned means 150 new families having to deal with the devastating consequences of illness every year. It is not only the health aspect of cancer that families must overcome, but the immense emotional and financial turmoil that the diagnosis can bring. Many parents will face extreme pressure on their relationship, in some instances leading to a breakdown of the family unit. Others will be forced to give up work. Combined with the additional costs of caring for a seriously ill child, it may mean that the family is pushed into poverty.

At this point, I want to address the Minister. In the Government's response to the e-petition, they say that children and teenagers with serious or critical illness such as cancer are also expected to apply for disability living allowance or personal independent payment. Is there some way we could have a simple process whereby a diagnosis becomes a tick in a box so that people do not have to apply for PIP or DLA? It should be a given that they need financial support. We know that and we should take one of those burdens off them.

Along with the child and the parents, siblings too will experience disruption in their own lives, including educational difficulties. Although we are able to quantify that there are 150 new cases in Scotland every year, we can never quantify the wide-ranging implications. It is encouraging that survival rates are improving, but I am sure we can all agree that we can always do more.

I am pleased that the Scottish Government are absolutely committed to providing the best possible care for children and young people with life-threatening illnesses in Scotland. I trust that different NHS bodies north and south of the border have a mechanism whereby they can share best practice on childhood cancer. Perhaps the Minister will outline whether that is indeed the case. Let us not stop at sharing best practice north and south of the border: we need pan-European, and in fact global, co-operation. It would be appalling to think that good substantial research anywhere in the world was not shared so that everybody could benefit from it.

In my constituency of Inverclyde, we have a champion who is helping to raise awareness of childhood cancer. Nathan Mowat was diagnosed with acute lymphoblastic leukaemia shortly before his fourth birthday. Since then he has endured hours of chemotherapy treatment and will need at least a further year of maintenance treatment. Chemotherapy can have a harsh effect on the human body. In Nathan's case, it means that even a minor illness can now have serious ramifications for his health.

Nathan, with the support of his mum Gillian, his dad Paul and his sister Annabel, has managed to rally a huge amount of support within Inverclyde. In September, the *Greenock Telegraph*, Greenock Morton football club and a range of prominent local businesses and organisations pledged to glow gold and help Nathan raise awareness of childhood cancer. Glow gold was a great success, not only because it rallied community support, but because it made more people aware of the practical issues that people face as a result of childhood cancer. Whether in respect of bereavement, research, diagnosis or resources, we need an open discussion on how we can continue to improve our approach.

Finally, I thank Nathan for all his great work in Inverclyde. I look forward to seeing him fully overcome his illness. He will continue to inspire many people, and I am sure my parliamentary colleagues will join me in wishing him and his family the best for the future.

5.8 pm

Wes Streeting (Ilford North) (Lab): It is a pleasure to serve under your chairmanship, Mr Davies. I thank the hon. Member for Bath (Ben Howlett) for opening the debate so well, and I thank other hon. and right hon. Members who have spoken. We are here this afternoon because of Andrew Barnard, who lost his daughter Poppy-Mai to a brain tumour. We owe a particular debt of gratitude to him for the effort that he put into

[*Wes Streeting*]

campaigning on behalf of so many other children whose lives will sadly be blighted, and even tragically ended, as a result of childhood cancer. The theme of families and the courage and bravery that they show in campaigning, not only for their own children but on behalf of so many others, is a theme I will return to.

I want to raise three issues during this afternoon's debate: first, the extraordinary courage and resilience of families and the need to support them; secondly, the importance of awareness and early diagnosis and intervention; and thirdly and most importantly, the need for research so that we can reduce and even eradicate the number of children dying needlessly from cancers that will be found to be curable.

I am here this afternoon because of my six-year-old constituent, Kaleigh Lau, and her remarkable family, Scott, Yang and Carson. Like most girls her age, Kaleigh is active and fun. She enjoys dancing, singing, swimming and playing with her friends. In April, things changed for her. She complained of double vision, and her family noticed that there was a problem with her eyes. Fortunately, they took immediate action and took her to Moorfields eye hospital. After some initial checks, there was found to be no problem with her vision, so on the same day she was referred to the Royal London hospital for a CT scan and an MRI scan.

When a lump on Kaleigh's brain was identified, she was immediately referred to Great Ormond Street hospital, where two days later she was diagnosed with a rare form of childhood brain tumour called a diffuse intrinsic pontine glioma. It is a brain stem tumour that mostly, although not exclusively, affects children. It is estimated that fewer than 40 children a year develop them in the UK and that they account for just 10% to 15% of all brain tumours. They are high-grade brain tumours that are fast-growing and can spread throughout the brain stem. As a result, they are difficult to treat and have a poor prognosis. The main treatment offered is radiotherapy. The tumours are not suitable for surgery because of their location in the brain stem, and chemotherapy has been shown to have little effect, but research in that area is ongoing.

Seema Kennedy: The hon. Gentleman's constituent has exactly the same brain tumour as my constituent, Katy. Although only 40 children a year develop such tumours, they are primary school children with a whole lifetime ahead of them. Research in that area would pay dividends, because although 40 is a small number, those children could go on to be productive members of our society. The important point is that they have a lifetime ahead of them.

Wes Streeting: I wholeheartedly agree, and I will come on to talk about the personal impact that such a diagnosis can have on families.

As the hon. Lady knows, the prognosis is poor. Only 30% of children with DIPG are likely to survive for more than a year after diagnosis, and 90% do not survive for two years. According to the Minister's response on 13 September to a written question that I submitted, there has been only one UK trial relating to DIPG. Although there are some great initiatives—particularly the INSTINCT project, which brings together experts from Newcastle University, the Institute of Cancer

Research, and the University College London Great Ormond Street Institute for Child Health in London—we have yet to find a cure.

Dr Darren Hargrave at Great Ormond Street is leading a new clinical trial to test three new drugs in 150 children affected by DIPG. Professor Chris Jones and his team at the Institute of Cancer Research have found links between the genetic faults in the DNA of children with DIPG and people with stone man syndrome. Lots of work is being done on the links between DIPG and other diseases, but it has yet to lead to a cure. There is some hope that the work being undertaken by Professor Steven Gill, who is leading a team based at the Harley Street Clinic to develop a treatment known as convection-enhanced delivery, may produce a treatment that leads to an extension of life, as some of the initial experiments have shown. It is hoped that CED might lead to a cure, but the overall outlook for those children is not positive.

As the hon. Lady said, the number of children affected in the UK is relatively small, but the impact on them and their families is simply unimaginable. Without being from a family that has been directly affected by a childhood brain tumour or another form of childhood cancer, it is impossible to know what those families go through. I have been given some insight through the work I have done with my constituent's family—particularly her father, Scott.

We need early diagnosis. The swift response of Kaleigh's family and the hospitals that she visited enabled an early diagnosis. I pay tribute to the clinicians and staff of Moorfields Eye hospital, the Royal London hospital and Great Ormond Street hospital, and, in particular, to Kaleigh's family. When families are affected in that way, it has an impact on the whole of family life. So many anxieties, issues and day-to-day challenges are thrown up. Is the cough or cold that the child is experiencing simply a winter condition, or is it something more serious? Most parents would not be worried when their child comes home after a fall or a scrape at school—they dust them off and it is fine—but so many of these parents have to worry about what caused the fall. Was it an innocent childhood accident or something more worrying?

