

Thursday
1 December 2016

Volume 617
No. 73



**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Thursday 1 December 2016

House of Commons

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

EXITING THE EUROPEAN UNION

The Secretary of State was asked—

Devolution of Power and Resources: Local Communities

1. **Chi Onwurah** (Newcastle upon Tyne Central) (Lab): What recent discussions he has had with Cabinet colleagues on further devolution of power and resources from Whitehall to local communities as part of his Department's preparations for the UK exiting the EU. [907589]

5. **Julie Cooper** (Burnley) (Lab): What recent discussions he has had with Cabinet colleagues on further devolution of power and resources from Whitehall to local communities as part of his Department's preparations for the UK exiting the EU. [907593]

The Minister of State, Department for Exiting the European Union (Mr David Jones): The vote to leave the European Union was a vote to take back control, and this Government continue to champion devolution to local government.

Chi Onwurah: Newcastle voted to remain; the north-east voted to leave, and that is what we are doing, but no one voted to replace regional European support with centralised Whitehall neglect. Will the Minister confirm that, as powers are returned from Brussels, they will be devolved to the regions? Will he agree to meet me and local government representatives in Newcastle to determine how best to achieve that?

Mr Jones: The hon. Lady invites me to visit Newcastle. In fact, I do intend to visit it, and I look forward to seeing her and local government leaders there. I must point out that this Government are making huge strides towards rebalancing the economy and empowering local government through the devolution of powers away from Whitehall. At the autumn statement, the Government signalled their intention to go further, including exploring devolution to cities such as London and Greater Manchester and to the west midlands, and offering greater flexibility for mayoral combined authorities to borrow for their new functions.

Julie Cooper: Although I voted in the referendum to remain, I fully accept the outcome of the democratic election and my focus now is to ensure that the people in my constituency are not worse off post-Brexit. Given that we have benefited from EU funding to the tune of around £5 million a year, may I seek a guarantee from

the Minister that the Government have a plan to ensure that those resources continue to come to my constituency post-Brexit?

Mr Jones: The Government set out a clear plan at the autumn statement for our strategic framework for the northern powerhouse. We are spending £13 billion on transport in the north, establishing Transport for the North and ensuring a statutory status. Investment in the north is very substantial indeed, and that is borne out by the improving—and, indeed, record—levels of employment in the north.

21. [907611] **Sir Desmond Swayne** (New Forest West) (Con): My right hon. Friend can afford to be generous and let local government spend these sums because they are trifling compared with the bonanza available to us all as a consequence of lifting the common external tariff.

Mr Jones: I am glad that my right hon. Friend is so supportive of Government policy in this regard. He is absolutely right. Frankly, Opposition Members would do well to be more positive about the benefits of Brexit, rather than constantly seeking to talk down the economy.

James Duddridge (Rochford and Southend East) (Con): I fully approve of more money going to the frontline, but can the Minister give me some reassurance that he will not be funding the “regions”—a pernicious invention of people who wanted to break up the United Kingdom into various parts that were not contiguous with any historical links to our communities?

Mr Jones: Indeed, the regions are a European construct. Post-Brexit, we will be able to choose which parts of our country benefit from Government support.

20. [907610] **Richard Arkless** (Dumfries and Galloway) (SNP): The Lord Advocate has delivered his advice, in which he said clearly that if the great repeal Bill were to pass, Scotland's legislative consent motion would be required from the Scottish Parliament. Why does the Secretary of State disagree with Scotland's senior Law Officer?

Mr Jones: As the hon. Gentleman will know, these matters are currently being litigated in the Supreme Court, which will consider them later this month. The judgment should be delivered before the end of next month.

Mr Philip Hollobone (Kettering) (Con): Will my right hon. Friend point out to those who are moaning about the potential loss of EU funding that it is our money in the first place, and that for every £1 we get from the European Union, we have to pay £2 to achieve it?

Mr Jones: My hon. Friend makes his point precisely; that is exactly the case. There will be substantial savings following our departure from the European Union, with more to invest in the local economies around our country.

Mr Dennis Skinner (Bolsover) (Lab): Change in local government is normally done by Bills that go through this House. The system this Government are adopting is to charge local authorities or produce cuts in local

authorities—representing, in Derbyshire’s case, about £155 million—and then to say that if they have the northern “poorhouse”, as it might be called, they will get a little tiny bit back. As for Brexit, we all know why the Secretary of State is going slow on that: because, unlike John Major before him, who had about 18 rebels, this time there are 80 Tory Back Benchers who are in favour of Brexit and about another 80 who are against it. That is why he does not deliver any information.

Mr Jones: I am sure that the hon. Gentleman will be pleased when article 50 is triggered before the end of March. On the issue of local government in the north, all I can say is that there is huge enthusiasm in northern local authorities for directly elected Mayors.

Jenny Chapman (Darlington) (Lab): We could be a bit more positive if the Government showed us a plan that we could be positive about. I assume the Minister misspoke when he said that the regions are “a European construct”. I can assure him that that is not the case where I come from in the north-east. They are very much not a European construct, but something about which we are intensely proud. For the Government to think that they can negotiate without involving regional businesses, civic leaders, airports and our universities really takes a special kind of narcissism. If there is going to be so much money flowing post-Brexit, why is it that the Government are refusing to guarantee every penny of our regional funding now?

Mr Jones: The hon. Lady is entirely right: it is necessary to consult businesses, universities, civic leaders and all parts of civil society. Indeed, that is precisely what we are doing. The Department is engaging with representatives of over 50 sectors across the economy. This is important work, and it is much better to get a proper, reasonable Brexit than the hasty sort of Brexit that she and her colleagues seem to be advocating.

EU Budget: UK Contribution

2. **Andrew Rosindell (Romford) (Con):** What assessment his Department has made of the likelihood of the UK having to contribute to the EU budget after the UK has left the EU. [907590]

The Secretary of State for Exiting the European Union (Mr David Davis): Withdrawing from the EU means decisions on how we spend taxpayers’ money will be made in the United Kingdom. We will strike a deal in the best interests of United Kingdom taxpayers. It is the job of my Department to bring back control over issues such as money, law and borders. As we do so, it will be up to this House and this Government to make the decisions.

Andrew Rosindell: I do not expect the Secretary of State to reveal his negotiating position today, but will he accept that on 23 June the British people voted to restore control over the money that we have paid to the European Union? They want that money spent in the United Kingdom, not subsidising Brussels.

Mr Davis: I understand entirely where my hon. Friend is coming from. Indeed, as he well knows, I have a great deal of sympathy with that viewpoint. Of course we

intend to respect the decision of the British people and what underpins it. As he rightly says, it would be irresponsible to set out red lines or to make unilateral decisions at this stage, but it must be made clear that we want decisions over how taxpayers’ money is spent to be made in this House.

Wayne David (Caerphilly) (Lab): This is a general question, so it provides the Minister with plenty of scope to give some sort of response. Will the Government consider making any contribution in any shape or form for access to the single market?

Mr Davis: I note that the first half of the hon. Gentleman’s question was probably aimed more at you, Mr Speaker, than at me. The simple answer we have given previously—it is very important, because there is a distinction between picking off an individual policy and setting out a major criterion—is that the major criterion here—[*Interruption.*] I will answer him if he lets me do so. The major criterion is that we get the best possible access for goods and services to the European market. If that is included in what he is talking about, then of course we would consider it.

Mr Peter Bone (Wellingborough) (Con): One of the decisions that I suppose the Government have to make is when we will stop paying money to the European Union, or whether we then ask for it back. One way to negotiate could be to say, “Well, any money we’ve paid to the European Union after 23 June should come back to us.” Is that not one of the positions we could take?

Mr Davis: I got into trouble once before for saying, “Get thee behind me, Satan”, which was royally misinterpreted in the press. However, my hon. Friend makes a significant point. This money is British money: it will come back to us, and we will decide what to do with it.

Hilary Benn (Leeds Central) (Lab): In a week in which it has been reported that the Foreign Secretary told EU ambassadors that he does not agree with the Government’s policy on free movement and that a Dutch Member of Parliament attended a Downing Street briefing on the Government’s Brexit plans, does the Secretary of State understand why the House is getting a little fed up with being told nothing? If he does, will he tell us when the Government will come forward with their plans for Brexit, including for what will happen regarding any future contributions to the European Union after we have left?

Mr Davis: As the right hon. Gentleman knows, I am appearing in front of his Committee on 14 December. His Committee has already visited my Department, and we are seeking to help it as much as we can. As a previous Secretary of State for International Development and Cabinet Minister, he also knows full well that the probable success of the negotiations greatly depends on our ability to manage information and to keep secret until the last minute what needs to be kept secret.

As for the other things from this week that the right hon. Gentleman mentioned, they are all based on a presumption that a scribbled note in Downing Street is actually anything like Government policy. It is not.

Matthew Pennycook (Greenwich and Woolwich) (Lab): EU Brexit negotiators have been clear about their intent to pursue the UK for an exit bill of anything up to €60 billion based on an expansive interpretation of our liabilities under the EU budget. That is a colossal sum of money and the British public deserve to know from their Government how accurate it is. Will the Secretary of State tell the House how much his Department estimates that it will cost to settle our outstanding liabilities as part of any future withdrawal agreement?

Mr Davis: May I start by welcoming the hon. Gentleman back? I understand that he has a new member of his family, on which the whole House will join me in congratulating him. [HON. MEMBERS: "Hear, hear."] We have seen an opening bid from the European Union. That is what it is. It is nothing more than the maximum price for departure from the Union. If he will forgive me, I am not going to engage in chipping away at that bid; we will start from scratch when we go through the door after March when the negotiations start.

Article 50

3. **Heidi Alexander** (Lewisham East) (Lab): What steps the Government are taking to prepare for triggering Article 50. [907591]

The Secretary of State for Exiting the European Union (Mr David Davis): At home, we are carrying out an extensive programme of sectoral analysis on the key factors that affect our negotiations with the European Union. We are working closely with the devolved Administrations, Parliament and a range of other stakeholders, as we have already heard from the Minister of State. The House should understand that we are also working with every Department to ensure a full range of opportunities.

In Europe, we are undertaking wide-ranging engagement, led by the Prime Minister. I have met representatives of the European Commission and the European Parliament, as well as Ministers and other officials from several European member states.

Heidi Alexander: I am not entirely sure how that answer related to my question, but it was certainly full of flannel. It seems that we are no further forward with a plan to leave the EU than we were five months ago. Will the Secretary of State tell me when the Government are going to drop the pretence that Brexit can mean continued tariff-free access to the single market and an end to freedom of movement? The British public deserve better than that embarrassing charade.

Mr Davis: I am interested to hear the hon. Lady's supplementary question, which she obviously prepared earlier—[*Interruption.*] This has been the Labour line for some time. It is really interesting that Labour Members cannot agree among themselves on whether they agree with their Front-Bench spokesman or with their shadow Chancellor. We are four to five months from the triggering of article 50. That will be point at which the negotiations start and it will be clear where we are going.

Alistair Burt (North East Bedfordshire) (Con): Does my right hon. Friend agree that there is quite a bit of room between the phrase "Brexit means Brexit" and a

full detailed dossier of negotiation? Does he note that more than one witness to the Exiting the European Union Committee and several Members of Parliament believe that, in order to provide some clarity and deal with some of the current uncertainty, there is room for the Government to publish in advance something on their high-level objectives, which will be known to the EU and to all of us the moment article 50 is triggered? Will he consider that with great urgency?

Mr Davis: Of course I will consider anything my right hon. Friend comes forward with in this area; I know it is a matter of great importance to him. Let me say this: "Brexit means Brexit", an interesting phrase at the beginning of this exercise, is a long way short of what we have already said, which is that we are aiming to achieve the maximum possible free access to the market and that we need to respect all the implications of the referendum. In between those things, in an important area that nobody seems to talk about, justice and home affairs, we have made it very clear that we want, as far as is possible, to replicate what we already have. We have had a great deal of parliamentary discussion about this matter already and we are going to have a great deal more between now and the triggering of article 50, including the appearance before the Select Committee and so on. So he can expect to know a very great deal about this at the time we get there. I made one particular undertaking at the first Select Committee I attended, the Lords one, which was that this House would be kept at least as well informed as the European Parliament.

Stephen Gethins (North East Fife) (SNP): It could be argued that we have made some progress on what the Government's plans are this week. Once the Secretary of State gets round to moving on from scribbled notes to typed-up notes, will he pass them to the House? Will he tell us whether he briefed the Foreign Secretary before his latest trip, and is freedom of movement still a priority for this Government?

Mr Davis: Let me pick up on the last point first. What I have seen in the papers this morning strikes me as completely at odds with what I know about my right hon. Friend the Foreign Secretary's approach to this matter. He believes clearly—he made this clear during the leave campaign, which he was a much more major part of than I was—that some immigration is useful. We all agree on that, but it is not the same as thinking that free movement of people as it now stands is a good idea—it is a problem. On the other aspects of the forward planning, the hon. Gentleman should know—I assume he talks to his opposite number on the Joint Ministerial Committee EN, the Committee that co-ordinates the approaches of the three devolved Administrations—that a great deal of work has been taking place on these matters and all of it is in typed script; none of it is scribbled on a bit of paper.

Stephen Gethins: So what we take from that is: yet more bumbled diplomacy from the Foreign Secretary. On what the Minister of State said about regions being European constructs, I hope he was not referring to the ancient European nation of Scotland or the ancient European nation of Ireland. The Secretary of State will be aware of the First Minister's successful trip this

week, so what lessons does he take from Ireland and the fact that the number of passport applications has gone up by 50% in that country?

Mr Davis: One lesson I take from it is that if the parties on the Opposition Benches—all of them—continue to frighten people, that is what the response will be. The hon. Gentleman should know, in terms—we have said this over and over again—that we wish to provide the maximum protection for both European citizens here and British citizens abroad. Just so he does not forget this, let me say that the Polish Prime Minister—not just the British Prime Minister—accepted earlier this week in public that both of those matters matter.

Several hon. Members rose—

Mr Speaker: We need to speed up, as progress is very slow. I want an extremely short, one-sentence question from Mr Michael Tomlinson.

Michael Tomlinson (Mid Dorset and North Poole) (Con): On article 50, does the Secretary of State agree that it is right to appeal from the High Court, that it is inevitable that this would end up in the Supreme Court and that this constitutional point needs to be resolved?

Mr Davis: My hon. Friend is absolutely right: this point is wider than just the issue of article 50; it goes right to the heart of the operation of the Crown prerogative.

Keir Starmer (Holborn and St Pancras) (Lab): The Prime Minister and the Secretary of State have repeatedly said that there will be no running commentary on their article 50 plans, yet there is one. It is being provided by leaked memos, notes caught on camera and the near-constant comments of the Foreign Secretary to anyone who will listen to him. This is serious because it is damaging the prospects of the negotiations getting off to a good start. The Secretary of State must realise that this is going to continue throughout the two years unless and until he discloses to this House the basic plan the Government are adopting. So my question is simple: when is he going to do so?

Mr Davis: The answer is the same one I have given the hon. Gentleman before to exactly the same question, which is that we have already set out the strategic aims—he knows that. He is also aware that we do not want to cut down the options available on things such as the old issue of market access. At this stage, we do not wish to go into great detail on the justice and home affairs front, on which I suspect that we absolutely agree, because we want to get the best possible outcome for Britain. The dominating factor here is not what is in the newspapers, but what is the best outcome for Britain in the long run.

Keir Starmer: The question was when will we see the plan. On 7 November, when the Secretary of State was last at the Dispatch Box, he was asked whether the Government were intending to keep the UK in the customs union. He answered by saying:

“We will make that judgment in due course and make it public in due course.”—[*Official Report*, 7 November 2016; Vol. 616, c. 1269.]

There are now just 121 days left until the end of March next year. Time is running out. Another simple question is: when does the Secretary of State intend to honour his commitment and make the Government’s position on the customs union clear?

Mr Davis: One hundred and twenty one days is a long time in policy terms, I am afraid. The simple truth is that there is one chance in this negotiation. This is unlike almost anything else that comes in front of this House. With everything else, we can come back and repeal it, change it or amend it later. This is a single-shot negotiation, so we must get it right, and we will get it right by doing the analysis first and the notification second. I will do that. I will meet my promise to the hon. and learned Gentleman—there is no doubt about that—but he will just have to wait until the analysis is complete.

Leaving the EU: Regional Economic Effects

4. **Alison McGovern** (Wirral South) (Lab): What plans his Department has to assess the potential economic effects of the UK exiting the EU across different regions and nations of the UK. [907592]

The Minister of State, Department for Exiting the European Union (Mr David Jones): The Department is carrying out a programme of work to analyse the economic significance and trade dynamics of more than 50 sectors of the economy. That includes analysis at both national and regional levels. Ministers and officials also have an extensive programme of bilateral meetings and visits across the country to listen to the views of business.

Alison McGovern: But we know from academic research that the regions in the north of England will be hit the hardest by Brexit. Further to previous questions that I have raised in this House about the fact that the Department has no staff based outside London, may I ask the Minister whether that position has now been reconsidered, and if so, how many will be based in Merseyside?

Mr Jones: The hon. Lady is entirely wrong. The north-west of England is extremely important to our Department’s consideration of the negotiations and the terms of Brexit. I have to tell her that if she regards the Government’s proposals for the northern powerhouse as something that is inimical to the interests of the north-west, I am astonished.

14. [907604] **Charlie Elphicke** (Dover) (Con): Does the Minister agree that there are potential economic impacts on the regions, nations and ports of this country, including the Port of Dover, which accounts for a quarter of the trade with the European Union? Will he meet me to look at whether we can prioritise it for investment to ensure that it continues to boom post-Brexit? Will he visit Dover?

Mr Jones: My hon. Friend is entirely right: ports are absolutely crucial to the economic welfare of this country, not only in their own right but as enablers of trade. Ports have an extremely high significance, and I will of course be pleased to meet him to discuss the matter further.

16. [907606] **Christina Rees** (Neath) (Lab/Co-op): My constituency is one of the most deprived areas in Europe. The last round of regional EU funding for Neath and Port Talbot launched 485 small and medium-sized enterprises, supported 7,300 people into work, and created 1,355 jobs and 5,000 apprenticeships. What is the Government's plan to continue this vital financial support for Neath, Wales and the UK regions once the UK exits the EU?

Mr Jones: As the hon. Lady will know, my right hon. Friend the Chancellor has absolutely guaranteed the continuance of support for such programmes to 2020. She has to bear it in mind that the European Commission itself will not be making its own consideration of any future schemes until that time. We will of course take very seriously the issues that she mentions, but at this stage I cannot confirm anything.

23. [907613] **Andrew Stephenson** (Pendle) (Con): Rolls-Royce is one of the largest employers in my constituency and aerospace is of critical importance to the north-west economy. Will my right hon. Friend assure me that the concerns of the aerospace sector will remain one of his top priorities?

Mr Jones: Yes. We fully acknowledge the importance of the aerospace sector, which is a major employer in his constituency and in many other parts of the country. It is very clear to us that, for example, integrated supply chains are important to that industry, which is why we are engaging extremely closely with the industry. Indeed, I had meetings earlier this week.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): Can the Minister detail the "significant powers"—to use the words of his colleague the Secretary of State for Scotland when he appeared on the "Sunday Politics Scotland" programme—due to be devolved to Scotland?

Mr Jones: The matter of what powers reside where after we leave the European Union remains to be considered.

EU Referendum: Delivery of Result

6. **Sir Edward Leigh** (Gainsborough) (Con): What steps the Government are taking to ensure that the result of the EU referendum is delivered in a timely manner. [907595]

The Secretary of State for Exiting the European Union (Mr David Davis): The Prime Minister set out the timetable for triggering article 50 by the end of March 2017. We will soon put before Parliament the great repeal Bill, which will remove from the statute book the European Communities Act 1972 and bring back sovereignty to this Parliament.

Sir Edward Leigh: Those of us who campaigned for 30 years to take back control did not campaign for this elected House of Commons to be bypassed. My view is that we should have produced that Bill to trigger article 50. There should be a full debate on Second Reading, and let hon. Members who want to vote against it take the consequences. My right hon. Friend will not agree with that, but will he agree with this: that if he loses the court case, there will be no further faffing about, no

delay, no draft Bill; he will produce a Bill within days, there will be a full debate—for at least two days—and then this House will get a chance to vote on article 50?

Mr Davis: I understand my hon. Friend's impatience after, as he says, 30 years of campaigning, but there have been 40 years of membership of the Union and it takes some time to decide on the best way of removing us from the Union in the way that people want. On the court case, it is not just a yes/no outcome in December/January. The actual nature of the Bill may be influenced by the outcome, but within that context, yes, we will carry on as rapidly as we possibly can.

Mr Pat McFadden (Wolverhampton South East) (Lab): With reference to delivering Brexit in a timely manner, the Secretary of State will be aware that there is a two-year timescale once article 50 is triggered. Is it the Government's policy that both the Brexit negotiations and the future trade arrangements should be agreed within that two-year period, or are they open to a transitional arrangement if that is not possible?

Mr Davis: The answer to the right hon. Gentleman's question is yes. There are other questions on transitional arrangements that I will come to in detail later, as the Speaker will pull me up if I do not. The answer is yes; we want to see them both done in parallel inside the two years.

Mr Owen Paterson (North Shropshire) (Con): As I know from talking to businesses up and down the country, whether they voted to leave or to remain, there is overwhelming consensus—they want get on with this. Uncertainty is the one threat, as opposed to the comically inaccurate forecasts, which have been proved completely wrong by the remain side. Can the Secretary of State confirm that whichever way the appeal goes in the Supreme Court—the Government do have very good arguments—there will still be time to pass the necessary legislation, if required, and to stick to the timetable of triggering article 50 by the end of March?

Mr Davis: Yes, that is my belief.

Alex Salmond (Gordon) (SNP): I congratulate the Government on the sophistication of their approach to Brexit. Deploying the Foreign Secretary to declare his undying support for free movement of labour is a masterly addition to the policy of chaos and confusion at the heart of the Government's strategy. If 121 days is a long time in politics, how many days before 31 March will the Government narrow down their range of policies to one and tell us what it is? [Interruption.]

Mr Davis: I hear from behind me, "How is your poll rating?" I would not be so cruel to my old friend. We will use all 121 days to get the best possible policy for us and then we will put that single policy to the European Union.

Police and Security Co-operation

7. **Craig Whittaker** (Calder Valley) (Con): What discussions he has had with the Home Secretary on maintaining police and security co-operation with EU partners after the UK leaves the EU. [907596]

The Minister of State, Department for Exiting the European Union (Mr David Jones): The Secretary of State and I speak regularly to our Home Office colleagues about a range of issues relating to the UK's exit from the EU. We are both committed to maintaining very close police and security co-operation between the UK and EU member states after we leave the EU. The safety of the British public is, of course, a top priority.

Craig Whittaker: Can my right hon. Friend assure me that after Brexit we will continue this close co-operation with the EU on law enforcement and counter-terrorism in particular, to ensure that we continue to protect not only the UK, but Europe?

Mr Jones: I can assure my hon. Friend that the UK will continue to play a full role in this area at a time of increasing risk of terrorism, Russian belligerence, instability in the middle east and a host of other threats. There is undoubtedly a huge benefit for both the UK and the EU from continued close co-operation in this field.

Mr Nigel Dodds (Belfast North) (DUP): Does the Minister agree that the deplorable comments being made about exiting the EU having a destabilising impact on the peace process, or leading to an increase in violence or the return of terrorism, are deeply damaging and wrong? Does he agree that co-operation between the Police Service of Northern Ireland and the Garda Síochána has never been better and will continue like that after we exit the EU?

Mr Jones: Yes, I agree entirely and, more importantly, so do the First Minister and Deputy First Minister of Northern Ireland and, indeed, the Taoiseach of the Republic of Ireland. Such comments are deeply deplorable.

Mr David Burrowes (Enfield, Southgate) (Con): The UK has been a lead player in Europol. What is likely to be our access level post-Brexit? Will it be similar to that of non-EU members such as the United States?

Mr Jones: My hon. Friend is entirely right: Europol is of importance. As part of the exit negotiations, the Government will discuss with the EU and member states how best to continue co-operation on a range of tools and measures, including membership of Europol.

Mr Ben Bradshaw (Exeter) (Lab): In his discussions with the Home Office, has the Minister talked about the letter written to it by the National Farmers Union warning that British fruit and veg will go unpicked this winter because of the current labour crisis in the horticultural and agricultural industries, and what is he doing about that?

Mr Jones: The right hon. Gentleman is entirely right: the agricultural industry has traditionally relied on seasonal agricultural labour. These are matters that we are giving close attention to. Indeed, I discussed them only yesterday with representatives of farming unions.

Select Committees: Ministerial Attendance

8. **Paul Flynn (Newport West) (Lab):** What his policy is on giving evidence to Select Committees other than the Committee on Exiting the European Union.

[907598]

The Secretary of State for Exiting the European Union (Mr David Davis): We take parliamentary scrutiny of the Department's work extremely seriously, and I am delighted to be appearing before the new Select Committee on Exiting the European Union on 14 December. Department for Exiting the European Union Ministers and officials have made 10 appearances before Select Committees since the Department was established and before our own Select Committee was formed. But it is right that we do not overstep our remit and that Ministers across Whitehall—this is a cross-Whitehall operation—are accountable to their own Committees, including in relation to European Union exit.

Paul Flynn: To curb the Secretary of State's manic optimism, would it not be beneficial for him to get a dose of reality from the Welsh Affairs Committee, which went to Aberystwyth this weekend? Somebody came to me and said, "My company has decided after the referendum not to expand here in Ceredigion but to relocate in Dublin." Is it not right that the Minister should come, not to tell us what he is doing but so that we can pass on to him the fact that industry is collapsing post-referendum?

Mr Davis: The hon. Gentleman should perhaps make his point about industry collapsing to Google, Facebook, Microsoft, Nissan, GSK, Jaguar Land Rover and the rest. To come to his substantive point, we consider every request from Select Committees on its individual merits. There are probably something of the order of 30 ongoing projects at the moment. Frankly, if we appeared in front of every Select Committee on all those, we would not have any time to do any negotiation or planning at all.

Science and Technology Sector

9. **Lucy Frazer (South East Cambridgeshire) (Con):** What representations the Government have received from the science and technology sector on priorities for its negotiations on the UK leaving the EU. [907599]

13. **Mrs Cheryl Gillan (Chesham and Amersham) (Con):** What representations the Government has received from the science and technology sector on priorities for its negotiations on the UK leaving the EU. [907603]

19. **Dr Tania Mathias (Twickenham) (Con):** What steps he is taking to negotiate the UK's continued participation in European science and research programmes after the UK has withdrawn from the EU. [907609]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): The Department has a wide programme of engagements to ensure that the views of the science and technology sector are heard. For example, we have recently met representatives of the life sciences and tech sectors, and will continue to meet them in the coming months. While it is too early to speculate on our future relationship with EU science and research programmes, as part of our commitment to make Britain the global go-to nation for scientists, innovators and tech investors, we will be investing an extra £2 billion in research and development by the end of this Parliament.

Lucy Frazer: I thank the Minister for that answer. The life sciences and pharma sectors are concerned that they need globally recognised and equivalent regulations to compete internationally. Can the Minister assure me that he will continue to work closely with these sectors to ensure they have the best possible opportunities in the Brexit negotiations?

Mr Walker: My hon. and learned Friend is right, and the Government are committed to ensuring a positive outcome for the UK's life sciences and the pharmaceuticals sector as we exit the European Union. We have welcomed many hundreds of millions of pounds of new investment from Alnylam and GSK, and I can assure her that Ministers in our Department are engaging, and will continue to engage, with the pharma and life sciences industry to ensure that we take the opportunities as well as meet the challenges ahead.

Mrs Gillan: In Europe's largest space innovation competition this year, the UK took the top prize and four major awards. We have been one of the leaders in, and most successful exploiters of, space technology, and it is vital that this support continues. In particular, can the Minister confirm that the European Space Agency is entirely independent and not an EU organisation, and that our membership of and participation in ESA will continue, as will the UK's involvement in space research?

Mr Walker: Absolutely. The UK space industry, in which I understand my right hon. Friend's husband has played an important part, is a global success story, leveraging our best talent to deliver highly innovative products and services every year. We want a UK space industry that captures 10% of the global market by 2030, creating 100,000 new jobs. The UK will remain a member of the ESA, which is not a part of the EU. The ESA's next ministerial council is being held in Lucerne today, attended by my hon. Friend the Minister for Universities, Science, Research and Innovation.

Dr Mathias: May I thank the Minister for taking time last week to meet me and science and engineering companies from my constituency? Will he heed the calls made at that meeting, specifically to continue the easy and free movement of scientists across Europe and to maintain our participation in European projects?

Mr Walker: I am grateful to my hon. Friend for arranging that very useful meeting. I will repeat what the Secretary of State has said before:

"We will always welcome those with the skills, the drive and the expertise to make our nation better still... Britain has always been one of the most tolerant and welcoming places on the face of the earth. It must and it will remain so."

We are a global leader in scientific collaboration, and we want that to continue.

Maria Eagle (Garston and Halewood) (Lab): Is it the Government's policy to exit the European Medicines Agency at the same time as we exit the EU?

Mr Walker: The Government are committed to ensuring a positive outcome for life sciences and pharma as we exit the European Union. The Prime Minister has already outlined steps to make sure that we continue to back

research and development. No decisions have yet been taken as to the final location of the European Medicines Agency.

Jim Shannon (Strangford) (DUP): T.G. Eakin, which is located in my constituency, is a successful business that supplies medical equipment throughout the world. It is imperative that such businesses are kept informed of progress. Will the Minister outline how his Department will achieve that?

Mr Walker: We continue to engage very closely with businesses across sectors and across the whole of the UK. We have already had a number of engagements in Northern Ireland, and there will be many more to come.

Paul Blomfield (Sheffield Central) (Lab): The absence of a Government plan for the science and technology sector is causing huge uncertainty. The Minister will be aware that the current funding arrangements for the ITER project, which includes a JET—Joint European Torus—centre for fusion energy in the UK, run out in 2018. If he can say nothing else about the Government's plan, will he confirm that the UK will seek to maintain full participation in the Euratom programme?

Mr Walker: I think that the hon. Gentleman's question is better directed to Ministers at the Department for Business, Energy and Industrial Strategy, but I am sure that that is something on which we will work closely with them.

Transitional Deal

10. **Emma Reynolds** (Wolverhampton North East) (Lab): Whether the Government plan to seek a transitional deal with the EU as part of their strategy for the UK exiting the EU. [907600]

The Secretary of State for Exiting the European Union (**Mr David Davis**): We are seeking to ensure a smooth and orderly exit from the European Union, and it would not be in the interests of either side—Britain or the European Union—to see disruption. To that end, we are examining all possible options, focusing on the mutual interests of the UK and the European Union.

Emma Reynolds: The Prime Minister recently told the CBI conference that we want to avoid a cliff edge. Further to the answer that the Secretary of State gave to my right hon. Friend the Member for Wolverhampton South East (Mr McFadden), and given that our EU partners have so far refused to commit to parallel negotiations on our future arrangements alongside those on article 50, what is the plan if we cannot start, let alone conclude, those negotiations within two years? Will we be forced off that cliff and on to World Trade Organisation rules and tariffs, with all the consequences for jobs and investment that business has warned of?

Mr Davis: The substance of the hon. Lady's question is incredibly important and, as she has said, the Prime Minister addressed it at the CBI. She addressed it again yesterday and that is why she has said that we want a smooth and orderly exit. How that occurs will be affected by a number of things. The hon. Lady has mentioned the structural issue relating to whether the negotiation

is done in parallel or in series. We do not accept the series approach. We have made that plain to the European Union, and we need to deal with that before we come to the detailed question of whether there is a transition or not.

On transition itself, I make this important point. The Select Committee Chairman, the right hon. Member for Leeds Central (Hilary Benn), is sitting next to the hon. Lady. Transition, when it is raised by various people, will mean different things. For example, when the Europeans talk about it, it effectively means a much longer negotiation period, while other people are concerned about matters such as financial stability. There are different issues that need to be dealt with in a different way.

Mr Speaker: I do not know why the right hon. Gentleman says that he needs to make an important point; all points made by Secretaries of State ought to be important, as should the points made to them.

Patrick Grady (Glasgow North) (SNP): UK money through the European Union funds important international development projects all over the world. As part of any transitional arrangements, will the Secretary of State make sure that those continue to be supported and that the plug is not pulled when or if the UK finally leaves?

Mr Davis: There is no “if” about it. There is a “when.” I say that to the hon. Gentleman quite firmly, because that is part of the problem that the European Union has had in engaging on the process so far. Many of them want to see this not happen and they have to face up to that so we get the right answer.

The hon. Gentleman raises a significant issue. I have not addressed it in detail myself, but I will do so. Will he forgive me if I write to him on this matter, because it is sufficiently important that I think I should do so?

Higher Education

11. **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): What representations he has received from universities on priorities for his negotiations on the UK leaving the EU. [907601]

12. **Chris Elmore** (Ogmore) (Lab/Co-op): What plans he has to consult representatives of the higher education sector as part of his Department’s preparations for the UK exiting the EU. [907602]

18. **Jeff Smith** (Manchester, Withington) (Lab): What plans he has to consult representatives of the higher education sector as part of his Department’s preparations for the UK exiting the EU. [907608]

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): My ministerial colleagues and I have met a number of higher education institutions and groups, including Universities UK, the royal academies, the Russell Group and the Universities of Swansea, Reading, Ulster and Strathclyde. The sector strongly supports our ambition to create an environment in which the UK as a whole can continue to be a world leader in research, science and the tertiary education sector.

Gavin Newlands: I thank the Minister for that answer. The University of the West of Scotland provides a high-quality and accessible education, and the university’s 112 staff from the EU are absolutely critical in delivering that. Can the Minister guarantee EU staff working across higher education and further education the right to remain without any visa conditions when the UK leaves the EU?

Mr Walker: We value highly the contribution of EU and international researchers and academic staff. We remain fully open to scientists and researchers from across the EU, and we will always welcome those with the skills, drive and expertise to make our nation better still. Regarding those who are already in the UK, we have been clear that there has been no change to the rights and status of EU nationals in the UK as a result of the referendum.

Chris Elmore: In 2014-15, there were 43,000 EU staff in the UK higher education sector. Those people are making decisions now about their future. When will the Government give them certainty, and what is in the Government’s plan for Brexit to ensure that our universities can benefit from the contribution of those staff members once we have left the EU?

Mr Walker: I refer the hon. Gentleman to the answer that I have just given. I think we have been very clear that we want to continue to attract the top talent and that we want the UK to remain a leader in research, which means attracting people from the EU and from around the wider world.

Jeff Smith: The Erasmus exchange programme has enabled 200,000 UK students and 20,000 staff to spend time abroad. That enhances their employability, improves their knowledge and promotes understanding between cultures. What is the plan to ensure that that kind of valuable exchange can continue in future?

Mr Walker: There is no change for those who are currently participating in, or about to start, Erasmus+. Erasmus+ offers a range of programmes to countries across Europe and beyond. Post-exit access to Erasmus+ will be a matter for the negotiations that will follow the triggering of article 50. The Erasmus+ programme has proved to be a valuable tool that helps organisations and citizens to achieve their potential through international education, training and collaborative opportunities. As part of our vision for the UK as a global nation, I am sure we will want to look at how such an approach can be perpetuated in the future.

Tom Pursglove (Corby) (Con): The Secretary of State was absolutely right to say earlier that we only get one chance at this, so the Prime Minister is absolutely right to make sure that we have listened to all the representations, including those from universities, before invoking article 50. Does he agree that it is far preferable to have a full, hearty Brexit than a rushed, messy, unsatisfactory dog’s breakfast?

Mr Walker: My hon. Friend is absolutely right, and it is important that we listen to and take on board the evidence from the university sector.

Ministerial Discussions: Scottish Government

15. **Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): What recent discussions he has had with Ministers of the Scottish Government on the Government's plans for the UK leaving the EU. [907605]

The Minister of State, Department for Exiting the European Union (Mr David Jones): The Government are absolutely committed to working with the Scottish Government, alongside the other devolved Administrations, as we formulate plans for the United Kingdom to leave the EU. That includes working through the new Joint Ministerial Committee on EU negotiations, which had its first meeting last month and is due to meet again on 7 December.

Roger Mullin: Can the Minister outline the benefits of Scotland securing full membership of the single market post-Brexit?

Mr Jones: I find it extremely difficult to see how one part of the United Kingdom could remain part of the single market while the rest did not. I refer the hon. Gentleman to what the First Minister of Wales said only the other day:

"I don't see how there can be separate market access arrangements for the different nations within the UK that share the same land mass."

EU Nationals: UK Status

17. **Helen Hayes** (Dulwich and West Norwood) (Lab): What recent discussions he has had with Cabinet colleagues on the status of EU nationals in the UK as part of his Department's preparations for the UK exiting the EU. [907607]

The Secretary of State for Exiting the European Union (Mr David Davis): Clearly something has disappeared from the file. The question is about—

Mr Speaker: Order. I do not wish to disorientate the right hon. Gentleman, but it had been an earlier ambition on his part, as communicated to my office, to group this question with question 22. I hope that he is still happy with that vaulting ambition.

22. **Ruth Cadbury** (Brentford and Isleworth) (Lab): What recent discussions he has had with Cabinet colleagues on the status of EU nationals in the UK as part of his Department's preparations for the UK exiting the EU. [907612]

Mr Davis: Thank you, Mr Speaker, for the on-stage prompt.

The question is about European nationals. The Government's aim is clear: we wish to guarantee the rights of European nationals at the same time as we guarantee those of British citizens abroad. We raised that matter with the Polish delegation—the Polish Prime Minister and others who came to the UK this week—and they agreed that both matters have to be dealt with at the same time.

Helen Hayes: Every week since 23 June, I have met EU nationals who live in my constituency. They are part of our community, many are working in vital roles in our NHS and public services, and they are deeply

distressed by the uncertainty that this process is causing them and their families. Will the Secretary of State unilaterally confirm their right to live in the UK and to continue playing their vital role in our communities?

Mr Davis: May I say two things to the hon. Lady? It is a serious issue and I accept that she takes it seriously, as we all do. As I said last time—I hope this gets promulgated—the majority of European nationals already have the right indefinitely to remain because of the time they have been here, or if they have been here for two and a half years, they will certainly have that before we leave. More to the point of what she said, we discussed the matter with the Poles and several other European countries, and they accept in terms—indeed, the Polish Prime Minister said it in public two days ago—that this has to be dealt with at the same time as British citizens abroad because they, too, will feel a nervousness and we must not leave them hanging.

Ruth Cadbury: I also have many constituents who are EU citizens actively contributing to our community and our economy, and they are worried about their future here. This Government have the power to give them certainty and to find the best way to ensure reciprocal guarantees for UK citizens in other EU countries. Is it fair to use one group of people to hold another to ransom?