There are some fantastic charities that provide support to the families that are affected. In my constituency, Hopes & Dreams provides dreams to children with life-limiting or terminal illnesses. It enabled Kaleigh and her family and friends to go to Center Parcs, which gave the family welcome respite and gave Kaleigh the opportunity to enjoy herself with her family and friends in the way she normally does.

I have also had to see Kaleigh's family battle for information—in particular, about accessing some of the experimental treatments that are available. They have had to battle on numerous fronts. They have battled against bureaucracy and tried to navigate their way through the system, and getting partners and agencies to work together to ensure their child is at the centre of health managers' and clinicians' thinking has been a particular challenge.

There is also the issue of money. Kaleigh's family raised considerable amounts of money through both the generous support of family friends and members of the public, and their own finances. I am struck by the concern that her father raised about the families who are not in the same position, do not have access to a

network of support and have not been able to find funding. It is simply not right that some families lose out because they do not have the money or are not able to raise the funds needed to access treatments that could lead to an extension of life or a cure. I hope the Minister will address the issue of what we can do to ensure that access to treatment—experimental treatment and clinical trials—is not limited by families' wealth.

I also want to raise the issue of funding for research. I pay particular tribute to Kaleigh and her family. I am in awe of the fact that, amid all the day-to-day challenges that her condition presents and the battle to ensure that she gets access to treatment that could alleviate her symptoms and extend her life, Kaleigh's family and Kaleigh herself have engaged so energetically in a campaign for more funding for research into DIPG and other forms of childhood brain tumours. In the past few months, they have engaged a range of celebrities. JK Rowling supported their petition, and for the past two weekends Kaleigh has been touring "The X Factor" studio, signing up a range of the finalists to tweet the petition. She has got members of the cast of "The Only Way is Essex" on board—they are an Essex family, and I am an Essex MP. The cast are supporting our local family, which is fantastic.

I have been overwhelmed by the number of right hon. and hon. Members who have wanted to support Kaleigh's campaign by having a picture taken with the Kaleigh bear, which has been on tour around Parliament, and by tweeting links to the petition for more Government funding. We have also had great support from our local newspapers—the *Ilford Recorder*, the *Wanstead and Woodford Recorder*, the *Wanstead and Woodford Guardian* and the *London Evening Standard*. I thank them for their support in raising awareness of Kaleigh's campaign in search of more funding for a cure.

It is very welcome that the Government have a working group, which we hope will report in 2017, to look at how to increase the impact and quantity of brain tumour research, but however much effort they are putting in, the sad truth is that in the 12 months or so before the report is published and the Government take action, so many children across our country will be diagnosed with DIPG and other brain tumours. The urgency of this task cannot be overstated. A significant amount of money already goes in through the National Institute for Health Research and the Medical Research Council, but much more clearly needs to be done. There are competing demands and pressures on Government budgets, but for so many families in our country today and in the coming days, weeks, months and years, that funding could save a child's life. I hope that the Minister will make a commitment to see what more she can do within the constraints of the health budget to invest in a crucial area that matters so much to so many families throughout the country.

I urge all right hon. and hon. Members present in the Chamber and throughout the House, as well as members of the public who might be watching this debate, to support Kaleigh's Trust, to tweet links to the petition and to share it with family and friends, and to continue applying pressure to get more people to understand the impacts of terrible conditions such as DIPG and the urgency to fund and find a cure.

In closing, I again pay tribute to the extraordinary courage and resilience of Kaleigh and her family, and to so many other such families, who in spite of troubling

and traumatic times continue to battle on, not only for their children but for others. That should inspire us all to do more individually and collectively.

5.21 pm

Thangam Debbonaire (Bristol West) (Lab): I thank the hon. Member for Bath (Ben Howlett) for his introduction and other hon. Members for their personal and heartfelt speeches and interventions. In particular, I thank the parents of Poppy-Mai, who started the petition and so brought this matter to the attention of the House.

My five asks are clear. First, more units such as the specialist one in Bristol for teenagers and young adults with cancer are needed. The units need to be carefully commissioned so that the maximum amount of specialist clinical knowledge is available to the maximum number of young people.

Secondly, a clear commissioning structure for services for children, teenagers and young adults with cancer is needed, so that everyone knows where the buck stops and who is responsible. Thirdly, the benefit system needs to be adjusted, as other hon. Members have said, so that the families of children and young people are not put into awful financial difficulties such as we have heard about just at the time when they most need to concentrate on their child and nothing else.

Fourthly, Government leadership is needed—I urge the Minister to respond to matters raised by me and other Members—with commissioning guidance, clear priorities and funding for specialist services. Fifthly, the Government need to take responsibility and say how we will go about researching childhood cancers in collaboration with European Union partners after we leave it.

Earlier this year, I visited the specialist teenage and young adults unit in Bristol, accompanied by Christine from the Teenage Cancer Trust, which contributed to the cost of the unit. The unit creates and maintains an environment that provides care for the whole person, helping that young person to cope with the emotional side of their illness, as well as giving them time and space to do school work, to be with friends and family, and to just be a young person not defined by their cancer.

The decor definitely does not make the unit feel like a cancer ward. Yes, per patient, that is more expensive than adult cancer wards. Thankfully, cancer is rare in childhood and youth, but young people have very different specific needs to be met.

Mark Tami: As my hon. Friend is making clear, we have to have specialist centres, but we must not think that we can have them on our doorstep everywhere. That will just not happen, and it would not make sense for it to happen. If we have specialist centres, however, people will have to travel, and families need support and somewhere to stay. I put on record my support for the Ronald McDonald House Charities, which do incredible work providing parents with somewhere to stay. The actual cost burden on parents alone for what can be long treatment periods is astronomical, and a lot of people simply do not have the money.

Thangam Debbonaire: I, too, will be mentioning similar services later in my speech. Absolutely, the last thing parents facing such awful situations need to be

[Thangam Debbonaire]

worrying about is where they will stay, how they will afford it and how they will afford even to put petrol in the tank.

My nephew was diagnosed at age 12 with osteosarcoma, a very rare childhood cancer. We were all so focused on getting him and his mum, and his sisters and brothers, though that illness that the longer-term impacts felt very much secondary. Specialist units such as the one in Bristol help the family as well as the young person with cancer to see the whole of life as important, to think about the longer-term implications and to prepare for them. I pay very personal tribute to the teenage and young adults cancer unit in Bristol for its work and to the Teenage Cancer Trust for its support of the unit.

As my hon. Friend said, getting the number of units right is difficult. Given the thankfully low numbers of childhood cancer victims, if the units are to be truly specialist, it will not be an easy matrix. To ensure an appropriate number of specialist units, the Government need to be clear with appropriate commissioning guidance and take responsibility for following it through.

In October when I asked the Department of Health in question 50795 what proportion of specialist units were funded by charitable trusts, the Under-Secretary of State for Health, the hon. Member for Warrington South (David Mowat), replied:

“This information is not held centrally.”

For me, that is simply not good enough. Yes, commissioning is done locally, and increasingly commissioning groups and trusts are collaborating, but Government leadership is necessary to work out how many units are needed and how to fund them. Will the Minister commit to gathering that information centrally in order to estimate properly the funding needed to commission appropriately throughout the country? Will she further commit to consulting on and publishing clear commissioning guidance so that the responsibility for commissioning and funding specialist treatment centres for children, young people and young adults is clearly identified, and so that a structure for commissioning across health regions is clear?

On the future of research into childhood cancers, there is clear potential for harm when the UK leaves the EU—I say “potential”, because any such harm can be mitigated, but the Government need to act urgently to address it. Earlier this month in answer to my question 50081 about research, the Minister for Universities, Science, Research and Innovation gave welcome assurances about funding. I welcome those assurances, but he did not mention research cohorts. Thankfully, childhood cancer is rare, so it is vital for UK researchers to be able to collaborate fully with their EU counterparts so that they can carry out clinically adequate research with a sufficiently large enough group of children and young people to provide clinically useful and secure results. Yes, funding is vital and I am grateful to him for those assurances, but it is not enough. My next question to the Minister present is this: will she commit to discussing that with her colleagues in the Department for Exiting the European Union, along with research about other rare childhood cancers?

As my hon. Friend the Member for Alyn and Deeside (Mark Tami) mentioned, children and young people with cancer and their parents often need to travel long distances for specialist treatment. That might always be

unavoidable and, in any case, there are other huge financial costs for parents. In September, I was proud to chair the parliamentary launch of a report by CLIC Sargent, which does so much wonderful work to support children and families affected by childhood cancer. The report shows that the costs of cancer are not only emotional, educational and physical, but financial.

One young person at the launch spoke about how he had to prove repeatedly to the benefits agency that he had cancer and that his treatment was still not over nor his recovery complete. Another young person found that her student loan was stopped because she was deemed to be a student no longer, but her halls of residence still charged her rent. A lone parent spoke of her struggles to manage her finances while faced with losing her income from employment and the increased costs of driving her son a long distance many times each month for treatment, as well as the added costs of heating a home all day for a very sick child, which is often overlooked, and the costs of keeping clothes, bedding and house scrupulously clean, which is so important because the risk of infection is extremely high for those undergoing gruesome treatments such as chemotherapy, as other hon. Members have mentioned.

CLIC Sargent and other charities I know help with all those things and more. I have had the privilege of being shown round the CLIC Sargent house in Bristol, located a few minutes' walk from the Bristol Royal infirmary. That house, run by a wonderful woman who knows all too well what childhood cancer means, provides a haven just when it is needed.

Wes Streeting: May I, too, pay tribute to Haven House children's hospice, which is just outside my constituency and serves many of my constituents? Hospices are often associated with end-of-life care, but as in the case of Haven House, they also provide great support to families whose children may not be near the end of their lives and help them on that journey. They are such a powerful and important source of support, and of course they are all voluntary and rely on the public's generosity.

Thangam Debbonaire: My hon. Friend is absolutely right. There are many charities across the country that do everything they can to try to help the families of children and young people with cancer. I pay tribute to them all, even though I cannot possibly know their names.

The CLIC Sargent social worker is on hand in the Bristol royal infirmary when a family receives a devastating diagnosis and is told that their child needs to start treatment right away. Such families are often many miles from home. They can arrive that night at CLIC Sargent house with nothing and be given somewhere to stay for as long as they need it, clothes and bedding if they have come without them and, when necessary, space for the whole family so brothers and sisters can be with their family and their sibling who is being treated. I am proud to declare an interest in CLIC Sargent: my beloved sister-in-law works for it. She gives her time and expertise to an organisation that has done so much for our family and many others.

Will the Minister commit to discussing with her colleagues in the Department for Work and Pensions the financial impact of childhood cancer on families, and will she use the CLIC Sargent report as a reference point? Will she further consider supporting the provision

of such homes for the families of children with cancer? If those homes are essential for allowing children to be treated, we must surely consider prioritising them along with other specialist support for statutory funding, at least in part. I do not believe it is right that such homes, which are so essential, must rely entirely on the generosity of volunteers and charitable giving, although I pay tribute to people who raise money. The Government must consider providing that funding.

As other hon. Members have said, until someone has known childhood cancer in their own family, it can be difficult for them to comprehend its full impact. Yes, there are excellent briefings available from specialist cancer charities—CLIC Sargent, Teenage Cancer Trust, Cancer Research UK and other charities provided briefings for this debate. My family was fortunate. Despite an initially very difficult prognosis, that 12-year-old child is now a happy, well adjusted young man in his 20s with a responsible job and a secure relationship with his partner, but I grieve for those who are not so fortunate. I want to ensure that, whatever the prognosis, no family has to worry about money at that most difficult time. I want us to do everything we can—the Government must lead—to improve awareness, early diagnosis, treatment and support, so that one day deaths from childhood cancer end and we alleviate and reduce, if not completely eliminate, the terrible suffering that it brings. I also hope against hope that one day, no parent will ever have to hear the word “cancer”. I long for that day, as I am sure we all do.

5.33 pm

Martyn Day (Linlithgow and East Falkirk) (SNP): It is a pleasure to serve under your chairmanship, Mr Davies. I thank the hon. Member for Bath (Ben Howlett) for opening this interesting and emotive debate, which was scheduled by the Petitions Committee. I am grateful to him for clearly explaining the issue and highlighting that unfortunately, the rarer the cancer, the greater the resource challenges it faces, and that development of paediatric drugs lags behind the development of drugs for adults.

It is a pleasure to follow such informative and powerful contributions by the hon. Gentleman and other participants from both sides of the House. I am particularly grateful for a couple of the points that have been made. I thank the hon. Member for Birmingham, Selly Oak (Steve McCabe) for putting this into the European context. Although we deal with small numbers in our country, childhood cancer is a much larger problem across that wider area. I am grateful to the hon. Member for Bristol West (Thangam Debbonaire) for illustrating the scale and challenge of the financial difficulties that people face. Unfortunately, the burden of relieving those all too often falls to charitable organisations rather than the state.

I offer my condolences to Mr Barnard and his wife on the sad loss of their daughter Poppy-Mai. I thank them for raising awareness of this important issue with the petition that brings us here. It must be very traumatic for them to relive each moment of that tragedy as they hear this debate. Unfortunately, theirs is not a unique case—such cases occur all too often across our countries. We must therefore recognise our shared responsibility to tackle child cancer.

The Scottish National party Government are working hard to improve cancer outcomes for children as well as the entire population of Scotland. As my hon. Friend

the Member for Inverclyde (Ronnie Cowan) illustrated, cancer is relatively rare in children. Childhood cancer accounts for less than 1% of all cancers in Scotland, with approximately 150 new cases every year. There are approximately another 180 new cases in young adults aged between 16 and 25. An updated cancer plan for children in Scotland was launched earlier this year, which will complement the ongoing “Getting it right for every child” programme to ensure that Scotland’s children have access to the best possible services.