Mr Davis: The phrase, "holding people to ransom" is mightily unhelpful to the whole argument. Our whole strategy is designed to avoid holding anybody to ransom and to ensure that everybody who should have rights gets them recognised at the same time. I am afraid that the arguments in the European domain in the last week have reinforced that viewpoint. As the Prime Minister said yesterday, it demonstrates that we are taking the right approach. If it were up to us, we would have this resolved in months, but we have to get agreement with the European Union, too.

Topical Questions

T1. [907579] **George Kerevan** (East Lothian) (SNP): If he will make a statement on his departmental responsibilities.

The Secretary of State for Exiting the European Union (Mr David Davis): Last week, the Chancellor delivered the autumn statement and, thanks to work done since 2010, the fundamentals of the UK economy are strong and we approach EU exit negotiations from a position of strength. Of course there will be ups and downs during the process, but the hard data since the referendum have been far better than many expected or predicted, and growth is forecast to be steady. In the third quarter, UK GDP grew by a half per cent., employment reached an all-time record high, business investment rose by 0.9% and retail sales grew by 1.9%. In the three months to October, companies from Jaguar Land Rover to GlaxoSmithKline have increased investment. The UK is well placed to deal with challenges that may arise from exiting the EU, and ready to seize the opportunities, too.

George Kerevan: At the annual general meeting of the all-party parliamentary group on wholesale financial markets and services on Tuesday night, the Chancellor of the Exchequer gave a very public endorsement of a

transitional regime for the financial sector beyond the two-year Brexit negotiations. On a scale of one to 10, how closely does the Secretary of State agree with the Chancellor?

Mr Davis: On a scale of one to 10, I will give that number when I hear what the Chancellor says myself, rather than hear that routed through the hon. Gentleman. The substantive point—transition—is material. We have said that the first thing to determine is the endpoint and the outcome. Whether we need a transition will be dictated by that in the first instance. As I said earlier to the hon. Member for Wolverhampton North East (Emma Reynolds), what transition means is itself a moot point.

T2. [907580] **Mr Peter Bone** (Wellingborough) (Con): On 23 June, the British people voted to leave the European Union, no ifs, no buts. Yesterday, my Withdrawal from the European Union (Article 50) Bill was read the First time. Second Reading is expected on 16 December. Does the Secretary of State agree that, whether by royal prerogative or a Bill, article 50 will be triggered by 31 March?

Mr Davis: Yes.

Paul Blomfield (Sheffield Central) (Lab): May I return to the question of EU nationals? Home Office figures released this morning indicate that the number applying for permanent residency in the UK has increased by 50% in the quarter since the referendum. The Brexit Secretary keeps returning to the question of people's opportunity to apply for leave to remain. Does he not recognise that that process is not automatic, costs money, is complex and is not guaranteed? Will he not simply do what the British public want and give them the right to stay?

Mr Davis: Frankly, the hon. Gentleman allows me to reiterate the important point I made earlier. *[Interruption.]* I will get to the issue of leave to remain. By the time we get to the end of the process, five out of six European nationals who are here already will have the automatic right. The hon. Gentleman got that wrong—when it comes down to it, it is effectively automatic. After six years, people get the right to citizenship, which is important.

The hon. Gentleman is right that we would like to resolve this in a fast, expeditious and comforting manner for the individuals concerned, but we have a responsibility to 1 million British citizens abroad, and we must protect them as well.

T3. [907581] **Nigel Huddleston** (Mid Worcestershire) (Con): The tourism industry sustains 3 million jobs in the UK. Brexit presents the sector with many opportunities and challenges. How is the Department engaging with the tourism industry?

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Robin Walker): The Government fully recognise the contribution that tourism makes to our economy and communities in all parts of the UK. Foreign visitors contribute £22 billion to our economy. There were record numbers of overseas visitors each month from July to September—10.7 million in total. I thank my hon. Friend and neighbour for hosting a roundtable with some of the key players in the hospitality

sector, which I attended last week shortly after attending the Tourism Industry Council. As the Prime Minister has said, we are confident that our exit represents opportunities for growth in tourism, and we will work closely with the industry to achieve them.

T6. [907584] **Mary Creagh** (Wakefield) (Lab): In evidence to the Environmental Audit Committee, the Secretary of State for Environment, Food and Rural Affairs revealed that between a quarter and a third of the UK's environmental legislation that comes from the EU will not be neatly transposed through the great repeal Bill. Will the Secretary of State tell the House whether legislation to protect our air and improve our water quality, and to set waste and chemical standards for products going into the EU, will be part of the great repeal Bill, or will we have to wait for legislation after we leave?

Mr David Davis: That will be part of the great repeal Bill. If there is any amendment, I would think it would be done through primary legislation in the House.

T5. [907583] **Mr David Nuttall** (Bury North) (Con): Does my right hon. Friend reject the advice of those calling for a second referendum and agree with me that seeking to reverse the decision that the people of the country made on 23 June serves only to undermine public trust in the House and in our democracy?

The Minister of State, Department for Exiting the European Union (Mr David Jones): My hon. Friend is entirely right: there will be no second referendum.

T7. [907585] **Graham Jones** (Hyndburn) (Lab): Can the Secretary of State say what the current tariff is for motor vehicles entering the European Union? If we do not get a trade deal, when will British car manufacturers start paying that tariff—what date?

Mr David Jones: Our intention is to seek the best possible access to the European market, and to provide similar access for Europeans to this market. That is the basis upon which we are approaching the negotiations.

T9. [907587] **Andrew Stephenson** (Pendle) (Con): Those working in Rolls-Royce in Barnoldswick and elsewhere in my constituency benefit from employment rights that in many cases are ahead of those elsewhere in the European Union. Will the Minister confirm that they will remain in place from the point when we leave the EU?

Mr Jones: I can confirm that. We had a debate very recently in which that point was reiterated several times.

T8. [907586] **Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): Following the Chancellor's statement, will the Secretary of State point to the precise page on which we can find the Brexit bonanza in either the autumn statement or the Office for Budget Responsibility forecast?

Mr David Davis: I recommend to the hon. Gentleman the comments of the shadow Chancellor, who said that Britain should grasp the opportunities available and use Brexit to transform society. Sadly, the shadow Brexit Secretary does not help.

Sir William Cash (Stone) (Con): On the question of the port services regulation, does my right hon. Friend accept that it is opposed by the Government, the Opposition, the trade unions and all port employers? The issue is about to be decided by the European Parliament and the Council of Ministers. Does he agree that it should be voted against?

Mr David Jones: My hon. Friend is entirely right. The regulation is not designed for the British system. We intend to oppose it, but sadly it will be carried by a qualified majority vote.

Helen Goodman (Bishop Auckland) (Lab): The OBR, the IMF, the Bank of England, the National Institute of Economic and Social Research and the London School of Economics all say that Britain's share of world exports will fall post-Brexit. Does that not show how empty the Government's rhetoric is about us being a global leader in world trade?

Mr David Davis: The hon. Lady should be very wary about taking economic assumptions underpinning a forecast as a statement of what is going to happen. The outcome after the Brexit process is over will depend very much on the deal we strike. That will be a good deal and there will be an increase in the amount of world trade we take.

Mrs Maria Miller (Basingstoke) (Con): Major pharmaceutical investors, such as Eli Lilly in my constituency, use a common EU system for medicine regulation in clinical trials to help British patients to gain access to the best treatments in the world. What work is the Minister doing to ensure that the decades-long co-operation with the EU is maintained after Brexit not just for the benefit of companies but for the benefit of patients?

Mr Robin Walker: I assure my right hon. Friend that we will be looking very carefully at that. As I said earlier, no decisions have yet been made about the future location of the European Medicines Agency. Until we have left the EU, the UK remains a member with all the rights and obligations that membership entails. The Medicines and Healthcare products Regulatory Agency continues to play a full role in all procedures of the EU medical device regulatory framework.

Ms Margaret Ritchie (South Down) (SDLP): What priority has the ministerial team given to achieving continued tariff-free access and continued membership of the single market?

Mr David Davis: Those are two different things. As I said earlier, we give very high priority to both tariff-free access and access without tariff barriers, at least no more than there are already—there are plenty. That may or may not include membership of the single market, but it is achievable by a number of different methods.

Martin Vickers (Cleethorpes) (Con): The fishing industry has never fully recovered from the sell-out in the original negotiations to enter Europe. Can Ministers assure me that the fishing industry will have a much higher priority in this set of negotiations?

Mr David Jones: I can assure my hon. Friend that the fishing industry is at the forefront of our considerations. We have already had several meetings with the industry's representatives and will continue to do so.

Kate Green (Stretford and Urmston) (Lab): Businesses across a range of sectors in my constituency are concerned about their ongoing ability to attract and retain skilled labour as a consequence of Brexit. Will the Secretary of State say what he is doing both to reassure businesses that in future there will be the opportunity for skilled labour to migrate to this country, and to retain people who are already considering leaving now?

Mr David Davis: The function of my Department and this strategy is to bring back the control of migration to the British Government and the British Parliament. That will be exercised in the national interest. That means that we would expect to see pretty free movement of highly talented labour and, in other aspects of the economy, it is not in the national interest to cause labour shortages. Therefore, businesses should be aware that this is not shutting the door; it is taking back control.

Michael Tomlinson (Mid Dorset and North Poole) (Con): On reciprocal rights for United Kingdom and EU citizens, does the Secretary of State agree that the Prime Minister is absolutely right to be seeking an early resolution, and to be already speaking with individual member states?

Mr Davis: My hon. Friend is exactly right and that is why we have taken this strategy. I hope that, at the end of the day, there will be unanimity so we can get early movement.

Deidre Brock (Edinburgh North and Leith) (SNP): Since 2014, Scottish small and medium-sized enterprises have received over €21 million in funding through Horizon 2020. What assurances can the Minister give that firms will be eligible for equivalent funding before and after 2020?

Mr Robin Walker: As the hon. Lady knows, the Treasury has already given strong assurances up to 2020, beyond the period of our exiting the EU. That is an important signal to SMEs, universities and others that they should continue bidding for the scheme. The current EU budget and the framework for Horizon 2020 runs only up to 2020.

Mr Speaker: On the principle of humanitarian assistance to the involuntarily delayed, I call Mr Henry Smith.

T4. [907582] **Henry Smith** (Crawley) (Con): My sincere thanks, Mr Speaker, for your understanding.

With regard to the EU exit negotiations, does my right hon. Friend agree that, for the first time in history perhaps, we start from an equal point, which is a great advantage to this country's position?

Mr David Jones: My hon. Friend is entirely right. On the day we leave the EU, we will be in perfect alignment with the rest of the EU regulations, directives and so on, which gives us a strong, solid base for moving forward with negotiations.

Sammy Wilson (East Antrim) (DUP): The Prime Minister, in an attempt to set the right tone for negotiations, has offered an early agreement on the status of EU nationals living in the UK. Is the Secretary of State disappointed that, in a petulant post-referendum response from the EU Commission, this offer has been refused, and will he assure us that, should this hard line continue, there will be no lack of resolve on the Government's part to detach us from the chains of the EU?

Mr David Davis: The Government will not be so easily put off, although the hon. Gentleman is quite right. It would have been better if we had got a better response from the EU—but I will not say anything rude about those involved. One of the interesting disciplines of the next two years is that I will be polite to everybody.

Mr Speaker: Preserving the habits of a lifetime, I feel sure.

Tom Purslove (Corby) (Con): The agricultural and food sectors are incredibly significant in the Corby and east Northamptonshire economy, employing thousands of local people. What steps are Ministers taking to engage fully with these sectors to make sure that their needs are totally understood?

Mr David Jones: My hon. Friend is entirely right. We hold regular meetings, both with our colleagues at the Department for Environment, Food and Rural Affairs and with the various stakeholders in the industry. Only yesterday, I and the Minister of State, Department for Environment, Food and Rural Affairs, my hon. Friend the Member for Camborne and Redruth (George Eustice), held a roundtable at my Department to discuss these very issues.

Simon Danczuk (Rochdale) (Ind): A major retailer has raised with me whether they would continue to invest in the north-west because of potential tariffs. What comfort can the Minister give to such businesses?

Mr David Davis: Interestingly, one of the first business meetings I had was in Blackburn, at the invitation of the former MP for the area, Jack Straw. We are clear that we are seeking tariff-free, barrier-free access, and we—I certainly, as a northern MP—have the interests of industry throughout Britain, particularly the north, very much in mind.

Several hon. Members *rose*—

Mr Speaker: Order. We must now move on.

Business of the House

10.37 am

Valerie Vaz (Walsall South) (Lab): Will the Leader of the House please give us the forthcoming business?

The Leader of the House of Commons (Mr David Lidington): The business for next week will be as follows:

MONDAY 5 DECEMBER—Second Reading of the Children and Social Work Bill [*Lords*].

TUESDAY 6 DECEMBER—Remaining stages of the Health Services Medical Supplies (Costs) Bill.

WEDNESDAY 7 DECEMBER—Opposition day (15th allotted day). There will be a debate on an Opposition motion. Subject to be announced.

THURSDAY 8 DECEMBER—Debate on a motion on UN international day for the elimination of violence against women followed by general debate on cancer strategy one year on. The subjects for these debates were determined by the Backbench Business Committee.

FRIDAY 9 DECEMBER—The House will not be sitting.

The provisional business for the week commencing 12 December will include:

MONDAY 12 DECEMBER—Remaining stages of the Savings (Government Contributions) Bill.

TUESDAY 13 DECEMBER—Remaining stages of the Neighbourhood Planning Bill.

WEDNESDAY 14 DECEMBER—Opposition day (16th allotted day). There will be a debate on an Opposition motion. Subject to be announced.

THURSDAY 15 DECEMBER—Debate on a motion on the creation of a commercial financial dispute resolution platform followed by general debate on UK negotiations on future co-operation with EU member states on scientific and university research projects. The subjects for these debates were determined by the Backbench Business Committee.

FRIDAY 16 DECEMBER—Private Members' Bills.

I should also like to inform the House that the business in Westminster Hall for 8, 12 and 15 December will be:

THURSDAY 8 DECEMBER—Debate on the fourth report of the Scottish Affairs Committee on post-study work schemes followed by general debate on the UK ivory trade.

MONDAY 12 DECEMBER—Debate on an e-petition relating to the closure of retail stores on Boxing day.

THURSDAY 15 DECEMBER—Debate on the fourth report of the Environment, Food and Rural Affairs Committee on air quality followed by debate on the second report of the Environment, Food and Rural Affairs Committee on greyhound welfare.

Colleagues will also wish to know that subject to the progress of business, the House will rise for the Easter recess on Thursday 30 March 2017 and return on Tuesday 18 April 2017.

The House will not sit on Monday 1 May.

Subject to the progress of business, the House will rise for Whitsun recess on Thursday 25 May 2017 and return on Monday 5 June 2017.

Valerie Vaz: I thank the Leader of the House for those dates. I press him to be a little bolder, because he still has to come up with one date—for the summer recess. If he could do that for next time, it would be great.

Members want a vote on the boundary Bill. What progress has been made on the money resolution for the Bill?

On this day in 1942, the Beveridge report was published. It showed us what it meant to be a caring society in which people are supported when they most need it as a safety net. Saturday 3 December is International Day of Persons with Disability, but the Government have still not confirmed whether they will end the humiliating and harmful reassessments of people with long-term conditions who have applied for personal independence payments. May we have a statement, following yesterday's report from the National Audit Office showing that sanctions on welfare payments have been handed out without any evidence that they work? The figures for 2015 show that £132 million was held back in benefits; £35 million was paid in hardship; and the cost of administering the scheme was £50 million. It is going to be worse next year, because the Government have lowered the benefit cap. The NAO concluded that there was no evidence that sanctions provide value for money for the British taxpayer.

The Leader of the House mentioned the debate on science that was arranged by the Backbench Business Committee. I ask the Government to make a further commitment to UK science—more than just an injection of funding. The Prime Minister recently said that our competitors are not standing still but investing heavily in research and development. On UK science and research, we are standing still—frozen by Brexit. Damage is done to networks of collaboration. Over 60% of the UK's international co-authored papers involve partners in the EU, so may we have an urgent debate in Government time on support to UK science and research to ensure that the promised £2 billion will protect those collaborations and networks that form the foundation of world-class science? This is about preserving a shared culture and intellectual heritage.

We also celebrate a Labour Government commitment, made on 1 December 2001, to keeping museums free. On the 10th anniversary, research carried out found that audiences became more diverse after the introduction of free admissions. The number of visitors from ethnic minority backgrounds to Department for Culture, Media and Sport-sponsored museums rose by 177.5%. That all adds to our education—widening our horizons; fulfilling our potential; understanding each other and the world around us; and providing us with lifelong learning.

We also celebrate last month—we are only a day out—the birth of Jennie Lee on 3 November and, sadly, on 16 November her death. She was a fantastic Member of this House, who introduced the Open University—another Labour Government success. However, the number of part-time students aged 21 and over has declined by 57%. Figures from the Higher Education Statistics Agency and the Open University have shown that the lost part-time students correlate to the highest participating age group in the UK labour force. That not only affects social mobility but makes it vital to fill the UK skills gap, driving up international competitiveness and productivity.

[Valerie Vaz]

This Government are not a Government of education, and neither are they a Government of law and order, with 47 magistrates courts shut and 45 to follow in 2017. These courts deal with 90% of criminal cases. Many magistrates are resigning—75 of them over the issue of criminal courts charges. Neither are they a Government of business. Business wants transitional arrangements, but we know from the memo that was shown to the whole world that the Government have said no to such arrangements after Brexit.

This is not the Government of unity. The Prime Minister has her three backing singers, like the Three Degrees: the Foreign Secretary, the Secretary of State for Exiting the European Union—whose Department is now known as DExEU—and the Secretary of State for International Trade, who, apparently, is allowed to deal only with international trade outside the EU, the rest being done by the Secretary of State for Exiting the European Union.

We also need an urgent debate, which was promised by the Secretary of State for Exiting the European Union, on the comprehensive economic and trade agreement. The Government cannot just have turf wars; they must also deal with the sovereignty of Parliament and accountability to the House.

This is not the Government of the national health service, either. It is a case of “Social care crisis? What crisis?” Only recently, NHS England lost a case in the High Court. Today is world AIDS day. The drug Pre-exposure prophylaxis, or PrEP, has been shown to reduce the risk of infection by 90%, and it can now be commissioned by the NHS as a result of that ruling.

Both you and the Leader of the House, Mr Speaker, have received a letter from the World Wildlife Fund about Earth Hour. May I ask the Leader of the House to use his best offices to ensure that the lights in the Norman Shaw South building can be turned off? They have been on constantly since last December. We in Norman Shaw South want to take part in Earth Hour day.

Mr Lidington: Let me begin with the hon. Lady’s final question. I will certainly make inquiries of those in the relevant part of the House’s administration department about the lights in Norman Shaw South.

The hon. Lady is right to draw attention to the importance of world AIDS day. As far as the Government are concerned, this country remains committed to ending the AIDS epidemic as a public health threat by 2030. We recently pledged a further £1.1 billion to fight AIDS, tuberculosis and malaria, which will provide essential retroviral therapy for 1.3 million people who are living with HIV. That, of course, is in addition to the £2.4 million national HIV prevention and sexual health promotion programme.

The hon. Lady mentioned the recent court case on PrEP. I think it is good that we have legal clarity about where responsibility lies. Clearly, in the light of the court judgment, NHS England will now consider through its normal process of assessment whether and how PrEP should be made available to patients on the NHS.

Given that we have just had an hour of questions to the Secretary of State for Exiting the European Union, the House has been able to discuss the matters raised by

the hon. Lady in some detail. However, the importance of ensuring the strength and vitality of the country’s science base—including, critically, its important relationships with universities and scientific institutions—in Europe and globally will of course be an important element of the Government’s approach to the forthcoming negotiation.

I join the hon. Lady in saluting the work done by our great museums, both our great national museums here in London—and, I should add, in Edinburgh, Belfast and Cardiff—and our regional and local museums, which do tremendous work. I remember, as a small child, being taken off on rainy half-term days to some of the museums in London, and I agree with the hon. Lady that they perform an important educational and cultural role.

In the spirit of these weekly occasions, I am more than happy to pay tribute to the work of the late Jennie Lee. There have been formidable champions of the arts on both sides of the House over the years, but I think that Jennie Lee was the first Arts Minister to be formally designated as such, and she has an important place in the history of public policy on the arts.

The hon. Lady referred to skills. The Government are committed to creating 3 million new apprenticeships during the current Parliament, and to continuing the work to drive up the quality of education that our children receive in schools. It should be a point of remark—not of complacency, but of some celebration—that more children than ever before attend state schools that are categorised by Ofsted as either good or outstanding.

The hon. Lady referred to magistrates courts, and all of us who have been through this process in our own constituencies know it can be a painful one, but in an age when quite a lot of routine court work can now be done more effectively, swiftly and cheaply online, doing away with the need for as many personal appearances—particularly when there is not actually a trial—there is not the need for quite so many individual courtrooms as there used to be. That is why my right hon. Friend the Lord Chancellor is looking realistically at how our justice and courts system is best equipped to deal with the challenges of the 21st century and the digital age in an effective fashion.

I was disappointed that the hon. Lady made no reference in her comments about benefits to the recent announcement by my right hon. Friend the Secretary of State for Work and Pensions that he will do away with the need for reassessments of people who suffer from the most serious disabilities and chronic and degenerative medical conditions. I would have hoped the entire House welcomed that.

I think the hon. Lady is playing to the gallery a bit, frankly, when it comes to benefit sanctions. As the National Audit Office itself pointed out in its report, our current sanctions system has existed since 1996; it was in operation throughout the 13 years of the Blair and Brown Governments, because the Labour party in government recognised that a sanctions system, properly applied, was a necessary part of a fair benefits system. In any month, fewer than 1% of employment and support allowance claimants and fewer than 4% of jobseeker’s allowance claimants are now sanctioned, and we have seen a halving of sanctions in the past year alone. So I think the Department for Work and Pensions is showing it is trying to address genuine concerns, but we do not flinch—as the Labour party in opposition

appears to flinch from its record in government—from accepting that a sanctions system is necessary for the fair functioning of our welfare arrangements.

The hon. Lady asked for a debate on the EU-Canada trade agreement. [*Interruption.*] Of course, under the provisions of the Constitutional Reform and Governance Act 2010, that treaty will have to be laid before Parliament in the normal way, so there will be an opportunity for such a debate.

While I enjoyed the hon. Lady's little jibe about music—[*Interruption.*] I was given a long list of questions by the Opposition. She asked about a serious point in respect of the private Member's Bill on boundaries. The Member promoting the Bill published it only three days before it was down for its Second Reading debate, and it was not accompanied by any kind of statement or analysis of the costs associated with it. So the Government are now going through the normal process of trying to establish what those costs are before coming forward further to the House.

Finally, the hon. Lady talked about a discordant band. [*Interruption.*] I have to say that if I were looking for dissonance and atonality, I would be looking at Members on the Benches opposite, who are members of a party—

Mr Peter Bone (Wellingborough) (Con) *rose*—

Mr Lidington: It is always good to have the support of my hon. Friend the Member for Wellingborough (Mr Bone). Some 70% of Labour party Members of Parliament have expressed no confidence in their current leader; that strikes me as a party that is engaging in experimental music of the most dissonant kind.

Several hon. Members *rose*—

Mr Speaker: Order. The Leader of the House is a renowned intellectual, noted not merely for carrying books around the place, but even for being seen reading them. However, may I gently say that, in accordance with my usual practice, I do want to accommodate all would-be contributors to the business statement, but I remind the House that there are two subsequent debates to take place under the auspices of the Backbench Business Committee, both of which are more than adequately subscribed and all of the contributors to which I am very keen to accommodate, too? So there is a premium on brevity from Front and Back Benches alike, now to be brilliantly exemplified by Mrs Maria Miller.

Mrs Maria Miller (Basingstoke) (Con): The Government acknowledge that the level of sexual harassment and violence in our schools is worrying, but they have not yet embraced my Select Committee's recommendation to make sex and relationship education compulsory. Will the Government make time for an urgent debate to demonstrate the support for that measure not only in the House but from nine out of 10 parents in this country?

Mr Lidington: It is important that all schools should be safe places and that no young person should fear, let alone suffer, harassment or violence, and we want all schools to put high quality personal, social, health and

economic education, including age-appropriate sex education, at the heart of their curriculum. We are looking again at the case for further action on PSHE and sex education, not least in the light of the views that my right hon. Friend and her Committee have expressed, with particular consideration to improving quality and accessibility.

Pete Wishart (Perth and North Perthshire) (SNP): I also thank the Leader of the House for announcing the business for next week. May we have a debate on cake, and on the perennial question of whether it can be consumed simultaneously? Apparently, that conundrum is now at the very heart of this Government's clueless Brexit strategy. Meanwhile the Foreign Secretary has expressed the view, over a generous slice of Battenberg at the ambassador's residence, that he is simultaneously for and against freedom of movement. I am pretty certain that the Leader of the House and the Prime Minister would like the Foreign Secretary to have his cake and choke on it.

The English votes for English laws shambles continues apace, with the Constitution Unit concluding that its procedures are opaque and that no one understands them. Apparently, there are only three people who understand them: you, Mr Speaker; the chief Clerk; and someone who is now dead. I have checked *Hansard*, and I now hold the record for speeches made in the English Legislative Grand Committee. Following the great demand in the shires of England during the last election for English votes for English laws, I am pretty certain that no one was expecting the Scottish National party Member for Perth and North Perthshire to hold the record for contributing to this English quasi-Parliament.

Finally, no sane person is expecting the Government to be successful in the Supreme Court on Monday. In fact, everyone is expecting them to get a gigantic gubbing at the hands of our judges. So how quickly will we see the legislation on article 50 being brought to the House? Will the Leader of the House at last confirm that the Bill will be amendable, and that there will be an appropriate amount of time for all Members to contribute to the debate?

Mr Lidington: On that last point, it is obviously up to the Court when it brings in its judgment, and the Government will, as always, abide by the rule of law. If we need to bring forward legislation, we will do so. I have never come across a Bill, long or short, that has been incapable of being amended—when the amendments are in order—given sufficient ingenuity on the part of hon. Members. Whether a particular amendment is in order will of course be a matter for you, Mr Speaker, rather than for me.

I have looked at the report on English votes for English laws, to which the hon. Gentleman referred, and I found in it some proposals for certain procedural changes. I will take those into consideration as part of the review of EVEL that the Government are currently carrying out.

I always enjoy Scottish cake, be it a Dundee cake, a clottie dumpling or anything else coming from north of the border, but it is absolutely clear that what the Government are seeking to achieve in the forthcoming EU negotiation is the best possible deal in terms of economic opportunity and of future political relationships

[Mr Lidington]

between ourselves and the other 27 countries that will work in the interests of the prosperity and security of the people of every single part of the United Kingdom.

John Stevenson (Carlisle) (Con): The Supreme Court will be making an important decision in the next few days. It is now very much part of our constitutional structure, but there is a lack of parliamentary accountability in relation to its appointments. Will the Leader of the House agree to a debate about the appointment of Supreme Court judges and the approval of such appointments by Parliament?

Mr Lidington: I hope that we do not go down the route in this country of allowing political considerations to play a part in the appointment of judges. In our current system, their appointment depends on a balance—embodied in numerous conventions over the years, rather than written into law—with Parliament and the Government respecting the judiciary's place in our constitutional settlement, and I very much hope that that will always continue to be the case. There will be Justice questions next week—on Tuesday, I believe—when my hon. Friend may have the opportunity to question the Lord Chancellor on this directly.

Andy Burnham (Leigh) (Lab): Ahead of the Christmas recess and what seems likely to be a dangerous winter in the NHS, is there not an overwhelming case for the Government to come to the House in their own time to explain what is happening with the funding of social care? Councils had been led to believe that there would be an announcement in the autumn statement and they were left stunned, as were Members on both sides of the House, when the Chancellor could not even mention the words. I am told No. 10 blocked a deal on social care—a funding package had been prepared—calling for more work on funding options. I do not know whether that is true, but I know that people working in the NHS have a right to know because they need to plan. Ministers need to come to the Dispatch Box and tell us what the hell is going on.

Mr Lidington: The Government, as the Secretary of State for Health has made clear, are engaged in some very serious and co-ordinated winter planning, and the NHS has winter plans in place at national, regional and local level to manage the increase in demand that we always expect at this time of year. The right hon. Gentleman referred to social care. Yes, all of us are aware of the pressures that exist in our constituencies. That is why the Government have made available the social care precept and the better care fund to make sure that additional resources are available to local authorities.

Oliver Colville (Plymouth, Sutton and Devonport) (Con): Last week, the all-party group on peninsula rail, of which I am the chairman, published its report on the future of the rail network in the south-west. May we have a debate, or for that matter a statement, about the Government's reaction to it, especially on the pilot scheme for signalling?

Mr Lidington: I am glad that my hon. Friend has raised this matter, because the Chancellor announced in the autumn statement an additional £450 million to trial innovative digital rail signalling technology. The peninsula rail campaigners may be able to seek to benefit from that pot of money. I hope he will very much welcome, as a token of the Government's commitment to the south-west, the £10 million of additional development funding announced by the Chancellor of the Exchequer for the railway line from Exeter to Newton Abbot via Dawlish. I am sure all colleagues from the south-west will welcome that much needed work.

Mr Nigel Dodds (Belfast North) (DUP): May we have a debate in Government time on openness and transparency within the BBC, so that we can explore its London-centric, anti-regions and anti-countries of the UK approach? Such an approach is exemplified by its nominations for the sports personality of the year, all but two of whom are from England and from which Carl Frampton—he has been recognised as the greatest boxer of the year, as a double world champion at two different weights—has been excluded, causing outrage across the communities in Northern Ireland. A debate on people's ever growing concern about the BBC would be very timely.

Mr Lidington: The right hon. Gentleman makes the point powerfully. As he would expect me to say, the BBC is and rightly should remain independent of ministerial direction. However, I think the entire House will want to salute the contribution that sportsmen and women from Northern Ireland make to our national success, and long may that continue to be the case.

Martin Vickers (Cleethorpes) (Con): North East Lincolnshire Council is currently involved in putting together a number of regeneration projects that will attract private sector investment. Such investment is essential to the regeneration of our provincial towns. Similar schemes have been put together up and down the country. Will the Government find time for a debate on this important issue, and on how the Government can support local authorities with these projects?

Mr Lidington: Such initiatives are important and it is right that they should be locally driven and therefore reflect the particular circumstances of individual towns, cities and counties. My hon. Friend may have the opportunity to seek a debate in Westminster Hall to highlight his area's particular needs, but my right hon. Friends the Secretaries of State for Communities and Local Government and for Business, Energy and Industrial Strategy will welcome the initiative. I am sure that the Government will do what they are able to do to give support to local authorities and the private sector, which are rightly taking the lead.

Christian Matheson (City of Chester) (Lab): With reference to the Leader of the House's answer to my hon. Friend the shadow Leader of the House regarding the Parliamentary Constituencies (Amendment) Bill, will he indicate what date is pencilled in for the money resolution to be brought forward?

Mr Lidington: As I said, the Government are working through the Bill's costs and carrying out the legal checks to ensure that it is properly compliant. There are recent examples of private Members' Bills having eight, 12 or

15 sitting days between Second Reading and the securing of the money resolution, so what is happening is not at all extraordinary.

Bob Blackman (Harrow East) (Con): Local authorities up and down the country are publishing their draft budgets for spending over the next year. Most have welcomed the Government's commitment to a long-term financial settlement. May we have a statement in Government time on the number of authorities that have agreed a long-term funding settlement and, more importantly, on those that have not?

Mr Lidington: My hon. Friend makes a good point that I will relay to Ministers in the Department for Communities and Local Government.

Mr Speaker: I was going to call Mr Spellar. Where is the right hon. Gentleman? Oh dear. The fellow has beetled out of the Chamber. It is a great pity.

Maria Eagle (Garston and Halewood) (Lab): The board of Seqirus, a major vaccine-producing company, is to make a decision this month on whether to invest millions of pounds in the Liverpool site in my constituency or in another site in mainland Europe. I have been seeking a meeting with the Secretary of State for Business, Energy and Industrial Strategy, but I do not yet have a date. The matter is now urgent, so may we have a debate in Government time on what the Government are doing to support the manufacturing industry given the uncertainty that our leaving the European Union is causing around such decisions?

Mr Lidington: The hon. Lady will acknowledge that if she looks at the list of significant inward investments into this country since 23 June, she will see that international businesses from both the manufacturing and the services sectors see the United Kingdom as a great place in which to invest for future growth. I am sure that that would be a most powerful argument to raise with the company in her constituency, but I will draw the particular case and its urgency to the attention of the Secretary of State to ensure that a Minister gets back to her.

Mr Stewart Jackson (Peterborough) (Con): Members will be avid readers of my "Westminster Life" column in the *Peterborough Telegraph*, which is published today. The latest edition recounts my useful round table business meeting to discuss illegal Traveller incursions. May we have a debate on that issue? Will the Leader of the House encourage his colleagues in the Home Office and the Department for Communities and Local Government to write to police and crime commissioners and local authorities to remind them that they have strong legal powers to deal with this distressing, persistent issue?

Mr Lidington: I can barely contain my patience to read my hon. Friend's latest column. The problem that he describes is one that many of us have faced at various times in our constituencies. He rightly says that significant powers already lie in the hands of police forces and local authorities. Those powers are there to be used. Home Office questions are on Monday 5 December, which will give my hon. Friend a further opportunity to press his case.

Mr Speaker: I am sure that the column will be a literary hit of the very highest quality. I expect nothing less from the hon. Member for Peterborough.

Ian Mearns (Gateshead) (Lab): I thank the Leader of the House not only for the business statement, but for being so accommodating in helping the Backbench Business Committee to plan ahead. He announced this morning the Backbench Business up to and including 15 December. I hope I am not trying his patience if I ask him for an early indication of whether we will get any time in the week beginning 19 December and in the week immediately after the Christmas recess.

Mr Lidington: First, let me say that I am grateful for the hon. Gentleman's opening comments. He is always the soul of courtesy in representing the views of his Committee and I will do my utmost to accommodate him.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): The announcement this week by Ofcom on BT Openreach provides opportunities to improve broadband services to rural communities such as Glendevon, Cleish and Rhynd in my constituency. May we therefore have a debate in Government time on the minimum service improvements we can expect to see following this decision and how this decision will make Openreach more accountable to customers, particularly in rural areas in my constituency and beyond?

Mr Lidington: We are clear that we need a more independent Openreach, and it needs to offer genuinely fair and equal access to telecoms infrastructure to BT's competitors. I know that Ministers, particularly those in the Department for Culture, Media and Sport, will want to explore how this Ofcom ruling can help us to get broadband to rural areas as well as to those towns where fast broadband coverage is still inadequate. I am sure the hon. Lady will continue to put the case for her own constituents strongly.

Chris White (Warwick and Leamington) (Con): The midlands engine plays a significant role in our economy. In the autumn statement it was announced that the Government will publish a midlands engine strategy shortly. May we have a debate on that strategy, so that the region can reach its full global potential?

Mr Lidington: In our commitment to the midlands engine, the Government are demonstrating in their policies that we are intent on building an economy that works for all. When the Business Secretary went to the US and Canada earlier this year, he saw at first hand the opportunities that there are for investment and economic growth on the part of midlands companies. The autumn statement confirmed the arrangements for the midlands engine investment fund. The British Business Bank will make its first investments from the northern powerhouse investment fund in early 2017, and the first investments from the midlands engine investment fund will follow very shortly thereafter.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): Our NHS and social care services are in crisis. One local accident and emergency consultant told me that this is the most unprepared our NHS has been in the three

[Luciana Berger]

decades since he first qualified. Council leaders from across our country were led to believe by Department for Communities and Local Government Ministers that urgently needed funding for social care would be forthcoming in the autumn statement. In answer to my right hon. Friend the Member for Leigh (Andy Burnham), the Leader of the House told us that the precept and the better care funding would fill this gap. I must let him know that that is just a fraction of what has been cut from social care since 2010. May we please have an urgent statement from the Chancellor about why this funding for social care was missing from his autumn statement and how he expects our services to cope over the coming winter months?

Mr Lidington: I simply disagree with the hon. Lady that the Government are approaching the winter ill-prepared. A Health Minister is chairing regular cross-Whitehall meetings to make certain that the NHS at the national, regional and local levels is adequately prepared for the challenges it is going to face. No one pretends that there are no pressures on the NHS or on social care, but I think the hon. Lady would have given a more balanced view had she noted that we have more doctors, more nurses, more accident and emergency attendances, more diagnostic tests and more money going into the NHS now than when her party was in office.

Mr David Burrowes (Enfield, Southgate) (Con): May we have a statement following the Foreign Secretary's timely visit to Cyprus on Tuesday and the Prime Minister's conversation with the President of Cyprus last week to reassure my Cypriot constituents that the stalled talks will resume and that we will have a just settlement for Cyprus at long last?

Mr Lidington: The Government remain very committed to doing all we can to support the UN and the leaders of the two communities in Cyprus in trying to bring about that settlement, which would be so much to the advantage of everybody living on the island. There is an historic opportunity, with leaders in both communities who are utterly committed to trying to get that settlement, in the common interest, and the Government will continue to do all they can to help foster the climate that might bring that agreement about.

Alex Salmond (Gordon) (SNP): May we have a debate entitled "The Bumbling Incompetence of the Foreign Secretary"? The Leader of the House has long experience in the Foreign Office, so can he give the House a single previous instance when the Foreign Secretary of the United Kingdom has been reduced to demanding from four separate diplomats evidence that their recollection of a meeting with him is correct?

Mr Lidington: The right hon. Gentleman really should not get carried away by the odd newspaper story. The Foreign Secretary, like the whole Government, is committed to getting the right deal in the negotiations on all fronts. Part of that, as the Prime Minister has set out, is accepting that, following the referendum result, freedom of movement as it exists at the moment cannot continue. There will be a need for a national immigration regime

when we leave the European Union. Obviously, the exact relationship of this country to the other 27 in terms of the movement of workers, trade, investment and so on is a central part of those negotiations but, at the risk of repeating lines that the right hon. Gentleman has heard from Ministers so often, we are not going to give a running commentary on that detail.

Mr Peter Bone (Wellingborough) (Con): The hon. Member for Perth and North Perthshire (Pete Wishart) who speaks for the Scottish National party was slightly wrong. There is a Bill before Parliament now—the Withdrawal from the European Union (Article 50) Bill. That Bill is expected to get a Second Reading on 16 December but, as the Leader of the House knows, there is one slight problem if it progresses: Standing Order No. 84A(5) requires the Government to table a motion so that the Bill can proceed to Committee, because the Committee stage of another private Member's Bill is taking place. Has the Leader of the House given any thought to that, and will he make a statement about when he will bring forward that motion?

Mr Lidington: At a time when the Supreme Court is about to consider all these matters relating to the triggering of article 50, it would be premature of me to speculate about possible future legislative needs.