In recent years, the system in Scotland for supporting children suffering from cancer and their families has been reorganised. All cancer treatment centres now work together as one single managed service network for children and young people with cancer—the MSNCYPC, which may be the longest acronym I have ever used. As a result, young patients have access to appropriate specialist services that are as local as possible and both safe and sustainable. The network ensures that the care pathway is as equitable as possible, regardless of where in Scotland people live.

The SNP Government are focused on improving health outcomes for children, which is at the forefront of the SNP’s health priorities. We are serious about improving cancer care and treatment, which is a key reason why the Scottish Government will invest £100 million over the next five years through their new cancer strategy. As well as providing funding to health boards, we invest in a range of areas to support healthier lives for children and families, such as children’s palliative care, the cost of which is rising—delivering lifeline care and support to seriously ill children cost nearly 10% more in 2015-16 than the previous year.

That support for children’s palliative care charity funding is in stark contrast with what is happening in England. Barbara Gelb OBE, the chief executive of Together for Short Lives, says:

“We believe that ministers should follow the example of the Scottish Government, which has recently committed £30 million funding to Children’s Hospice Association Scotland (CHAS) over the next five years. We’re calling on the UK government to re-examine funding arrangements as a matter of urgency and carry out a national inquiry into the state of children’s palliative care funding in England.”

I hope the Minister will address that comment.

I commend the work of the many charitable organisations that are active in this field. For example, as others have highlighted, CLIC Sargent does tremendous work to support young people and their families as they come to terms with cancer diagnoses and journey through their treatment. In Scotland, leukaemia is the most common cancer in children—leukaemia, brain tumours and lymphomas account for more than two thirds of child cancers. The Brain Tumour Charity conducts various research projects and focuses on understanding the causes of childhood brain tumours. I take this opportunity to commend its investment of more than £18 million in its many research projects. Its commitment and work means that a brain tumour diagnosis no longer means a death sentence. Although that is welcome, it is sadly not the case for everyone, as has been evidenced.

Whole communities in my constituency were devastated by the tragic loss of five-year-old Tilly from Linlithgow, whose case echoes the points made by the hon. Member for North Thanet (Sir Roger Gale). Tilly lost her brave fight against her brain tumour just a few weeks ago,

[*Martyn Day*]

leaving her family heartbroken and touching the hearts of entire communities. A family member spoke to the *Journal and Gazette*, the local newspaper, about the support the family had received from the local community, which included fundraising to send Tilly to the United States, which is all too often the case. They said:

“We really could not begin to thank people enough for the support they have shown Tilly and the family during all of this. It has been overwhelming and we will be forever grateful. To raise such a massive amount of money shows how much people care and how communities come together when people need them. The money that is left over will be given to raise awareness of the type of brain tumour Tilly had and to help families who find themselves in a similar situation so they can get treatment for their loved ones.”

That action shows the strength of community feeling, which is echoed by the sheer number of people who signed the e-petition. It also shows how a child cancer diagnosis, with all its consequent personal and emotional devastation, affects more than just the child and their immediate family; it affects entire communities.

I thank all right hon. and hon. Members who have taken part in today’s consensual and informed debate, which I hope and trust has helped to raise awareness among the wider public.

5.39 pm

Julie Cooper (Burnley) (Lab): It is an honour to serve under your chairmanship, Mr Davies. This debate has arisen in response to a petition signed by more than 115,000 people, including 922 from my constituency, following the sad passing of Poppy-Mai, the little daughter of Mr and Mrs Barnard. First and foremost, my thoughts are with that Lancashire family and all the other families who have endured a similar devastating loss of their children. There can be nothing worse than the loss of a child, so this debate is especially important.

It is important that we increase awareness of the scale of the problem facing children and young people who have cancer and their families, and look for ways to tackle the problems. How can we improve diagnosis? How can we improve research? How can we ensure better access to treatments? Ultimately, how can we improve survival rates? The debate, outlined so well by the hon. Member for Bath (Ben Howlett), has given us the chance to search for answers to those important questions.

In the UK every year about 4,000 children and young people under the age of 25 are diagnosed with cancer. Worryingly, research by CLIC Sargent published last year found that 44% of young people and 42% of parents felt that their local GP did not take them seriously when they presented with symptoms, and 53% of young people felt that their diagnosis had been delayed. Clearly that is not an acceptable state of affairs. Inevitably, delayed diagnoses mean delayed treatment, with implications for survival rates.

In an attempt to improve awareness among GPs, CLIC Sargent embarked on a joint project to develop an e-learning module specifically focused on cancers in children and young people. That welcome work will go some way in helping to improve diagnosis and primary care support for children and young people with cancer, but far more needs to be done. It is a fact that children in the UK with a brain tumour can take up to three

times longer to be diagnosed than children in other countries, most notably the United States. Reducing the time to achieve an accurate diagnosis improves survival rates and can reduce long-term disability, which many children and young people diagnosed with a brain tumour currently experience. I hope the Minister can give us some understanding of what the Government intend to do to improve diagnosis times.

Recent figures published by Cancer Research UK demonstrate that in the past 20 years we have seen a 32% reduction in the child cancer death rate. We have also seen five-year-survival rates increase from 40% in the early 1970s to 82% today. It is widely believed that those improvements have arisen as a result of more research and better treatments. While they are extremely welcome, they go nowhere near far enough, because the fact remains that cancer is still the leading cause of death among children. Five children and young people die of cancer in Britain every week, and those who survive often go on to suffer long-term side effects from their treatment that can continue into adulthood.

A considerable amount of research is carried out each year in the UK by a multitude of organisations including Cancer Research UK, the Brain Tumour Charity, the Institute of Cancer Research, the Institute for Child Health, Great Ormond Street Hospital and the Teenage Cancer Trust. Last year, Cancer Research UK committed to double research spending on children’s cancers. That will go some way in helping to discover new treatments. We all thank it and welcome that commitment, because currently only 3% of UK funding into cancer goes to child cancers.

It is important to remind the Government that many of those organisations are charities, which have relied on high levels of funding from the European Research Council. The Brain Tumour Charity stated that the result of the referendum on EU membership has created great uncertainty for charities conducting research into childhood cancers. Post-Brexit, the Government must ensure that the UK medical research community continues to have access to EU funding programmes once Horizon 2020 has ended. Similarly, I seek reassurance from the Minister that any shortfall in research funding as a result of our exit from the EU will be met by the UK Government. If we are to improve outcomes for children with cancer, it is paramount that we have research conducted to understand further these awful diseases.

Following improvements to diagnosis processes and research, we must ensure efficient access to treatment. Children and young people with cancer face a range of barriers in accessing new and better treatments, including drugs not being tested in their age group or in the cancers they are likely to get, even when a drug may be effective in treating their cancer. Simply challenging the age restrictions set on new trials is already increasing participation rates. That should be done in tandem with the provision of age-appropriate information about trials delivered by skilled, specialist staff.

Currently, the cancer patient experience survey does not collect data on cancer patients under the age of 16, and we have seen a 40% decline in response rates from teenagers over the age of 16 and young adults in the past five years. It is unacceptable that little or no progress has been made on this issue. Understanding patient experiences is important to improve future services.

The cancer strategy includes plans to deliver a methodology to collect under-16s' experiences, and NHS England is doing that alongside CLIC Sargent. Will the Minister helpfully update us on that work and tell us when we can hope to see the data being collected?

Achieving viable numbers for clinical trials on child cancers is understandably problematic given the relatively small numbers and rarity of some child cancers. However, we cannot allow that to be used as an excuse for not improving treatments for children and young people with cancer; instead, it should push us to innovate. Cancer Research UK has led the way in challenging the age restrictions on clinical trials, calling for more flexibility when it comes to age and ensuring that researchers justify age restrictions so that they rethink approaches to include children and young people.

Wes Streeting: Particularly for rare forms of cancer or brain tumours such as DIPG, it is important that clinical trials take place at scale. Does my hon. Friend agree that, after the UK leaves the European Union, the Government should seek to ensure that there is as much alignment as possible in the regulatory framework between here and the rest of the European Union so that clinical trials on the European level can continue to take place?

Julie Cooper: I am grateful to my hon. Friend for making that important point. It is essential that the UK's exit from the EU does not negatively impact on further research. We must benefit collectively from work done in other countries. To pick up on the point other Members made, we must pool good practice and ensure that our good practice and successful research are shared throughout the world and that we benefit similarly from experience elsewhere.

In the cancer strategy, there were specific recommendations relating to children, teenagers and young adults' services and how they can be improved. I was concerned, though, that in September the Government made an announcement on wider measures in the strategy but failed to mention anything about the important issue of seeking consent from children and young people for their data and tissue collection to be used in future research studies and the development of services, nor did they include a requirement significantly to increase access to clinical trials for teenagers and young adults with cancer.

Currently 30% of teenagers and 14% of young people aged 20 to 24 enter trials for common cancer types in children and young people. In 30 years there has been no progress in that area. The cancer strategy set a target for NHS England to recruit at least 50% of children and young people in cancer centres or designated units treating teenagers or young adults. That is welcome, but will the Minister give us a progress report and tell us how long it will be before the target is likely to be met?

I pay tribute to the Barnards, to the other families mentioned today and to the children and families across the UK affected by cancer for their courage in the face of this most awful of illnesses. I ask the Government to understand those families' need for support. We have heard some moving stories today. They need support in a wide sense—from specialist units and through better access to information. Importantly, they also need financial support. Several hon. Members have powerfully made

the point today that the costs of cancer are physical and emotional but also financial. We must do more and better.

I want to hear what specific plans the Government have to improve the speed of diagnosis; I want a guarantee that the Minister will protect research funding post-Brexit; and I want to know what plans she has to increase the number of clinical trials, to ensure that access to life-saving treatments is the best possible. Children and young people deserve no less.

5.50 pm

The Parliamentary Under-Secretary of State for Health (Nicola Blackwood): It is, as always, a pleasure to serve under your chairmanship, Mr Davies.

I begin by acknowledging and thanking the many thousands of people who have supported the petition in memory of Poppy-Mai Barnard. I extend my deepest sympathies to Poppy-Mai's family and friends. I also thank my hon. Friend the Member for Bath (Ben Howlett) for the thoughtful way in which he presented the petition. The debate has been moving. I shall do my best to respond to as many comments as possible; if I fail, I shall write in response.

I acknowledge the success of Poppy-Mai's family in raising more than £100,000 in her name, with the aim of building a sanctuary for children with terminal illnesses and their families to make memories. I know that they would, in the spirit of the petition, want action to ensure that fewer and fewer children have to suffer from cancers, and that they would want to know that the Government are investing in key research and innovation to that end. I hope that there is some comfort to be derived from hearing of the work of the NHS and its partners to benefit children and their families in the future. I thank colleagues on both sides of the House for their moving and highly informed contributions and all who have bravely shared personal stories. They remind us forcefully of why we must fight harder in the battle against childhood cancer. The importance of that cannot be overstated.

At this point, I want particularly to respond to the hon. Member for Alyn and Deeside (Mark Tami), who made some extremely important and pertinent points, in particular about ensuring that there is the right support for families. They must battle on many fronts, not only at the point of diagnosis but in the longer term. As the Minister responsible for mental health I share the hon. Gentleman's view that we must do better in taking into account the mental health implications of long-term and critical illness. I shall certainly take up his challenge to consider the issue of higher suicide rates among childhood cancer survivors. At the moment we are in the process of refreshing the suicide strategy, targeting vulnerable groups. I shall consider the issues that the hon. Gentleman raised.

We can take heart from the fact that we are making progress in a number of areas. National statistics reveal a general trend of increasing five-year survival for children aged up to 14 diagnosed with cancer in England. In 1990 only 67% of children diagnosed with cancer survived five years; in 2009 that had increased to 80.9% of children. The figure was about 40% in the 1970s, which enables us to understand how far we have come. However, some types of children's cancers, as we have heard, remain hard to treat, with longer-term physical and

[*Nicola Blackwood*]

psychological consequences. In the past few decades we have improved our understanding of the consequences and have been able to manage them better; but we must and can do better. As the hon. Member for Birmingham, Selly Oak (Steve McCabe) said, we need to speed up the translation of basic research into patient care, and to improve the quality of survivorship.

As my hon. Friend the Member for Bath said, the five-year cancer strategy for England is at the forefront of our efforts. That was produced on behalf of the whole cancer community by the independent cancer taskforce. It is our aim through that strategy to save an extra 30,000 lives of all ages by 2020. The taskforce, as hon. Members would expect, brings together all the major players supporting people with or at risk of cancer. It includes patient groups and voluntary sector organisations, which we know are crucial to the support of cancer patients. I join colleagues in paying tribute to Oliver, the nephew of the hon. Member for Barnsley East (Michael Dugher), and to Be Child Cancer Aware, Anthony Nolan, Cancer Research UK and many other charities that do so much in this area. Without the outstanding work of many medical charities, our work would be less robust and innovative and there would be less hope of bringing about the step change that we need.

The strategy was published in July 2015 and was followed by an implementation plan to take it forward in May 2016. The first annual report was published last month. The Government accepted all 96 recommendations of the strategy, some of which are directly related to children, including a review of children's and young people's cancer services to inform actions. The aim is to deliver improvements across the cancer pathway and to improve the quality of care and survival rates—to make exactly the Herculean effort, and with the same co-ordination, called for by my hon. Friend the Member for North Thanet (Sir Roger Gale).

I am relieved that the taskforce found that cancer services for children and adults, and the outcomes in those services, have improved in recent years. The strategy is specifically designed to build on that momentum. Many of the recommendations relate to all cancers and cancer services; but of course some are relevant to, and greatly benefit, children and their families in their experience of care, and improve outcomes.

NHS England is leading the health and care system in delivering the strategy and investment is being targeted to support that. Key elements include: investing up to £300 million a year by 2020 to increase diagnostic capacity to meet a new faster diagnostic target—many people have spoken of the importance of early diagnosis—so that all cancer patients will be given a diagnosis or the all-clear within 28 days of GP referral; investing £130 million to modernise radiotherapy across England, ensuring that over the next two years older Linac radiotherapy equipment being used in hospitals will be upgraded or replaced, so that patients get access to the latest leading-edge technology regardless of where they live; establishing cancer alliances throughout the country to drive clinical leadership; and supporting the national cancer vanguard to test new models of care.