Chris Law (Dundee West) (SNP): Once again, I find myself speaking at business questions as a result of the utter, confounding confusion that exists between Government Departments over leaving the EU. This time it is the Secretary of State for Scotland, on last week's "Sunday Politics" programme, and the Secretary of State for Environment, Food and Rural Affairs who have made contradictory statements. The former tells us that Scotland will benefit from the powers being repatriated from the EU, but the latter tells us that there will be a UK-wide approach. Can we have a statement from the Leader of the House, or from an appropriate Department, to clarify the doublespeak of this Government?

Mr Lidington: The hon. Gentleman is, uncharacteristically, oversimplifying the process of the negotiation. Let us look at one of the key areas of policy that is largely devolved—fisheries. Clearly, at the moment, fisheries policy within the common fisheries policy is devolved to the Scottish Parliament. There is also the issue of the United Kingdom's future independent membership of UN conventions regarding fish stocks, and agreements with third countries that have the character of international treaties. External relations—the right to sign and negotiate treaties—is explicitly a reserved power under the devolution settlement. Therefore these matters do need to be resolved in the negotiations, which is why we are ensuring that Scotland and the other devolved Administrations are intimately involved in the preparation of our negotiating position. My right hon. Friend the Secretary of State for Exiting the European Union is visiting Edinburgh in the very near future and will be talking directly to Scottish Ministers and parliamentarians about that matter.

Tom Pursglove (Corby) (Con): On Saturday morning, I was out knocking on doors in Corby, and one of the key messages that constituents asked me to relay was the importance of infrastructure keeping up with new homes. May we have a debate at some point in the next

few weeks to discuss this matter, because it is incredibly important that we have the public services and infrastructure in place to support the new homes that are being built?

Mr Lidington: I very much agree with my hon. Friend. Like him, I represent an area that is willing and able to provide a significant amount of additional housing, but where there is understandable local concern about the pressures on infrastructure. I am sure that he, like me, welcomes the Chancellor's announcement of a housing infrastructure fund, which will make money available to local authorities that want infrastructure improvements so that they can unlock additional land for new homes.

Margaret Ferrier (Rutherglen and Hamilton West) (SNP): Today's damning report from the Work and Pensions Committee condemns both Concentrix and Her Majesty's Revenue and Customs for a gross failure in customer service over the tax credits fiasco. My constituent Nicola is one of the many thousands who have been failed and left to deal with the aftermath, with bank charges, overdraft fees, credit card interest and phone call charges. While the Government consider their response to the report, may we have a debate in Government time on fair compensation for all people who, like Nicola, have been left in dire straits?

Mr Lidington: On the point about compensation, there are existing arrangements whereby people can seek redress if there is maladministration. I agree with the hon. Lady, as the Select Committee report shows that there are important lessons that need to be learned. My hon. Friend the Financial Secretary and her colleagues will reflect on that report and there will be a full Government response in due course.

Henry Smith (Crawley) (Con): Like right hon. and hon. Members on both sides the House, I am always very grateful to you, Mr Speaker, for your generosity, understanding and forbearance, as was evidenced earlier when you allowed me, although I was late, to ask a question on exiting the European Union. Not for the first time, and despite allowing plenty of time, I have been late for business in the House this week because of problems with Southern railway and Network Rail. May we have a debate on the unnecessary industrial action by the RMT and ASLEF unions, which has been making many of my constituents and people across the south-east late for work and late getting home again to see their families for almost 12 months?

Mr Lidington: My hon. Friend speaks on behalf of a large number of hard-working men and women whose lives are regularly being disrupted in the way in which he describes. Positive industrial relations should be part of the backbone of a productive economy, but that needs to involve people being able to go about their business and to get on with their lives without unjustified disruption. Of course trade unions can and do play a constructive role, but we did need to introduce modernising reforms to ensure that strikes such as those that my hon. Friend describes happen only as a result of a clear positive decision by union members entitled to vote. Under the Trade Union Act 2016, we have provided for a 50% turnout threshold for all industrial action ballots and an additional 40% support threshold for key public

services. We will shortly bring forward the secondary legislation to implement those reforms. That is evidence of the Government's determination to tackle the problem.

Bill Esterson (Sefton Central) (Lab): Small businesses are often best placed to take advantage of new opportunities, and they are crucial in creating the good well-paid jobs that all our constituents so desperately need. I will be visiting many of the excellent small businesses in my constituency on Small Business Saturday, which was brought in by Labour. May we have a debate about the need to maximise the support for small businesses so that we can help entrepreneurs, their staff and the wider economy?

Mr Lidington: I am happy to endorse the hon. Gentleman's tribute to small businesses, and I welcome the fact that he has highlighted Small Business Saturday, which falls this weekend. There will be questions to the Secretary of State for Business, Energy and Industrial Strategy in the week after next. I hope we can build a consensus across the House in support of measures that will make it easier for small businesses to grow and employ more people. I hope that the hon. Gentleman, for his part, will persuade his party to cease its criticism of the Government's reductions in corporation tax, which greatly benefit small businesses.

Brendan O'Hara (Argyll and Bute) (SNP): On 12 September, 18 October, 7 November and again on 17 November, the Under-Secretary of State for Defence, the hon. Member for West Worcestershire (Harriett Baldwin), told the House that the national shipbuilding strategy would report by the time of the autumn statement. On Tuesday, the Secretary of State for Defence made available Sir John Parker's report, which will inform the national shipbuilding strategy, and said that the national shipbuilding strategy would not report until the spring. May we have a debate in Government time, or at least a statement, on why the House has been so badly misinformed regarding the national shipbuilding strategy?

Mr Lidington: The Parker report was delivered to Ministers ahead of the autumn statement, which was what, as I understand it, the Government's pledge had consistently been. The report, as the hon. Gentleman says, was published earlier this week. It is a wide-ranging report making 34 different recommendations covering both Government and industry. It is only right that Ministers, having received the report themselves only last week, should want to consider those recommendations before coming forward with the strategy the hon. Gentleman wants. I hope he will acknowledge the Government's continuing commitment to Scottish shipyards, which we have seen through the strategic defence and security review, and the placing of additional contracts.

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op): Last week, many parts of Greater Manchester were badly hit by flooding, but especially Stalybridge, Mosley and Hollingworth in my constituency. The reaction of the emergency services and the community was absolutely commendable. Understandably, people want to know that the same damage will not happen again, and the adequacy of local drainage has been questioned in particular. Last April, amendments were tabled to the Bill that became the Housing and Planning Act 2016

[Jonathan Reynolds]

that would have given more support to local authorities to improve drainage, but those amendments did not go through. May we have a debate on whether enough is being done to protect people from the risk of flooding and whether our drainage systems are fit for purpose?

Mr Lidington: I think everyone in the House would want to join the hon. Gentleman in his tribute to the emergency services in his and other affected constituencies, and would also express their sympathy to those householders and businesses that have gone through the awful experience of seeing their properties flooded. The Government are investing record amounts in flood protection and recently published their long-term strategic flood resilience review. I hope that review will provide some reassurance to the hon. Gentleman's constituents, but I will highlight his concerns to Environment, Food and Rural Affairs Ministers.

Kirsten Oswald (East Renfrewshire) (SNP): I am sure the Leader of the House will be as delighted as I was to learn that Rouken Glen park was awarded the accolade of the UK's best park in the Fields in Trust awards last night. I am also sure he will want to join me in endorsing the view that Rouken Glen is a fantastic place, in congratulating everyone involved on working so hard there, and in encouraging people to visit Rouken Glen. May we have a statement from him on that, please?

Mr Lidington: I think the best statement I can make is that the hon. Lady has encouraged me to think about a visit to her local park the next time that I am in Scotland.

Jessica Morden (Newport East) (Lab): It is 10 years since the collapse of Farepak, when thousands and thousands of people lost their Christmas savings, but we still do not do enough to protect consumers who prepay and often find themselves at the back of the queue when companies fail. Will the Leader of the House urge the Business Department to get on with making a statement on the Law Commission's recent report on protecting consumers who find themselves in these circumstances, which includes excellent input from my constituent Deb Harvey?

Mr Lidington: I think all of us who were Members at the time will recall the agony that constituents who lost their—usually modest and hard-earned—savings in that way went through. Obviously, my colleagues in the Department will want to consider the Law Commission's report carefully. I note that questions to the Business Secretary fall on Tuesday 13 December, so the hon. Lady might be able to press her point then.

Greg Mulholland (Leeds North West) (LD): The Secretary of State for Business, Energy and Industrial Strategy was sent proof that Paul Newby, the adjudicator, has existing loans and shares that are dependent on income from the pubcos he is supposed to adjudicate, yet it took four months for the Secretary of State to respond to the then Business, Innovation and Skills Committee's recommendation that the appointment be rescinded and to say simply that he was not going to look at the matter. That is not good enough. People are being

denied the right to the market rent-only option that this House voted for, and Mr Newby is doing nothing about it. May we have an urgent debate in Government time on this matter?

Mr Lidington: That appointment, like all other Government appointments, is made through a process that is designed to ensure that all due diligence is adhered to when putting forward a long list and then a short list of candidates. My understanding is that, following the criticisms that were made, a look was taken at the appointments process in this case, and it was found that absolutely nothing untoward took place in making that appointment.

Dr Rupa Huq (Ealing Central and Acton) (Lab): On Saturday, I was among a congregation of hundreds at the Ukrainian Orthodox Church in Acton to mourn the up to 10 million people who died in Stalin's forced famine of 1932-33. The atrocity was exposed by British journalists, yet the British Government still fail to acknowledge it as genocide. Could we have an urgent statement on why we have not followed other countries in doing that? There was progress under the Blair and Brown Governments, but that seems to have stalled, like so many other things. These people feel like they have been swept under the carpet and they need our solidarity. They are under attack again.

Mr Lidington: With respect to the hon. Lady, it was not recognised formally as a genocide under those Governments. The principle that the Government follow, as I think she knows, is that, because the term "genocide" carries certain potentially criminal implications in respect of those alleged to have carried out genocidal acts, we believe that such decisions should be made by judges rather than by Governments. However, that should not diminish in any way our sense of horror at what happened in Ukraine during the 1930s. I remember going to see the memorial in the centre of Kiev, and the folk memory of that harrowing experience is still central to Ukrainians' conception of themselves as a people and as a nation. We are right to remember the horror that took place then, and to do all in our power to try to make sure, through our foreign policy, that such events never happen again.

Jim Shannon (Strangford) (DUP): The situation for Christians in Iran has deteriorated markedly. Pastor Youcef Nadarkhani, who was acquitted in 2012 after being charged with apostasy and sentenced to death, was recently re-arrested and charged, along with three church members, with "action against national security". The church members are also appealing against a sentence of 80 lashes each for drinking wine during a communion service. That is unbelievable. Given that the UK has re-established ties with Iran, will the Leader of the House find time for a debate on human rights in Iran so that this House can urge Iran to ensure rights and religious freedom for all its citizens?

Mr Lidington: The hon. Gentleman, as he does so often, speaks passionately for religious freedom all around the world. I think that no one here would say anything other than that the Iranian Government have an appalling human rights record. That is a matter of great sadness, given the richness and diversity of Iranian civilisation

and culture, and the fact that the best Iranian cultural traditions actually accord respect to religious minorities. We will do all we can, through our diplomatic work, to encourage the Iranian Government to adopt the kinds of human rights standards that we would expect from a country with the rich civilisation that they have inherited.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): There are positive aspects to two major reviews issued today by the Department for International Development, but there are also revelations that billions of pounds of our aid spending are being diverted to richer economies such as India, China, Malaysia and Mexico. When can we have a statement on that? Given that the reviews also praise our humanitarian aid, when can we expect a Government response to the cross-party calls from more than 200 Members for humanitarian aid drops to Aleppo, where the conditions are currently appalling?

Mr Lidington: On the hon. Gentleman's first point, the Department has said today that it has ceased funding one of the international organisations that was criticised. Our work with the others is now subject to a programme to make sure that aid money goes to, and is effective in helping, the poorest, as is rightly DFID's remit for all its spending.

Aleppo was raised in the course of exchanges on an urgent question earlier this week. No one here can avoid confronting the horror of what is happening in Aleppo—it is the most merciless slaughter of civilians. We should not, however, conceal from ourselves the complexity and difficulty of an airdrop operation of the kind the hon. Gentleman describes, given the presence of Syrian and Russian air defences, and the implications of what even a humanitarian airdrop in the face of opposition from Syria and Russia would mean in terms of a requirement for force protection, and considerable risk to UK and other personnel involved.

Ms Margaret Ritchie (South Down) (SDLP): Last week in the autumn statement there was reference to a rise in insurance premium tax from 10% to 12% in June next year. That will undoubtedly have a detrimental impact on many businesses, families, young people and older people. May we have a debate about this, combined with the impact of Brexit?

Mr Lidington: I am sure that the hon. Lady will find opportunities to question Treasury Ministers about this, or to raise her concerns by way of an Adjournment debate. Of course, any tax rise is going to hit certain people and certain businesses, but my right hon. Friend the Chancellor was quite open in his autumn statement in saying that this particular tax increase was needed to raise revenue so that the Government can maintain their fiscal stance, and in order to free additional money for other spending priorities, which were largely welcomed in the House.

Paul Flynn (Newport West) (Lab): A 20-year-old constituent of mine made an indelible and unforgettable impression on my hon. Friend the Member for Newport East (Jessica Morden) and me with the tragic story of his half a dozen abortive attempts to get the organ transplant that he desperately needed. Six months later, I attended his funeral. He died because of a lack of

donors. Yesterday, the Welsh Government announced that, as a result of their pioneering and courageous legislation on the new law of presumed consent, 39 patients in Wales had had organ transplants. When can we get the Government to accelerate in this House a law that will allow the same process and the same advantage to be enjoyed throughout the rest of the United Kingdom?

Mr Lidington: I will certainly make sure that that point, which the hon. Gentleman and others have made, is considered by the Health Secretary and his team. Very many of us, myself included, know friends or family members who have literally been given a new lease of life through a successful transplant. All healthy adults need to consider whether they should make arrangements to make clear their wishes in advance of their death. It is also important that our medical professionals are trained in how to make an approach to families at a critically emotional moment when a relative is at the point of death, to ask them sensitively to consider whether to give consent for a transplant to take place.

Chris Stephens (Glasgow South West) (SNP): May we have a debate or a statement in Government time about the use of agency workers to burst industrial action? I am thinking in particular of media reports and early-day motion 748, which names new Labour-controlled Glasgow City Council as having recruited agency workers to try to burst today's industrial action about ICT privatisation. Can the Leader of the House confirm that such actions are illegal and that we should be enforcing stricter penalties on such rogue employers?

Mr Lidington: I am not going to get drawn into commenting on whether a particular action by Glasgow City Council is illegal. That is for the Scottish courts to determine.

Peter Grant (Glenrothes) (SNP): Tomorrow will be exactly two years since the European Scrutiny Committee first asked for Members to be able to debate the proposed European ports regulation. That request has been made 10 times and ignored 10 times by the Government. In its eighth report of the current Session, the Committee described that behaviour as

“a remarkable refusal by the Government to pay even lip service to accountability to Parliament.”

What is the response of the Leader of the House to that comment?

Mr Lidington: I have seen that. Indeed, I have had a conversation with the Chair of the European Scrutiny Committee about the matter and I am taking up the matter with Transport Ministers, though the hon. Gentleman will have noted that, during the exchanges at Exiting the European Union questions, the Minister of State said that the Government would vote against the regulation when it came before us for a final decision.

Alan Brown (Kilmarnock and Loudoun) (SNP): When Scottish National party Members compare the Government's austerity choices with the £205 billion cost of Trident, we are told that that is inappropriate because the figure is the whole-life cost of Trident. Yet last night, when we debated the SNP's proposals on the pension arrangements with regard to the Women Against

[Alan Brown]

State Pension Inequality Campaign, the Government tried to confuse matters by talking about the cost in 2026. What is the right fiscal approach for the Government?

Mr Lidington: The right fiscal approach is to ensure that we can continue to command the confidence of the international markets from which we borrow money to fund our deficit and our national debt, while paying down the deficit that we inherited in 2010—we are now two thirds of the way through the task—and at the same time, following tax and structural reform policies that will make our economy more productive. Many challenges still face us, but we should all welcome the following facts: that we have more people in the United Kingdom in work now than ever before; that UK living standards are at an all-time high; and that the statistics for both inequality and poverty are on a downward trend.

Patrick Grady (Glasgow North) (SNP): I echo the comments of the hon. Member for Cardiff South and Penarth (Stephen Doughty). The Department for International Development has published substantial policy documents today about which we need Ministers to come to the Dispatch Box and answer questions. However, I also noticed in today's written statements that the Prime Minister has moved responsibility for the Britain is GREAT campaign from the Cabinet Office to the International Trade Department. Will a Minister from that Department come to the House and explain how it manages its Twitter policy and how it will advise the Foreign Office on the difference between the Queensferry crossing and the Forth road bridge?

Mr Lidington: Any of us who have visited Scotland, if only at intervals, will be aware of that important distinction. The Britain is GREAT campaign spans the international work of several different Departments, and I think that it has proved successful at highlighting the strengths of this country in investment, scientific opportunities, education and culture. That helps to attract more tourists and more investors to the United Kingdom, and we should welcome that.

Gavin Newlands (Paisley and Renfrewshire North) (SNP): Baroness Tanni Grey-Thompson is currently finalising a duty of care in sport review at the behest of the sports Minister, the hon. Member for Chatham and Aylesford (Tracey Crouch). Given the ongoing allegations of sexual abuse in football, will the Leader of the House ensure that Members can fully scrutinise and debate the review on its publication by granting a debate in Government time?

Mr Lidington: My understanding is that criminal charges are being brought against an individual and there are therefore sub judice issues that have to be taken into account, but I am sure that there will be opportunities to debate the policy strategy in detail. Although investigation of allegations of historical abuse is clearly a matter primarily for the sports governing bodies, my right hon. Friend the Secretary of State for Culture, Media and Sport has assured the Football Association in particular that the Government will give it any support that is appropriate, and my hon. Friend the sports Minister has written to all sports governing bodies to make clear the importance that the Government attach to taking seriously and investigating allegations of historical abuse and also ensuring that they have in place adequate modern safeguarding arrangements.

Points of Order

11.44 am

Alex Salmond (Gordon) (SNP): On a point of order, Mr Speaker. I happened to notice at business questions a few moments ago that 18 Members of the Scottish National party were present, with most standing, and that only 16 Members of the combined Labour and Conservative parties were present, including the Leader of the House. With your long experience of such matters, is there any procedural device that the SNP could employ to take advantage of our new-found numerical superiority?

Mr Speaker: No. However, I know that Members of the Scottish National party attend in large numbers principally because of the vast range of issues that they perfectly properly wish to raise on this occasion and secondly, doubtless because they enjoy my company.

Brendan O'Hara (Argyll and Bute) (SNP) *rose—*

Valerie Vaz (Walsall South) (Lab) *rose—*

Mr Speaker: I am coming to the hon. Lady—I am saving her up.

Brendan O'Hara: On a point of order, Mr Speaker. I would appreciate your advice on how I can get the record corrected. I believe that the Leader of the House inadvertently misled the House by suggesting that the Defence Secretary's announcement on the national shipbuilding strategy on Tuesday was always the Government's plan. However, on four occasions, the Under-Secretary of State for Defence, the hon. Member for West Worcestershire (Harriett Baldwin), has told us that the national shipbuilding strategy would report by the autumn statement. There can be no doubt that the strategy has not been delivered to the House as promised.

Mr Speaker: Members are responsible for the veracity of what they say in the House, but I have a sense—I may be mistaken but I doubt that I am—that the hon. Gentleman on this occasion is less interested in what anybody else has to say to him, and rather more interested in what he has to say to them. He has made his point in his own way with his usual force and alacrity, and it is on the record. Doubtless it will be communicated ere long to large numbers of his constituents, which I imagine will cause him to go about his business with an additional glint in his eye and spring in his step that would otherwise perhaps have been lacking.

Valerie Vaz: On a point of order, Mr Speaker. I apologise that my point of order is so long, but I have to make it clear and use words carefully.

I seek your guidance on a matter of importance that affects my reputation and that has implications for other Members. Following my presentation of a petition on behalf of my constituents, there was confusion between the Department for Communities and Local Government and Walsall Council on whether it was a planning application call-in, despite the fact that the

petition did not ask for a call-in, and that DCLG guidance makes it clear that a call-in must be expressly asked for.

It appears that the Minister for Housing and Planning has decided to treat petitions opposing planning applications as requests for call-in, and that he has instructed his staff to contact planning authorities but not Members in accordance with that decision. Walsall Council blamed me for its decision to delay consideration of the application, which it said was caused by the petition. The council was wrong as a matter of planning law.

The Minister's policy, if that is what it is, to treat petitions as requests for call-in has not been communicated to Members or to the House, and appears to treat each request from Members arbitrarily and in a way that is inconsistent with procedures that are set out in a previous written statement, and that are helpfully described in the Library guidance. That has resulted in reputational damage to me by Walsall Council and DCLG. So far, only the head of the planning casework unit has apologised to me. The Minister has made up that policy in breach of his own guidelines. He has not communicated it to the House, so the Journal Office, on which Members rely for advice on petitions and which is extremely helpful, is unaware of it. I seek your guidance, Mr Speaker.

Mr Peter Bone (Wellingborough) (Con): Further to that point of order, Mr Speaker. I understand the hon. Lady's point. I presented a petition, but in that case the Department contacted me first before deciding to call it in. In my case, the call-in was not automatic: the Department contacted me first.

Mr Speaker: The hon. Gentleman's experience was obviously different from and, according to his own lights and probably those of the hon. Lady, preferable to hers. I am grateful to the hon. Lady for giving me notice of her point of order as well as for its substantive content. I appreciate her concern. She is of course right that the petitions procedure is quite separate from planning law. Furthermore, it is a matter of public record that the petition she presented on behalf of her constituents did not request that the application be called in.

In setting out the facts of the case today, the hon. Lady may well feel that she has achieved her objective of putting the record straight. Moreover, I have little doubt that her concerns about the process will have been heard on the Treasury Bench, and that they will be conveyed to the relevant Minister. I hope that that is helpful.

BILL PRESENTED

GENDER IDENTITY (PROTECTED CHARACTERISTIC)

Presentation and First Reading (Standing Order No. 57)

Mrs Maria Miller, supported by Jess Phillips, Mrs Flick Drummond and Ben Howlett, presented a Bill to make gender identity a protected characteristic under the Equality Act 2010 in place of gender reassignment and to make associated provision for transgender and other persons; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 24 February, and to be printed (Bill 106).

Backbench Business

Mr Speaker: We now come to Backbench business. The first item is a motion in the name of Ian Blackford.

Since this is only the second occasion upon which these procedures have been invoked, it might be helpful to the House if I explain what is happening. This is an identical motion to that which was debated in Westminster Hall on Tuesday 15 November. When the question was put in Westminster Hall, the Chair's opinion as to the decision of the question was challenged. As the motion has now been brought before this Chamber, under Standing Order No. 10(13) I am required to put the question on the motion without debate.

STATE PENSION AGE: WOMEN

Motion made, and Question put forthwith (Standing Order No. 10(13)),

That this House has considered acceleration of the state pension age for women born in the 1950s.—(*Ian Blackford.*)

The House divided: Ayes 2, Noes 106.

Division No. 101]

[11.50 am

AYES

Blackman, Bob
Hopkins, Kelvin

Tellers for the Ayes:
Stewart Hosie and
Pete Wishart

NOES

Ahmed-Sheikh, Ms Tasmina
Alexander, Heidi
Arkless, Richard
Austin, Ian
Bardell, Hannah
Black, Mhairi
Blackford, Ian
Blomfield, Paul
Bone, Mr Peter
Brabin, Tracy
Bradshaw, rh Mr Ben
Brown, Alan
Brown, Lyn
Burgon, Richard
Cadbury, Ruth
Carmichael, rh Mr Alistair
Champion, Sarah
Cherry, Joanna
Cowan, Ronnie
Crawley, Angela
Creagh, Mary
Cunningham, Mr Jim
David, Wayne

Dodds, rh Mr Nigel
Donaldson, Stuart Blair
Doughty, Stephen
Elliott, Tom
Elmore, Chris
Esterson, Bill
Ferrier, Margaret
Fitzpatrick, Jim
Flint, rh Caroline
Foxcroft, Vicky
Gardiner, Barry
Gethins, Stephen
Gibson, Patricia
Glindon, Mary
Goodman, Helen
Grady, Patrick
Grant, Peter
Green, Kate
Griffith, Nia
Hayman, Sue
Hendry, Drew
Hollobone, Mr Philip
Hopkins, Kelvin

Howarth, rh Mr George
Huq, Dr Rupa
Kane, Mike
Kerevan, George
Kerr, Calum
Law, Chris
Lewell-Buck, Mrs Emma
Loughton, Tim
MacNeil, Mr Angus Brendan
Marsden, Gordon
Matheson, Christian
McCaig, Callum
McCarthy, Kerry
McDonald, Stuart C.
McFadden, rh Mr Pat
McInnes, Liz
McLaughlin, Anne
Mearns, Ian
Monaghan, Carol
Monaghan, Dr Paul
Morden, Jessica
Mulholland, Greg
Mullin, Roger
Murray, Ian
Newlands, Gavin
Nicolson, John
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Osamor, Kate
Oswald, Kirsten
Paterson, Steven

Pennycook, Matthew
Qureshi, Yasmin
Rayner, Angela
Reed, Mr Steve
Rees, Christina
Ritchie, Ms Margaret
Salmond, rh Alex
Saville Roberts, Liz
Shah, Naz
Shannon, Jim
Sheerman, Mr Barry
Sheppard, Tommy
Skinner, Mr Dennis
Smeeth, Ruth
Smith, rh Mr Andrew
Smith, Jeff
Smyth, Karin
Spellar, rh Mr John
Starmer, Keir
Stephens, Chris
Thomson, Michelle
Timms, rh Stephen
Vaz, Valerie
Watson, Mr Tom
Whiteford, Dr Eilidh
Whitford, Dr Philippa
Wilson, Sammy
Winnick, Mr David
Wright, Mr Iain

Tellers for the Noes:
Mike Weir and
Deidre Brock

Question accordingly negatived.

Ian Blackford (Ross, Skye and Lochaber) (SNP): On a point of order, Mr Deputy Speaker. Now that the House has unequivocally declared that this matter was not considered in the Westminster Hall debate a couple of weeks ago, what mechanisms are open to us to make sure that we can have a debate in this place so that Members can be heard and we can stand up for the 2.6 million WASPI women?

Mr Deputy Speaker (Mr Lindsay Hoyle): I presume that the hon. Gentleman might have raised the issue at business questions, and there is always the opportunity at the next business questions to highlight the result. Actually, there was a debate here yesterday, so the debate has already taken place. However, it is not for the Chair to decide future business; it is for the Government to decide. I am sure that through the hon. Gentleman's good offices, the matter will not rest there. I am sure that he will be pressing once again for another debate.

Transgender Equality

[*Relevant documents: First Report of the Women and Equalities Committee, Session 2015-16, on Transgender Equality, HC 390, and the Government response, Cm 9301.*]

12.2 pm

Mrs Maria Miller (Basingstoke) (Con): I beg to move,

That this House notes the UK's status as a pioneer in legislating for equality for LGBT people; welcomes the Government's announcement of a new trans equality action plan; and calls on the Government to review its response to the recommendations of the Women and Equalities Committee's report on Transgender Equality to ensure that the UK leads the world on trans equality rights, in particular by giving unequivocal commitments to changing the Gender Recognition Act 2004 in line with the principles of gender self-declaration and replacing confusing and inadequate language regarding trans people in the Equality Act 2010 by creating a new protected characteristic of gender identity.

The motion stands in my name, those of the hon. Members for Lanark and Hamilton East (Angela Crawley) and for Brentford and Isleworth (Ruth Cadbury) and many other hon. Members. I know many wanted to speak here today, but their other commitments in the House have precluded them from doing so. Their names are listed on the Order Paper.

The Backbench Business Committee has been most generous in allocating the time for this debate, which was inspired by the transgender report published by the Women and Equalities Select Committee in December 2015. I would like to thank, too, the hundreds of people and organisations who gave written and oral evidence to the Committee—evidence from more than 250 people and organisations. We were fortunate in having our specialist advisers, Stephen Whittle and Claire McCann to advise us. Indeed, we had an incredible Select Committee staff, particularly David Turner, Gosia McBride, Sharmini Selvarajah and Helena Ali. I also thank my fellow Select Committee members, particularly those in their places today to speak in the debate.

This is a first—the first ever debate on the Floor of the House on transgender issues. The report published by the Women and Equalities Select Committee was the first ever parliamentary inquiry into transgender issues. As you know, Mr Deputy Speaker, the Select Committee itself is the first ever such Committee charged with scrutinising the Government's policies on equality issues. It was established by the House because of the pivotal role that these matters must play in creating a fairer society for us.

When we published our first report and chose to focus on transgender, a few people said to me, "Why are you choosing to focus on that above all other issues? Why use such an important platform to tackle the issues faced by such a small group? Surely there are issues that are higher on the list of priorities." Others said that they had never met a trans person, and were not aware that they had any trans constituents. Well, it is estimated that more than 650,000 people in this country can identify with being trans: it equates to 1,000 people in every constituency, and that is probably a gross underestimate.

The evidence that the Select Committee received gave us an opportunity to gain some sort of insight into the prejudice, discrimination and ignorance that trans people endure every single day of their lives, but also the great

joy that they experience when they are able to be recognised by the gender with which they identify. That is why this debate is important.

Caroline Flint (Don Valley) (Lab): I welcome the debate, because it is vital for us to consider the issue of transgender rights, but should we not also be wary of creating gender-neutral environments that may prove more of a risk to women themselves? A recent case involving my old university, the University of East Anglia, which has gender-neutral toilets, revealed that a man had been using those facilities to harass women. He was charged and convicted. How does the right hon. Lady think we can protect women from male violence in gender-neutral environments?

Mrs Miller: That point is often raised when we debate the rights of trans people, but it is not a zero sum game. Giving rights to one group, or enforcing those rights, does not mean that rights must be taken away from another group. We must be careful in this place not to appear to undermine the rights of trans people to enjoy the protections that they are afforded under the Equality Act 2010. As for gender-neutral toilets, many organisations have had them for a great many years. An aeroplane does not have a men's and a ladies', and we do not see any significant problems on aeroplanes. We must ensure that people do not use, or perhaps misinterpret, the serious problem of threats to women in environments of that kind to undermine—even, perhaps, inadvertently—the rights of transgender people, which are important and which we, as parliamentarians, should uphold.

John Nicolson (East Dunbartonshire) (SNP): Does the right hon. Lady not agree that the point raised by the right hon. Member for Don Valley (Caroline Flint) is a matter for criminal law, and has nothing whatsoever to do with transgender equality?

Mrs Miller: The hon. Gentleman has made an important point, but I think the right hon. Member for Don Valley has the right to make the assertion that she did. I know that some organisations may be at risk of misinterpreting the rights that transgender people have, in the belief that they somehow undermine the rights of women. We need to get the balance right. As the hon. Gentleman says, if criminal behaviour is taking place, it should be dealt with by the criminal law.

This debate is important because it is our job to stamp out prejudice wherever it lies, and to ensure that, as a nation, we are fair to everyone. I think we should judge our success as a Parliament by the way in which we treat the most marginalised and disadvantaged groups in society, and, given the issues with which transgender people must deal, they certainly fall into one of those groups. In striving for the recognition of equality rights that trans people need to enjoy, we reject prejudice, and by doing that, we improve the ability of all who are struggling to be treated equally to achieve their aim.

Attitudes are not static. I think it incumbent on us in Parliament to continually re-evaluate what equality means—what it means to have a free and fair society that gives everyone the opportunity to succeed. If attitudes towards equality were static I would not be standing here today, and the hon. Ladies on our green Benches would not be sitting here today; the civil rights movement

[Mrs Miller]

in the US would not, in the year I was born, have outlawed segregation in schools and public places; Nelson Mandela would not have been democratically elected in South Africa; homosexuality would not have been decriminalised here in the UK in 1967; and we would not have equal marriage for same-sex couples. We need to continually challenge these norms and things that might be accepted, so we can be sure that equality evolves over time.

Trans people have not been dealt with fairly in this country—they have been marginalised. We know that is wrong, and the motion challenges us to consider what we can do better in the future.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): The right hon. Lady is making a strong speech, and I wholeheartedly support it. Will she join me in praising the work of many public sector organisations, including South Wales Police and the British Army, which has been praised for its work with trans communities and the wider LGBT community? It is by showing leadership in the public sector and through such organisations that we can deliver real equality.

Mrs Miller: The hon. Gentleman makes an extremely good point, and our Select Committee inquiry report looks carefully and closely at the challenges that public sector organisations face. I have to say that we found some were able to cope with them better than others. I particularly have been impressed by the way in which the Ministry of Justice has accepted the challenge around trans prisoners. I note the comments the hon. Gentleman makes about the police as well, and I hope other police authorities are able to follow suit.

The Select Committee report covered a huge range of issues, because that is what was required of us, making recommendations on hate crime, gender markings, prisoners and probation, media representation, schools and social care. I welcome the Government's very positive responses to our report. Perhaps the Minister in her response today can indicate whether the Government have been able to look further at the issues on which the responses were perhaps a little less positive, because Committee members felt very strongly that every single one of the recommendations we put forward had merit and needed to be looked at, although there was a large number of recommendations—more than 70—so it was clearly difficult for the Departments to respond to them all in the time available.

Today is about looking at progress, so I will focus particularly on the strategic and legislative aspects of the Select Committee report, in the full knowledge that the great number of other Members here today will pick up on progress on the recommendations made for the NHS, child protection, offender management and schools.

The Government have committed to a new trans equality action plan to include a review of the Gender Recognition Act 2004 and a cross-Government review of removing unnecessary requests for gender information. All these steps are hugely welcome, but particularly the undertaking to look at training for specialist NHS staff to work in gender identity services, and tackling harassment and bullying of transgender people in education.

Mary Glindon (North Tyneside) (Lab): The right hon. Lady mentions health, and the constituents who have contacted me felt that was an area of great inequality. Does she think it is a disgrace and very worrying that 54% of trans people have been told by their GPs that they do not know enough about trans-related healthcare to even provide it?

Mrs Miller: One of the problems we uncovered through the evidence we gathered was that many doctors felt as disempowered as the hon. Lady implies, owing to a lack of training and, perhaps, continuous professional development in this area. However, I should say in response to her intervention that there were also some people who said that whenever they went to the doctor, even if it was somebody who had just a little knowledge, their transgender identity was always at the heart of the response they got from the NHS. We need to make sure that doctors understand the health issues transgender people have to deal with, but also acknowledge that not every health condition they have will be related to their trans identity. That is an important point to make at this juncture.

Mike Weir (Angus) (SNP): A constituent of mine came across a particular problem because she had reassignment surgery before the Gender Recognition Act 2004 came into effect. Fifteen years later, when she tried to get a gender reassignment certificate, she was asked for a great deal of information that was no longer available. The surgeon who had performed the operation was dead, the records were no longer available, and she had a terrible time trying to get the information. Surely that is unfair.

Mrs Miller: The hon. Gentleman highlights one of many problems with the Gender Recognition Act. That is why our Committee asked for an urgent review of it, and I am heartened to note that the Government have indicated they understand the sort of problem he outlined, and many others as well, and the very medicalised nature of the process people are asked to go through. That process is talking about something very personal, which is an individual's identity. It is not something I would particularly like to be discussed by medics and lawyers in some room and in a very technical and quasi-judicial way. One of the recommendations of our report was self-declaration in that respect.

The other part of the Government's response that I was heartened to read, as it is important for us in terms of planning for the future, was about the need to get the data right in this regard by better measuring the number of trans people in the UK, and also better monitoring people's attitudes. If we are really going to tackle inequality in this area and really ensure trans people are able to enjoy the equality we all voted for in the Equality Act 2010, we need to make sure that we take the public with us and that there is the cultural change that is needed.

Perhaps today in her response, the Minister—who has been extremely generous with her time, thinking about these issues and talking to the Committee about them—will tell the House what issues in the 2011 action plan remain unaddressed, and what the status of the new plan is—when will it be published and how will the Government monitor its implementation? If we start to see this sort of certainty, trans people will have more

confidence in the fact that not just the Government but public services are starting to get to grips with the issues they have to tackle on a daily basis.

The Gender Recognition Act was pioneering in its time. We criticised it slightly a few moments ago, but it was put on a pedestal as being pioneering—albeit a little late for the constituent of the hon. Member for Angus (Mike Weir). Now it needs updating, however. In particular, concern was voiced to us about the medicalised, quasi-judicial application process that is used. The Government have undertaken to conduct a review of the Act, and perhaps to de-medicalise the process and, as the previous Equalities Minister, my right hon. Friend the Member for Loughborough (Nicky Morgan), said, to

“overturn an outdated system and ensure the transgender person’s needs are at the heart of the process.”

Again, I was very heartened by that very positive response from the then Equalities Minister in July of this year.

Where is that review at the moment? Has the process been streamlined and de-medicalised, as indicated in the response to our report? Will the Government be considering again the Committee’s recommendations around the principle of self-declaration, which I believe would again put this country at the forefront of trans rights on the global stage, so that again we will be leading, as I believe we would like to as a country, on all LGBT rights?

Finally, I want to talk about primary legislation underpinning the rights of trans people. In our report, the Select Committee made the simple recommendation to change the terminology in the Equality Act by making the protected characteristic “gender identity” rather than “gender reassignment”. The Committee was concerned that, based on the evidence and on the legal advice that we took, the current wording does not adequately protect wider categories of people. It provides for trans people in the process of undergoing gender reassignment, but not the many people who may not have clear legal protection—those who do not live full-time in their preferred gender, non-binary or intersex people, or perhaps children whose gender identity is less well-developed than that of an adult.

The Equality and Human Rights Commission has recommended that a broader definition would be clearer and give more certainty. The current wording is outdated and confusing, and we believe that our proposed change would be in line with the Yogyakarta principles and with resolution 2048 of the Parliamentary Assembly of the Council of Europe. The Government have not yet accepted this recommendation, but the Minister has undertaken to keep it under review. Will she update the House today and look carefully at the Bill that I have just presented to the House with the support of other hon. Members?

To get things right, we need the right laws, the right strategy and the right culture. The report we published in December 2015 revealed serious shortcomings in legal protection for trans people and in the delivery of public services. We need to have a clear direction of travel. Our Committee has set out more than 70 recommendations, and the Government have undertaken a considerable body of work as a result of that. I hope that today’s debate will give a flavour of their direction of travel, in

order to provide clear optimism for trans people in this country. I hope that it will also remind Ministers of the human cost of not taking the actions that are needed.

Several hon. Members *rose*—

Mr Deputy Speaker (Mr Lindsay Hoyle): Order. I want to set some parameters for the debate. The second debate is twice as heavily subscribed as this one, but both debates are important to the House and to those listening to them. I suggest that Members, including those on the Front Benches, speak for up to 10 minutes in order to try to bring this debate to an end by 2 o’clock.