A theme of the strategy is the improvement of information on services and outcomes, including, from 2017-18, exploring approaches to collecting data on the experience of care of children who are cancer patients.

Thangam Debbonaire: On the point about upgrading Linac machines for radiotherapy, one of the key problems that Cancer Research UK raised with me was radiographer and radiologist staffing shortages. Can the Minister add anything to reassure us that when the Linac machines are upgraded there will be sufficient staff?

Nicola Blackwood: There is also work being done on making sure the workforce are in place; and there is an overall strategy with Health Education England to do that. I am happy to write to the hon. Lady to give her details. I am slightly concerned that I have a lot to get through and I am going to bore everyone.

The taskforce has also recommended a new drive to deliver chemotherapy e-prescribing, which makes a significant difference to the experience of families who are supporting children being treated for cancer. Providers are working to implement plans for children by September 2017. Under the strategy, proposals will have been developed by March 2017 to improve the transition of young patients with cancer between children's and adult services. As the hon. Member for Bristol West (Thangam Debbonaire) has said, transitions continue to pose a problem in some areas, with paediatric services stopping at 16 in some hospitals, but adult services not starting until 18. In addition, pathways between specialist centres and shared care units currently cause great difficulty for patients. The strategy says that there is a need to address that, and I hope that the hon. Lady will be reassured that work is being done on it.

An important recommendation of the strategy is that NHS England, the National Institute for Health Research and cancer research charities should work together to consider how to achieve a significant increase in access to clinical trials for teenagers and young adults with cancer—the shadow Minister, the hon. Member for Burnley (Julie Cooper) spoke about that. A far smaller proportion of teenaged and young adult patients than of younger children take part in clinical trials. There is an obviously an opportunity that we need to grasp. The strategy recommends that we explore ways in which clinical trials for children and young adults with cancer could be significantly increased. As the shadow Minister said, NHS England should set an expectation that all centres should aim to recruit at least 50% of their patients for those trials by 2025. That is the target that we are reaching for.

Outside London, only four centres treat more than 100 children with cancer a year, across all types of cancer. The strategy recommends that NHS England, working through the children, teenagers and young adults clinical reference group, should consider whether outcomes could be improved through further reconfiguration of services, as the shadow Minister said. Any review should again be based on patient outcomes, including patient experience, as few centres offer comprehensive specialist services for children at the moment.

Many hon. Members have rightly called for research to be prioritised in that context. It is good that, since 2010-11, we have increased annual investment in cancer research through the National Institute for Health Research, including research into childhood cancers, from £101 million to £142 million. However, we know that a lot more needs to be done if we are to deliver the changes that we want to see. That is why the Government announced the largest ever investment in health research in September—

£816 million over five years from April 2017. Some 20 NHS and university partnerships across England have each been awarded funding through the NIHR, and we expect to see significant research activity in childhood cancers within that programme of investment.

The NIHR is also collaborating with three charities—Teenage Cancer Trust, Children with Cancer UK and CLIC Sargent—to identify gaps and unanswered questions in research into young peoples' cancer and to then prioritise those gaps that patients and clinicians agree are the most important. The initial survey opened just last month, so we expect to see progress on that soon.

A new working group has brought together clinicians, charities and officials to discuss how we can increase the level and impact of research into brain tumours, including those in children. The group first met in October and the Government anticipate that it will complete its tasks by September. I will be co-chairing the next meeting in January with the Department of Health's chief scientific adviser, Professor Chris Whitty, to make sure that we make the progress needed.

Julie Cooper: Does the Minister agree with the important comments made by brain tumour charities that EU funding is fundamental, and will she commit to ensuring that, should we not have access to EU research funding post-Brexit, the UK Government will make sure that that gap is filled?

Nicola Blackwood: The shadow Minister has made some important points about the EU, as have a number of colleagues, and I will come on to them before I finish. First, let me complete my remarks on the amount of funding that we have put into research, because it is important that it is seen as a package. Less than two weeks ago, the Government announced a further £112 million of funding to support the skilled personnel and cutting-edge facilities needed to help at the forefront of clinical research—experimental clinical research in particular, including research into child cancers. I visited one of those facilities myself, and they are an important aspect of the research we are supporting. The Chancellor announced £2 billion additional funding per year for research and development by 2020-21 in the autumn statement, including for scientific research at universities and businesses. That is another part of the picture.

The hon. Member for Birmingham, Selly Oak, who is not in his place, spoke of the importance of precision cancer medicines. The Government agree, which is why we have funded the 100,000 genomes project, to diagnose, treat and prevent rare disease and cancer, including childhood cancers. The Government have invested hundreds of millions of pounds in that project to date and it is already making a difference—the first children with rare diseases have received diagnoses through the project at Great Ormond Street Hospital. The project promises to offer a genuine step-change in diagnosis and precision treatment, which is encouraging.

Ben Howlett: The Minister is being very generous with her time. I am pleased about the rare diseases aspect of what she has just mentioned. However, when engagement exercises are being undertaken with charities, it is often the case that the larger cohorts are focused on. Will she give assurances that in those engagement exercises with charities, some of the rarer cancers will also be a focus?

Nicola Blackwood: My hon. Friend is absolutely right. It is important to make sure that all different groups and diseases get the attention that they deserve. That takes me on to the issue of patient cohorts and the importance of collaboration across Europe.

For particularly rare diseases or cancers, it is sometimes necessary to look across borders to make sure that research includes the right numbers of patients. That has been a particular focus of the Department, and I am confident, owing to the work that we have been doing, that international—particularly European—networks and data sharing for research purposes will continue. We need to make sure that initiatives that have facilitated research, such as the paediatric medicines regulations, continue. My noble Friend Lord Prior is leading on that area of policy. I know that he is closely involved in all of those issues, and I am going to ensure that the specific concerns that have been raised today are passed on to him and are not dropped.

I assure the shadow Minister that the Chancellor has guaranteed that the UK will continue to have all of the rights, obligations and benefits that EU membership brings, including EU funding—up until the point that we leave, obviously. The Treasury has also committed to underwrite the payment of awards to UK organisations that make competitive bids to the European Commission—for example, for universities bidding for Horizon 2020. In addition to all of the funding I have spoken of, those monies are protected.

My hon. Friend the Member for Bath made a couple of points about reviewing the work undertaken by NHS England to ensure that more children receive the treatment that they deserve. We will be working closely with NHS England and all partners to make sure that the strategy we have put in place becomes a reality and that the right performance metrics are in place, although that is a challenging process. Our best measure of success will be the cancer survival statistics. Those are currently provisional, but the Office for National Statistics will hopefully be assessed by the UK Statistics Authority in the future.

We have heard from many hon. Members of some deeply moving cases of young people battling cancer. We have heard of their courage and resilience, and of the fortitude of their parents and siblings.

Wes Streeting: I am grateful to the Minister for giving such a thorough and thoughtful response to the debate. As I mentioned, Kaleigh's family are campaigning on DIPG. It would mean a lot to them if the Minister or one of her Departmental colleagues met them to talk about their experience and their hopes for how research funding in this area might improve the search for a cure going forward. Is the Minister able to make that commitment?