12.21 pm

Angela Crawley (Lanark and Hamilton East) (SNP): I thank the Backbench Business Committee for accepting this debate, which gives us an opportunity to discuss the Government’s response to the “Transgender Equality” report. I should also like to thank LGBT Youth Scotland, Stonewall, the UK LGBT Consortium on Trans Organisations, the Equality Network and the Scottish Transgender Alliance. I also want specifically to thank Tim Hopkins from the Equality Network and James Morton from the Scottish Transgender Alliance for their invaluable briefings and their work with the Scottish Government to continue the progress of LGBTI equality.

As an advocate for LGBTI equality, I am very proud that the first report from the Women and Equalities Committee focuses on the problems faced by the trans community. In the spirit of true equality, every sector of society should feel truly equal and it is our responsibility as members of the Committee and in life to ensure that that is the case. I believe that the Government’s response to our report is woefully inadequate. We need to ensure that the individuals who contributed to the inquiry and those who experience daily discrimination feel that the Government are heeding their calls for more equality. Trans equality must be the priority of every Government across the UK. I know that the Minister shares my passion for equality and I hope that today’s debate will give her an opportunity to respond, to hear the cross-party calls and to take action. I should also like to thank my friends and fellow Committee members, the right hon. Member for Basingstoke (Mrs Miller) and the hon. Member for Brentford and Isleworth (Ruth Cadbury), for securing this important debate and for their continued commitment to the cause of transgender equality.

We have only to look at the statistics from any mental health charity to understand why this debate is necessary. When one in four of the children in Scotland who identify as trans face bullying, discrimination and hate crime on a daily basis, we must do more. Statistics from Mind indicate that more than 40% of trans individuals have contemplated suicide and that, tragically, some of them have ended their own lives as a result of their experiences. This group of people is among the most marginalised in society. Trans individuals face disproportionately high levels of mental health problems and very high suicide rates. Discrimination against members of the trans community is an everyday aspect of their lives. Transphobia is endemic in the workplace, when accessing healthcare, in public services, in schools, in the media, in the criminal justice system and online. A sizeable percentage of individuals face this discrimination and prejudice on a daily basis.

[Angela Crawley]

The existing legislation provides some protections, and they are to be respected and admired. There was a time when the UK was a world leader in its approach to transgender equality. The Gender Recognition Act 2004 allows a trans person the right to a gender recognition certificate, should they wish their affirmed gender to be recorded as such on their birth certificate. This was applicable whether or not someone had undergone surgery or hormone therapy. However, this does not allow for people in the trans community who do not identify as either male or female to be recognised and protected within the law. During our inquiry, we heard from non-gendered and non-binary people who felt that they had been forgotten in the legislation. Additionally, we heard that the Act was rooted in clinical methods, requiring consent through a psychological diagnosis of gender dysphoria. The criticisms levelled at the legislation reinforce how outdated it has become. The Government must make changes to the Act to allow an approach of gender self-declaration.

Similarly, the once world-leading legislation for the trans community in the Equality Act 2010 is fast becoming outdated. It gave members of the trans community protection from discrimination, but we have heard that its provisions are routinely breached in relation to the trans community. The Act uses outdated terminology such as “gender reassignment” and “transsexual”; these are now considered inaccurate descriptors. Such terms have given rise to the misapprehension that the Act provides only for trans people who have undergone medical gender-reassignment treatment. To clarify, the protected characteristic should be amended to “gender identity”.

George Kerevan (East Lothian) (SNP): Does my hon. Friend agree that the essence of today’s debate is that gender is a social construct, and that that should be recognised in law? It is not primarily a biological construct, but because the law is based on that outdated concept, it is failing us.

Angela Crawley: I thank my hon. Friend for that intervention. I reiterate that the law must be updated to recognise an individual’s gender identity, which has nothing to do with their birth gender and everything to do with the gender that they believe they are.

Joanna Cherry (Edinburgh South West) (SNP): I congratulate my hon. Friend and other hon. Members on securing this important debate. Since 2007, the Scottish Government have been using the Yogyakarta principle, a fully inclusive definition of gender identity, in all their trans equality policy work. Does she agree that the use of that principle is desirable because it was devised by an international commission of jurists in recognition of the fact that gender identity is a human right?

Angela Crawley: Yes, and I will clarify again that the protected characteristic in the Equality Act 2010 should be amended to “gender identity”, which explicitly covers the whole spectrum of trans identities. This point was rejected in the Government’s response to the Committee’s report. Ministers believe that the current terminology is adequate, contrary to the testimony of the very people it affects.

I am prone to mentioning the word “Scotland” often in debates, and I shall do so again now. In 2017, we will mark the year of trans equality and the progress that has been made on this issue. In Scotland, we have committed to reforming the Gender Recognition Act 2004 in line with international best practice in countries such as Malta and Ireland. In Scotland, we have committed to ensuring that all trans, non-binary and intersex individuals feel protected, because it is their human right to have their gender identity recognised in law and in life. I urge this Government to follow the example not only of Scotland but of the many other countries that are leading this best practice.

Deidre Brock (Edinburgh North and Leith) (SNP): The United Nations International Civil Aviation Organisation recognises M, F and X as gender markers on passports. A number of countries, including Denmark, Malta, New Zealand, India and even Australia—which is sadly not known these days for a liberal and open approach to border control—issue and accept gender X passports. Does my hon. Friend agree that it is high time the UK followed suit?

Angela Crawley: I wholeheartedly agree. One area that is not currently devolved to Scotland is the ability to change passports. I urge the UK Government to consider this important aspect of recognising a third gender—gender X—on passports. That could be done, and the Committee heard that it would be beneficial and would make a sizeable difference to individuals who travel for work, life and general leisure purposes. This is an opportunity to amend and correct that error.

I call on the UK Government to match the Scottish Government’s commitment: 2017 marks the year of progress on transgender equality in Scotland, and the UK can continue that progress. This debate highlights the need to address transgender equality and the remaining challenges that trans and non-binary people face. Although Scotland has made huge progress towards achieving LGBTI equality in recent years and is now rated the best country in Europe for LGBTI rights, the SNP is not complacent. We are determined to tackle the unacceptable levels of prejudice and discrimination that trans and non-binary people continue to face. I hope that, as we move into 2017, we can make it a year of progress for transgender equality not just in Scotland but across the UK. In Scotland, the SNP has pledged an important step forward for transgender equality by reforming the gender recognition law to meet international best practice, so that all trans and non-binary people are fully recognised and can access their human right to a legal recognition of their gender identity.

Scotland is the best country for LGBTI equality, and the UK can continue to lead on this agenda, too. One of the distinctive parts of our equal marriage law is its more progressive approach to transgender recognition, and the UK could follow that example as well. I am not simply preaching to the choir; a multitude of countries across the world are leading on this agenda.

I wish to finish with the words of Reina, one of many trans women who wrote to me before this debate. She wanted to give testimony about what it is like to be trans in a rural community in Scotland. She said:

“Being trans is not a choice. It isn’t something where the person wakes up and just decides to be a particular way. Being this way is something that a person is born with, and which they have to try and struggle with throughout their lives, in a society that hates diversity and constantly attacks them”—

and their friends and family, and

“even kills them, for not conforming to the restrictive ideals of control freaks. Life is hard and usually short for someone who’s trans. There is a lack of respectful education and health care. There is a lack of support and understanding.”

Her words exemplify just why we need to take action: life is incredibly difficult for trans people, and the changes we can make in this place will make a huge difference to their lives. The Government must today commit to the recommendations of the “Transgender Equality” report, and offer the support and understanding that this community definitely needs. I urge the Minister to join me in making sure that 2017 is the year of transgender equality not just for Scotland, but for every transgender individual across the UK.

12.33 pm

Ben Howlett (Bath) (Con): It is always a pleasure to follow the hon. Member for Lanark and Hamilton East (Angela Crawley), who is a great champion on trans issues and LGBTI issues in general, and the Chair of the Women and Equalities Committee, my right hon. Friend the Member for Basingstoke (Mrs Miller), who has championed this issue by making it the subject of the Committee’s very first report.

I say a massive thank you to the Backbench Business Committee. For the transgender community in the UK, this is the first time such a debate has been held on the Floor of the House of Commons, and it marks a very special day for the 650,000 transgender or non-gendered people in the UK. Just as we celebrated 50 years of Schools Out in the Speaker’s apartments yesterday, I hope that in 50 years’ time people will look back at this day and say that it marked a remarkable change in how people in the transgender community were considered in the UK. I am very pleased that this debate has been brought to the Floor of the House of Commons.

Although there is a lack of good data on the number of trans people in the UK, as my right hon. Friend stated, estimates currently suggest that 650,000 people in the UK are likely to be gender incongruent to some degree. This is an issue that has an impact on a significant number of our constituents. A number of constituents who came to see me as a result of our Select Committee’s inquiry suggested that this was the first time they could come out and say they were a member of the trans community. People often hide that and do not necessarily want to stand up and talk about it, but the inquiry has given them a huge opportunity to say that they are represented in this place and in the rest of the country.

As colleagues will know, I am a prominent supporter of LGBT rights. I have to say that the LGB part of the community has not always gone out and celebrated the T or the T+ parts of the community. This is also a huge opportunity for us to say that they are part of our friendship group. We must make a big apology for the fact that we have overlooked them as part of our community for a very long period. In her time as the new chief executive of Stonewall—she is not that new to the post—Ruth Hunt has been a huge advocate of the trans community. Following her apology to the trans community, the work she has done as chief executive has gone some way to repair the distrust and segregation within the LGBT community.

I have been a member of the Women and Equalities Committee since its creation in 2015. The report on transgender equality was its first report. The Committee

received about 250 written evidence submissions, many from individual trans people who wanted to tell us about their own experiences, and there were five oral evidence sessions. I am not speaking on behalf of the Committee, but it is worth noting how it came to its conclusions. The Committee took evidence from a range of organisations conducting representative and advocacy work within the trans community, as well as from service providers of various kinds, academic experts and six Ministers in a variety of Departments. I want to take this opportunity to thank all those who gave evidence throughout the inquiry, particularly those from the trans community, which enabled the Committee to produce meaningful findings and recommendations.

The report states:

“A litmus test for any society that upholds those values”—fairness and equality—

“is how far it protects even the most marginalised groups.”

I welcome the Government’s commitment to equality. I recognise that, as a country, we have led the way on lesbian, gay and bisexual equality. Despite the welcome progress, however, we are still failing that test for the trans community. We know that trans people face continuing transphobia, increased mental health issues, discrimination in the provision of public and private services, and bullying in our schools. The report made several recommendations for the Government to consider. I thank the Minister for the Government response, but I want to highlight a number of areas that need further consideration.

The report made it clear that the Gender Recognition Act 2004 and the Equality Act 2010 need to be amended. At the time, the GRA was a world-leading piece of legislation, but it is now outdated and in need of revision, as the hon. Member for Lanark and Hamilton East and my right hon. Friend the Member for Basingstoke have said, and we are falling behind many other countries. The process for applying for a gender recognition certificate is bureaucratic, expensive and even humiliating, and the burden of providing documentation can cause people significant distress. The process should be administrative, not a medicalised, quasi-judicial one. It should be underpinned by the principle of gender self-declaration, which would allow for a dignified approach that maintains the personal autonomy of applicants. After all, as Ashley Reed, who created a petition on this subject, has said of a person’s gender identity:

“You are the only person who can come to that realisation, not a panel.”

I welcome the Government’s commitment to review the GRA, but I urge them to commit to adopting the principle of gender self-declaration as well as to commit to changing the process.

As the Bill my right hon. Friend presented earlier today makes clear, the current wording of the Equality Act 2010 is fundamentally outdated and, ultimately, confusing. Terms such as “gender reassignment” and “transsexual” have resulted in significant confusion over whether trans people who have not undergone a medical intervention are entitled to the same protection. The report recommended that the protected characteristic should be changed to “gender identity”, bringing the wording in line with the Yogyakarta principles and resolution 2048 of the Parliamentary Assembly of the Council of Europe. The Government’s response to that

[Ben Howlett]

recommendation was that they believe the current wording of the 2010 Act is adequate because people are protected through the provision on discrimination due to perception. However, that response is inadequate and I hope the Minister will clarify that statement. The 2010 Act bases the protection it provides for transgender people on the process of undergoing gender reassignment. Many trans people, such as non-binary, intersex people or young people whose gender identity is less well developed than that of an adult, may not have legal protection. I urge the Government to reconsider their rejection of the Committee's recommendation. What steps have been taken to keep the matter under review, which the Government promised to do?

Away from the legislative changes, I now turn to some specific areas that need improvement, the first of which is the treatment of trans prisoners. Until recently there were no official statistics on the number of transgender prisoners in the UK. In November 2016, however, the Ministry of Justice published the results of a data collection exercise conducted in March and April of this year. It was reported that 70 transgender prisoners were held in 33 prisons in England and Wales at that time. The Committee argued that there was "clear risk or harm" when trans prisoners are not located in a prison

"appropriate to their acquired... gender".

The report also said that holding trans prisoners in solitary confinement was not fair or appropriate, and I am sure that the whole House agrees.

Last year, there was the example of Tara Hudson, a transgender prisoner from Bath, who was born male but had lived her entire adult life as a woman. Tara was sent to an all-male prison. I thank the Under-Secretary of State for Women and Equalities, the hon. Member for Gosport (Caroline Dinenage), for supporting me in helping Tara to get into a prison appropriate to her gender, but lessons still need to be learned. Tara, who has lived as a woman her whole adult life, has undergone six years of gender reconstruction surgery and I, like many in the Chamber, would define her as a woman. Her detention in a male environment was not only physically damaging but dangerous from a security perspective.

In summary, we are a forward-thinking and progressive country and have led the way in ensuring that marginalised groups receive protection under the law. We have made huge strides over the decades in improving the rights of lesbian, gay and bisexual people. However, we must do more for the trans community. The Women and Equalities Committee report is groundbreaking and I hope its publication will be celebrated in 50 years' time as a day of huge change for the trans community in the UK and around the world.

12.43 pm

Ruth Cadbury (Brentford and Isleworth) (Lab): I also thank the Backbench Business Committee for allowing this debate—the first on trans issues in this Chamber. It was a privilege to have been a member of the Women and Equalities Committee for the inquiry, although I subsequently stood down due to my Front-Bench role.

Many of us have been strong supporters of LGBT rights for many years, but until the Committee's inquiry I knew relatively little of the extent of the issues facing transgender people. We heard moving accounts of people's transitions and subsequent experiences and also from parents who have supported their children through the process of transition. It was also helpful to hear from service providers, academics and health specialists and from those providing representative and advocacy work within and for the trans community. I thank all of them for providing extensive evidence and for responding to our questions.

A cultural shift is going on in this country around issues of gender. There is greater acceptance of gender differences among young people. Our report identified the need for changes in the law and significant cultural, policy and process shifts in the fields of health, criminal justice, education and others. It also revealed that individuals experience high levels of harassment on a daily basis. That harassment can undermine careers, family life, incomes, living standards, access to services, quality of life and physical and mental health. It is no secret that a disproportionately high number of trans people have reported attempting suicide—an extremely sobering and distressing fact. The sooner we advance trans equality through legislative, policy and cultural change in our public institutions, the sooner there will be fewer trans people in the position of wanting to take their life because they are not getting the necessary care and support and the respect they deserve.

Mrs Miller: Does the hon. Lady share the concern I felt when I read that the number of hate crimes against trans people has trebled over the past five years? Does she, like me, hope that more will be done on education to ensure that that intolerance is stamped out?

Ruth Cadbury: The right hon. Lady is absolutely right that there is an awfully long way to go in the recognition of trans people's rights. Education is an important part of that. On that issue and others, the Committee discussed the need for adequate, high quality, universal, age-appropriate sex and relationship education in all our schools.

We have seen some progress in trans equality over the past few years. Trans and non-binary characters are actually being played by trans and non-binary actors.

Hannah Bardell (Livingston) (SNP): The hon. Lady is making a powerful and heartfelt speech. Does she agree that a challenge facing the LGBT community is having people from all parts of our community, particularly the transgender community, represented in the media and getting proper coverage? The Press Gallery is sadly quite empty today, but we need the media to be better educated so that they can properly represent the transgender community.

Ruth Cadbury: The hon. Lady is absolutely right. We must congratulate those media organisations that are doing this. With Laverne Cox playing Sophia in "Orange Is the New Black" and Riley Carter Millington acting as Kyle in "EastEnders"—the first trans actor to play a transgender character in British soap history—things are moving in the right direction. Trans people are becoming more visible and that is something to be celebrated.

If we look at America, however, any advances made in trans equality there have been threatened by state legislatures introducing bathroom Bills, which have been described as a solution in search of a problem. Such Bills are malicious, misinformed and directly threaten transgender people. The election of Donald Trump does not fill me with much joy for the future rights of transgender people in the US. A bathroom Bill would never be passed here in the UK, but we must keep an eye on the situation abroad and ensure that the British public are well informed so that harmful attitudes do not form here.

It is time for the law and our public services to catch up. On education, the Committee recommended:

“More needs to be done to ensure that gender-variant young people and their families get sufficient support at school. Schools must understand their responsibilities under the Equality Act.”

A survey this year in further and higher education found that bullying and harassment of trans students and staff appear to be commonplace. Furthermore, with nearly half of non-binary gendered respondents to the survey reporting that they are considering dropping out of their course and three quarters stating that they did not find their place of learning supportive, it is clear that we have to do more.

Carol Monaghan (Glasgow North West) (SNP): Will the hon. Lady give way?

Ruth Cadbury: If the hon. Lady will forgive me, I need to make progress. Will the Government assure the House that steps are being taken to create a more trans-inclusive environment in post-school education for trans students and staff? The Government’s response to the Women and Equalities Committee report on trans equality said that the Minister for further education would be writing to sector umbrella bodies highlighting the need for specific gender identity training and the need to ensure trans equality. Has that happened?

On health, we know that there has been a massive increase in the number of people, particularly young people, wanting/needing to transition, and many are identifying as non-binary, yet the delay they face in getting access to health and support services is far too long. Furthermore, GPs are too often acting as gatekeepers, preventing people from even entering the transition pathway. I was moved to hear of the experiences of trans young people who were denied support at the crucial time as they approached puberty. It has been clear from our inquiry that trans people encounter significant problems in using general NHS services that have nothing to do with their trans status due to the attitude of some clinicians and other staff when providing care for trans patients; we heard of the “trans cold”. That is attributable to a lack of knowledge and understanding, and in some cases even to out-and-out prejudice. It is therefore essential that there is sufficient training for GPs and a range of other clinicians to understand trans identities, so that people get the treatment that they want and need and that is appropriate.

Turning to criminal justice, with every news story that a transgender woman has been sent to a men’s prison, our frustration grows further. Our report made it clear that there is a clear risk of harm when trans prisoners are not located in a prison appropriate to their affirmed gender, and that they should get the right

support there. It is unacceptable that in 2016 we have a criminal justice system that does not protect all groups on an equal basis, especially as this is costing lives.

In conclusion, I am proud to now be a Member of Parliament in the country that has gone further than most in recognising lesbian, gay and bisexual rights, but the UK is not the leading country in the world on the rights of trans, non-binary and intersex people. There has been progress, but not nearly enough. Time has not allowed me to cover all the issues raised in our report, but the Government’s delayed response—it took seven months—to our report raises concerns for us. The coalition Government’s 2011 advancing transgender equality action plan remains largely unimplemented. I repeat the Committee’s recommendation: the Government must take trans equality seriously and draw up a comprehensive strategy, with an action plan that addresses the full range of issues covered in our recommendations—and soon.

12.52 pm

Lyn Brown (West Ham) (Lab): I have listened with real interest to the arguments made by Members about how the Gender Recognition Act 2004 and the Equality Act 2010—the first legislation I ever whipped—ought to be amended to better protect transgender equality rights. I hope the Government take these arguments seriously and respond appropriately, even if it takes them a further couple of months to do so.

I want to focus on the health aspect of the excellent report by the Women and Equalities Committee: the services provided for transgender people by the NHS. Trans people experience worse health, both physical and mental, than the general population. The Equality and Human Rights Commission has found that a higher proportion of transgender people say that their physical health is “poor or very poor” compared with other LGBT communities and non-LGBT communities. Levels of poor mental health are also higher in the transgender population, with about half of young trans people and a third of trans adults reporting that they have attempted suicide. It is therefore imperative that transgender people have full access to general medical services—appropriate ones.

Transgender people also have specific health needs; untreated gender dysphoria, which, as Members will know, is medically defined as when a person experiences discomfort or distress because of a mismatch between their biological sex and gender identity, can and does take a real toll on someone’s mental health. Dr John Dean, the chair of the NHS national clinical reference group for gender identity services, has said that

“not treating people is not a neutral act—it will do harm.”

I could not agree more with Dr Dean. Some trans people’s health and wellbeing would be greatly improved by gender confirmation treatment through our specialist gender identity clinics. Trans people have to be able to access those treatments on our NHS if they need them.

Angela Crawley: The Committee heard from individuals who had gone through harrowing experiences. They had gone to quite extreme lengths to receive the treatment that they wanted in order to have their gender identity recognised in countries where the practices were not as safe as they would be here in the UK. Does the hon.

[Angela Crawley]

Lady therefore support the aim that the UK must ensure that we can cater for everyone who needs to access these health services?

Lyn Brown: I do indeed. The Committee's report demonstrated that our NHS is not providing even a basic service, let alone a good service for trans people. The Committee report found:

"The NHS is letting down trans people".

One of the first problems identified by the report was discrimination faced by trans people when they tried to access general medical services. Dr James Barrett, president of the British Association of Gender Identity Specialists, told the Committee:

"The casual, sometimes unthinking trans-phobia of primary care, accident and emergency services and inpatient surgical admissions continues to be striking."

CliniQ, a specialist sexual health and wellbeing service provider for trans people, told the Committee that

"there is at best considerable ignorance and at worst some enduring and mistaken and highly offensive stereotypes about trans people among the public at large, amongst whom we must unfortunately number some health professionals."

Sadly, this discrimination has real consequences. Terry Reed, of the excellent Gender Identity Research and Education Society, told the Committee that trans people were often nervous about accessing services because they were "not treated sympathetically" or even "politely" by doctors and staff. Brook, an organisation that provides sexual health and wellbeing services and advice for young people under 25, told the Committee that

"prejudice against trans people among medical staff"

was one of the reasons for poor health outcomes in trans people.

In addition, trans people report real difficulties in accessing specialist treatments and gender identity services. GPs have a legitimate role in acting as gatekeepers to NHS specialists, but I am afraid there is evidence that prejudice and ignorance among our GPs is preventing those who experience gender dysphoria from receiving the services they need. Dr James Barrett has said that there is a "persistent refusal" on behalf of some GPs to make referrals to gender identity clinics. The Beaumont Society has heard of one trans person being told by their GP at their first assessment—and let us think about how much courage someone needs to go to their first assessment:

"You'll be taking money away from more deserving cancer patients."

How wicked is that? It is a complete disgrace.

Where someone experiencing gender dysphoria is referred to a gender identity clinic it can take a very long time for them to receive specialist services such as hormone therapy or genital surgery. The process requires an independent assessment from two separate consultants, and a large amount of information needs to be gathered by the consultants about the individual before they can begin to proceed. That process typically takes months and spans several consultations. An additional precondition for genital surgery is that the patient must undergo at least a year of "real-life experience" of living "in the role" of their affirmed gender—it is an enforced pause. I have read the guidelines that explain the rationale behind

this enforced pause, and I understand that the social aspect of changing one's gender role is challenging and that clinicians do not want people to take on surgery until they are fully aware of those challenges, but that does not explain why the pause is often much longer than 12 months. The Government should assess the arguments made by some in the trans community that decisions over whether to go ahead with surgery should be based on the informed consent model. Under that model, doctors could immediately approve medical interventions if they are satisfied that a patient is fully aware of the implications of their decision. It is my understanding that the model is already used in parts of the United States of America. Given that it has already been tried and tested, the Government should be in a position carefully to assess its strengths and weaknesses, and bring that back to us.

It is important that the Government understand that delays in receiving treatment can, and do, cause real suffering. In the 2012 trans mental health study, one trans person said:

"Not having had my gender confirming yet has a constant effect on undermining my self-esteem and self-confidence as well as social transition—I hate every day that I have to live with 'boy parts' and I can't wait to get rid of all recognisable 'boy bits'."

Another person told the same study:

"Permission for my chest surgery was delayed and I waited double the usual waiting time...This caused me to go into a deep depression. I had panic attacks when I left the house. I lost my job and then found I couldn't leave the house."

Such suffering could be prevented if we improved the speed at which our NHS works for trans people. Delays should not be any longer than is strictly necessary from a clinical point of view.

As a result of the problems that I have outlined, the Select Committee recommended that the Government conduct a root-and-branch review of how NHS services can be improved to better serve trans people and completely stamp out transphobia in our NHS. I am disappointed—I am sure that I speak for many Members here today—that the Government did not accept this clear recommendation. Instead they responded by stating that they will look into broadening the terms of reference of NHS England's existing task and finish group for gender identity services. When such systematic failure has been identified, the Government should question the governance arrangements that are in place, rather than relying on them even more. I say that gently to the Minister and hope that she has had those conversations with her opposite numbers in the Health team. I invite the Government to give fresh consideration to a root-and-branch inquiry as part of their commitment to the cause of gender and transgender equality.

1.2 pm

Kirsten Oswald (East Renfrewshire) (SNP): I am very pleased that my hon. Friend the Member for Lanark and Hamilton East (Angela Crawley) and other hon. Members have secured this debate. It is important that transgender equality is discussed and understood, because it is central to who we are as a society.

People who are in this position might be vulnerable by virtue of the fact that their path in life is very different from that of the majority. Given the proportionately high levels of mental ill health and suicide that we have heard about today, it is our responsibility to acknowledge

that, and to recognise that we are all different—people are people—and that we need to make the path for transgender people as smooth and easy to negotiate as possible.

One of the things that I love most about my constituency is its diversity. I have no particular insight into the gender identity of our local people, but just as I absolutely value the huge variety of faith groups and our excellent community groups, such as East Renfrewshire Disability Action, which supports people with disabilities, it is vital that I stand up and be counted as someone who supports every effort to deliver protections and real equality for people of all gender identities. That is the least that they should expect.

Equality, community and standing up against prejudice are the responsibilities of all of us. Scotland is an open and tolerant country, and it is my job, and the job of my Scottish National party colleagues, to work every day to achieve those principles. We must continue to push towards being that better nation that is committed to delivering gender recognition laws to ensure that we have increased protections and equality for transgender people. I encourage the Minister to recognise the importance of the fact that people must have the ability to define their gender identity.

I am pleased that ILGA-Europe—the International Lesbian, Gay, Bisexual, Trans and Intersex Association—rates Scotland as the best country in Europe for LGBTI equality, but it is essential that we put in place practical steps to make the lives of transgender people better.

Before I came to this place, I was responsible for making sure that diversity, equality and inclusion were at the heart of every aspect of life in my workplace. It has been useful to reflect on that experience when considering how best to move forward in this area. I was focused on equality and employment law, and on how we could push on to do more and to make more things possible. The legal frameworks are vital in providing a roadmap for organisations and for Governments. We need to make the process easy and explicit so that there is a clear understanding of what is needed and expected. Legislation in this area should be aspirational and forward-looking. That is what we seek to put in place in Scotland as we reform gender recognition laws, and it is vital that we do so.

In my previous role, it was evident that providing an environment where young people could flourish and be whoever they were, with confidence, had a material impact on their lives. The fact that we had a very explicit, non-negotiable outlook on equality had a positive influence on how people behaved and on the discussions they had. That allowed young people of all gender identities to thrive and to succeed. We need that explicit framework from the Government, including clear terminology, so that confidence and understanding can continue to develop in all our communities.

Carol Monaghan: As a teacher, I know that much of the bullying that young people experience is due to their being excluded. The bullying can be subtle, so it is very important that we are explicit about what is happening. Simply excluding someone from activities or friendship groups is a form of bullying. Does my hon. Friend agree that we need to call it out as that?

Kirsten Oswald: It is incredibly important to make such points. They are vital for education and society at large. We all need to call these things out when we see them.

The Scottish Government's positive and unwavering stance of supporting LGBTI equality has been incredibly influential and has made a significant difference. That is a great starting point as we aspire, as we must, to go further and ensure that we do everything that we can to eradicate prejudice and enable everyone to achieve their potential.

The young people who thrive in situations where success and equality are at the fore are also influential. They take their outlook into the world—their peer groups, families and communities. Just like the young people whom I heard about on Radio Scotland earlier in the week, they will influence and inspire those with whom they come into contact. I was blown away by their stories, and by their mums, who were powerful and passionate advocates of their transgender children. Their voices and experiences shone through. No one could fail to be moved by their stories—stories of brave, strong people who are different and facing up to the world, and of all the worries and concerns that go with that.

I was pleased to hear one mother say that we have come a long way over the past few years. That is undoubtedly true, but there is more to do and it takes all of us here to stand up to be counted and to push further. We all have a responsibility to challenge those who treat people differently, or who marginalise them, because they do not fit into the boxes that society has traditionally tried to fit people into.

Peter Grant (Glenrothes) (SNP): Given that there are relatively few transgender people in the population, a family with a transgender child in a rural community might well feel that they are only people in the world who have to address this issue. That is why it is so important that events such as this debate are publicised as widely as possible, and that there is enough support to ensure that nobody feels that they have to be transgender on their own.

Kirsten Oswald: That is an incredibly valuable comment. This is about all of us. We must all support people who need our support and are entitled to it. After all, there may come a time when we need the support of others. We do not need to look too far away to find that intolerance and misinformation can be spread by people who are in positions of power and should know so very much better than to peddle nasty, divisive nonsense.

I was interested by the comments of my hon. Friend the Member for Glasgow North West (Carol Monaghan) about schools. The influence of education and supportive schools was key to the experience of the young women I talked about. Their support for the TIE—Time for Inclusive Education—campaign interested me. Inclusive education pays off hugely by advancing equality and making sure that all our children—and, by extension, all adults—have opportunities to achieve their potential. For far too long, transgender, non-binary and non-gendered people have experienced discrimination, disbelief and far, far worse. Young people are the key to transforming our society, and we need to support them fully to do that.

[Kirsten Oswald]

I end with some wise words from one of the ladies on the radio programme: no one size fits all. We do not expect that to apply to any other aspect of our identity, so why on earth should it apply to gender? That is what this comes down to. We are all a sum of our parts. All our identities are complex, but fundamentally people are just people. We are all different and our legislation must reflect that. Those principles are set out in Scotland's national plan for human rights, which actively defends the right of everyone in society to be treated fairly, and with dignity and respect.

1.10 pm

Chris Elmore (Ogmore) (Lab/Co-op): I thank the Backbench Business Committee and right hon. and hon. Members on both sides of the House for securing this important debate.

Transgender people make an enormous contribution to our society. As well as allowing us to discuss the difficulties that transgender people face each day, I hope that this debate can be used to celebrate transgender people across the UK. The hate and prejudice that lurks in our society is sickening, but what is remarkable is the positivity that shines in contrast to that. Ranging from the brilliant author and historian Jan Morris, to the late businesswoman and documentary star Stephanie Booth, some of our most remarkable people in Wales identify as transgender.

The obstacles standing between transgender people and equality, however, should be a cause of concern for all of us. In this House and in wider society, we often talk of working towards a more equal community, but in practice that is a distant future for transgender people. The lack of awareness and education about the issues that transgender people face is shocking, and the lack of action to tackle the problem is more so. In recent months and years, efforts have been made to increase awareness of the difficulties that transgender people face. Although there is still a long way to go, the contribution made by organisations ranging from news outlets to film production companies has been incredibly important.

Channel 4's "Born in the Wrong Body" season raised awareness of how life is for transgender people before, during and after transition. The BBC has made similar productions, including "Just a Girl", which tells the powerful story of young trans people. There have also been great initiatives by public bodies and institutions. I was proud to march at Pride Cymru this year and saw South Wales Police—my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) mentioned this—marching with special shoulder patches to demonstrate their support for the LGBT+ community. Similarly, the British Army recently won the *PinkNews* public sector equality award for its work supporting LGBT personnel, including those who identify as transgender.

Such schemes are incredibly important to contrast with the discrimination and prejudice that is part of day-to-day life for transgender people in the UK, which at their worst can create unimaginable danger and put transgender people in immense harm. In 2015, 582 incidents of hate crime against transgender people were reported

in the UK. This figure has trebled in the past five years, as was mentioned by the right hon. Member for Basingstoke (Mrs Miller), the Chair of the Select Committee. Those incidents included harassment, threatening behaviour, sexual assault and other violence, yet of the last year's 582 incidents, only 19 led to prosecution. That cannot be acceptable.

Transphobic violence is a global problem. So far in 2016, it is estimated that at least 26 transgender people have been murdered in the United States, whereas in Brazil, it is estimated that around 60 were murdered in the first month of this year alone. Free & Equal, the UN campaign for LGBT equality, has claimed that such reported numbers account for only a fraction of the true figure as victims often do not feel safe enough to come forward.

Stephen Doughty: My hon. Friend is making a very strong speech. He, like me, is wearing a World AIDS Day ribbon. On the global context for trans people, is he aware of the challenges for trans people who have HIV? Men who have sex with men are 19 times more likely than others to have HIV, but trans women are 49 times more likely to have HIV. Special attention needs to be paid to the provision of HIV services globally for the trans community.

Chris Elmore: I thank my hon. Friend. His contributions in the House are always of interest and I am glad that he has been able to raise that important point.

The UK, like every other nation, has a long way to go to ensure that transgender people are safe from violent crime. A start would be to ensure that everybody feels safe and secure in reporting a crime of which they are the victim. Organisations such as Stonewall have been working relentlessly to encourage transgender people to report the violence that they face, but many victims say that they are concerned that they will not be taken seriously. Both the police and the Government must work harder to get the message across that if victims of violence report a crime, they will be taken seriously, and will be safe and secure.

For many transgender people, finding and maintaining work can be far more difficult than it is for others. A survey by the Gender Identity Research and Education Society in late 2000 found that, post-transition, two in three transgender people had left their job, either because they were forced to do so or because they felt there was no other choice. Although it is thought that conditions have improved since the date of that survey, there is still far more work to be done. More recently, to mark International Transgender Day of Visibility 2016, a less varied poll revealed that around 36% of transgender people left their job due to their transition.

The Equality Act 2010 states that people cannot be discriminated against in the workplace because of their gender reassignment, though far too often the Act is ignored. Thousands of transgender people each year in the UK are made to feel uncomfortable, intimidated and subjected to unwanted comments. The trade unions Unison and PCS have both been campaigning to make transgender people aware of their rights at work, and have worked alongside transgender people to fight cases of unlawful discrimination. Unfortunately, there is only so much that trade unions can do to protect people when discrimination can be so rife. In the same way as

victims of transgender hate crime often do not come forward, many who are discriminated against in the workplace are afraid to report the fact, though this is unsurprising considering the lack of support they often receive. Unlike other forms of workplace discrimination, there is a lack of high-profile cases of transgender people being discriminated against, meaning that many are not fully aware of their rights or the procedures to make a claim.

Unfortunately, for many transgender people, discrimination does not begin only in the workplace. The education system in the UK is often woefully inept at accommodating transgender people. It is estimated that currently only 5% to 10% of transgender people begin transitioning under the age of 18, but those who do are often failed by their schools, colleges and sixth forms. A report earlier this year by Susie Green, chair of the Mermaids charity, claimed that transgender pupils are more likely to have poor attendance and attainment records, and are often seen as a problem for schools to overcome. Although schools often want to do their best to accommodate transgender pupils, most are not equipped with the right knowledge or resources to do so.

Addressing the difficulties that transgender people face in school often focuses on physical accommodation. Efforts may be made to provide gender-neutral facilities but, although that is incredibly important, there is often not enough focus on why transgender people fall behind academically. A number of local authorities now produce guidance for head teachers, but equally important are the NGOs and charities that deliver awareness training for school staff. In and around Bridgend county, which includes my constituency, the group A Brighter Future Altogether, Benefiting Bridgend provides crucial workshops to ensure that schools are better prepared to help transgender pupils to excel.

Those who begin transitioning at university can face similar issues. A 2014 report by the National Union of Students showed that 28,000 transgender students were studying in the UK, yet more than half had seriously considered dropping out. The same report also found that one in three transgender students had faced some form of bullying or discrimination. Student unions across the UK have been fighting to make campuses more welcoming for transgender students, and universities themselves have usually been willing to learn and adapt. I pay tribute to those universities that have adapted to support people who identify as transgender.

From school to university to the workplace, transgender people face discrimination at each turn in their life, and the persistent prejudice and danger can manifest itself in mental health issues. A recent study in the US journal *Pediatrics* claimed that these issues can arise if a trans person is not able to express their identity or if they do not feel accepted. PACE, the LGBT mental health charity, claims that 48% of transgender people under the age of 26 have attempted suicide, compared with only 6% of all adults under 26.

Similarly, as other Members mentioned, reports by Mind have claimed that LGBT people in general are more likely to suffer from depression and anxiety, with other studies demonstrating that transgender individuals are particularly at risk. That in turn can lead to people abusing alcohol and recreational drugs. Although there is little research into the prevalence of substance abuse among transgender people in the UK, the US national

transgender discrimination surveys of 2008 and 2009 showed that over a quarter of participants had abused drugs or alcohol.

Unfortunately, the high rate of mental health issues in the transgender community is a problem that can be exacerbated by a lack of sufficient mental health facilities. The truth is that there is a serious lack of facilities for those with mental health issues in the UK. According to the King's Fund, 40% of trusts saw a cut to their mental health budget in 2015-16, which has led to "widespread evidence of poor-quality care".

Mental health charities have voiced their concerns about these cuts, with Mind recently expressing concern that they fall squarely on patient care. Better mental health services would benefit everyone who finds themselves needing them, but considering the high proportion of transgender people needing help with their mental health, better services would specifically help those who are the focus of our debate.

The discrimination and prejudice that transgender people are met with for living their lives is a stain on our society. For these people, simple everyday tasks that we take for granted can be laborious and tiresome when they face unequal treatment at every turn. Our schools and workplaces are often woefully inept at accommodating transgender people, and the protection that they receive from harassment and violence is far from sufficient.

We owe it to the transgender people in each of our constituencies to come together to take concerted action to help to deliver equality for everyone, and we must start by recognising the scale of the problem. In this week alone, around 10 to 15 incidents of hate crime against transgender people will be reported to the police. Over the course of the month, more and more transgender people will leave their universities and places of work. We cannot claim to be working towards an equal society if we do not include transgender people in that vision. I sincerely hope that today's debate will help to raise awareness of the issue and mark the start of a journey to make the UK inclusive for everybody.