Nicola Blackwood: I am sure that either I or a Departmental colleague will be delighted to meet the hon. Gentleman and his constituents. It was moving to hear of their campaign.

Holding the Government and the NHS to account in this way could not be more important. I hope that my response has made completely clear not only my personal commitment but the Government's wholehearted commitment to funding life-changing innovation and research into cancer, to delivering the cancer strategy in a way that transforms cancer care for current and future

[*Nicola Blackwood*]

generations and to improving the long-term quality of life of childhood cancer survivors. That is surely the greatest memorial that we can offer to each and every one of those brave children who, like Poppy-Mai, have lost their battle with cancer. That is our task, and as I look around the Chamber, it is clear to me that each and every Member here will work as hard as they possibly can to make sure that they hold us to it.

6.8 pm

Ben Howlett: I thank hon. Members from across the House for their contributions today, including my hon. Friend the Member for North Thanet (Sir Roger Gale) and the hon. Members for Birmingham, Selly Oak (Steve McCabe), for Inverclyde (Ronnie Cowan), for Ilford North (Wes Streeting) and for Bristol West (Thangam Debbonaire)—I do not think I have missed anyone out. I also thank hon. Members for their interventions and the Front Benchers from the three main parties. The thoughtful words from the Minister set out what an inspiring campaign many colleagues have seen from their work as constituency MPs and from the 115,000 petitioners, in particular Poppy-Mai Barnard's family.

Members of the Petitions Committee get an opportunity to speak in this Chamber on a regular basis about some

of the really important issues that matter deeply to our constituents. Having a systematic way for constituents to engage with this place in relation to child cancer, brain tumours, meningitis B and a range of other issues has made a big difference. Their continued involvement is incredibly appreciated and has given Members of Parliament an opportunity to shout about some of the great work that local charities, national charities and our constituents are doing to improve awareness and tackle a disgraceful disease. We have heard an awful lot about research in diagnosis, and about awareness, support for families and palliative care.

While I have never had the misfortune of anyone in my family suffering from a childhood cancer, my thoughts and prayers are with those who have. Ultimately, with 260 children dying from cancer every year, I am sure all of us would love a reduction of that number to zero. One death is far too many. I thank all those who contributed to the debate, and give huge thanks to those who led and submitted the petition.

Question put and agreed to.

Resolved,

That this House has considered e-petition 162934 relating to child cancer.

6.11 pm

Sitting adjourned.

Written Statements

Monday 28 November 2016

CULTURE, MEDIA AND SPORT

First World War Centenary Cathedral Repairs Fund

The Secretary of State for Culture, Media and Sport (Karen Bradley): I am today publishing the list of successful bidders to the First World War Centenary Cathedral Repairs Fund.

Cathedrals are powerful symbols of Britain's shared history and are important not only for their architecture, history and religious learning but also as a place for

local communities to come together. This fund is helping to ensure that they are in a good state of repair and preserved for future generations.

Decisions on funding allocations are taken by an expert panel, which considers the grant applications against the published criteria for the scheme and decides which cathedrals should receive funding. The panel is chaired by Sir Paul Ruddock and includes senior figures from English Heritage, the Heritage Lottery Fund, the Church of England and the Catholic Church, as well as church architects, architectural historians and grant giving experts.

I am pleased to confirm that the panel has decided to allocate funding of almost £5.5 million to 24 cathedrals. These are as follows:

Results of the Meeting of the Expert Panel, 17 October 2016

<i>Cathedral</i>	<i>Denomination</i>	<i>Project</i>	<i>Award</i>
Arundel RC	RC	West front glazing and masonry	£20,000
Blackburn	CofE	West tower roofs repairs and transept repointing	£200,000
Bradford	CofE	Repairs to bell tower	£25,000
Chelmsford	CofE	Song School roof repairs	£300,000
Chichester	CofE	Quire roof repairs	£250,000
Ely	CofE	South nave aisle roof and high-level repairs	£500,000
Exeter	CofE	Asbestos removal	£70,000
Gloucester	CofE	Drainage repairs	£50,000
Lincoln	CofE	Lead pinnacles repairs	£38,000
Liverpool	CofE	Concrete roof repairs	£200,000
Liverpool Met	RC	Lantern repair research and access	£200,000
Manchester	CofE	Tower emergency repairs	£500,000
Nottingham	RC	Safety upgrade to lighting	£75,000
Peterborough	CofE	High level fire safety glazing to tower and access work to clerestory and roof voids	£400,000
Plymouth	RC	Heating system	£100,000
Salford	RC	North porch access, masonry repairs and rainwater drainage system	£180,000
Shrewsbury	RC	East porch and stained glass repairs and associated work	£250,000
Southwark	CofE	Quire roof and high-level masonry	£500,000
Southwell	CofE	North quire aisle and NE transept roof	£295,000
St. Edmundsbury	CofE	Nave clerestory and cloister and library roof repairs	£350,000
St. Pauls	CofE	Roof repairs and rainwater goods	£80,000
Truro	CofE	South aisle and baptistery roof	£500,000
Wells	CofE	Nave roof repairs	£300,000
Worcester	CofE	St. George's Chapel damp investigation and remediation	£40,000
TOTAL			£5,423,000

[HCWS285]

TRANSPORT

To ease congestion and provide upgrades on important national, regional or local routes;

To unlock economic and job creation opportunities; or

Roads Funding

To enable the delivery of vital new housing developments to meet the needs of a generation of would-be home owners.

The Secretary of State for Transport (Chris Grayling): Following the autumn statement on 23 November, I am today setting out further details of road investment.

This new funding of £1.3 billion over this Parliament will help support infrastructure projects on roads, with £1.1 billion for the local road network and £220 million to relieve congestion on the strategic road network.

For the majority of the £1.1 billion there are three goals, and those seeking funding for improvements must fulfil at least one of those goals:

This is an essential part of ensuring we have a country which works for everyone.

To ensure that work can start quickly to help continue improvements to the country's roads, £70 million of funding from the Pothole Action Fund will be allocated by formula to local highway authorities in 2017-18. This funding is on top of the £6 billion the Government are already allocating to councils in England up to 2021 to help improve the condition of the local road network.

I am also announcing funding for further development of business cases for six schemes from the large local major projects fund in addition to the six announced in the autumn statement, as well as approval to start construction of the Lincoln Eastern bypass.

The six schemes included in the autumn statement were:

Suffolk Energy Gateway new road;
A1079/A164 Jocks Lodge Junction;
Shrewsbury North West Relief Road;
Tees Valley East-West connections;
Sheffield Mass Transit Scheme;
Warrington Waterfront Western link.

A further six schemes will receive funding to develop business cases:

Sheffield City Region Innovation Corridor;
Manchester Metrolink airport extension to Terminal 2;
Melton Mowbray Eastern Distributor Road;
New Tees Crossing;
A500 Dualling (Cheshire);
South Coventry Link Road.

This means that development and feasibility work can proceed to the next stage. It does not mean every scheme is certain to go ahead and it remains a competitive process. However, many of these will be among the next set of projects that we build in this country.