1.21 pm

Hannah Bardell (Livingston) (SNP): I am hugely grateful for the opportunity to take part in this debate. I am also grateful to all the right hon. and hon. Members who brought this issue to the House and to all those who have spoken. As the right hon. Member for Basingstoke (Mrs Miller) identified, this is an historic moment: we are standing here today raising an issue that is very important to equality and to transgender people across the UK and, indeed, the world.

According to the International Bar Association LGBTI law committee:

"Trans persons are arguably the most marginalised constituent within the Lesbian, Gay, Bisexual and Transgender...society. While considerable media attention has focused on the global debate for marriage equality, trans-specific issues are often largely not considered."

That reinforces the importance of ensuring that gender identity is a protected characteristic under the Equality Act 2010.

The contributions on both sides of the House have been incredible. My hon. Friend the Member for Lanark and Hamilton East (Angela Crawley) has been an incredible champion for equalities: she has worked tirelessly with

[*Hannah Bardell*]

other members of the Women and Equalities Committee, she hosts regular briefings for the SNP group and she sheds light on the various issues. We are all busy people, and it is very important that we work with our colleagues on both sides of the House to understand them, and she does an incredible job of helping us to do that.

The hon. Member for Brentford and Isleworth (Ruth Cadbury) talked about gender equality training, which is also important. My hon. Friend the Member for Glasgow North West (Carol Monaghan) mentioned that she was a teacher, and it is important that teachers, doctors and practitioners across society have the proper information so that they can support transgender people who come forward, in whatever context that may be.

My hon. Friend the Member for East Renfrewshire (Kirsten Oswald) spoke passionately about mental health, the diversity of her constituency and our being the sum of many parts. The hon. Member for Ogmire (Chris Elmore) spoke of the worrying figures in the US, and another Member spoke about President-elect Trump. The make-up of his Cabinet, and the views that he and they have expressed, should worry us all, and we should speak out against such views at every turn.

As a modern and allegedly forward-thinking democracy, we simply cannot afford to leave any section of our society forgotten or marginalised. The people of the nations of the UK—whatever their race, gender, religion or sexuality—must be able to play a full part and have a full life in our society.

Ms Tasmina Ahmed-Sheikh (Ochil and South Perthshire) (SNP): My hon. Friend is making a very passionate speech. Does she agree that there are sometimes various levels to transgender people? They could have disabilities and also be from black, Asian or minority ethnic communities, and it is incumbent on all of us to make sure all those equality layers are protected.

Hannah Bardell: I could not agree with my hon. Friend more, and she is a doughty champion for equalities. The issue of intersections in our society—how they meet, how they interact with each other and how we support them—is hugely important.

As a relative newcomer to the LGBTI community, I have to say that one reason I am particularly glad we are having this debate is that it is of the utmost importance that we better familiarise ourselves with the language surrounding this topic. I will be honest: I was not wholly familiar with all the language and terminology. As someone who came out relatively recently, I felt there was almost an assumption that people would be totally familiar with all aspects of the LGBTI community and LGBTI life. However, like many, I am on a journey of discovery and learning, and I have to say that, after the research I did today, and having listened to the contributions from both sides of the Chamber, I feel more enlightened, and I hope others do, too.

When I was growing up, there were not enough LGBTI role models for me, and others have spoken about powerful role models, particularly in the trans community. We are now seeing actors and others coming forward—people such as Jack Monroe—and speaking so openly and passionately about their lives. There are

also people taking on roles in various soap operas and normalising members of the LGBTI community and representations of them.

I read one of Jack Monroe's interviews when I was preparing for the debate, and the passion about confusion and experimentation with identity came across. Fox Fisher has also been a fantastic role model, and has made some incredibly pioneering and powerful films about transgender issues and people's journeys. We should take a moment to congratulate and commend all those in the transgender community who fight on a daily basis, as well as all the charities and other organisations, many of which my hon. Friend the Member for Lanark and Hamilton East mentioned, because they are at the forefront every day of the battle for equality.

Language is very important, because the truth is that correct language is not being normalised in our society and particularly, as has been said, in our media. We should be working towards a day when all our names can be preceded by Mx, because people should not have to choose their identity. For example, whether I, as a woman, am a Ms, a Miss or a Mrs defines my marriage status, which seems ridiculous. Why is it that, on the most mundane forms, we are still required to identify our gender and our marital status? I find it maddeningly unnecessary.

Beyond language, there is a huge amount of work to do, as many have said, on the Gender Recognition Act 2004. It is time to simplify the procedure for the self-declaration of gender and to put an end to the requirement for medical or psychiatric evidence. It is time that we allowed 16 and 17-year-olds access to the same process granted to 18-year-olds and up. It is time to fully and properly recognise trans, including non-binary, people in the Gender Recognition Act.

The LGBT Consortium provided some excellent briefing ahead of today's debate and crystallised some of the really worrying challenges facing the trans community. It explained:

“When someone applies for a gender recognition certificate they are assessed by a panel...they never meet”.

Imagine someone who has perhaps spent years struggling to work out who they are, facing that panel process to be assigned. They do not meet the panel and, worst of all, there is no appeal. This is not like applying for a job; this is about people's lives and identities. We must make sure that any process anyone has to go through is properly sensitive to their situation and to the challenges and battles they have had to go through.

The Scottish Government are publicly committed to all those changes to the Gender Recognition Act, and I hope the UK Government will now follow suit, because countries such as Australia, India, Denmark and Nepal are actually ahead of us on this front. They have the option on their passports to place an “X” next to the holder's gender. Of course, no one's gender makes them any less or more of a citizen of a country. As my hon. Friend the Member for Lanark and Hamilton East said, the UN's International Civil Aviation Organisation has an internationally acceptable gender marker for passports.

Angela Crawley: Ireland, Denmark, Malta, Norway, Argentina and Colombia—and soon Scotland, I should add—already recognise the process of self-declaration. Will the UK follow their example?

Hannah Bardell: I thank my hon. Friend for her intervention. She has helped me move my speech along and come to my closing remarks, because I was going to make that point. I hope that the Minister will alight on it.

I want to speak briefly about a recent encounter that I had with a local organisation called Glitter Cannons, a West Lothian LGBT group. I spoke to a young person who had gone through the process of coming out as trans in high school. She spoke movingly about the experience of PE and of which changing room she was going to go into and how that was managed at school. She said that, after some education, her teachers were able to give her good support, but the challenge was incredible.

Our First Minister, Nicola Sturgeon, has pledged to radically reform gender recognition law for transgender people and those of non-binary gender. I hope that if Scotland can do that, the UK can do it as well. At the end of the day, the UK has a long way to go before it treats transgender people properly, with the dignity and equality that they deserve. Mr Deputy Speaker, you and Mr Speaker, who is not in his place, have done a huge amount. I appeal to you and all of those in the House authorities to make this place, though it seems very much in the dark ages at times, as forward-thinking, progressive and open as possible for people across the LGBTI community and beyond. This is not just about dignity and equality, but about doing what is right for all our citizens, whoever they are, so that they can live their lives as they choose, freely and fairly.

1.31 pm

Sarah Champion (Rotherham) (Lab): It is genuinely a pleasure to speak in this debate. Although some of it has been harrowing to hear, it is absolutely appropriate that we do hear it. I was shocked to hear that this is the first debate we have had on the subject in this Chamber.

I congratulate my hon. Friend the Member for Brentford and Isleworth (Ruth Cadbury), the hon. Member for Lanark and Hamilton East (Angela Crawley) and the right hon. Member for Basingstoke (Mrs Miller) on securing this debate. I want to put on the record my thanks and gratitude to all members of the Women and Equalities Committee for their continued sterling work, not only on transgender issues but on championing equality across the board. The quality and depth of the Committee's inquiry are evidence of the very best work of this House.

The Committee's report makes clear the extensive list of issues that must be addressed if we are to tackle existing discrimination and transphobia, and ensure that trans people can live fulfilling lives. I was shocked to hear the hon. Member for Bath (Ben Howlett) say that there are 650,000 transgender and transfused people. Both he and the right hon. Member for Basingstoke are right to say that we need to get proper data so that we can have a properly resourced response.

The UK has come a long way on LGBT rights, and I am proud to be a member of a party that achieved the equal age of consent, repealed the vile section 28 of the Local Government Act 1988 and paved the way to equal marriage. I also thank the right hon. Lady for the incredible work that she did on that. We have further to go—there is always further to go—but I think that this

House can be proud of the progress that we have made on LGB rights. However, to our collective shame, the same cannot be said about the rights of the transgender community.

Transgender people form a highly diverse community, with a number of different trans identities, including those who define as non-binary and non-gendered. Sadly, however, more often than not, what brings the trans community together is stark experience of inequality, discrimination, transphobia, abuse and violence. The consequences of that relentless hate are clear to see. I am grateful to my hon. Friend the Member for Brentford and Isleworth for giving concrete examples of the living hell that some people endure. Almost half of trans people in Britain have attempted suicide at least once, and 84% say that they have thought about it. Those, of course, are the people we know about.

I want to make a plea from the Dispatch Box: whatever you believe about the issue of trans and gender identity, however strongly held your beliefs and however much you may morally disagree, please recognise that there are people in this country who are facing daily abuse and who are dying, all because of their self-declaration. Please, just see them as people.

This House either leads in improving the lives of trans people, or it is responsible for standing by and allowing intolerance, hate, violence and vilification to continue. I am sure that that is not the House that we are part of. Challenging the discrimination and transphobia that have resulted in almost half of trans people attempting suicide is not just a moral imperative; it is fundamental if we are to really create a tolerant and equal society. I am grateful to my hon. Friend the Member for Ogmore (Chris Elmore) for outlining so passionately and emotionally the violence that trans people face on a daily basis.

The European Union Agency for Fundamental Rights LGBT survey found that two in five trans people have been attacked or threatened with violence in the past five years. The Women and Equalities Committee identified a significant issue of under-reporting of transphobic abuse and violence. It recommended that the Government focus on building trans people's faith and trust in the police and the Crown Prosecution Service. I am grateful to my hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty) for mentioning the good work that South Wales police are doing.

Fundamentally, if the perception persists that the police are biased against trans people—to be fair, that perception is largely because of the way in which they have been dealt with in the past—it will be impossible to build faith in those institutions. If a trans person is not heard or taken seriously when they report a crime, there can be no justice. If a trans person never even makes a report, for fear of the police response or of being exposed during the criminal justice process, we cannot punish the perpetrators.

The Government's own hate crime strategy "Action Against Hate", which was published in July, recognises the need to work closely with the transgender community to ensure that solutions are put in place to increase faith in the police and the CPS and that they meet the needs of the trans community. Will the Minister update us on that work? Which community organisations have the Government met, and what changes are they planning as a result?

[Sarah Champion]

The Government have also indicated that they will look to strengthen hate crime legislation. Will the Minister update us on the progress on that work and on the new guidance on how prison services are to treat trans people with regard to self-definition? I thank the hon. Member for Bath and my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith) for their work on that. Will the Minister confirm whether the new guidance also covers immigration and detention facilities?

As we have heard, discrimination and transphobia start at a young age. According to the “Youth Chances” survey, more than four in five young trans people have experienced name-calling or verbal abuse, and three in five have experienced threats and intimidation. I echo the comments of my hon. Friend the Member for Ogmore, who said that we need to look at the underlying reasons that trans children are failing in school, rather than just at the logistical infrastructure issues. More than a third of young trans people have experienced physical assault.

The Women and Equalities Committee called on the Government to ensure that transgender issues should be taught as part of personal, social, health and economic education, and that teachers should be trained to feel confident in delivering it. That will go some way to ensuring that children grow up with a commitment to tolerance and an understanding that all people should be free to live with dignity and self-expression.

Labour and many campaign groups outside this Chamber have been calling on the Government to reintroduce a statutory, high-quality PSHE curriculum for all children in primary and secondary schools. I am pleased to say that, yesterday, the Chairs of five Select Committees did the same. To date, the Government have refused to do so. How long do they plan to go on ignoring the sheer weight of evidence that early intervention, through statutory PSHE, is a necessary tool in preventing hate crime and transphobia and in supporting children to grow up with respect for themselves and others? The Children and Social Work Bill will come to the Floor of the House on Monday, which presents the Government with the perfect opportunity to do the right thing and protect all children by tabling an amendment to that effect.

I now want to focus on the Gender Recognition Act 2004, and to reinforce what was said by the hon. Member for Lanark and Hamilton East. There remains a fundamental lack of understanding and awareness of the experiences and lives of trans people, and I echo the pleas that have been made—let us actually get some data on this. We need to understand the implicit and explicit discrimination that is happening against the trans community. That is compounded by the existing gaps in trans people’s legal rights and protections under the 2004 Act and the Equality Act 2010. The 2004 Act fails to provide an option for people who do not wish to undergo a formal process of gender reassignment, who do not conform to gender stereotypes and who do not wish to follow a different pathway from the one set out under the Act. The process of facing the gender recognition panel set out in the Act can cause distress and humiliation, and it is based on outdated medical concepts. The process is totally impersonal and unaccountable, and there is no right of appeal.

One campaigner spoke to me about her experiences. Sick of waiting for between five and seven years to receive treatment on the NHS and to follow the stipulated pathway, she went abroad for medical procedures. When she returned, the gender recognition panel insisted on gynaecological examinations and psychological tests, all at her own expense, in order for her to receive a gender recognition certificate. In the end, they refused her certificate—twice. Fundamentally, the process set out in the 2004 Act medicalises trans identities, strips individuals of personal autonomy and denies the trans community of the recognition that they can determine their own lives.

As part of the Government’s response to the Committee’s Report, they have committed to a review of the 2004 Act to de-medicalise the gender recognition process, and that is welcome. Will the Minister update the House on the Government’s progress with that review? Will she indicate whether the Government plan to take forward the Committee’s recommendation about self-declaration and self-determination?

The Equality Act 2010 is another fundamental piece of legislation that Labour is proud of, but that Act, too, needs updating. Terms used in the Act, such as “gender reassignment” and “transsexual”, are outdated and considered by some to be offensive and misleading, and they may not cover all members of the trans community. The Women and Equalities Committee report recommended that the Government amend the protected characteristic of gender reassignment to ensure that the largest possible number of people are afforded protection. The use of language such as “gender reassignment” and “transsexual” is both too vague and too specific, and it fails to provide clarity about who the public sector equality duty applies to. What plans do the Government have to update those terms?

The problems are compounded by the significant cuts that have been made to the Equality and Human Rights Commission, which upholds the public sector duty of equality. Recommendations in the report refer to the ability of the EHRC to look into complaints, but the Government imposed a 25% cut to the EHRC’s budget in the November 2015 autumn statement, having already imposed a 67% funding cut over the course of the coalition Government. That drastically reduces the impact that the EHRC can have in fulfilling its duty. Will the Government urgently halt further cuts to the EHRC, and will they produce an analysis of the impact of the cuts on the wellbeing of those with protected characteristics and on the commission’s ability to fulfil its roles properly?

I want to speak briefly about the NHS. To be honest, my hon. Friend the Member for West Ham (Lyn Brown) has spoken so powerfully about it that all I want to do is to ask a couple of questions. Gender identity clinics that provide specific healthcare for trans adults and young people are stretched far beyond capacity. That is leading to dangerous waiting times that regularly exceed the statutory 18-week limit and, in some cases, to poor quality of care. We have been told that all gender identity clinics are out to tender. Can the Minister confirm whether that is true, and can she tell us how many clinics are currently breaching the 18-week limit?

Fundamentally, this debate is not just about trans people; it is about the sort of open, tolerant, supportive country that we want to live in. This debate is an

opportunity for the Government to set out their plans to help one of the most vulnerable and vilified communities, and I hope that the Minister will take this opportunity to do so.

1.43 pm

The Parliamentary Under-Secretary of State for Women and Equalities (Caroline Dinenage): It is a great pleasure to take part in this incredibly important debate on transgender equality—indeed, it is the first debate on transgender equality—and I thank my right hon. Friend the Member for Basingstoke (Mrs Miller) for securing it. I put on record my welcome for the passionate and thoughtful contributions of hon. Members from across the House and add my voice to the praise for the Women and Equalities Committee report, which was a really important milestone in Parliament's consideration of trans rights. I thank the Committee for its thorough and groundbreaking review, and we welcome its recommendations on how we can further tackle trans inequality.

The Prime Minister has made it clear that the Government's mission is to make Britain a country that works for everyone. We want a society where everyone has a fair chance to go as far as their talent and their hard work will allow. That, of course, includes members of the trans population. We want them to be safe, healthy and free from discrimination, and we want a Britain that works for trans citizens.

I am proud of the UK's strong legislative framework that protects trans people, but I am aware that progress in the acceptance and recognition of trans people has not kept pace in any way, shape or form with that of the lesbian, gay and bisexual community. I am also aware that transgender people suffer particularly high levels of inequality—from mental health to hate crime, and from bullying in schools to discrimination in employment—and we have heard many hon. Members speak passionately about all those things today. As the hon. Member for Lanark and Hamilton East (Angela Crawley) mentioned, mental health and suicide are big concerns. A young trans person in England today is nearly twice as likely to have attempted suicide, and nearly three times as likely to have self-harmed, as are their non-trans peers. That is utterly unacceptable. It has been said that trans issues are too difficult to tackle and too marginal to take notice of, and that it is too hard to implement change. We say that that is wrong. Trans people deserve dignity, respect and a life without discrimination.

I welcome the words of the hon. Member for Ogmore (Chris Elmore). As he says, we should take this opportunity to celebrate our trans community, especially the brave and inspiring individuals—from within the trans community and outside it—who do so much to fight against the prejudice, discrimination and disadvantage that we have heard about so movingly and passionately from so many hon. Members.

Tackling transgender inequality is a not a new initiative for us, and we continue to be recognised as one of the most progressive countries in Europe for LGBT rights by the International Lesbian, Gay, Bisexual, Trans and Intersex Association. In 2011 we issued the world's first transgender action plan to address the real and everyday challenges faced by trans people, and the majority of the commitments in the action plan have been completed. We are in the process of collating progress updates,

and we will publish a summary next year. Recently we invested £2.8 million to tackle homophobic, biphobic and transphobic bullying in schools that have no measures, or ineffective measures, in place to deal with it. We have also published practical and clear guidance for employers and service providers on how to deal fairly and sensitively with transgender employees and service users. We have absolutely no intention of ending our commitment to tackling transgender inequality.

In July we responded to the Women and Equalities Committee report and set out a further set of ambitious actions. One massive and key commitment was to review the Gender Recognition Act 2004. As my hon. Friend the Member for Bath (Ben Howlett) has said, it was a groundbreaking measure when it was introduced—I think we sometimes forget how groundbreaking it was—but the world has moved on incredibly since then, and it is right that we review how it is working now. We have begun a stakeholder engagement programme to look at how the gender recognition process can be improved, and at the legislative and non-legislative means that we would need to use to do that.

The Committee recommended that we move towards self-declaration of gender. We recognise that, as the hon. Member for Livingston (Hannah Bardell) rightly pointed out, the gender recognition process needs to be quicker, less bureaucratic and definitely less medicalised. However, we want to see more evidence on the case for change to a self-declaration model. A couple of other jurisdictions have just begun to implement such a model. We will continue to monitor the implementation of the alternative gender recognition process in other countries, and we will analyse the very good evidence that the Committee published to inform our work.

Hannah Bardell: Briefly on gender recognition, will the Minister engage with those countries that are at the forefront of progressive policies, take evidence from them directly and work with them to see how we can implement their models?

Caroline Dinenage: Yes. Some of the legislation is very new, including that of our friends in the Republic of Ireland. We will keep it under review and we are determined to learn all the lessons of best practice from around the world, as indeed we always have.

Angela Crawley: On that specific point, will the Minister meet Angela Constance, the Cabinet Secretary for Communities, Social Security and Equalities in the Scottish Government, to have that discussion, given that Scotland is now embarking on that process? Perhaps there could be a shared learning experience to ensure that we take matters forward for trans equality.

Caroline Dinenage: Yes, I am more than happy to do that and I am keen to collaborate in any way with those from whose experience we can learn.

My right hon. Friend the Member for Basingstoke presented her Bill today. We have not yet heard a convincing case for introducing gender identity as a protected characteristic. The Equality Act, and criminal, hate crime and employment legislation all offer protection for trans people. However, we will continue to keep an open mind, listen to testimony and monitor evidence to find ways to improve the lives of trans people.

[Caroline Dinenage]

My opposite number, the hon. Member for Rotherham (Sarah Champion), asked about hate crime. We have improved the recording of hate crimes against LGBT people to support more effective prevention and action. Police forces are now required to collect those data, and the first set of data was published as official statistics in 2013. We have committed to review legislation on hate crimes and we are currently considering the options. The Crown Prosecution Service also recently launched a consultation on draft guidance on prosecuting cases of offences involving transphobic hostility.

The hon. Member for Lanark and Hamilton East spoke about gender markings and gender X on passports. As she pointed out, UK passports currently recognise only male and female genders. Legal recognition is more broad than just changing passports and would need to be considered across Government. Introducing a third category, such as that denoted by an X in a passport, would require a change in UK primary legislation. However, on gender markings, as set out in the response to the Select Committee report, the UK has agreed with the International Civil Aviation Organisation to lead on a survey of member states on gender and passport markings. The gender questionnaire was circulated in October and member states had until the end of November to provide their views. We will review the responses, compile a report and submit it to the working group early in 2017.

Sir Peter Bottomley (Worthing West) (Con): Recognising that it is only 51 years since “transgender” was first used, I think the Government’s words on page 23 of their response to the ICAO are important because, as they rightly point out, we are now identified more by facial recognition and other things rather than by asking, “Is this person wearing trousers or a skirt?”

Caroline Dinenage: My hon. Friend never ceases to amaze me with his encyclopaedic knowledge of all manner of important issues, and this is no exception. He is right that we must keep pace with modern technology and always keep it in mind when we make Government policy and change legislation.

Several hon. Members, not least my hon. Friend the Member for Bath, who has campaigned hard on the issue, talked about managing offenders. When I was a Justice Minister, my hon. Friend and I worked closely on a number of particular incidents that he raised. Managing transgender offenders has been a major concern and we have taken action. A number of events involving transgender prisoners in autumn 2015 highlighted the need for the policy on their treatment to be given a more fundamental reappraisal. When I was in the Ministry of Justice, I led on that work and last month the Government published their review and confirmed the position. That is why we will, from now on, manage anyone received into services run by the National Offender Management Service in the gender with which they identify rather than the sex assigned to them at birth.

Sarah Champion: Will the Minister confirm whether that includes immigration detention centres?

Caroline Dinenage: I will come to that. Detailed guidance has been provided to staff on how to implement the changes. An advisory board has been set up to

inform policy and establish best practice on the treatment and care of transgender and non-binary offenders in prison custody and under the supervision of the national probation service. I will write to the hon. Lady about immigration detention services. I know that the advisory board had its first meeting on 25 November.

Several hon. Members spoke passionately about health, particularly the hon. Member for West Ham (Lyn Brown). As she said, ensuring accessible and prompt health services for trans people is of continued concern. I am pleased that good, collaborative, progress is being made. Discrimination against trans people in the NHS is not allowed and is unacceptable. NHS England has convened a number of multi-agency symposiums to begin to address this issue. The hon. Member for Brentford and Isleworth (Ruth Cadbury) will be pleased to know that NHS England and the General Medical Council have acted on the Select Committee’s recommendations by publishing new guidance on GPs’ responsibilities in treating trans people. We are also tackling the very long waits to access gender identity services, and we are beginning to see results: the average waiting time for patients to receive reconstruction surgery at Imperial College Healthcare NHS Trust has dropped from 94 weeks to 61 weeks, and is getting better.

Lyn Brown: The Minister is doing a remarkable job on the Front Bench at the moment, so I thank her. May I ask her to push her colleagues in the Health team on a root-and-branch review of transgender and LGBT health, as the Select Committee requested? That is fundamental, rather than having small working groups working on small bits of the matter.

Caroline Dinenage: I will of course pass that sentiment on to my colleagues in the Department of Health.

NHS England has increased financial investment in gender identity services from £26 million to £32 million this financial year. In addition to funding, we need to increase capacity in this specialism. That is why a joint initiative between NHS England and Health Education England was launched on 20 October to develop a programme of work to address national workforce and training constraints in that specialty. The planned outcomes will be recommendations for the future workforce, and will include curriculum development, continuing professional development and general awareness training among NHS staff.

The GMC and NHS England are also currently considering piloting a formal process for accrediting competencies in gender identity. To provide a better service nationwide, we will revolutionise service provision. We are seeking new providers to host gender identity clinics, and we will tender for them via national procurement in 2017. We will ensure that they can deliver the requirements of the updated service specifications for adult services. That means not only clinics offering better services, but ensuring better geographical spread.

Deidre Brock: Will the Minister confirm that she will review spousal consent, which puts a person’s right to have their true identity recognised in the hands of someone else? It does not happen in Scotland. Will the Minister look to the Marriage and Civil Partnership (Scotland) Act 2014 to see how the issue might be sorted out?

Caroline Dinenge: It sort of happens in Scotland, but it is a different legal process. We will continue to monitor cases whereby married trans people are victimised by spouses with malicious intent. However, it is important to say that marriage is a contract between two individuals and it is right that both partners should have an equal say in the future of their marriage when there is a fundamental change.

NHS England's new service specification will reflect the standards of care and will be out for consultation in the new year. NHS England has already published a new service specification for children, and a clinical commissioning policy for prescribing cross-sex hormones to gender-variant young people. The new policy is consistent with international guidelines and best practice.

Having a positive experience of childhood is vital, especially for trans children as they come to realise who they truly are. A number of Members, including the hon. Member for Brentford and Isleworth, said that schools have an important role to play in ensuring a positive experience.

My Department is commissioning research to understand whether social work training has sufficient coverage of gender variance. The initial research will be concluded by the end of March 2017, and we will use the findings to decide whether additional training materials should be made available. Outstanding and remarkable work goes on in some of our schools to support our trans students, which I have seen myself. I personally intervened to make changes after visiting a school where a headteacher raised the issue of recording pupils' desired gender on school records. New guidance was subsequently issued in April—pupils can now sit their exams and receive certificates in their correct gender, which not only reflects who they are, but reduces the risk of their being outed in later life.

Other work that was not in the Select Committee report is under way. We are funding questions in the British social attitude survey on public attitudes towards trans people; issuing guidance on the provision of gender neutral toilets; and publishing guidance in the civil service on how to survey trans staff within Government Departments.

I hear the comments that the Government have not gone far enough or fast enough on trans equality. My response is to watch us as we deliver sustained and

embedded change. We have shown that we can achieve major social reform—after all, we are the Government who introduced same-sex marriage, a defining milestone in equality. We will achieve the same milestone for our trans community by revising the Gender Recognition Act, and through other major initiatives.

I thank the Women and Equalities Committee for its report. We will continue to listen to all the voices on this important matter and deliver positive change for the trans community.

2.1 pm

Mrs Miller: This has been an historic debate and I thank everyone who has taken part for making it such a positive one. Better protecting trans people does not mean diminishing the protections in place for women. It is not a zero-sum game and we should not allow those who attempt to paint it as such, and who try to undermine the position and legitimate rights of trans people, to succeed.

The debate has given the House and the whole country an opportunity to hear about the progress that the Government are making on the treatment of prisoners; on passport gender identification, on which Britain leads the way; and on reducing waiting times for NHS services. My hon. Friend the Minister, a fellow Hampshire Member of Parliament, is to be applauded for the energy, action and positive approach she brings. I look forward to continuing to watch her work unfold, but I also look forward to continuing to press her in the Select Committee on the recommendations.

Question put and agreed to.

Resolved,

That this House notes the UK's status as a pioneer in legislating for equality for LGBT people; welcomes the Government's announcement of a new trans equality action plan; and calls on the Government to review its response to the recommendations of the Women and Equalities Committee's report on Transgender Equality to ensure that the UK leads the world on trans equality rights, in particular by giving unequivocal commitments to changing the Gender Recognition Act 2004 in line with the principles of gender self-declaration and replacing confusing and inadequate language regarding trans people in the Equality Act 2010 by creating a new protected characteristic of gender identity.

UK Fishing Industry

[Relevant document: Eighteenth Report of Session 2016-17 from the European Scrutiny Committee, Chapter 5, Fisheries: catch quotas and effort limitation for 2017, HC 71-xvi.]

2.3 pm

Melanie Onn (Great Grimsby) (Lab): I beg to move,

That this House has considered the future of the UK fishing industry.

I thank the Backbench Business Committee for granting the debate. The hon. Members for Cleethorpes (Martin Vickers), for Banff and Buchan (Dr Whiteford) and for South Down (Ms Ritchie) spoke alongside me before the Committee last month, and the hon. Members for Waveney (Peter Aldous), for Strangford (Jim Shannon) and for North Cornwall (Scott Mann) also put their names to the motion.

The debate has been an annual occurrence for some time, giving the Government an opportunity to hear MPs' concerns and update them in advance of the December Council of Ministers. I thank the Committee for returning it to the main Chamber, as opposed to holding it in Westminster Hall, which unusually hosted it last year.

Giving the fishing industry such prominence in the European referendum reflects its importance. I can conclude only that our debate last year catapulted it to the front of people's minds and made it central to the necessity to leave the EU. The only shame is that it was not given such high priority previously.

Many Members will know of my town's history and of how big a role fishing played in it because I have spoken about it often. Although fishing has largely left Great Grimsby, the seafood industry continues to thrive. I take every opportunity to speak on the subject because fishing remains a big part of Great Grimsby's identity.

The legacy of the post-cod wars industry demise still has victims, and the search for a solution to the Government's failure properly to compensate fishermen who lost out on pensions because of maladministration remains on my radar for the widow of one such fisherman. The Great Grimsby Association of Fishermen and Trawlermen has been fighting for 40 years for justice for the fishermen of Great Grimsby. They are still fighting for James Greene, who sadly passed away this year having not received what I believe to be his full entitlement. The association continues to pursue the case on behalf of his widow. Will the Minister meet me and offer his assistance in the case? I appreciate that this is not the place for details, but for the ombudsman to insist that the compensation scheme will pay the maximum of £20,000 only to those who were at sea continuously for 52 weeks a year for 20 years is plainly nonsense. Given the experience of those fishermen of the original compensation scheme, and of the subsequent scheme to rectify the errors and oversights of the previous one, he will understand the association's caution in accepting official agencies' assessments.

The debate on the future of the UK fisheries industry is more pressing than usual owing to the decision that the country made in June to leave the European Union, which will surely have far-reaching consequences for the industry. As the hon. Member for Banff and Buchan said in our session in the Backbench Business Committee, fisheries may have more at stake than any other industry over the next few years of negotiations with Europe.

Those in the fishing industry have been given reason to be hopeful about the future. During the referendum campaign, the right hon. Member for Haltemprice and Howden (Mr Davis) came to my constituency for a Vote Leave flotilla along the Humber, when he said:

"If we leave the EU, we can help our industry recover, perhaps taking our cue from Iceland."

The hon. Member for Camborne and Redruth (George Eustice) said that Brexit would allow Britain to

"re-establish national control for 200 nautical miles".

Those promises were not made by campaigners who had no prospect of being in a position to follow them through. The right hon. Member for Haltemprice and Howden is now the Secretary of State for Exiting the European Union; the hon. Member for Camborne and Redruth remains as the Minister with responsibility for fisheries; and the right hon. Member for South Northamptonshire (Andrea Leadsom), another leading light in the Vote Leave campaign, is his boss as Secretary of State for Environment, Food and Rural Affairs. They could not be better placed to implement what they pledged just a few short months ago.

It is therefore disappointing that we have heard nothing in five months from the Government on their plans for the industry. Neither the Brexit Secretary nor the Environment, Food and Rural Affairs Secretary made any mention of fisheries in their party conference speeches. For the Government to achieve what the leave campaign promised British fishermen, they need to put the industry at the top of their agenda. I wrote to both Secretaries of State before the summer recess asking them how they planned to deliver on their promises. The Minister who replied had no answers to the questions I asked, and gave me no assurance that the Government have thought about how they can secure what communities such as mine expect.

The fact is that, although it is very easy for leave campaigners to blame the EU for the decline of the fishing industry, their version of history is partial at best. The sharpest fall in the employment of fishermen came between 1948 and 1960, which was before Britain joined the European Economic Community. Iceland has lost more fishing jobs than Britain since the end of the cod wars; the number of those employed in the Icelandic fishing industry has halved since the 1980s.

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The hon. Lady makes an excellent point about the nature of fisheries. One hundred years ago, about 24% of the Icelandic population were involved in fisheries, but it is now down to about 4.3%. I was in Reykjavik in June at a fishing firm that hoped to have even fewer people working in fisheries, such is the technological drive for improvement in the industry.

Melanie Onn: Fewer people are involved, and the hon. Gentleman shows that being outside the European Union is not necessarily a panacea for the fishing industry. The Government have a lot to live up to. The fact is that the common fisheries policy came about when fish stocks were falling, new environmental concerns were discovered, and new technologies reduced the number of workers per vessel, as he says. That is not to say that the common fisheries policy is perfect—I do not think

anybody would suggest that—or that the UK will not benefit from no longer having to abide by it. My point is that selling false hope, by suggesting that we will return to the industry we had in the 1950s simply because the CFP will no longer apply to us, just is not fair.

We simply cannot assume that being free from CFP regulations and quotas will allow our fishermen to do whatever they want. There will still need to be restrictions on quotas and fishing zones to prevent overfishing and trawler wars. Look at what happened in Canada. It is in charge of its own waters and cod fishing has been a major industry there for 500 years. In 1992, overfishing had caused stocks to collapse to such a low level that the Government had to order a ban on catching cod. More than 20 years on, the moratorium remains in place. British fishermen understand this. For example, the National Federation of Fishermen's Organisations' model for the industry post-Brexit retains the landings obligation, albeit a reformed one.

Stephen Gethins (North East Fife) (SNP): The hon. Lady makes an excellent point. I wonder whether she noted the words of the Secretary of State for Scotland, who on 15 June said that

“the idea we would go back to a position where we were entirely in control of our own fishing is not one that is realistic.”

Melanie Onn: I thank the hon. Gentleman for drawing that to my attention. I was not aware of that, but I have to accept that that position is not realistic. The fact that the idea was shared throughout the referendum campaign as a key point for fishing communities, which have really felt the brunt of economic decline and a collapse of their main industry, bordered on the irresponsible.

For the UK fisheries industry to see a good outcome from Brexit, it needs to be a Government priority. We cannot simply impose a 200-mile limit to achieve what the Minister promised. He will need to win it in negotiations with the EU. That will mean sacrificing other things. That is why the Government's silence has been so worrying. It suggests that fisheries are not being given the importance required to secure what was promised. Nissan has already been given its own special deal. When can I tell the chief executive officer of Grimsby Fish Dock Enterprises to expect his invitation to No. 10?

When I wrote to the Secretaries of State for Exiting the EU and for the Environment, Food and Rural Affairs before the summer, I asked what conversations they were having with appropriate representatives of the Icelandic Government. There was no answer in the reply, but they will need to have those conversations to secure a 200-mile exclusion zone. Why have they not already begun discussing the new opportunities that will be available to British vessels once we have left the EU? We cannot return to the conflict of previous years, but that is the risk if they do not start speaking to our neighbours.

The fisheries Minister visited Cleethorpes and spoke to my local paper during the referendum. He knows what an emotive subject this is for people in my area. He sought to give them hope that Great Grimsby's fishing fleets of the past could return. I was therefore genuinely angered to read his comment in the press a month ago that it will be fishermen in the Channel and the west country who will benefit from post-Brexit reforms to

fishing quotas. How convenient that he omitted to mention before the referendum that he did not foresee Brexit benefiting fishermen in the Humber!

I am also very concerned about the effect of Brexit on the fishing industry that exists today in Great Grimsby, which is mainly food processing, manufacturing and trading. Grimsby fish market is the largest in the country, and huge quantities of fish are imported from Iceland and Norway to be processed and then sold in Britain or exported to mainland Europe. Because of the global nature of these businesses, they are vulnerable to changes in the value of the pound. Many businesses in Grimsby are based outside the EU, but pay no tariffs on fish imported from Norway and Iceland because of their membership of the European economic area. Of course, no tariffs are paid on the £900 million of seafood Britain exports to the rest of Europe. If we no longer enjoy tariff-free trade with these countries, I fear the fish processing industry will really suffer. Many manufacturers in Grimsby are already working to fine margins, so any increase in cost could force them to reduce staff numbers, or well-paying employers, such as Icelandic Seachill, may have to reduce their wages and worsen conditions for staff. The other likely outcome is that families across the country who have been feeling the squeeze for a decade will be asked to pay more for fish. They will choose cheaper, less healthy alternatives instead—I know that the Minister is very keen to encourage people to eat more fish.

Businesses, as well as the thousands of people employed in the fish trading and processing industries in Grimsby, need reassurance from the Minister today. Fishermen want to hear that the Government understand the need to prioritise their industry, so that they can deliver on what has been promised.

2.14 pm

Neil Parish (Tiverton and Honiton) (Con): It is a great pleasure to follow the hon. Member for Great Grimsby (Melanie Onn), who made a good and passionate plea on behalf of fishing and fishermen in this country. I will begin by talking about the present situation and then expand a little on the direction of the fishing industry after we leave the EU. The Minister has the unenviable job in the very near future of spending probably nearly all night in Brussels as our fishing levels are thrashed out.

Mr Ben Bradshaw (Exeter) (Lab): Only one?

Neil Parish: Several I expect. I think that the right hon. Gentleman partook in such meetings when he was fisheries Minister.

The current Minister will have the unenviable task of sitting down with Ministers from across the whole of Europe to thrash out in great detail how much and where we can fish cod, sole, hake and so on. Our fishermen throughout the whole country, and especially those in the west country, will expect a very good deal from him because he is such a magnificent Minister. We expect him to come back with more fish in his pockets and in his suitcase, and to ensure that we have those opportunities. We have to remember that we will still be fishing under the common fisheries policy for another two to three years. For our fishermen, with their quotas and all the things that they need to do, we need to sustain the fishing industry in the years ahead.

[Neil Parish]

Many crews on our fishing boats are central and eastern Europeans. Their labour is needed, so we need to ensure that everything is in place.

Mr MacNeil: The hon. Gentleman mentions eastern Europeans, and this is a sore point for Hebrides fishermen at the moment because we cannot get the numbers of them in and boats are left tied up. There is a boat for sale in Scalpay because it has lacked a crew since August. We are dying to get people in from the Philippines, but blockages put in place by the London Government are choking the Scottish fishing industry.

Neil Parish: It is perhaps not quite the British Government who are “choking” the industry, as the hon. Gentleman says. I do accept, however, that there is a perception among those coming to work from central and eastern Europe about whether they are welcome here, and therefore whether they want to come. The value of the pound has also made working here not quite as lucrative, so there has been a knock-on effect.

Ms Margaret Ritchie (South Down) (SDLP): This issue has an impact on fishermen and the fishing industry in the west of Scotland and in County Down, where we have three fishing ports. We rely, by and large, on the efforts of non-EEA fishermen. We have found that the blockages are coming from the Home Office. We urgently need statutory regulation to address this issue, otherwise our fishing industry will die.

Neil Parish: The hon. Lady puts her powerful point on the record. We cannot necessarily hold the fisheries Minister responsible for everything that the Home Office does, but the hon. Lady makes the very good point that we need support and labour not only from inside the EU, but from outside it, so that we can man our fishing boats.

Brendan O’Hara (Argyll and Bute) (SNP): To reiterate the hon. Lady’s point, the Scottish and Northern Ireland fishing industry is in crisis. Will the hon. Gentleman use his position to help us to speak to the Home Office and build a case for allowing non-EEA fishermen to work in the west of Scotland and Northern Ireland fishing industry? We face a crisis and we need all the help we can get.

Neil Parish: I understand where the hon. Gentleman is coming from, although there is a limit to my influence and power. That said, the Environment, Food and Rural Affairs Committee will be carrying out an inquiry on fishing, which is probably more urgent now. Part of that inquiry will involve looking at and taking evidence about all these things—support, labour and how we run our fishing industry. I can give him a commitment about that.

Jim Shannon (Strangford) (DUP) *rose*—

Neil Parish: I give way to the hon. Gentleman for Northern Ireland; I am not sure of his constituency.

Jim Shannon: It is Strangford. I am surprised that the hon. Gentleman does not know that—I thought that everyone in the House knew of Strangford. It must have slipped his mind.

The hon. Member for South Down (Ms Ritchie), two SNP Members—I am sorry, but I cannot remember their constituencies—and I met the previous Minister to make a definitive case for the retention of the Filipino fishermen to ensure that the boats in Scotland and Northern Ireland could survive, but it was not agreed to. Responsibility therefore lies not with Europe but—I say this with the greatest of respect—with the Immigration Minister. There is a scheme for seasonal—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Gentleman will have an opportunity to make a speech later, if he leaves enough time after his intervention.

Neil Parish: I thank the hon. Member for Strangford (Jim Shannon)—I knew his name, but not his constituency—for his point, which I am sure that the Minister has registered. We are hearing the strong view that this is about not just how and where we fish and what we catch, but the labour to man our fishing boats. The situation in Scotland and Northern Ireland shows how integrated and inter-reliant our fishing industry is.

As we move into this new world, securing access to other waters will be a great challenge, but we will probably also have to share our waters with those who have historically had rights here. Perhaps we can use that fact in our trade negotiations as we move towards a new policy. The adage is that when we entered the EU in 1972, we gave correct figures on the size of our catch, but others inflated theirs, meaning that when the catches were cut back, Britain ended up with very low quotas. From Grimsby to Scotland and all around the country, we can start to put that right.

Callum McCaig (Aberdeen South) (SNP): The hon. Gentleman suggests that the fishing industry could be used as part of trade negotiations. The Scottish fishing industry learned a sore lesson when it was previously sold out in negotiations. We need assurances that that will not happen again, and that the industry will not be a pawn in trade negotiations.

Neil Parish: I agree with the hon. Gentleman. We must make clear our ability to take our fishing rights out to the 200-mile limit, as well as where exactly we will have those rights and how we will deal with others’ historical rights. If we can get the whip hand—if we can secure 200-mile rights—we can get a very good trade deal, as well as a very good deal for Scottish fishermen. It will be interesting to see how we unravel what has been in place for 40 years. I know that the Minister is confident of getting these rights back to 200 miles. It will take some doing, but if we can achieve it, we will be in a very good position.

Mike Weir (Angus) (SNP): The hon. Gentleman talked earlier about the prospect of the fisheries Minister facing long nights in Brussels, but it strikes me that we have to negotiate with the EU and other nations. We already have talks with Norway about fishing quotas. The process will be extremely complicated, so how confident is he that post-exit trade talks will produce a better deal than that which we get from the CFP?

Neil Parish: I think that the hon. Gentleman was asking that question of the Minister rather than me. We look forward to hearing from the Minister how he believes this will work. It can work, however, and if we secure these rights, it can work extremely well.

As we move forward with fisheries policy, we will have to put in place conservation measures. It must not be open season to fish everywhere all the time. Norway can close a zone within 24 hours if it is being overfished. It can react much more quickly than other nations because it is one country reacting for one area, so there are some positive aspects even with conservation.

If I may, I will throw a few ripples into the pond, as I am not averse to doing. In the future, might we move from a system of quotas to one of fishing effort and days at sea? How will we control fishing in the future? We do not want discards—a lot of work has already been done about that, but there is still more to do. We want to land all the fish that we catch and to promote different species of fish in the country so that we eat much more of what we catch. One problem now is that 70% to 80% of what is landed on Newlyn harbour in Cornwall goes straight to France or Spain because we do not eat those types of fish.

There is a lot of positive work that can be done. I want the Minister to carry on fighting in Brussels to secure a good deal for our fishermen that will see us through the next few years. Then, yes, let us get these rights back, but as we get them back, let us manage our own fishing sensibly. If we let others into our waters, let us get something back under reciprocal arrangements. That is the way we can build this key industry back up. In Ireland, where there are open borders between Northern Ireland and the Republic, these things will have to be dealt with even for fishing. I will die in a ditch over the need to keep open the border between Northern Ireland and southern Ireland, not only on land but on sea, because there is no doubt that that is the future for Ireland. I am grateful to have had the opportunity to speak and thank Members for their interventions.

Several hon. Members *rose*—

Madam Deputy Speaker: Order. I hope that we will not need to apply a formal time limit, because this is a good-natured debate in which I expect all hon. Members to be courteous to others by limiting their speeches to just under 10 minutes. That way, everyone will get a fair chance.

2.27 pm

Mr Alan Campbell (Tynemouth) (Lab): I will attempt to do exactly that, Madam Deputy Speaker, with a brief contribution.

I am grateful for the opportunity to speak in this debate, and I congratulate my hon. Friend the Member for Great Grimsby (Melanie Onn) not only on securing it, but on her speech. In our annual fisheries debate, we remember those who have lost their lives at sea over the year in what is still the most dangerous peacetime industry. We thank those who work to keep fishermen safe, particularly the volunteers at the Royal National Lifeboat Institution, and those who work with and support fishing communities, such as the Fishermen's Mission.

In my experience, fisheries debates follow a familiar pattern: we bring a shopping list from the fishermen and fishing organisations in our constituencies, and then the Minister responds to the debate and goes off to the Fisheries Council. In all honesty, we are often more interested in what he brings back from Brussels than in what he says at the end of the debate—I mean no

disrespect to the Minister, but that has been the pattern of fisheries debates for as long as I can remember. Today will be very different, however, because this is the first post-referendum, pre-exit debate, and we and the wider audience outside the House, particularly fishermen, will be looking carefully for signs of what exiting the EU will mean for UK fishing.

I know that the Government are reluctant to share their exit plans for fear of damaging negotiations, and it might be that in some policy areas they do not actually have a plan, but they cannot say that about fishing, because in every one of the five general elections I have fought, my Conservative opponent has stood on a platform of getting out of the common fisheries policy. In 2010, the Conservative candidate in my constituency, who is now the excellent hon. Member for Aldridge-Brownhills (Wendy Morton)—I imagine her seat does not have a big fishing fleet—launched her campaign on Fish quay in North Shields with the slogan “A Fresh Face for the Future”. I remember that because I launched my campaign the next day holding a rather large fresh salmon under the slogan “Fresh Fish for the Future”. That was the end of the sloganising for that campaign.

The serious point is that Conservative policy has for two decades been about getting out of the common fisheries policy, so surely the Minister must have worked out what that means. As well as fishermen, the public, especially those who voted leave—I voted remain, but if I had been a fisherman, I would have voted leave—were encouraged to believe that the UK would have greater control of the 200-mile exclusive economic zone. They were also encouraged to believe that there would be a 12-mile limit, which is essential to protect the inshore fleet, which is the mainstay of the North Shields fleet in my constituency.

If the UK has more control of our waters, we should have control of—or at least a fairer share of—what is caught in those waters. We need a fit-for-purpose management system that is based on proper science, with scientists working alongside fishermen, as far as possible in real time. We need environmental standards that are at least as high as those we enjoy inside the European Union. I do not think fishermen should have anything to fear, because someone who is a fisherman has to be a conservationist and an environmentalist—that is their livelihood. Given that much of the prawn and shellfish landed at North Shields are put on to lorries and taken to the continent for consumption, we also need to make sure that we get a fair trading agreement. When the Minister responds to the debate, I hope that he will at least begin to sketch out what such a policy will look like. That is what we are looking for, and all the people he is going to meet at the Fisheries Council will be looking for those signs, too.

I want to raise two local issues. I make no apology for having raised them before, because we are now working and thinking in a different context. The first is about access to the Farne Deeps, which is the most important prawn fishery. The prawn fishery is the most important element of the viability of North Shields. I thank the Minister not just for the action that he and his Department have taken to protect and safeguard stocks, but for the action he has taken, and plans to take, to deal with the twin-rigged trawlers that are doing a great deal of damage to the marine environment. Does the Minister believe that exiting the common fisheries policy will

[Mr Alan Campbell]

strengthen his ability and that of the UK Government to act in such situations? If the Minister prefers to write to me about that, I am happy for him to do so.

My second local issue relates to access to funding, and the need to repair and regenerate North Shields port. North Shields is virtually alone on the east coast in retaining a sustainable fleet. It has a fish market—ironically, it was paid for by EU funding—and an integrated port structure. It is at the central part of the North sea and the heart of the prawn fishery, acting as a hub for the east coast.

The port is profitable—anyone speaking to fishermen would be told that it was profitable—and sustains somewhere in the region of 1,200 jobs, but it does not have access to resources for either large-scale repair or long-term infrastructure investment. Work has been completed on the west quay, but the part of the quay that is nearest to the fish market, where the boats land the catches, needs urgent work.

The interested parties are already working together—the Port of Tyne, the company that runs the fish quay, the local authority and many others. Often, however, when it comes to the question of money, there is a lot of shuffling of papers and staring at the floor, because the reality is that the resources are not available to carry out repairs of such size and cost. Infrastructure investment is therefore needed, for which the area has traditionally looked to the European Union. It beggars belief that the EU will agree to make a large amount of money available if we are going to exit at some point in the near future, so I ask a simple question: if not through EU funding, where will the funding come from?

We were told—we saw it on the side of a bus—that we would save £350 million a week if we exited the EU. I work that out at £50 million a day, so the amount that North Shields needs for such important work is equivalent to the contributions that we would make in the length of time allowed for this debate. I want to know from the Minister what help we will get in the future. Will the Government guarantee funding where the EU in the future cannot? Unless we get that guarantee, the viability of North Shields—and, I imagine, other ports—will not be guaranteed, and the jobs that depend on the port will not be guaranteed either.

2.36 pm

Sir Henry Bellingham (North West Norfolk) (Con): It is a pleasure to follow the right hon. Member for Tynemouth (Mr Campbell), and, like him, I am going say a few words about my local fishery in a moment. We have been the beneficiaries of the expertise of my hon. Friend the Member for Tiverton and Honiton (Neil Parish), and I agreed with the hon. Member for Great Grimsby (Melanie Onn) and, indeed, the right hon. Member for Tynemouth when they pointed out that fishing is a dangerous profession. Every year, lives are lost at sea. The fishermen in our constituencies are going out, day after day, in some of the most demanding conditions imaginable.

Before I come on to the CFP and the future, I would like to say something about the Wash. The Wash fishery is one of the most successful in Europe. More than 100 boats fish out of King's Lynn, Boston and the smaller ports such as Brancaster and Wells. About

40 boats fish out of Lynn, and for every job on the boats, there are probably five onshore—engineers at a small boatyard, for example, and specialist businesses dealing with re-equipping and re-fitting fishing gear. Some engineers specialise in hydraulics, but there is an entire onshore industry that supports the fisheries. There are some important fish processing businesses, as well, including John Lake Shellfish Ltd and Lynn Shellfish. Between them, they employ a significant number of people.

Fishing is very much part of Lynn's heritage, as superbly portrayed in the True's Yard Fisherfolk Museum in King's Lynn, which depicts the story of the old North End fishing quarter of Lynn. It was, of course, Queen Elizabeth I who granted Lynn fishermen the right to "free and uninterrupted use of the Fisher Fleet for ever and ever" and a day. King's Lynn was, in fact, the first port in the UK to join the New Hansa, a consortium of ports in Europe that were originally members of the Hanseatic League.

Fishing is thus an incredibly important part of my constituency, and the mainstay of the Wash shell fishery is the shrimp harvest. There are other target species, including cockles, whelks, mussels, some crabs, lobsters and some whitefish. Let me say a few words about the shrimp fishery first.

Shrimp is an all-year-round fishery, so it is incredibly important to keep the processing plants open all year. One of the leading fishermen in King's Lynn is John Lake, who said to me the other day that it was the "the glue" that holds "the entire fishery together". The Minister will know that the 2016 harvest was a record one. There were superb catches. The Wash shrimp fishery is now the best in Europe, and quite a lot of the catch is exported, so the lower pound has been highly beneficial. On average this year, exports have been between £350,000 and £400,000, which is obviously good for the balance of payments. This is bringing in a great deal of resources and money to the fishermen.

As the Minister also knows, a potential crisis is looming. Already 40% of the original fishing grounds in the Wash are no longer available because of the RAF bombing range and the exclusion zone around the 1,000 or so offshore wind turbines. The number of conservation areas has been increased, and there has been an increase in sand extraction. For those reasons, fishermen have lost 40% of the fishing grounds that were available about 20 years ago. That makes it even more remarkable that we have had a record shrimp harvest.

There is a potential problem coming our way, and I should like the Minister to look into it. The Eastern Inshore Fisheries and Conservation Authority is consulting on the introduction of a permit scheme that could lead to a significant reduction—about 14%—in the shrimp grounds. There have been suggestions of possible damage to soft, muddy or mixed sediments. However, one fisherman told me that beam trawlers have been going out into that part of the Wash for 200 years, and one really strong north-east gale will do far more damage in one day than they could do in a year.

This is coming from the European Union: EU regulations are putting pressure on EIFCA. I urge the Minister to look at this matter urgently, especially given that we are leaving the EU. Perhaps he could call a meeting with members of EIFCA and talk it through with them.

We want proper evidence. We want a peer-reviewed survey, and we want a proportionate, common-sense approach to the problem. The Minister has already made a pledge to look at it, but I urge him to look at it again, because the fishery will be under a great deal of pressure if that does not happen. One of the great jewels in our crown will be lost, and that is an incredibly important consideration in my constituency.

The cockle fishery has a shorter season, but the stocks have been prolific recently, and the fishermen have been helped by the fall in the pound. In this case EIFCA raised the quota from 2 tonnes to 3 tonnes per vessel, which has been beneficial. We have therefore had a good season. However, there has been an ongoing debate about methods of cockle fishing. The suction dredging technique is preferred by the bigger commercial fishermen, but the artisanal fishermen use prop washing: they anchor the boat and turn the engine on, and the boat then goes round in a circle stirring up the sediment. When the tide goes down, the boat will alight and the hand-raking will commence. That is the traditional artisanal way of fishing, and because it is successful and is popular among the artisanal fishermen, suction dredging has been banned for the last few years.

However, there are parts of the Wash where prop washing cannot take place, because the stock of cockles is too sparsely distributed. The technique only works in areas where there is a concentration of cockles that can be stirred up. In recent years, significant amounts of stock have simply gone unfished. Let me give the Minister an example. Fishermen told me the other day that in the Boston main fishery, on the western side of the Wash, between 9,000 and 10,000 tonnes of large cockles—which are worth roughly three times as much as the smaller ones—went unfished, and went to waste. That is between £9 million and £10 million worth of stock, at about £900 a tonne, so it was an appalling waste. Had suction dredging been permitted on an ad hoc, one-off basis, the harvest could have been extended and a great many extra cockles could have been brought in, to the benefit of the fishery.

I hope that the Minister will deal with those points when he winds up the debate, but if he does not have time to do so, perhaps he will write to me.

Let me end by saying that I think there are massive opportunities post-Brexit, although things will not be in any way easy. As my hon. Friend the Member for Tiverton and Honiton pointed out, difficult and challenging negotiations lie before us, but surely, with a certain amount of imagination and innovation, we can ensure that those bilateral and trilateral arrangements are put in place, and we can reset our fisheries policy so that we have a UK fisheries policy and can get the best possible deal for UK fishermen, particularly those in Scotland. I remember that, in my youth, every single port in Scotland had a fisher fleet. The CFP has been a disaster for UK fisheries. We now have a huge opportunity to reconfigure it, and rebuild fishing policy for the future in the interests of UK fishermen. I know that the Minister cannot give away his negotiating position, but I hope that today he will spell out his vision of the future of UK fisheries. We wish him well.

2.44 pm

Mr Ben Bradshaw (Exeter) (Lab): Let me begin, like a number of other Members, by taking a moment to remember all the fishermen who have left their families,

friends and harbours this year, not to return. The pain in those communities is always palpable, and we must do more than we have in the past to ensure that we do not begin our fisheries debates every year by remembering people who have been lost. Let me also pay tribute to the work done by the Fishermen's Mission and the Royal National Lifeboat Institution in helping to keep our fishermen safe.

On a happier note, there is good news in our fishing industry, which is often not reported. It comes after many years of decline. In 2005, for example, 90% of the stocks around UK waters were overexploited, but that has now fallen to 45%. A great deal of progress has been made in the last 10 years. The story of cod recovery in the North sea is thanks to some of the difficult decisions that we took when we were in government, and plaice and sole are doing well too. We need to spread that good news around the rest of our waters, because it translates into real people's lives and incomes in regions such as mine. In the last 12 months, the markets of Brixham and Plymouth experienced record landings in terms of value.

First, I should like the Minister to assure all of us that he will continue the successful policies that have led to this improvement—policies which, to give him credit, he has continued since we were in office—whether from inside or outside the EU. Secondly, I should like him to reassure us that the overall environmental objectives that successive UK Governments have fought to achieve for sustainable fisheries will be continued and embedded in UK law. We need to complete the network in marine protected areas. We also need to fully embed the birds and habitats directive, the bathing waters directive, the urban waste water treatment directive, the water framework directive, and the marine strategy framework directive in UK law through the great repeal Bill that the Government are proposing. I hope that the Minister will reassure us that that will be done.

I also hope that when the Minister goes to the Council in December, he will take a very tough line on bass. The state of bass around our waters is catastrophic, although that was completely avoidable. We have done far too little, too late. I cannot understand why we in this country do not adopt the policy that operates in the Republic of Ireland, where bass is treated solely as a recreational species. Many Members may not realise this, but if we look at the big picture, it is clear that recreational angling contributes more to our overall economy than the commercial catching sector. However, it does not have such a loud voice in the negotiations. The commercial sector will be breathing down the Minister's neck when he is in Brussels, but I hope he will remember the words of the millions of anglers in the country—as well as those who run bed and breakfasts, and all the other services that anglers support—who say that they want a better deal on bass. We need a complete moratorium on commercial bass catching with no exemptions next year, with some allowance made for the recreational catching need.

I hope the Minister will not forget about the good progress that the Government have made on marine litter. That may not appear to be a big issue, but it is a huge issue for the marine environment. I commend the Minister for his successful plastic bag charge and on the proposed microbeads ban, but that ban must include detergents and other household products, not just cosmetics.

[Mr Ben Bradshaw]

I do not doubt that many catchers in the UK commercial fishing sector did vote to leave the EU, partly based on a long-time grievance that they got a terrible deal under the then Conservative Government when we joined the Common Market, but my fear, which I think is shared by many in the industry, is that just as they were done over on our way in, they may be done over on our way out. There are two main reasons why they worry about that.

First, there is the simple arithmetic of 26 against one in the negotiations, which will obviously make the Minister's job very difficult. There will be an early test of that at the forthcoming Fisheries Council, where he knows as well as I do that it is those late night deals that matter, and the relationships built up with fellow Ministers over the years are what enable us to get the good deals for our own industry. I cannot help thinking that some of the chaos and antics and confusion around the Government's messaging on Brexit will not be helpful in that endeavour. I wish him well in those negotiations, however, in a couple of weeks' time.

The second reason why the industry is nervous is the level of priority the Government will be prepared to give this sector, which after all represents a relatively small part of our economy compared with all the other sectors referred to—the manufacturing sector, the financial services sector and even the farming sector. There is a real worry that the fisheries sector will lose out because the Government will not take it seriously enough.

Another interesting long-term trend in fisheries is that, as several other Members have pointed out, it is now more of an import-export industry than a pure catching industry. Both imports and exports have grown exponentially and steadily over recent decades, partly because of our taste for white fish—cod and haddock—and partly because of our relative lack of enthusiasm, which I regret, for some of our more exotic, but not terribly exotic, species, which we therefore export in large quantities to the continent. I do not know whether anyone can guess what the main catch in terms of value is in the south-west at the moment. It is cuttlefish, a non-quota species, and almost all of it goes straight to the fish markets of Italy, to grace the tables of our Italian friends and relatives, and I am sure they enjoy it very much. We catch the best crab and lobster in the world off the south Devon coast; it almost all goes straight to France and Spain in salt tanks—what a waste.

We need to eat more of our own produce, but the point I am making is that because the export of fish is in many ways more important economically than catching, and more jobs and livelihoods rely on it, the issue of tariffs is very important. I have asked several times in this Chamber already in recent weeks for some clarity from the Government about tariffs, because if we cannot have tariff-free access for those exports to the continent, what kind of future will there, not just for the markets, merchants and processors but for the catchers themselves? I would like the Minister to give some clarity on how he will reconcile situations where the interests of the catching sector and the exporters are not aligned, which may sometimes arise. If, for example, we declare our unilateral 200-mile limit, how does he expect that to influence the mood of the 26 other countries we will be negotiating with over tariffs? I am rather nervous that it might antagonise them.

I want to ask the Minister about enforcement as well, as that is a matter of great concern that has not been raised yet in this debate. Regrettably, there has been a huge cut in enforcement under this Government. In 2010, there were 1,500 at-sea inspections; that figure halved by 2015. In fact there is less enforcement now than there has ever been. There were 40 foreign boats fishing off the coast of Devon and Cornwall this week alone, as they are perfectly entitled to, and of course under the United Nations Convention on the Law of the Sea rules boats are entitled to come through our waters, but how is the Minister's 200-mile limit going to be enforced when we do not even currently enforce the rules as they stand? What naval assets can he assure the House will be available to do this work? What access will we have to the vital EU monitoring system? Have we got guarantees that we will still be able to participate in that, or will we have to invent a whole new system or rely on a different sort of satellite system? This is crucial, because it is about fair play for the fishermen, and also confidence for the consumer that the fish being caught is caught legally and sustainably.

The point my hon. Friend the Member for Great Grimsby (Melanie Onn) made so excellently is that there are huge expectations, and hopes have been raised not just by the Minister but by the other Brextremists in this whole fisheries debate. My worry is that the recipe for what they are proposing is also a recipe for potential conflict, a race to the bottom and environmental degradation. I hope the Minister can give some clarity and demonstrate that he will have a sensible approach to the fishing industry that will not lead to that, and that he can give us some outline of a realistic long-term plan that recognises the need to collaborate over a finite and mobile resource, that catching will continue to have to be restricted in order for stocks to recover and thrive, and that that is what is really in the interests of our fishing industry, not conflict and a return to some mythical golden age that some imagine might be the case.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. We now have even more Members who are enthusiastic about taking part in the debate, so I ask hon. Members to speak for something under eight minutes, please.

2.54 pm

Mr Owen Paterson (North Shropshire) (Con): It is a great pleasure to be called to speak in the debate, and to follow the right hon. Member for Exeter (Mr Bradshaw). I wholeheartedly endorse his opening comments, in which he paid tribute to the bravery of the crews and of their families who wait behind in terrible weather, wondering whether they are going to see those brave fishermen come back.

I congratulate the hon. Member for Great Grimsby (Melanie Onn) on securing the debate. I pay tribute to her predecessor, who was a great stalwart of the industry but who drew a completely different conclusion from hers on these matters. Frankly, I think he was right.

Brexit offers the most wonderful opportunity for our marine environment and for those who work in it. We should not underestimate that. We said that we would leave, which will mean leaving the common fisheries policy and re-establishing our control right back to 200 miles

and the full exclusive economic zone. I was the shadow spokesman on these matters 11 and 12 years ago, opposite the right hon. Member for Exeter.

Mr MacNeil: As a supporter of the UK remaining in the single market, I am sure that the right hon. Gentleman will spell out the importance of tariff-free access for shellfish and other goods from Scotland, the UK and elsewhere going into the European market, and into France and Spain in particular.

Mr Paterson: I am not recommending staying in the single market because, as the Secretary of State for Exiting the EU said, a couple of weeks ago 20 countries were accelerating their sales into the single market from outside faster than we were doing from within. However, I am fully in favour of zero tariffs.

Mr MacNeil *rose*—

Mr Paterson: I have answered the hon. Gentleman's point, and I am going to carry on.

Eleven years ago, I spent a fascinating two years going all round the British Isles. I went to wonderful places such as Whalsay in the far north, Northern Ireland and right round the coast of Britain. I saw tragically damaged communities and marine environments. I also went to Norway, the Faroes, Iceland, Newfoundland, the east coast of the United States and the Falklands. I saw improving marine environments and prosperous fishing communities in those areas. I saw wealth being grown there. I drew conclusions from this, and I wrote a consultation paper, which I published.

Mr Alistair Carmichael (Orkney and Shetland) (LD): The right hon. Gentleman is right. The common feature of all the jurisdictions he mentions is that their fisheries management systems have the fishermen at their heart. This is not a question of where control is exercised; it is a question of what we do with it. Whitehall is just as capable as Brussels of excluding fishermen from fisheries management.

Mr Paterson: I thank the right hon. Gentleman for his helpful intervention. I draw his attention to the paper that I launched in Scotland in 2005, on which we fought the 2005 election. It advocated the establishment of national and local control, which is exactly what he is talking about. He is absolutely right. In that paper, I concluded:

“The Common Fisheries Policy is a biological, environmental, economic and social disaster; it is beyond reform. It is a system that forces fishermen to throw back more fish dead into the sea than they land; it has caused substantial degradation of the marine environment; it has destroyed much of the fishing industry, with compulsory scrapping of modern vessels and has devastated fishing communities.”

I am absolutely clear that leaving the CFP would give us the chance to change all that.

The first thing we would change is the craziness of the quotas. At the moment, we throw back more fish dead into the sea than we land. A Scottish fisherman told me this morning that he estimates that a 50% discard equates to 1 million tonnes of healthy fish being thrown back each year, worth £1.6 billion annually and the equivalent of 2 billion fish suppers. That is criminal insanity. We are across the gulf stream, and we have deep waters with a strong supply of food. The industry could have a tremendous revival if we revive our marine environment.

We must replace the current quotas and turn them into the equivalent of days at sea. I saw this happening with great clarity in the Faroes, where it is mandatory to land everything. The Minister in the Faroes told me, “We might not like what we find, but we know exactly what is going on.” Let us compare that with the problem that the Minister of State, Department for Environment, Food and Rural Affairs, my hon. Friend the Member for Camborne and Redruth (George Eustice), will have when he goes to the Council next week. The EU fisheries policy is based on information that is guaranteed to be at a minimum 50% inaccurate and probably six months out of date.

Let us compare that with the Falklands, where—I saw this when I was there—the figures are transmitted to senior scientists in London overnight, and if a vessel collecting hake is taking too much by-catch, it is told to steam on.

Let us compare that with Iceland, where—I have been there, too—at an hour's notice, vessels are told to steam on if they are catching too much of a certain species. That is proper control and, to go back to the point made by the right hon. Member for Orkney and Shetland (Mr Carmichael), it is the sort of power we could give back to our local fisherman and those with an interest in the local marine environment.

I am absolutely clear that we have to switch from the current quota system. If we have any quotas, it is inevitable that we will have discards. During the referendum campaign, I gave a speech in Looe and, on the harbour-master's wall, there was a helpful tin sign with pictures of all the fish. I say all the fish, but, hang on, there was no picture of a haddock. What is the biggest thing fishermen are catching off Looe at the moment? It is haddock. They have not even got a quota, so they are chucking them all back. It is absolutely crazy. We should land everything, and everything with commercial value should then be sold. That is the only solution.

My hon. Friend the Member for Newbury (Richard Benyon) bravely got the discard ban through, but, unfortunately, it cannot work while we have quotas. As long as we have quotas, we will have a discard problem. We should move to controls based on days at sea, we should land everything, we should have accurate data—and no cheating—and it would be immensely cheaper and easier to administer. That would provide very accurate data for our local scientists, local fishermen, local recreational interests and local environmentalists to use in deciding how to handle the fishing.

I am looking at the clock, Madam Deputy Speaker, but I will mention a few other points that were in my paper. Before I do so, will the Minister—if he will take a note—get a derogation and do a trial on the basis of days at sea? The Dutch have done a trial on electric pulse beaming, starting off with six boats in the first year and going up to 100 boats after six years. I would like the Minister to choose a mixed fishery area—possibly the south-west, where he comes from—for an immediate trial converting existing quotas into days at sea to see whether we can replicate the huge success of the Faroes in improving the marine environment, growing stocks and bringing back prosperity.

As part of our administration of fisheries, it is very important that we plan temporary closures. For boats taking too much by-catch, absolutely hourly management can, with radio, be given to local scientists and fishermen

[Mr Owen Paterson]

if we create the right framework. In my paper, I proposed having fisheries management authorities, which would be a combination of all the parties I have mentioned. I would have inshore authorities for out to 12 miles—in the channel, it would go a little further—and a smaller number of them for out to 200 miles. They would work on the basis of local knowledge, with local scientists, and adapt techniques to their area.

There is one issue that I find extraordinary. When I went to New England, I saw selective gear being developed at Manomet, but when I came back to the UK I found out it was banned. The hostility of the EU to modern technology is bizarre. I would like to have a regime in which we actively promoted selective gear so that we could take out certain species surgically when fishing. On that, the ability to control the system has been enormously helped since I wrote the paper, because there has been a great improvement in GPS tracking, satellite observation and communications. We can put cameras on nets and on boats, so it is now very hard to cheat.

One of the Labour Members mentioned improved supervision, and we will have to put more money back into this to ensure that people do not cheat. However, we will be in an enormously better position if we take back control, give power to local interests—not just the fishing industry, but scientists, councils and recreational fishermen—to decide what is good for their area, to adapt selective gear to that area and to agree permanent closed zones for spawning if necessary or temporary closed zones if there is too much fishing. If we do that, we will see an immediate improvement in the marine environment, and the jobs and prosperity will then come back. Leave means leave, which means going out to 200 miles and establishing local and national control.

3.4 pm

Mr Alistair Carmichael (Orkney and Shetland) (LD): It is a pleasure to follow the right hon. Member for North Shropshire (Mr Paterson), who brings his customary clarity and simplicity to today's arguments. However, I disagree with a great deal of his analysis of the problems. It must be stressed rather more than it has been that taking back control is only part of the answer. There is then the question of what we do with it.

If we are to construct our own domestic fisheries management system, there is an opportunity to put fishermen, conservationists and scientists at the heart of fisheries management—proper regional and local management—and to use scientific advice. The right hon. Gentleman said that 50% of such advice was wrong. I doubt that, but I do know that it is at least two years out of date by the time it informs the decision-making process. We need a better way of using that information to inform the process so that whether we use quotas, days at sea, closed areas or whatever, the information on which we rely properly and accurately reflects the stocks in the water.

We must not forget that even if we leave the European Union and even if we have control over the waters as others have suggested, that would not be the end of our interaction with the common fisheries policy. We share waters in the North sea, the English channel and the western approaches in the Irish sea, and other countries

have historic rights of access to our waters. If they continue to mismanage stocks in a way that was unfortunately a feature of the past, that will have continuing impact on our fishermen, too.

I wish the Minister well as he goes to the December Council meeting. In the light of everything else, it will perhaps be a trickier negotiation than in recent years, but the environment will be slightly less febrile than when the right hon. Member for Exeter (Mr Bradshaw) was fisheries Minister. I go back 12, 13 or 14 years in such debates, and back then we thought it possible that the spawning stock biomass of North sea cod had reached a point from which there would be no recovery. In fact, we have seen a quite remarkable recovery in North sea white fish stocks, but that has not happened by accident—a thought that occurred to me as the right hon. Gentleman was explaining the changes. I think around 47% of stocks are still overfished—too high, but a significant improvement on where we were. That improvement is a consequence of the changes made in fisheries management, in particular the creation of regional advisory councils, and of the significant pain that was borne by the fishing industry and communities during the decommissioning programmes of 10 years ago.

The attractions of this opportunity to the catching sector are pretty obvious, but there are concerns for the future beyond that sector. The processing sector heavily relies and has relied for many years on the availability of workers from other EU countries. Those people want to know what their future will be. If we are to have a set of World Trade Organisation rules and if there are tariffs on trade, that will have a seriously disadvantageous impact on processors, which will also hit the catchers. That is why it is crucial to get clarity as early as possible.

Like the right hon. Member for Tynemouth (Mr Campbell), I want to bring a few items from my shopping list to this debate. The Minister has already heard my worries about the Faroese deal on mackerel. There was enormous scepticism among the Scottish pelagic fleet, the Shetland pelagic catchers in particular, when the deal was brokered a few years ago. However, they did accept that they would give it a go. They gave it a go, and it is clear that that scepticism was, if anything, understated. This deal really is not working, as was highlighted recently by the report from Seafish, which pointed out that in 2015 Faroese boats caught almost 33,000 tonnes of mackerel in EU waters, mostly in Scotland's, while Scottish boats got absolutely none from the Faroese waters. Worse, if the Faroese boats choose to land their fish in Scotland, they are then penalised by their Government. The Minister will know that the talks on the next iteration of this deal are to be held in Brussels on 6 and 7 December, so may I instil in him the strongest possible resolve in tackling this, because the imbalance of this deal becomes more egregious with every year that passes?

Sir William Cash (Stone) (Con): I wonder whether the right hon. Gentleman is concerned about the fact that this document excludes the question of those parts of the fishing industry that I suspect would be of concern to him in relation to the joint management with Norway. The European Scrutiny Committee drew attention to that and I wonder whether it is a matter of concern to his constituents.

Mr Carmichael: Without actually knowing what “this document” is, I am not sure; I am afraid that my eyesight is no longer good enough to be able to read the title from here. Wittingly or otherwise, the hon. Gentleman has hit on a very important point, which is that although we always get excited about the December Fisheries Council meeting, the real deal is the one done with the EU-Norway talks. That is where the shape of the fishing entitlement of the fishermen in my constituency is determined, and we look forward to hearing from the Minister exactly how we will interact with those talks in the future. A trilateral discussion surely seems sensible, but we will wait to hear what he intends in that regard.

Mr Paterson *rose*—

Mr Carmichael: I am sorry, but I want to keep within the time limit if I can.

The landing obligation also continues to be a source of concern, as a result of the so-called “choke species”. This year, stock levels of cod, haddock and whiting in the North sea are particularly healthy—they are there in abundance—but there is a real danger that they could be excluded as a result of having these choke species. Again, that is an example of why it is so important that when the science is used to inform the decision-making process and quota it is accurate and up-to-date. It would be utterly perverse if Shetland’s white-fish fishermen were to be punished for fishing in waters where the stocks were healthiest.

Other Members have also spoken about the position on non-EU crew members, which has been particularly acute in my constituency. The basic problem is not just the indifference of the Home Office; it is the way these rules operate, if they are allowed to operate, means that they are pushing fishermen into fishing where the immigration rules allow them, rather than where is safe or where the fish are to be found. Surely the Minister should be speaking to the Home Office about that.

3.13 pm

Derek Thomas (St Ives) (Con): This annual fisheries debate provides the opportunity for MPs to reflect on the main issues confronting the fishing industry. The EU referendum result holds special significance for fishing in that, as we have heard, it affords the opportunity to leave the dysfunctional and, for the UK, highly disadvantageous common fisheries policy. Although I recognise that the pressing matter before us is the December Council negotiations, which will determine what fishermen in Newlyn and St Ives, on the Lizard and in West Penwith will be able to land next year, the 23 June referendum result gives the Government their best possible opportunity to build a sustainable and prosperous future for UK fishing. I understand why the Government generally want to keep their negotiating position on the EU close to their chest and I recognise that until article 50 is triggered formal negotiations cannot begin, but for UK fishing, our negotiating position could not be clearer: the EU should have no reason to doubt that we will take back our fishing rights under international law, and it is for the EU to negotiate with us its share of total allowable catch in UK waters. My personal view is that this is the kind of language that the Department for Environment, Food and Rural Affairs should be using. It is only fair that fishermen, both in the UK and around Europe, are clear about the future of their

industry in UK waters. The fishing industry in the UK is united. It sees the referendum result as providing the best chance to right the wrong that, over decades, has dramatically reduced our fleet—particularly in the west—and made an already tough job so much tougher.

I have met a number of fishermen and fishing industry representatives since June, and their asks are straightforward: the UK must ensure full and absolute control of UK waters out to the 200-mile limit, which will mean that fishing opportunities, access and the regulatory regime will then be determined by the UK Government, not the EU; the UK must secure a greater share of total allowable catches in UK waters; the UK must secure the continued tariff-free and unrestricted access to European markets; and the fishing industry must be at the heart of Government negotiations and the future management of UK fisheries. To deliver a positive outcome for fishing, it is essential that the experience and knowledge of the fishing industry are harnessed and used during and after negotiations to leave the EU.

The UK must achieve a stand-alone fisheries policy that describes the regulatory framework that the UK fishing industry will come under post the common fisheries policy. It will have to consider issues such as access, fishing opportunities, technical regulations and landing obligation arrangements. This whole debate is about the future of fishing and I see no reason why a draft framework along those lines cannot be produced soon. That will help to give the industry confidence and stability for the future.

There are significant positive outcomes for the UK fishing industry and UK plc if we get this right. A commitment to regain control of, and manage, UK waters provides the foundation for a sustainable fishery, delivering superior long-term socio-economic returns to society. A sustainable and prosperous UK fishing sector would make a significant contribution to the regeneration of coastal communities, attract fresh blood into the industry, and make it a viable career option for young people. The increased supply of fish landed on UK shores will increase exports and place the UK consumption of fish as part of a nutritious staple diet back on the agenda and help to address food security concerns.

As the Minister considers those thoughts, I want to bring Members’ attentions briefly back to the December Council negotiations. The Minister, who is from my neighbouring constituency, will fully understand that the Cornish fleet is unique in its diversity. I understand that the ultra-mixed fisheries in the south-west present a real challenge in these negotiations. It is important that we view the outcome of this month’s negotiations as an overall package, as opposed to an isolated issue. Progress continues to be made towards maximum sustainable yields, which, in the end, will deliver the security that the fishing industry needs. However, in the Minister’s negotiations, it is essential to balance progress towards maximum sustainable yields with protection for the livelihoods of fishermen around the coast of west Cornwall.