Following the confirmation of the National Roads Fund, we are publishing reports on five strategic studies into major improvements on our national road network. On the back of these, the Government are committing to taking forward major improvements at three points on the national network:

Upgrading the A66 to dual carriageway, creating the first new all-dual trans-Pennine link since 1971;

Improving the M60 around Manchester—the second busiest road in the country;

Building a new Oxford-Cambridge expressway, to link up three of England's fastest growing cities.

Two further studies, into further upgrading of the A1 in the east of England and building a trans-Pennine tunnel, are also reporting. Further economic analysis is to follow, with particular reference to emerging housing plans, before taking decisions on next steps. A sixth study, on the M25 South West Quadrant, will report in 2017.

In addition to bringing forward major projects, we have also announced a £220 million package of smaller improvements, which will be quick to deliver and will tackle congestion in the here-and-now. This includes improvements to the A69, further enhancing trans-Pennine connectivity.

I am also announcing approval for the £95 million Lincoln Eastern bypass with a contribution from the Department for Transport of £50 million. This scheme will reduce congestion in the city centre and encourage planned housing growth in the area. Construction will start in the New Year.

In order to ensure that our road network is safer for all road users, £175 million of the additional funding for local roads will be used to upgrade some of England's

most dangerous roads, where the risk of fatal and serious collisions is highest. The Road Safety Foundation's analysis of the safety performance of the country's major road network highlights where investment should be targeted. Therefore, my Department will be inviting proposals from local authorities responsible for the 50 highest risk roads.

This demonstrates that the Government are serious about investing in the infrastructure the country needs to drive economic growth both locally and nationally and to ensure that all road users have a well maintained and safe network which is fit for the future.

Further information will be placed in the House Library setting out more detail and the breakdown of funding that the Department for Transport is allocating to local highway authorities for 2017-18.

It can also be viewed online at: www.parliament.uk.

[HCWS286]

WORK AND PENSIONS

Social Security Benefit and Pension Up-rating 2017-18

The Parliamentary Under-Secretary of State for Welfare Delivery (Caroline Nokes): Today I am announcing the proposed social security benefit and pension rates for 2017-18. I have attached the table of rates to this statement and I will place a copy of the proposed benefit and pension rates 2017-18 in the House Library. The annual up-rating of benefits will take place for state pensions and most other benefits in the first full week of the tax year. In 2017, this will be the week beginning 10 April. A corresponding provision will be made in Northern Ireland.

The annual up-rating process takes into account a variety of measures:

The basic and new state pension will be increased by the Government's 'triple lock' manifesto commitment, meaning that they will be up-rated in line with the highest of prices, earnings or 2.5%.

The pension credit standard minimum guarantee will be up-rated in line with the annual rise in earnings, as reflected in average weekly earnings (AWE).

Benefits linked to the additional costs of disability, and for carers, are increased by the annual rise in prices, as reflected in the consumer price index (CPI). A number of other elements—including non-dependant deductions (NDDs)—will also be up-rated in line with prices. The majority of working-age benefits have been frozen at their 2015-16 levels for four years under the Welfare Reform and Work Act 2016.

The list of proposed benefit and pension rates also includes a change to the carer's allowance earnings rule, which will be increased for 2017-18 from £110 to £116 a week.

[HCWS287]

Petition

Monday 28 November 2016

OBSERVATIONS

TRANSPORT

Student season tickets on the Lakes Line

The petition of residents of the UK,

Declares that Northern Rail has taken a decision to remove post-16 students from the student season tickets system on the Lakes Line; further that students face a massive increase in the cost of travel, which will mean that the journey to Sixth Form in Kendal will become unaffordable for many; and further that an online petition on a similar topic has received 308 signatures.

The petitioners therefore request that the House of Commons urges the Government to encourage Northern Rail to rethink the decision to remove post-16 students from the student season tickets system on the Lakes Line.

And the petitioners remain, etc.—[Presented by Tim Farron, *Official Report*, 19 October 2016; Vol. 615, c. 922.]

[P001953]

Observations from the Parliamentary Under-Secretary of State for Transport (Paul Maynard):

The withdrawal of the 16-18 season tickets was a commercial decision made in the former Northern Rail franchise following a legal challenge on the Mid Cheshire line that Northern was discriminating against certain colleges/schools by not offering it to all. Since the new franchise started, Northern has maintained this stance. However, we acknowledge that the Lakes line has raised concerns about Northern not offering a discount to students, which was previously offered by First Trans-Pennine Express prior to the remapping of services to the Northern franchise.

There was a requirement to participate in a Cumbria County Council Educational season ticket scheme both in the previous Trans-Pennine Express franchise and in the current Northern franchise, but Cumbria County Council has withdrawn this scheme.

As the current definition of “child” for National Rail is anyone 5-15 years inclusive and using a 16-25 railcard is not permitted as there are rules regarding its use before 10am weekdays (except in July and August) it is up to each individual train operator to determine the commercial viability of post-16 year ticket products.

ORAL ANSWERS

Monday 28 November 2016

	<i>Col. No.</i>		<i>Col. No.</i>
COMMUNITIES AND LOCAL GOVERNMENT..	1223	COMMUNITIES AND LOCAL GOVERNMENT—	
Adult Social Care.....	1236	<i>continued</i>	
Areas of Outstanding Natural Beauty:		Local Authority Planning Departments.....	1230
Infrastructure Projects	1234	Neighbourhood Plans	1226
Community Pubs	1233	Planning Applications.....	1232
EU Funding: Community Groups	1223	Planning Permission	1224
High Streets	1227	Property Management Agents	1238
House Building	1229	Topical Questions	1239
House Building: Rural Areas	1234	Troubled Families Programme	1235

WRITTEN STATEMENTS

Monday 28 November 2016

	<i>Col. No.</i>		<i>Col. No.</i>
CULTURE, MEDIA AND SPORT	39WS	WORK AND PENSIONS	42WS
First World War Centenary Cathedral Repairs		Social Security Benefit and Pension Up-rating	
Fund.....	39WS	2017-18	42WS
TRANSPORT	39WS		
Roads Funding	39WS		

PETITION

Monday 28 November 2016

	<i>Col. No.</i>
TRANSPORT	5P
Student season tickets on the Lakes Line	5P

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned, and *must be received in the Editor's Room, House of Commons,*

**not later than
Monday 5 December 2016**

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE
PROMPT PUBLICATION OF BOUND VOLUMES

Members may obtain excerpts of their speeches from the Official Report (within one month from the date of publication), by applying to the Editor of the Official Report, House of Commons.

CONTENTS

Monday 28 November 2016

Oral Answers to Questions [Col. 1223] [see index inside back page]
Secretary of State for Communities and Local Government

Aleppo [Col. 1247]
Answer to urgent question—(Mr Ellwood)

Digital Economy Bill [Col. 1268]
As amended, considered
Legislative Grand Committee (England) consent motion—(Matt Hancock)—agreed to
Read the Third time and passed

Business of the House (29 November) [Col. 1369]
Motion—(Michael Ellis)—agreed to

Petition [Col. 1370]

Children's Funeral Costs [Col. 1371]
Debate on motion for Adjournment

Westminster Hall
Child Cancer [Col. 441WH]
General Debate

Written Statements [Col. 39WS]

Petition [Col. 5P]
Observations

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