While we are still in the EU, can the Minister please work hard to ensure that the maximum sustainable yield timetable is not allowed to become a dogma? It is better to take a little more time and safeguard the integrity of Cornish fisheries. With that in mind, proposals to cut monk by nearly 12%, megrim by 28% and pollock

[Derek Thomas]

by 20% would cause considerable difficulty to fisherman in my constituency and it is not absolutely clear that the science supports such significant reductions. I particularly liked the suggestion from my right hon. Friend the Member for North Shropshire (Mr Paterson) regarding days at sea. I am sure that the over-10s in my constituency would welcome that idea.

Finally, sea bass fishing is once again a hot topic and affects sea anglers, the inshore fleet and the over-10s. All agree that we need to achieve a sustainable supply of bass. I know what the Commission is proposing and accept that hook and line fishing offers the best chance to allow fish stocks to recover. However, I urge it please to consider the broader commercial fishing fleet. The Commission's proposals are misguided and harmful. As they stand, every bass caught in a net will be discarded dead, every bass caught in a beam trawl will be discarded dead and any bass caught in a trawl over the 1% catch will be discarded dead. It makes no sense to penalise fishing vessels in west Cornwall that pick up bass as a by-catch by forcing them to discard this valuable fish.

There is much more that I could say, but, in summary, I ask the Minister to be bold about the UK's fishing industry post our exit from the EU and to fight hard, as he has done and continues to do, on behalf of our fisherman, particularly those operating in mixed fisheries, at the December council.

Several hon. Members *rose*—

Madam Deputy Speaker (Mrs Eleanor Laing): The hon. Member for St Ives (Derek Thomas) did very well on the time limit. He was well under the time limit and no discarded minutes—excellent—but I now have to ask hon. Members to take about seven minutes or everyone will not get in.

3.20 pm

Stephen Gethins (North East Fife) (SNP): These debates are difficult for many of us who are pro-European by nature. I am a pro-European but I concede that the common fisheries policy has ill served the fishing industry since its introduction. This is one area where the Scottish National party has tried over many years to get powers back—unsuccessfully, as it transpired. My right hon. Friend the Member for Gordon (Alex Salmond), who at the time represented the constituency of Banff and Buchan, introduced his Fisheries Jurisdiction Bill, which was backed by the right hon. Member for Orkney and Shetland (Mr Carmichael) and others from parties around the House.

It has always struck me that the regulation of fishing was not one of the powers that the EU should have. However, during this time of negotiation, we should bear in mind the importance of the single market to our seafood sector. In 2015 Scotland exported £438 million-worth of seafood to the European Union. It is our second largest food and drink export after whisky, both of which are produced very well in North East Fife. We have the European maritime and fisheries fund, which is worth €107 million to Scotland, and the coastal communities fund. Maintaining our coastal communities goes beyond the fishing industry to include other industries as well.

Although we are pro-European to our fingertips, we have to be honest with ourselves about the European Union. I do not think that the fishing industry has always been best represented by the United Kingdom as a member state. It was, after all, the United Kingdom Government back in the 1970s who described our fishing industry as being “expendable” when we joined the European Union. [Interruption.] Indeed; my hon. Friend the Member for Na h-Eileanan an Iar (Mr MacNeil) is right that it was a Conservative Government who described the industry as expendable. As the powers come back, what is there to say that that attitude has changed since the 1970s? That is a concern for fishermen and fishing communities the length and breadth of the United Kingdom.

It was not just the Conservative party. I sometimes fear that this place never quite got to grips with devolution in 2010. I sincerely hope, for the benefit of our fishing industry, that this Government get to grips with devolution and will respect the powers that have already been devolved to the Scottish Parliament and to those in Cardiff and Northern Ireland as well. I remember that in 2010 the Labour Government decided to send the Minister with responsibility for bees to a crucial fishing industry meeting, rather than sending the Minister who had the greatest responsibility for our fishing industry, Richard Lochhead. More recently, a Liberal Democrat Minister was sent to the *salle d'écoute*—that is, the listening room, for the benefit of Conservative Members—in 2006 during crucial negotiations.

Devolution has changed the context in which we have these debates. I sincerely hope that our fishing industry will be respected during the process of the UK leaving the EU.

Mr MacNeil: My hon. Friend is making a fine speech and a fine point. When we look at the UK's exclusive economic zone and the 200-mile limit—just about only my constituency reaches that far—there are 773,000 sq km under UK control, but of that 462,000 sq km are Scottish and 311,000 sq km belong to the rest of the UK. That means that when we get the powers back from Brussels, as the Brexiteers have promised us, we must ensure that there is no grab in London and that the mismanagement of Scottish waters is not simply transferred from Brussels to London.

Stephen Gethins: As usual, my hon. Friend makes a good point.

Finally, as Conservative colleagues are thinking about this issue, I would like to refer to Conservative MEP Ian Duncan, who said Scotland should play a leading role in international fisheries negotiations post-Brexit. He said:

“All future negotiations between the UK and external partners such as Norway, Iceland, the Faroes or the EU must include Scotland not just as a full partner, but as *primus inter pares*”—

he went to St Andrews, so he could not help using a bit of Latin, and it means first among equals. He went on:

“It is clear that in the future, Scotland will need to play a key role on all external fisheries management bodies.”

When the Minister responds, I hope he will bear those words in mind, as well as the fact that devolved Administrations have certain responsibilities. There is fine produce in Anstruther and Pittenweem, as well as

across Scotland and the rest of the United Kingdom, and it deserves to do much better than it does under the common fisheries policy.

3.25 pm

Mr Andrew Turner (Isle of Wight) (Con): I thank the hon. Member for Great Grimsby (Melanie Onn) for securing this important Backbench Business debate. Her constituency includes one of the UK's biggest ports, which has been badly affected by the CFP. I also pay tribute to her predecessor, for the reasons my right hon. Friend the Member for North Shropshire (Mr Paterson) gave.

As many of my right hon. and hon. Friends are saying today, the CFP is a fundamentally failed system. Any attempts to conserve our fish stocks through the CFP have always meant too little sovereignty for London and too little decentralisation from Brussels. To understand what the UK's future fisheries policy should look like, it is important to examine what has happened over the last four decades.

The principle of equal access to the European Community's fishing waters was agreed without any basis in the treaty of Rome. Fisheries became a common resource, and all member states' fishing vessels were granted equal access. The 30th of June 1970 was also the day the UK handed in its application to join the Common Market, and because equal access had become EU *acquis*, the UK was obliged to accept that principle, even though it had no legal precedent. We abandoned our territorial waters when we became members of the European Community. As we all now know, joining the European Community also meant that we abandoned our sovereignty.

Many points highlight the absurdity of the CFP. First, there is the conservation policy of national quotas. The quotas, imposed in 1983, are a prime example of a decision taken in Brussels but left with each member state to implement. As has become all too clear, the consequence of centralisation is overfishing. Because the CFP is centrally managed, local authorities in countries such as Spain turn a blind eye to abuse. The system also results in the wholesale dumping of fish—a practice that was common among member states but illegal in, for example, Norway. That is proof that the EU quota system is unfit for purpose. The second point is decommissioning to reduce fishing effort. Since 1992, Britain has been required to decommission its fishing fleet because our waters have been overfished—by 19% in 1992, and then by 40% in 1996.

Many members have spoken out against the CFP over the years—my right hon. Friend the Secretary of State for Exiting the European Union being one of them. He has also spoken positively about the Icelandic system, where fishing quotas are market based and tradeable. That system creates an incentive to conserve fish for the future.

Now that we are leaving the EU, we must leave behind centralised quotas, equal access and subsidised ships. That will not bring back the estimated 115,000 UK jobs we lost due to the CFP, but I believe it will recreate new jobs along the coast. Equally importantly, we must regain control of our territorial waters. There are many challenges ahead of us in the upcoming Brexit negotiations, but, from a political and environmental perspective, the Government have a massive opportunity that must not be missed. I urge them to consider the

example set by Iceland and to introduce fair, tradable national quotas, making the best use of our resources and, most importantly, making them sustainable so that they are protected for the future.

3.30 pm

Dr Eilidh Whiteford (Banff and Buchan) (SNP): As is customary, I would like to take this opportunity to pay my respects to those who have lost their lives at sea over the past year, and to pay tribute to the work of the RNLI volunteers, our coastguards and the Fishermen's Mission. They all play an essential role in the lives of our fishing communities. Earlier this year, I joined the crew of Fraserburgh lifeboat on a training exercise to raise awareness of its "Respect the Water" campaign. Every time I go out on the North sea, I am reminded of the dangers that our fishermen face in their day-to-day working lives.

More fish were landed in my constituency last year than in Wales and Northern Ireland combined. In fact, Peterhead and Fraserburgh alone landed about three quarters of the quantity of fish landed in the whole of England. No communities anywhere in the UK are more heavily dependent on fisheries than those of the Buchan and Banffshire coasts, and the industry supports thousands of jobs onshore, offshore and in the wider supply chain.

The UK's decision to leave the EU has enormous implications for our fishing and fishing-related industries and coastal communities. It might present significant opportunities, chief among which would be the possibility to right some of the historical wrongs of the common fisheries policy. However, there are also big uncertainties, as well as questions that have not yet been answered and, indeed, possible risks for some sectors.

The nature and timing of the UK's exit from the EU, and the tone of the negotiations, including on what type of Brexit the UK pursues, will be of enormous consequence to our fishing industries, both onshore and offshore. It is no secret that many fishermen voted to leave the EU, and the main driver for that among those whom I have talked to is the failures and frustrations of the CFP. When I ask them what they want, however, most of them say that they want to be in a similar position to Norway: outside the EU and the CFP and able to negotiate for ourselves; but within the single market and able to export produce easily to lucrative EU markets and to take advantage of free movement.

Scotland exported fish and seafood worth more than £438 million to EU countries last year. That represents nearly two thirds of our entire food exports, so the industry is hugely important. We need to maintain that ease of market access, but we also need to acknowledge that access to many of our non-EU export markets is currently facilitated via EU trade agreements. It is absolutely imperative for our fishing industry that the UK does not fall off the cliff edge of a hard Brexit. That would create huge problems for parts of our processing sector, and a bonanza for our neighbours—and competitors—in Norway and Iceland.

The other benefit of retaining single market membership is that there is no part of our fishing industry that does not rely on the free movement of labour. That is particularly acute in the processing sector, where EU nationals make up a large proportion of the workforce.

Callum McCaig: Aberdeen no longer has a fishing industry—it is safe to say that it was lost to the advent of oil, not to the EU—but it retains a processing sector, a significant proportion of whose workforce comes from elsewhere in the European Union. Does my hon. Friend agree that the sector is at risk if there is no protection for those workers?

Dr Whiteford: Of course I agree with my hon. Friend. That point has been raised by Members from many parts of the UK.

A significant proportion of the fish caught by Scottish boats is already landed in ports overseas, notably in Norway. If we were to lose any processing capacity in Scotland because of labour shortages, we would lose part of the high-value end of our supply chain. We would lose exports and revenue and, critically, we would jeopardise hundreds of local jobs that the free movement of labour has anchored in our geographically peripheral coastal communities.

I am desperately disappointed that the UK Government have chosen to use the status of EU nationals living and working in the UK as a bargaining chip in their Brexit negotiations. That has not just set a poor tone for what lies ahead, but created uncertainty for businesses and for ordinary, hard-working folk who have made their homes in our communities and do not deserve to become pawns in this unedifying game.

In or out of the EU, it is overwhelmingly in the interests of our fish processors and exporters to stay in the single market. Whatever our eventual constitutional destination, even the most ardent Brexiteers recognise that we will still have to negotiate with neighbouring coastal states over shared stocks and reciprocal access to our waters. It would be absolutely daft to get ourselves into a position where we can finally ditch the problems with the CFP and recover access to the fish in our own waters, but be unable to get that fish to market. In that regard, I was surprised to hear the right hon. Member for North Shropshire (Mr Paterson) say that he was in favour of leaving the single market, because I was looking the other day at a video clip of him on the “Murnaghan” programme saying

“only a madman would actually leave the market.”

I do not know what has prompted this turn of insanity, but I think the right hon. Gentleman should clarify.

Mr Paterson: I am grateful to the hon. Lady for giving me a chance to clarify. Perhaps she should have watched the Andrew Neil programme a little later, on which that ridiculous video was completely shredded. A number of us—about four or five—who campaigned to leave were absolutely and totally misrepresented—*[Interruption.]* I went on to say, if the hon. Lady will just restrain herself for a moment, that there are about two countries in the world—I think it is Somalia and North Korea—that do not sell into the single market. We want to sell into it.

Dr Whiteford: I am very confident that I have quoted the right hon. Gentleman correctly from the clip I saw. I think it is exactly that kind of two-faced language that discredits politicians and makes people doubt our integrity on issues that we are concerned about.

Mr Paterson: On a point of order, Madam Deputy Speaker. Is it parliamentary to talk about “two-faced language” when I have just explained that I was wholly misrepresented by that ridiculous video?

Madam Deputy Speaker (Natascha Engel): I would have jumped up anyway if the right hon. Gentleman had not. I think that the hon. Lady should withdraw “two-faced”.

Dr Whiteford: I will withdraw “two-faced”, although I said that it was that type of two-faced behaviour that discredits politicians. I did not make any reference to the right hon. Gentleman, although I think my context is very clear. I am happy to withdraw.

Arguably the biggest opportunities for the fishing industry in the current scenario will be: the ability to negotiate more effectively on our own behalf in future negotiations, rather than as part of the EU; and the possibility of securing a fairer share of the resources in our waters. A report published in October by the NAFC Marine Centre demonstrated that more than half the fish harvested in Scottish waters is caught by non-UK boats. I do not understand how anyone can see that as fair and equitable. The situation cannot be allowed to continue, and it must be addressed as a priority.

Inevitably, the run-up to next week’s fisheries talks has been somewhat overshadowed in this debate by Brexit considerations, but there are two major issues that I want to bring to the Minister’s attention. The first is the implementation of the discard ban. I know that I have been banging on about this for years, but the situation is urgent. Even if article 50 were triggered tomorrow, our demersal fleet would still be subject to the ban in 2018 and 2019. I do not think that there is a realistic way of implementing it in its current form, and I also do not see how it can be easily enforced.

There is a consensus about the idea that it is undesirable to throw marketable fish back into the sea, but I am not sure that we are any nearer to finding a way to make the discard ban work in the mixed fisheries of the North sea under our current quota allocations and arrangements. It has been relatively straightforward to do so in the pelagic sector, but there is a major problem for the white fish fleet with so-called choke species, such as hake and saithe, which are abundant in our waters but for which we have insufficient quota. Selective gears, quota swaps and other avoidance measures will take us only so far, and we absolutely must not get ourselves into a position where boats are tied up because of this. That cannot be allowed to happen.

We should focus our energy on securing healthy stocks that are sustainably harvested. Reducing discards is obviously one part of that, but it is a means to an end, rather than an end in itself. I hope that the Minister will make addressing the situation a priority at the December Council, because we urgently need a workable solution.

The other issue on which I want to push the Minister echoes a point made by the right hon. Member for Orkney and Shetland (Mr Carmichael): the untenable situation regarding the EU-Faroese bilateral deal on mackerel. The deal that was reached in 2014 allows the Faroese fleet to fish 30% of its coastal states share of mackerel in Scottish waters, and that is not an acceptable or sustainable position. I think that a reduction is an achievable goal, so I hope that the Minister will work for it.

Finally, I want to make a key point. Our fishing industry has unprecedented opportunities to recalibrate and to flourish on a sustainable footing, but the biggest risk that we face is that those potential opportunities will be squandered and traded away in the wider Brexit negotiations. We know that there will be many competing priorities in the days ahead, and it is vital that fishing is not simply thrown into that mix to be horse-traded away against bigger, more powerful and more vocal industries, or strategic interests, as we try to secure trade deals. We need to recognise that our abundant fishing grounds are an invaluable natural resource and that we have a responsibility to steward them sustainably in the interests of our maritime communities and for future generations. Fishing has probably more at stake in this process than any other UK industry. I want assurances from the Minister that we will not see a repeat of the 1970s, when fishing interests were subjugated to other strategic economic priorities. The UK Government considered fishing to be expendable at that time, but they must not treat those industries as expendable now.

3.39 pm

Peter Aldous (Waveney) (Con): I am grateful to the hon. Member for Great Grimsby (Melanie Onn) for playing the lead role in securing the debate. Two weeks ago, I secured a debate in Westminster Hall on the future of the Anglian fishing fleet. I will not repeat in detail what I said then, but I shall outline the key factors that I believe should be taken into account in the forthcoming Brexit negotiations and the features that should be incorporated in a new UK fishing policy.

Many of us will have been on different sides in the referendum campaign. We now need to put that battle behind us and grasp the opportunity that has been presented to breathe life back into this great British industry. Before I consider that, I want to ask the Minister to raise two issues at the Council of Ministers meeting on 12 December. First, he needs to address the plight of sea bass. Last year's disproportionate restrictions on anglers and increased commercial catch limits were bad for bass, bad for the charter boat fleet and bad for fishing tackle shops. Secondly, the Minister must do all he can to stop Dutch electro-pulse beam trawling, which is currently decimating our fish stocks in the North sea.

I urge the Minister to do all that he can to ensure that there is a fishing pillar in the Brexit negotiations. In the past, many have felt that the industry was the sacrificial lamb in negotiations. That must not happen again.

To ensure that the UK fishing industry has a bright future, the following issues need to be addressed. First, the Minister needs to secure what I know is his No. 1 objective of reclaiming control of our territorial waters, with the UK able to take responsibility for the seas out to 200 miles or the relevant median lines. Secondly, having done that, he should ensure that the 0 to 12-mile zone is exclusively available for our inshore fleet—the under-10 metre fleet that currently gets such a raw deal. Thirdly, it is necessary to address the flagship issue. It is not right that the six affiliated vessels of the Lowestoft producer organisation land no fish in Lowestoft. I know that the Minister is already looking into that and reviewing the economic link.

It is important to bear in mind that many fishermen in East Anglia and around the UK coast specialise in shellfish, which they export to the EU. The processing

industry does likewise. Their interests need to be safeguarded in the Brexit negotiations, and the Department for Environment, Food and Rural Affairs should work closely with the Department for International Trade to open up new global markets, for example in the far east.

It should be acknowledged that the negotiations will not be straightforward. There will be a lot of devil in the detail and a disentangling of reciprocal fishing rights that have built up over centuries. That means that it will take time to complete the exit negotiations and it will be necessary to put transitional arrangements in place.

Although there is a great deal to do in the short term for Brexit negotiations, it is important to look ahead and think strategically about the shape of the new UK fishing policy and what it needs to incorporate so that fishing can play a lead role socially, economically and environmentally in coastal communities, many of which have had it tough in recent years. I suggest that the UKFP should include the following ingredients. First, we need to start with a clean sheet of paper, rather than simply transferring the common fisheries policy into UK law through the great repeal Bill and then amending it. We must have our own bespoke fishing policy, and I would like it to include promoting the end of discarding sensibly and pragmatically, and working with neighbouring countries to manage shared fish stock sustainably. I would also include policies that mirror articles 2 and 17 of the CFP, which promote a sustainable approach to fisheries management.

Secondly, the UKFP should be set in a wide context, recognising the role that fishing can play in regenerating coastal Britain, reversing years of social and economic decline, rebalancing the economy and improving productivity. Thirdly, the UKFP must be underpinned by science. That means a pivotal role for the Centre for Environment, Fisheries and Aquaculture Science, which is based in Lowestoft in my constituency. It has a key role to play in ensuring that we better manage our rich and precious marine resources, and in monitoring and enforcement. It is vital that the Government commit to ensuring that Brexit does not lead to a reduction in funding for scientific research.

Fourthly, the management of fisheries needs to be localised. The fundamental structural flaw of the CFP is that fisheries are managed from a distance. That said, I recognise the great work done by my hon. Friend the Member for Newbury (Richard Benyon) to address that concern. Local management needs to involve those working in the industry on a day-to-day basis, and could well mean a role for enhanced inshore fisheries and conservation authorities. If we put in place a management system in which we can be confident, it could lead to an enhancement of the British fish brand, which will be important in marketing fish both at home and overseas.

Fifthly, we need to address the elephant in the room of reallocating quota. I acknowledge that that is not a straightforward task, but it is not right that 61% of English quota is held by three foreign companies, and that only 1.5% of national fishing quota goes to the smallest category of boat, even though they make up 75% of vessels. Quota should be available only to active fishermen. I recognise that the Minister has done much to address that and to rebalance quota in favour of the under-10 metre fleet, and that there may well be legal issues to address, but the whole industry must come

[Peter Aldous]

together to find a way forward. As things stand, I do not support a system of individual transferable quotas, but there could well be a case for setting up a small-scale producer organisation that can give smaller boats a voice and greater control to help to rebalance the industry. Finally, special emphasis must be placed on supply-chain building all the way from the net to the plate.

To sum up, we have a great opportunity ahead of us to put in place a new policy framework that gives the fishing industry all around the coast a fresh lease of life. To grasp that opportunity, we need to have in mind at all times the three R's: repatriation, reallocation and regeneration.

3.47 pm

Ms Margaret Ritchie (South Down) (SDLP): I pay tribute to my hon. Friend the Member for Great Grimsby (Melanie Onn) for securing the debate along with other hon. Members. I also pay tribute to those in the fishing industry, including fishermen, fish producer organisations, the Fishermen's Mission and those in the processing sector. It is clear to me that the processing and catching sectors are vital if we are to create a fishing industries economic hub.

Two of the County Down fishing ports in Northern Ireland—Ardglass and Kilkeel—are in my constituency. They are vital to those two economies. We wish the Minister well and fair speed in advance of the negotiations in Brussels, but the most important thing apart from quotas and the total allowable catch allocations is the crewing of trawlers, which I mentioned in an intervention. The Minister and his Government colleagues will be aware of the serious problem that fishing crews have had in recruiting local people to work in our fishing fleet. That has resulted in qualified and experienced non-European economic area crew being drafted in to work on fishing vessels, particularly in Ireland and Scotland.

As the Minister may know, that is not the first time I have raised that issue with the Government—I have raised it with him and with his colleagues in the Home Department. I and colleagues representing constituencies on the west coast of Scotland, along with my hon. Friend the Member for Strangford (Jim Shannon), had a meeting back in January with the then Immigration Minister, the right hon. Member for Old Bexley and Sidcup (James Brokenshire). So far, there is no resolution. Recently, two Scottish National party colleagues representing west of Scotland constituencies and I met the new Immigration Minister. Again, there has been no resolution. To that end, we make a plea to the fisheries Minister today for that urgent meeting for the fishing industry with his ministerial colleague from the Home Department to resolve this issue, with representatives of the Scottish Fishermen's Federation along with the Anglo-North Irish Fish Producers Organisation.

Mr MacNeil: Does this not typify the problem with the United Kingdom? Switzerland has 26 cantons. Half the visas are controlled by the cantons and the other half are controlled centrally. In the UK, where those in Westminster do not understand the issue, we are struggling. We are on bended knee trying to get people into our fishing boats. It is very frustrating.

Ms Ritchie: I thank the hon. Gentleman for his very helpful intervention. Let me make it quite clear that without intervention and regulations our fishing industries will be tied up. That is not scaremongering; that is a fact.

On total allowable catches and the December Council, we have improving science for many Irish sea stocks. Nephrops remain our number one priority. The annual International Council for the Exploration of the Sea advice indicates increased stock levels, which we hope will translate into increased catch opportunities in 2017. A greater increase than the 9% currently proposed would be very welcome.

Irish Sea haddock represents another good news story. It is disappointing that our fishermen have had to wait so long for an increase in the quota for haddock, but I urge the Minister to make up for lost time and all the science-based arguments he has had to hand to secure the maximum possible increase at the forthcoming Council. I understand that haddock and Irish Sea cod are due to be benchmarked by ICES in the new year. There might be a temptation to hold back at the Council until the benchmarking exercise is completed. I urge the Minister to push for the maximum scientifically justified quota increases in the week after next—that is vital.

Another issue for us is Irish Sea herring. I realise that herring has a tendency to drop down the list of ministerial priorities in Brussels negotiations, but I urge the Minister to keep that stock, which is vital to my fishing community in Ardglass, on his radar. It was the first of the stocks to be certified to Marine Stewardship Council standard, and there remains a frustrating gap in terms of developing a management plan for this fishery.

The Minister will be making decisions on the third tranche of marine protected areas in the near future. Will he ensure that the joint negotiating committee engages fully with the industry and other relevant agencies in Northern Ireland before making its recommendations to him?

The issue with the voisinage agreement, a unique and historic fisheries agreement between Northern Ireland and the Republic of Ireland, has now become more apparent due to Brexit. I urge the Minister, in his discussions with the Irish Government—I met them some weeks ago—to ensure that they remedy the specific legislative challenge on this agreement, which is the result of a decision made by the Irish Supreme Court. We must ensure that Northern Irish fishermen are allowed to fish in Irish waters, and vice versa.

There is an issue relating to the Isle of Man and scallops that impacts on west of Scotland fishermen and fishermen from the County Down ports. They must be able to obtain licences.

In summing up, I want to highlight the need for the economic hubs to be established in Ardglass and Kilkeel, where much good work has been done to try to work with all the engineering industries. The Minister has seen this matter at first hand during his visit. We want a proper negotiation and the best possible deal, notwithstanding the impact that Brexit will have on the industry.

Several hon. Members *rose*—

Madam Deputy Speaker (Natascha Engel): Order. There is still an informal limit of seven minutes, but it has been broken every single time since I have been in the Chair. Unless we stick to it, I will have to apply a formal limit.

3.54 pm

Martin Vickers (Cleethorpes) (Con): I will do my very best, Madam Deputy Speaker.

I was glad to appear before the Backbench Business Committee with my neighbour, the hon. Member for Great Grimsby (Melanie Onn), to secure this debate, and I congratulate the Committee on allocating it to the main Chamber.

My constituency has a rich maritime history. I remember from my childhood that Grimsby was always referred to—accurately—as the world’s premier fishing port. The House of Commons Library referred me to an article from *The Economist* last year stating that Grimsby had had the world’s biggest fishing fleet, with more than 600 trawlers, as well as the world’s largest ice factory, which still stands today and is a derelict reminder of things past. Cleethorpes and Grimsby, though they value their own identities, are one, and the fishing industry has been an essential ingredient of the local economy. For decades, it was built on fish, and the industry remains vital.

I obviously join those who have paid tribute to the many fishermen who have given their lives. I am old enough to remember the hush that fell over the streets of Grimsby and Cleethorpes when a trawler was lost—a silent, cold, eerie feeling. Today, the fish market, fish processing and a handful of near-water vessels provide the jobs, and it is on today, tomorrow and, as the motion mentions, the future that we must now focus. The importance of fishing and its associated industries is highlighted by figures provided by the Commons Library. Last September, 3,500 people—5% of those working in the local authority area—were employed in the manufacture of fish products in north-east Lincolnshire. Last year, the Minister visited Grimsby seafood village, which sits in the part of Grimsby docks that is in my constituency, and he will recall how the premises’ owners and tenants and those who worked there were focused on the future. Its website reads: “Where tradition meets technology”.

The Minister will appreciate as well as any of us the opportunities for the industry that Brexit can provide. He visited Cleethorpes during the referendum and will have appreciated the strong feelings of local people. In the North East Lincolnshire Council area, 70% supported leave, which came as no surprise to me, and in many ways was a verdict of failure on the CFP. The industry was sacrificed in the original Europe negotiations and has never fully recovered. The National Federation of Fishermen’s Organisations described the CFP as “dysfunctional” and the fishing industry as having been “expendable” in those negotiations of the 1970s. It is absolutely right.

When I raised that point in the House this morning during Question Time, I was heartened by the reply from the Minister of State in the Department for Exiting the European Union:

“I can assure my hon. Friend that the fishing industry is at the forefront of our considerations. We have already had several meetings with the industry’s representatives and will continue to do so.”

It must remain at the forefront of our considerations. The NFFO and the Scottish Fishermen’s Federation recognise the opportunities that life outside the EU can bring. Their briefing note to MPs ahead of this debate says that

“there are real opportunities for sustainable economic growth that Brexit can deliver for coastal communities”

and points out that Brexit provides

“the structure for an ambitious new fisheries management regime that will ensure significant economic benefit for fishing communities once the UK regains control of its Exclusive Economic Zone.”

They believe that this will

“pave the way for environmentally sustainable, high yield and profitable fisheries.”

On 2 October, *The Sunday Telegraph* business section carried a feature on the Grimsby and Cleethorpes area headed “Optimism”. The author said that as she left Cleethorpes railway station, she saw a sign saying “Fantasy Land”, when it should of course have read “Fantasy World”. I put that to one side. When she attended an event on the newly refurbished Cleethorpes pier, one of the speakers was the chief executive of the Government agency, Seafish. He is quoted as saying that there are

“plenty of reasons to be positive.”

I am sure that we would want to go along with that.

I know that it has been a priority for the Minister to regionalise the management of our fisheries rather than have them micro-managed from Brussels, and that he has achieved some considerable success in that respect. I hope we can now look to a future when we can make those decisions for ourselves. Brexit must deliver fair national quota shares that broadly reflect the resources located in UK waters; a 12-mile exclusive zone providing adequate protection for our inshore fleets; balanced and proportionate access arrangements; the opportunity to manage the UK’s fisheries resources in a flexible and responsible way; and an arrangement that will allow EU-UK free trade in fisheries products.

Steve Norton, who until last month was chief executive of the Grimsby Fish Merchants Association told me yesterday that although there are uncertainties, we have a unique opportunity to right the wrongs of the past and give the industry hope for renewed prosperity. He went on to say that successful negotiations could create new jobs and sustainable growth. The industry has confidence in the Minister, and I hope that in his winding-up speech, he will be able to provide some reassurance on the points that I have raised.

4.1 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to speak in the debate. I want to cast Members’ minds back to films and TV—“The Perfect Storm”, for example, and “the Trawler Wars”, which I believe captured the pressures that fishermen are under.

Back in January, I was speaking to one of my constituents, a fisherman from Portavogie, who was pondering the year ahead. He said to me, “Jim, everything should be looking good for 2016. We have more prawn quota, quayside prices are stable and the cost of fuel is lower, but there is one big shadow hanging over the industry—will I have any crew?” Some Members have spoken about that. I told my constituent about the meeting that I, the hon. Member for South Down (Ms Ritchie) and colleagues from Scotland held with the then Immigration Minister, who is now the Secretary of

[*Jim Shannon*]

State for Northern Ireland. Twelve months later, this issue still rankles and is still a matter of concern. We need to move it on. Indeed, it has deteriorated further.

Questions about fishing mainly or predominantly outside the UK's 12-mile territorial limit mask a wider issue for the larger part of the fishing industry—not just the part I represent in Strangford, but right across these islands and especially in Northern Ireland and Scotland. I refer to the failure to recruit UK citizens to begin a career on our fishing vessels.

Brendan O'Hara: Does the hon. Gentleman agree that the ban on recruiting non-EEA crew and the over-zealous actions of some Border Agency staff are forcing boats to get tied up, which is having a huge economic impact on already fragile communities in the west of Scotland and Northern Ireland?

Jim Shannon: That is quite clearly happening. I subscribe to what the hon. Gentleman says, with in mind. Boats from Portavogie were boarded by the UK Border Agency in the Clyde the week before last and had to return home single-handedly, which should never have happened.

It is easy to identify the problems; the question is how to fix them. One huge step forward was taken on 23 June when the United Kingdom of Great Britain and Northern Ireland voted to leave the EU. I have every confidence in that, as we move forward to the future. Every man, woman and unborn child in Portavogie voted to leave the EU, as did the majority of people in my constituency.

At her party conference a few months ago, the Prime Minister unveiled the great repeal Bill and discussed the proposal whereby, come Brexit day, much EU legislation could be transposed into UK legislation. It is logical to conclude that 40-plus years of European legislation cannot be replaced overnight, and that it will take time systematically to work through it and to replace and amend diktats from Brussels to make them fit for purpose. Nevertheless, the fishermen I represent did not vote to leave the EU only to have the common fisheries policy replicated in UK law.

When it comes to the negotiations, the Minister needs to be aware that the CFP, as it is now, is certainly not one that the fishermen of Portavogie want to see replicated in the future. There are some things we need to keep, but not that. Portavogie had 130 boats when we joined the EU; there are now 65 boats, which is down to EU red tape, bureaucracy and a stranglehold, preventing people from moving forward.

There are those in Northern Ireland who do not understand why fishermen voted for Brexit. The reality of what my constituents had to cope with could be summed up by one EU rule—the Hague preference. Since 1991, that EU rule, which was enshrined in the last review of the CFP, has effectively forced British fishermen in the Irish sea—predominantly those from Northern Ireland—to surrender more than 10,000 tonnes of cod, valued at almost £30 million, to their colleagues in the Republic of Ireland. That is but one instance in which our colleagues in the Irish Republic may express solidarity with their friends in Northern Ireland, but reality speaks louder than words. It will be interesting to see how matters progress.

The Hague preference regime affects more than just the UK's allocations of cod in the Irish sea, but cod is often regarded as the iconic species for our entire fishing industry. The cod wars of the 1970s in Iceland were the manifestation of a policy that witnessed the demise of the UK's distant water fleet, with fishermen displaced into British waters which, by that stage, were under the competence of Brussels. We well remember the solidarity that was afforded to the UK's fishermen by European colleagues during those tense days: we remember what they did for us.

I am keen to make progress, because I am conscious of the time. In 2008 the EU agreed what was described as a long-term cod management plan. Thanks to my party colleague in the European Parliament, Diane Dodds, the cod plan has been “defanged”, if I may adopt a phrase used by industry. At a stroke, the unjustified cuts in total allowable catches that have remained a feature in the Irish sea can be stopped—and indeed, I hope, reversed—in 2017. We are eager to maintain sustainable fisheries.

The maximum sustainable yield highlights another inconsistency in EU policy. Other Members have mentioned the imminent introduction of the discard ban, so I will not say a great deal about it now, but according to the EU, which effectively drafts the advice provided by ICES, more cod equals a zero TAC, against the background of a discard ban. One EU policy means that cod cannot be retained on board, while another means that they cannot be discarded. There is no logic in that. Illogical and inconsistent policies from the EU contribute to the undermining of confidence in the fishing industry, and hence to a lack of new recruits to the fleet.

I have three asks for the Minister. Pragmatic and sustainable fisheries management in the Irish sea calls for decisions at the EU's December Fisheries Council that will secure a realistic cod TAC that reflects by-catches in the nephrops and haddock fisheries, an increased TAC for area 7 prawns reflecting the positive scientific advice that is already on record, and at least a 60% increase in the haddock TAC, reflecting the valuable resource that is available for harvesting today. Those decisions cannot be delayed.

Brexit clearly offers many opportunities for our fishing industry to contribute to the economy of the United Kingdom of Great Britain and Northern Ireland. I get frustrated sometimes when I hear the negativity coming through. We start from where we are: our island nation is surrounded by some of the most productive seas in the world, which produce a resource of which so many others have been eager to avail themselves. Let us hope that our fishermen, and British fishermen, avail themselves of that resource. That will enable us to grow our marine economy and specifically our fishing industry, and to secure a traditional UK industry that UK citizens can be proud to be part of. In the meantime, Minister, I ask you and the Government to work with the industry, during what is a transitional period, to resolve the issues on non-EEA crew.

On Wednesday morning, in Westminster Hall, there was a debate on the seasonal agricultural workers scheme. The Minister referred to Marine Products Exports Development Authority schemes. I suggest an MPEDA scheme to deal with the EEA issue. We need to keep our ships and boats on the sea. I have asked for a meeting

with the relevant Minister, which my hon. Friend the Member for South Down (Ms Ritchie) and I will attend with all our local fishing representatives.

I wish you well in your negotiations, Minister. I ask you to maintain and increase the quotas. We encourage you, Minister: you have our full support as you proceed with the negotiations.

Madam Deputy Speaker (Natascha Engel): Order. I remind Members that when they say “you”, they are speaking to the Chair. The Minister should be referred to in the third person.

4.9 pm

Oliver Colvile (Plymouth, Sutton and Devonport) (Con): I enter the debate with a certain amount of trepidation, having listened to speeches from both my hon. Friend the Member for Waveney (Peter Aldous) and my right hon. Friend the Member for North Shropshire (Mr Paterson), who is a great advocate in this regard.

Before I go further, let me pay tribute to Terri Portman, in my constituency, who helped me to ensure that—hopefully—my speech will be well informed. I also thank Dave Pessell, who runs Plymouth Trawler Agents, and the Devon Wildlife Trust, which has been incredibly helpful to me in this whole matter.

I am going to let you in on a secret, Madam Deputy Speaker: since I last spoke in one of these debates, I have been elected chairman of the all-party group on fisheries, so hopefully I know a little bit of what I am going to talk about. I succeeded my good friend the Member for South East Cornwall (Mrs Murray), who has been made Parliamentary Private Secretary to the Secretary of State for Environment, Food and Rural Affairs.

My Plymouth, Sutton and Devonport constituency includes a centuries-old fish market that now sells 6,000 tonnes of fish and shellfish annually and is the second largest fish market in England. About 40 fishing boats unload their catch at Sutton harbour daily, but up to 70% of what is sold in Plymouth is imported overland, which I am told is called overlanding.

Plymouth has a global reputation for marine science engineering research, which includes the Royal Navy, the National Marine Aquarium, the Plymouth Marine Laboratory and the Marine Biological Association, which, interestingly, was set up in the 1870s to explore whether we could ever overfish our waters.

Since my election six years ago, I have called and campaigned for UK fishing waters to be brought under national control. I feel it is the fishermen who are best placed to conserve our fishing stocks; after all, why would they not want to do so, given that they would be destroying their own livelihood? While I voted and campaigned for us to stay in the EU, the whole business of the common fisheries policy has been a running sore for the fishing industry, most certainly down in my neck of the woods. It is a totemic issue.

I feel that this decision provides our fishing industry with a unique opportunity to rebuild. Plymouth's fishermen and women who supported that did so because they feel there are real opportunities. Now we as a Government have got to rise to, and deliver on, that challenge. Many fishermen in the south-west feel they were simply forgotten on the way as a discussion was taking place about other matters, too.

Whatever mechanisms are developed to manage and allocate fishing opportunities in the future, the south-west fisherman must never lose out again. I am sure my hon. Friend the Minister agrees with that, as he also represents a south-west seat.

Currently the UK and south-west fishermen fishing off our coast receive just 10% of haddock catches in our waters compared to France taking 66%; for monk, it is 18% to 59% for France; for whiting, it is 11% to 60% for the French; and for cod, it is a staggering 8% against 73% for France. We can therefore see why south-west fishermen feel so strongly that they were not considered when the original deal was done, and we must not allow that to happen again. But beyond the catching opportunities that must be resolved, there are many other areas where Government can offer to assist, building on good work already done by fishermen and helping our fleet become more sustainable and safer and take advantage of opportunities in this vital sector, to deliver the best economic value to the UK post-Brexit.

Locally, some pioneering initiatives are being worked through between the local authority and the industry. They will rely on assistance from the European maritime and fisheries fund, and as we look to the future post-Brexit we must endeavour to fund and deliver programmes that continue to offer support to these innovative types of work-streams, and also make sure that fishermen operate in a safer environment; that is a big issue that many Members have talked about in this debate.

My fishermen are very keen to do a number of things, and I will want to show my hon. Friend the Minister many things when he visits Plymouth in the new year. Sutton harbour has an opportunity to develop a very good set of facilities in order to be able to deliver an effective fishing industry. One thing it is looking at doing is delivering an academy to make sure people can be taught not only how to fish safely but understand the concept of what is happening. We have a lot of fishermen with 40 years' experience and we must do more to engage with their knowledge to ensure that the academy is established.

We need to use this opportunity to deliver for our fishermen in the south-west, very much along the lines of what my right hon. Friend the Member for North Shropshire (Mr Paterson) advocated earlier. I have fought my parliamentary seat regularly, and in the run-up to the 2005 general election he came to my constituency and we met several recreational fishermen. *[Interruption.]* I already have a copy of the report, thank you. We certainly need to ensure that we do not give the French, or anyone else, the opportunity to get the better of us. As the old Napoleonic toast said, it should be a case of “confusion to the enemy” if they will not let us participate as we want to.

4.15 pm

Kevin Hollinrake (Thirsk and Malton) (Con): I congratulate the hon. Member for Great Grimsby (Melanie Onn) on securing the debate. I shall follow the lead of my hon. Friend the Member for Plymouth, Sutton and Devonport (Oliver Colvile) in informing the House that I have an unpaid adviser, Mr John Ashworth, who is sitting in the Gallery today. He has supplied me with information on historical fishing rights, which will be the key point of my remarks.

[Kevin Hollinrake]

Before I begin, however, I want to plug the town of Filey in my constituency. I do not know how many hon. Members have visited this beautiful town, but I would strongly recommend it. It has beautiful beaches and a historic promenade. It is proudly old fashioned, and has fantastic fish and chips. It was once a thriving fishing town, but today it has only seven small boats. They are licensed by the Environment Agency, but all the licences will expire in 2022, ending any heritage fishing in the town. I know that the Minister is willing to try to find a solution to this problem, and I appreciate his support. We would like to see fishing retained in the town. In the 1960s, there were around 20 cobbles in the town, but they have all gone. There is a widespread belief that the common fisheries policy has been responsible for the decline, so it is little wonder that there was a massive cheer from that seaside town on 24 June when we voted to leave the European Union. The fishing industry sees leaving the EU as an opportunity to design a brand new, clean-slate domestic fishing policy—I do, too—but, sadly, life is never quite that simple.

This is all about historical rights. To understand what is involved, we have to go back to a time that pre-dates our membership of the EEC. Back in the early 1960s, our Prime Minister was Harold Macmillan and the chief negotiator in our mission to join the EEC was Edward Heath. Our application at that time was vetoed by the French President, General Charles de Gaulle. At the time, our nation's fishing limits were being extended from three to 12 nautical miles, so the historical rights did exist prior to our membership of the European Union.

The Government decided to hold what became known as the London fisheries convention of 1964 to sort out the arrangements for the future 12-nautical-mile zone, especially in relationship to our European friends. We split the zone into two, with a 0-to-six-mile limit zone and a six-to-12-nautical-mile limit. It was decided by the countries involved to give the coastal state exclusive use of the 0-to-six mile zone and partial use of the six-to-12-mile zone, allowing France, West Germany, Ireland, Italy, Holland and Belgium into that zone as they had habitually fished those waters. Perhaps this was a sop to the French, to persuade them to agree to our EEC membership, but it was to no avail because our application was blocked.

These arrangements came into legislation when we finally joined the EEC. Some would say that Edward Heath was too obsessed by our entry into the EEC to challenge the legality of the regulations, which set in train the decimation of the British fishing industry, the lifeblood of our coastal communities. The extent to which we can now clean the slate is open to question, and I hope that the Government will have the answers. If we remove ourselves from the common fisheries policy, we will presumably revert to the 1964 convention and the historical rights that the then fisheries Minister Mr Alick Buchanan-Smith referred to in his parliamentary answer of April 1981. We are able to give two years' notice under article 15 of the London convention, but would that wipe the slate clean or would rights provided for under the 19th century conventions and regulations still have effect?

Once we have untangled those legal knots, I know and welcome that the Government will listen carefully to thoughts and ideas from across the fishing industry. Clearly it is important to consult widely to identify and articulate the optimal solution. The two main fishermen's federations are obvious stakeholders, but will Ministers consider other views and interests to ensure that we provide new, small business opportunities for young and old and, of course, ensure environmental protections and the sustainability and recovery of fish stocks? Our wider economy will not be best served by simply preserving the status quo in order to protect a few individual interests.

Most of the licence holders in Filey are in later life and some are moving towards a time when they might consider hanging up their nets. Their situation needs to change, and we need a new system in place sooner rather than later. It is right that the Government continue to take proactive measures to tackle overfishing. Fishermen recognise that, which is why many favour a system involving days at sea, as mentioned by my right hon. Friend the Member for North Shropshire (Mr Paterson) and my hon. Friend the Member for Tiverton and Honiton (Neil Parish). There would be no discards and everyone would know what has been caught and where, which could open up more opportunities and new competition.

I am often reminded that fishermen are custodians of the sea. We, the British people, own it, and in a few years' time full responsibility should lie with us in Parliament. It will be our job to ensure that we create a viable future for our fishing industry for the next generation and the generations after that.

4.21 pm

Scott Mann (North Cornwall) (Con): It is a pleasure to follow my hon. Friend the Member for Thirsk and Malton (Kevin Hollinrake), and I add my thanks to the hon. Member for Great Grimsby (Melanie Onn) for securing this important debate. It is always a delight to take part in Parliament's annual fisheries debate, which is even more significant in the light of the historic decision on 23 June to leave the European Union. The barometer of success for our negotiations will be tested in many ways. In rural areas such as North Cornwall, however, both farming and fishing will be held up and examined closely against the backdrop of the common agricultural and fisheries policies.

I would like the Secretary of State and Ministers to take up several policies on the behalf of my residents in North Cornwall. Earlier this year, I was fortunate enough to be able to secure a debate in the Chamber on bass fishing, after which I was announced as parliamentary sea bass champion.

Oliver Colvile: Is my hon. Friend aware that I am the champion for hedgehogs?

Scott Mann: My hon. Friend has mentioned that on more than one occasion. I am aware that he supports hedgehogs.

I came to the Chamber earlier this year to speak on behalf of recreational anglers, who fared badly in last year's discussions with Ministers and EU officials. Disproportionate restrictions were placed on anglers and increases in commercial landings during specific months were announced. It is now time to act. I welcomed

the comments of the right hon. Member for Exeter (Mr Bradshaw) and believe that now is the time to follow the science on bass. All indications point to stocks being at a critical level. I have been on the record before to ask for hook-and-line commercial and recreational bass fisheries, and I speak again for that today.

I have received a number of letters this week from anglers, many of whom have signed the online petition, and the gist of those letters was virtually the same: “Dear Scott,”—we are obviously on first name terms—“I have grown up fishing for bass around Cornwall. I used to catch lots of school bass. Sometimes we would have competitions to see how many bass we could catch on the same worm. Over the last 10 years, I have caught fewer and fewer. I haven’t become a bad angler overnight. I am now lucky to catch at all if I go out. Please do something to protect the stocks. Best wishes, Concerned from North Cornwall.” In fact, a number of inshore fisheries and conservation authorities are putting proposals in place to remove gill nets from estuaries, and I welcome that. I say politely but forcefully to the Minister: please release the bag limits on anglers and support the proposals for sustainable fishing in 2017.

Of course, there are many who fish commercially in and around our estuaries, and with Britain leaving the EU we have the ability to rebalance quota allocations and ensure that our under-10 metre fleet have species that they can target. We could shape a new coastal 0 to 10-mile nautical plan for this country. We also need to consider small producers’ organisations, so that they can put their case on what they are looking for and we can ensure that everyone, from the hook-and-line fishermen and the under-10 metre fleet to the bigger fleets, has a fruitful future after Brexit. A new British fisheries policy could look after hook-and-line fishermen, the under-10 metre fleet and the broader commercial sector, and I welcome that.

The new changes to the fishing licence have not been touched on. A number of carp anglers have for a number of years called to have three rods on their licence, and I welcome the change that the Environment Agency has made. Changes have also been made so that children under 12 can have free licences, so that we encourage more people to become the anglers of the future. That, too, is to be welcomed.

I wish to ask the Minister about one specific environmental scheme. I have heard of cases where boats across our seas come across plastics. They remove the offending items and bring them back to the land but then find that the local authority wishes to charge them a disposal fee. That is clearly nonsense and I suggest that fishers could be encouraged after Brexit to clean the seas by receiving a payment for landing these unwanted items, as plastics are filling our seas. I know that the Government have already made concessions on microbeads, which is to be welcomed, but does a scheme such as the one I am proposing exist already? Are there plans to implement one?

In summary, I call on the Minister to consider doing the following: redistribute the quota post-Brexit to the under-10 metre fleet; provide financial support to help people get back into the industry; remove the bag limits on anglers and introduce hook-and-line sustainable fishing methods for bass, and follow the science behind that; prioritise the under-10 metre fleet in the 0 to 12-mile zone to compensate for the removal of nets in the

estuaries; support new producer organisations that represent the under-10 metre fleet, so that they have a place at the table when these discussions are happening; and introduce an environmental “fishing for plastics” scheme, which could help fishers to clean up our oceans and receive a payment for doing so. Many of our fishing communities in and around our coastline have seen a massive decline under the common fisheries policy. Now that we are back in control, we have the ability to shape our coastal communities once again.

4.27 pm

Mr Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): This has been a good and lively debate. Perhaps the one complaint is that my hon. Friend the Member for Paisley and Renfrewshire North (Gavin Newlands) said that there were too many interventions from the Member for Na h-Eileanan an Iar—that is a scurrilous allegation!

First, I wish to put on the record my own pleas, just as many other Members have done. I represent a coastal community; indeed, it is one of the few constituencies—perhaps the only one—that reaches the 200-mile exclusive economic zone. Our current pleas are about tuna, dogfish and herring. We would like to have some tuna quota, as tuna are passing regularly through the Hebrides—about 200 miles west of the Hebrides, within the Hebrides to St Kilda area—as Angus Campbell of Kilda Cruises sees frequently when he goes out there. That call is backed by the Western Isles Fishermen’s Association secretary Duncan MacInnes, with that organisation of course being the biggest fishermen’s association in Scotland.

The second area where we need support and help is on dogfish. We need a by-catch allocation, because friends I went to school with have been in the unfortunate situation of having to dump perfectly good dogfish. I worked as a fisherman on two separate occasions, and on one of those, more than 20 years ago, we were specifically targeting dogfish. That was of course ended because of the unsustainability of that fishery, but again dogfish are coming back and it is a shame to catch these fish, which are later marketed as rock salmon, only to dump them over the side and not use them. Of course we also need to do something about herring, my third point, because herring are appearing on the west coast in great numbers and are being caught as by-catch, but there is no quota allocation and so again they are being dumped. I hope that the Minister was listening to those three points.

Mr Paterson: The hon. Gentleman has given three very good examples of why quotas do not work, and why we should move to a days-at-sea scheme. Does the Scottish National party support that?

Mr MacNeil: A days-at-sea scheme has its own problems. It puts pressure on fishermen. Sometimes they might get only hours at sea. There is merit in looking at a lot of changes in the fisheries policy, and I am sure that the right hon. Gentleman has his own thoughts on that. *[Interruption.]* He has a record of changing his mind over the period of a month—I might refer to that again as I go on in my speech.

On a happier note—

Mr Paterson *rose*—

Mr MacNeil: When I mention the right hon. Gentleman again, perhaps I will take his intervention then. Time is of the essence now.

Mr Paterson: The hon. Gentleman accused me of changing my mind. I have proved the point to him quite clearly. If he looks at the full length of the video, he will see that I did not change my mind. He has a second chance now: yes or no to days at sea?

Mr MacNeil: Let me look at the right hon. Gentleman's words again. He said that

“only a madman would leave the market.”

Has he changed his mind on that?

Mr Paterson: Will the hon. Gentleman please quote the rest of the clip? If he had watched the Andrew Neil show he would realise that those clips were very, very carefully chosen, and were then disproved by the rest of the sentences that followed. I will give him another chance: yes or no on days at sea?

Mr MacNeil: I would rather pursue this point. What did the right hon. Gentleman mean when he said that only a madman would leave the market? Let us put that in context with what others in his camp have said. Here is Daniel Hannan:

“Absolutely nobody is talking about threatening our place in the single market.”

Nigel Farage said, “Like Norway.” What did the right hon. Gentleman mean when he said that only a madman would leave the single market?

Mr Paterson: I am delighted to carry on with this exchange. If the hon. Gentleman looks at the rest of the sentences, he will realise that I, Dan Hannan and others—*[Interruption.]* The video was put up by a Liberal press spokesman, who was then completely shredded and harpooned by Andrew Neil live. It was proved that those were very selective short sentences from a longer clip. The hon. Gentleman is still ducking the question on days at sea. Does he agree that having days at sea would mean that we would not have discards? That would then get around the problem of not being able to land fish, which is very grievous for his constituents, and which he mentioned in his opening comments.

Mr MacNeil: I have already said that I am happy for anything to enter into the mix of discussions and negotiations post-Brexit. The right hon. Gentleman has not answered my question, so I will leave it be. People watching can make up their own minds about what he meant when he said that only a madman would leave the market. I am quite clear what he meant.

The debate today was hosted tremendously well by the hon. Member for Great Grimsby (Melanie Onn), who follows an illustrious predecessor, the much liked Austin Mitchell. She was absolutely right in saying that this debate should be not in Westminster Hall, but on the Floor of the House of Commons. She mentioned the Brexit promises. Certainly, whatever the promises were, they are changing over time. She made a good point about the number of people involved in fisheries. Indeed, Iceland has seen that number fall quite a lot.

A number of Members intervened on the hon. Member for Tiverton and Honiton (Neil Parish), the Chair of the Environment, Food and Rural Affairs Committee, particularly on the issues that affect me and Members from Northern Ireland, especially the lack of fishermen and the effects on fishing boats. Ultimately, of course, there is the effect on the Exchequer. If the boats are not going to sea, they are not earning money and not paying taxes, and that has a bad effect on the UK's balance of payments, which, as we know, is not great at the best of times.

The right hon. Member for Tynemouth (Mr Campbell) made a thoughtful speech. He pointed out the dangers of the occupation, and thanked the RNLI in particular for the work that is done to keep people safe. I know that myself, after the loss of the Louisa in April this year. I was one of the last people to see the boat as she went down the west side of Barra at one in the morning. The following people were lost: Martin Johnston, aged 29, from Halkirk in Caithness; Chris Morrison from Harris; and the skipper, Paul Alliston. Happily there was a survivor, Lachlan Armstrong. That is the cost of fishing. The skipper of one of the boats that I worked on years ago lost his crewman and a friend of mine, Gerry Gillies, just over a year ago. That is the price of fishing.

The hon. Member for North West Norfolk (Sir Henry Bellingham) mentioned the fisheries in King's Lynn and the Wash. It is interesting to hear his frustration with the marine protected areas. He will know that it is not just in Norfolk and the Wash that these conservation zones are bringing frustration to fishermen. They are doing so across the country.

The right hon. Member for Exeter (Mr Bradshaw) made an excellent and very thoughtful speech about what being in and out of the EU might mean, whether fisheries would lose on the way out as they lost on the way in, and what exactly tariffs would mean for those selling into the European single market. At present that gives us an advantage in some places. However, many in the fishing community who voted for Brexit might have voted in frustration with the common fisheries policy, not to lose access to the single market.

The right hon. Member for Orkney and Shetland (Mr Carmichael) made the point that CFP interaction would continue. He spoke about the cod recovery plan and the pain that that involved, combined with decommissioning. He mentioned that 47% of stocks were still overfished, such are the pressures on fisheries.

The right hon. Gentleman and another Member spoke about the success of the Faroese in managing to gather 33,000 tonnes of mackerel in Scottish waters. As time goes on, we might see what successful and experienced international trade negotiators can achieve. The Faroe Islands have a population of 50,000 and, when they go toe to toe with the European Union of 500 million, we see that their more experienced trade negotiators are more wily trade negotiators, especially when they know the importance of something close to them, as fisheries are. Perhaps when the UK draws up its own international trade deals, we will be doing so with inexperienced trade negotiators. We should study the success of the Faroe Islands and watch that we do not get mugged in the course of those negotiations.

My hon. Friend the Member for North East Fife (Stephen Gethins) made a speech heavy on facts about what fisheries were contributing to Scotland—£500 million-worth of farmed salmon that goes out, compared with £438 million-worth of fish caught by fishing boats, showing that farmed fish has a bigger export value, which I found surprising.

The debate should be remembered for the many points that were made, the information given to the Minister, and the expectations of the Minister in time to come. I noted from the comments of the hon. Member for Thirsk and Malton (Kevin Hollinrake) that de Gaulle was probably the original Brexiteer, in that he refused to allow the UK access to the European Economic Community.

I see your eyes, Madam Deputy Speaker, looking at the clock; you are hinting gently to me to get on with it. I hope the Minister will remember my three points, and the heartfelt plea from the west of Scotland and from Northern Ireland. For goodness' sake, let our boats go to sea and, as the hon. Member for Strangford (Jim Shannon) said, stop the overzealous activities of the border agencies that are working against the economic interests of the west coast of Scotland and Northern Ireland.

4.37 pm

Sue Hayman (Workington) (Lab): It is a pleasure to speak for the Opposition today. I congratulate my hon. Friend the Member for Great Grimsby (Melanie Onn) on securing this debate. Much of it has focused on the challenges and opportunities of Brexit, and we have had knowledgeable and often passionate contributions from the hon. Members for St Ives (Derek Thomas), for Tiverton and Honiton (Neil Parish), for North West Norfolk (Sir Henry Bellingham), for Isle of Wight (Mr Turner), for Banff and Buchan (Dr Whiteford), for Waveney (Peter Aldous), for Cleethorpes (Martin Vickers), for Plymouth, Sutton and Devonport (Oliver Colville) and for Thirsk and Malton (Kevin Hollinrake), and the right hon. Member for North Shropshire (Mr Paterson).

My constituency, Workington, includes a stretch of the Solway firth. There are around 75 fishing boats landing about 4,000 tonnes of fish annually. We have a fish processing plant in Maryport which recently reopened, helped by a grant from Allerdale Council, creating 60 jobs. In 2012 a report examined the demand for and ability to supply locally caught fish and seafood to the hospitality sector. I am sure that many colleagues have visited Cumbria and will be aware of that sector's importance to our economy. Last year, the Cumbrian Fisheries label was launched, with the idea that if fish are sold locally, the greater the profit will be for the fishermen and the processors. Backing the scheme are several businesses in my constituency, including the Maryport Fishing Co-operative, the award-winning Fyne Fish and the Trout Hotel in Cockermouth.

This Saturday is Small Business Saturday. What better way to support the local community than to go down to the high street and purchase locally caught fresh fish? Cumbria is famous for its sausages. I see no reason why it cannot also be famous for its fish and shellfish. I can personally recommend Solway potted shrimp.

It is important that the Government make headway on the future of our trading relationships. As about 80% of the British catch is exported, primarily to the

EU, Brexit negotiations need to take into account the impact that a less-than-ideal trade deal could have on the industry.

I am concerned that although DEFRA and the Marine Management Organisation have experienced severe budget cuts, their responsibilities will only increase. How will the Government ensure they are properly resourced? How many additional staff are being recruited? The looming regulatory deficit represents a big challenge. A streamlined DEFRA will have its work cut out because of the sheer amount of secondary legislation that we will need to replace European legislation.

Members on both sides of the House have talked about the shortcomings of the common fisheries policy, but we must recognise that recent reforms have had positive impacts, including improved sustainability and a stop in the decline of some stocks. What financial drivers will the Government put in place as a successor to the CFP while keeping in mind environmental protections and fishing business sustainability? How will we ensure that we have an effective maximum sustainable yield and that the other objectives of the CFP are incorporated into UK legislation? How do the Government intend to make up the shortfall in the funding for the fishing sector that is currently derived from the European maritime and fisheries fund?

We have to work to align our fisheries regulations with those of our EU neighbours to stop us from returning to a situation of competitive overfishing. Although we have the opportunity to look at quotas and access arrangements, it simply is not the case that we will get exactly what we want—as the Minister knows, we will get what we can negotiate. I am worried about the regulatory vacuum that we might have between our getting rid of the CFP and having our own regulations in place. What is DEFRA's plan for that transitional period? The Minister has talked before about the unfairness of the current reciprocal access arrangements, under which other EU countries benefit more from access to our waters than we do from access to theirs, so what does he regard as a fair reciprocal arrangement?

We must think carefully about trying to maintain tariff-free access for fishery exports to the EU, and we must not be surprised if the EU then tries to bargain for increased access to UK waters. Norway is in the EEA and has a number of fisheries interests in the UK, particularly processing plants and aquaculture. If we leave the EEA and the customs union, what will that mean for companies exporting to the EU, which is where most of our high-value fish go? Is there not a danger that those companies will up sticks to avoid tariffs? How can we secure British jobs?

We must seek to preserve conservation measures established under EU law. The sustainability of fish stocks has to be a priority. I support the comments of my right hon. Friend the Member for Exeter (Mr Bradshaw) and the hon. Member for North Cornwall (Scott Mann) about sea bass. How can we have continued commercial netting of a stock that is below critical levels? The right hon. Member for Orkney and Shetland (Mr Carmichael) talked about recognising scientific advice when looking at long-term sustainable fishing. I implore the Minister to ensure that future policy does exactly that, taking advice from not only ICES but CEFAS. What key environmental protections will DEFRA ensure are upheld

[Sue Hayman]

in the negotiation process? The future of sustainable European fish stocks and the long-term livelihoods of thousands of people depend on that.

Finally, on Brexit, we must remember that building and maintaining good relations with colleagues is important—for the Minister and his European counterparts at the upcoming Council, but also across parties. I am willing to work constructively and closely with him to ensure we end up with the best deal possible for our fisheries so that we can secure a sustainable, long-term future for our industry.

4.43 pm

The Minister of State, Department for Environment, Food and Rural Affairs (George Eustice): I begin by commending members of the all-party group on fisheries for bringing forward this annual debate on fisheries as we approach the December Council.

This will be my fourth December Council arguing over fisheries quotas. In that time, some things have changed: we have more stocks fished at MSY than previously, and the numbers are growing. Some of the challenges, particularly in the North sea, have receded, and the stocks are in a better situation. However, in other areas, some things have stayed the same. We still have challenges with bass, and stocks such as cod, haddock and whiting in the Celtic sea.

Sadly, it is also still the case that fishing remains, as many hon. Members have pointed out, one of the most dangerous occupations. This is an opportunity for me to pay tribute to all our fishermen who take risks to bring sea fish to our table. I am also sad to report that over the past year, since our previous debate, nine fishermen have lost their lives. I know that all hon. Members will wish to join me in expressing our sincere condolences to the families and friends who have suffered those tragic losses.

I want to cover as many of the important points that have been raised in today's debate as possible. The context for this year's debate is clearly very different from those of previous years, following our decision to leave the European Union. We are committed to acting on the decision taken by the British people, to withdrawing from the common fisheries policy and to putting in place a new fisheries regime.

As an independent coastal state outside the EU, the UK would be fully responsible, under international law, for control of the waters in our exclusive economic zone and for the management of those resources within it, including fisheries. The Government remain committed to being a champion of sustainable fisheries and to ending discards, as set out in our manifesto. We are also committed to continued co-operation with other countries over the management of shared stocks. In future, our role in relation to the annual setting of quotas will change fundamentally, but our overall objective of championing sustainable fisheries and ending wasteful discards remains as strong as ever.

Calum Kerr (Berwickshire, Roxburgh and Selkirk) (SNP) *rose*—

George Eustice: I am going to persevere, if I may. EU exit is an opportunity to develop arrangements for fishing that can better meet the UK Government's objectives to deliver a financially self-sufficient and profitable seafood sector, and a cleaner, healthier and more productive environment.

I will return to many of the comments made by Members, particularly in relation to post-Brexit policy, but first I want to deal with the December Council. While we remain a member of the EU, we will, of course, continue to participate fully and constructively in the December Fisheries Councils and the related negotiations. They are vital to our industry, since they set the catching opportunities for the vast majority of commercially important fishing stocks.

I have already had many meetings with stakeholders. We had a meeting with the devolved Administrations and stakeholders in Cardiff some weeks ago. The Government's objectives in the forthcoming Council are to secure a fair and balanced deal that supports our fishing industry and the long-term sustainability of our fisheries. We will seek to increase the number of stocks being fished sustainably. That means managing stocks at maximum sustainable yield wherever possible, although some stocks might need to undergo a staged transition to MSY, especially where we need to avoid discards and bycatch.

We and other EU member states have made good progress in putting fisheries on a more sustainable basis. For example, 31 of the 59 stocks for which we have full analytical assessments in the north-east Atlantic and surrounding waters are now fished in accordance with MSY, compared with just 19 a little more than a decade ago in 2004. Some important stocks in the North sea have recovered or are in the process of recovering. While the North sea cod stock is still rebuilding, we are close to fishing it sustainably, and we will be able to bring it under the landing obligation from next year. I am pleased also that agreement has been reached to sustainably reform the EU's discredited cod recovery plan. That was key to making the landing obligation work for cod, by removing automatic cuts in effort.

We will therefore support increases in catches when they are supported by the science. Equally, we will agree to reductions in catches where they are necessary to protect the long-term health of a stock. That applies, for example, to sole in the eastern English channel and to cod in the Celtic sea.

The Commission's proposals generally reflect the science, although there is still a tendency to ignore the significant weight of evidence that exists on, for instance, data-limited stocks. If we look around the country, we will see that there are issues in the west country, as my hon. Friend the Member for St Ives (Derek Thomas) pointed out, with stocks such as pollock and monkfish. We have particular challenges with megrim; full analytical data have changed the recommendation in relation to that stock. I am aware that in Northern Ireland we will have the now almost annual discussion around nephrops. We will make the case that the total allowable catch set previously has been under-exploited, so we still believe that we do not need to reduce it as much.

Finally, I want to make a point about the EU-Norway deal, which is especially important to Scotland, and the coastal states agreement. EU bilateral fishery agreements with Norway, the Faroe Islands and Greenland, and the

coastal states agreement on mackerel, blue whiting and Atlanto-Scandian herring, remain of the utmost importance to the UK fishing industry. This year's negotiations have already resulted in positive outcomes for the UK, with increases in quota for mackerel, blue whiting and Atlanto-Scandian herring, which we estimate to be worth in excess of an extra £20 million for the UK fleet. However, more needs to be done to secure the long-term sustainability of those stocks.

I turn to some of the points made by hon. Members. The hon. Member for Great Grimsby (Melanie Onn), who opened the debate, made the point that I attended her constituency during the referendum campaign. I did—I shared a platform with her predecessor as we made the case for leaving the EU. The hon. Lady mentioned the cod wars. Overwhelmingly, the developments that had the greatest impact on the fishing industry in Grimsby, where our long-distance fishing industry was based, were the three cod wars during the late 1960s and early 1970s. After the cod wars, it became effectively a norm of international law, through the UN convention on the law of the sea, that countries would have an exclusive economic zone extending to 200 nautical miles. Ironically, we would be asking, going forward, for something that is now a norm under international law, and which became so after our loss of the third cod war.

The hon. Lady suggested that I made unrealistic pledges during the referendum campaign. During that campaign, I exercised my right to campaign as a free, independent MP, but I fully intended that the leave campaign would win, and I fully hoped that I would be back in position and able to see through the changes that I believe are necessary to deliver sustainable fisheries. We will abide by international law in the United Kingdom, and we will expect the European Union to respect and abide by international law. As several hon. Members have said, our European partners have a right to expect us, as the UK, to behave honourably and decently towards them as we put in place new fisheries arrangements and a new type of partnership. They can get that from us, and we should expect the same from them. It is important, as the shadow Minister said, that we get the tone right as we approach the negotiations. We are seeking change, but it is a requirement of UNCLOS that we co-operate with other countries, that we have regard to historical access rights and, crucially, that we work together on shared stocks.

My hon. Friend the Member for Tiverton and Honiton (Neil Parish) and my right hon. Friend the Member for North Shropshire (Mr Paterson), who has written papers about fisheries, highlighted an important area of future management—the relative merits of a control system based on effort and days at sea, and a quota regime. The truth is that there are pros and cons to each. A quota system is generally considered to make far more sense for pelagic species, with single-species stocks being targeted. In a very mixed fishery, as we have in parts of the west country and parts of the inshore fleet, an effort-based regime with a national target for quota arguably makes more sense.

My right hon. Friend the Member for North Shropshire highlighted the experience of the Faroe Islands, and I confirm to him that we are looking at the approach taken there, just as we are looking at the approach taken in Iceland and many other countries around the world.

He asked me to consider whether we might do a pilot in this area. We have not ruled that out, but we are not yet in a position to make a decision to go forward with it.

The right hon. Member for Tynemouth (Mr Campbell) talked about the Farn Deep. He will be aware that we agreed with the Commission last year to take some steps on that nationally and to get agreement on technical measures. We have taken steps to try to safeguard that fishery, predominantly for the local fleet around North Shields. He asked whether leaving the EU strengthens our position. It probably does, in that that will make it easier for us to put in place technical measures without our necessarily having to get agreement at EU level. He also mentioned infrastructure. While we are in the EU, we still have access to the European maritime and fisheries fund, and obviously we will look at other options in the future.

My hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) mentioned shrimp fishing in his constituency. He is aware that that is a matter for IFCA, which is consulting at the moment. It is suggesting a restriction on 14% of the special area of conservation, which is less than 14% of the fishery.

The right hon. Member for Exeter (Mr Bradshaw), the hon. Member for Banff and Buchan (Dr Whiteford) and many others mentioned trade deals. It is important to point out a misunderstanding that some hon. Members, including the shadow Minister, have. Although Norway and Iceland are in the European economic area, and therefore part of the customs union for other goods, the EEA does not cover fisheries. With fisheries, we have a series of preferential trade agreements. It is therefore incorrect to claim, as several hon. Members have, that Iceland and Norway are in the customs union or the EEA for the purposes of fisheries. That is not the case.

The right hon. Member for Exeter and my hon. Friend the Member for North Cornwall (Scott Mann) mentioned bass. We hope to make progress this year. They know that I have consistently made the case in the past two years. The science suggested that the measures that we took last year would get us to MSY by 2018. Since then, the science has deteriorated and there has been poor recruitment, so there are some challenging decisions to make and we have consistently argued for change.

The right hon. Member for Orkney and Shetland (Mr Carmichael) mentioned the access given to the Faroes, particularly to some of the pelagic species. He knows that those negotiations are currently led by the EU and that, although we often raise objections and concerns, they can be overruled as things stand. It is one of the reasons why the pelagic fishing fleet greatly looks forward to the UK leaving the EU and regaining its seat in important coastal states negotiations.

Several hon. Members mentioned choke species. I am aware that that is an issue. Indeed, the UK, as chair of the north-west waters regional group, put it on the agenda of the November Fisheries Council. We are working on several possible options, including a de minimis bycatch exemption or a group total allowable catch for some of the small species. That is not an insurmountable problem, but we recognise the challenge.

The hon. Member for North East Fife (Stephen Gethins) mentioned the importance of involving Scotland in the negotiations. I can confirm that we are doing that. The Scottish fisheries Minister always joins me in

[George Eustice]

the trilateral discussions with the presidency and the Commission. However, it is important that the UK Minister who is accountable to Members of Parliament from right across the UK represents the UK at those discussions.

We have heard many other points, which I am sure that hon. Members will raise with me afterwards. We will seek a balanced deal, and we have exciting times ahead as we develop our future fisheries policy.

4.58 pm

Melanie Onn: I am disappointed that the Minister has not offered a meeting to discuss the outstanding compensation claim case on behalf of the widow of Jim Greene. I hope that that was an unfortunate oversight and that, perhaps after the debate, he will offer me some of his valuable time.

It has been an excellent, generally good-natured debate, with lively and wide-ranging contributions from hon. Members of all parties. Ultimately, it has proved that the subject fully deserves a debate in the main Chamber. I thank all Members who have contributed to making the debate so worthwhile. I recognise that contributions have come from all four nations of our great United Kingdom.

It has been right to remember those who have lost their lives. Let me mention those seamen who took on the wartime role of minesweeping, without any of the modern sonar equipment with which we are blessed, at great cost to them and their families. I was very privileged to attend a moving Armistice Day remembrance service at the royal docks this year.

The loss of seafaring skills was mentioned. The point made by the hon. Member for Plymouth, Sutton and Devonport (Oliver Colville) about an academy is important. Perhaps that should be rolled out to coastal towns around the country.

Ultimately, I look forward to hearing much more from the Government about the fishing industry as we move towards negotiating our exit from the EU. I am not entirely assured, but I thank the Minister.

5 pm

Motion lapsed (Standing Order No. 9 (3)).

Christchurch and East Dorset Councils: Proposed Abolition

Motion made, and Question proposed, That this House do now adjourn.—(Heather Wheeler.)

5 pm

Mr Christopher Chope (Christchurch) (Con): It is a pleasure to introduce this short end-of-day Adjournment debate on proposals to abolish Christchurch and East Dorset Councils.

When a colleague saw the title of the debate, he wondered who was proposing such an outcome and why. I was able to assure him that it is not the Government, unlike 20 years ago when the Local Government Commission for England, under its then chairman Sir John Banham, was tasked by the Conservative Government at the time with abolishing the two-tier system and imposing unitary solutions. The commission, to its credit—I was a member of it—insisted that before any change to structures, there should be the fullest local consultation, including a survey sent to every household. A preliminary consultation on options for change was followed by a second consultation on a preferred option. As a result of that process, in Dorset separate unitaries were created in Poole and Bournemouth, but, following a robust defence by campaigners, particularly in Christchurch but also in East Dorset, the Government decided to retain a two-tier structure for the rest of Dorset, and in so doing recognised the importance of local community ties, identity and history—Christchurch can trace its mayoralty back to the 13th century.

The current Government have learned the lesson of the past and are not seeking to impose any structural change. I am grateful to them for that. Eighteen months ago, there were all-out elections for councillors in Christchurch and East Dorset—24 in Christchurch and 29 in East Dorset, of whom 11 are in my constituency. None of the candidates stood on a manifesto to abolish their council—quite the reverse. They campaigned to provide good-quality services at an affordable price by maximising economic efficiencies through partnership working. To their immense credit, they continue to do that successfully with approximately 100 fewer council officers than before, delivering ongoing annual savings of more than £1 million.

In autumn 2015, the leaders of Poole, Bournemouth and Christchurch Councils, and the then leader of East Dorset District Council, were pictured together on a beach to launch their plan to create a single council to replace those four councils. That created such hostility among East Dorset District Councillors, who were fearful that they were going to be bounced into losing their sovereignty and independence, and control over their own green belt, that their leader resigned because he was so out of touch and had not engaged with his own councillors.

The plan was never debated in Christchurch Council, because the Christchurch Council leader denied that he wanted such a super-council but wished only to be in the mix for the purposes of any discussion about it. Not surprisingly, Dorset County Council did not take kindly to the idea that two of the councils in its area were going to secede and join a rival grouping. That led to various discussions, and earlier this year all nine Dorset

council leaders decided to work towards a public consultation on possibly reorganising local government within Dorset, but without any preconditions.

In parallel, Christchurch and East Dorset Councils, along with the other seven councils, went out to consultation on proposals for a combined authority to take effect from 1 April 2017, which will bring together representatives from all nine Dorset councils plus the Dorset local enterprise partnership to deliver on transport infrastructure and economic regeneration. The consultation document states:

“A Dorset combined authority would demonstrate our partnership approach and be a strong basis for us to request more responsibilities and powers from the Government”.

It also reassured consultees that

“combined authorities combine specific functions of two or more local authorities. The councils remain separate but they pool decision making over what services they want to combine, acting as one strong and accountable body representing and responsible for the area.”

That application was unanimously approved and is now on the Secretary of State’s desk. Contrary to some black propaganda, the proposal does not involve the creation of an elected mayor for Dorset.

It was disappointing that council leaders could not agree that key issues such as public transport, adult social care and children’s services should also be included within the remit of the combined authority, despite the obvious financial benefits. Adult social care and children’s services consume some 75% of the Dorset County Council budget. If included with similar services from the two other upper-tier authorities in the combined authority, Poole and Bournemouth, significant savings would be achievable without undermining local democratic accountability.

At the end of August this year, the nine Dorset councils launched a separate consultation on what they described as “reshaping your councils”. The consultation was meant to be presenting four options. The first was no change to existing structures, and the other three were for variations on the theme of abolishing the nine existing councils and creating in their place two unitaries. The options presented for consultation and the terms of the consultation paper were never approved by councillors in Christchurch or East Dorset. Indeed, it was only at the insistence of a minority of council leaders—including, I think, the leader of East Dorset—that a no-change option was included at all.

Last Friday, the Housing Minister visited Christchurch to discuss the issue with the leader of Christchurch Council. At the Minister’s request I was present at the meeting, which was also attended by the leader of East Dorset District Council. Despite the fact that Christchurch councillors have at no stage given approval to any suggestion that their council should be abolished, the leader of the council told my hon Friend the Minister:

“We don’t think option 1”—

no change—

“is really an option”.

Although he was immediately contradicted by the leader of East Dorset District Council, the Christchurch leader went on to say that if he did not receive a mandate from his councillors for the council’s abolition, he would be ready to defy that decision when discussing with other council leaders the preferred option for Dorset. In throwing

aside the caution that he had been seeking to impose on all other councillors around the issue of predetermination, he said:

“What is expected cannot be achieved with the status quo”,

and he gave the Minister a paper setting out his expectation of Government that it should give

“support for the principle of changing to a two unitary model in Dorset”.

He thereby showed that his mind had been made up all along against keeping Christchurch independent and that the public consultation was effectively a charade.

Simon Hoare (North Dorset) (Con): My hon. Friend and I take diametrically opposed views on this issue. East Dorset covers part of my constituency. Does my hon. Friend recognise that all the district councils, the county council and the two unitaries are individually going to be debating a report over the coming weeks—the last debate will, I think, be on 31 January—which will then determine the views of each of those councils? It is not as if either East Dorset or Christchurch has treated itself less well. No council has actually taken any decision, but they will be offered a recommendation to either endorse or disagree.

Mr Chope: Nothing my hon. Friend says is incorrect, but the situation is that the leaders of councils should—as the leader of East Dorset Council has said—enter into those discussions and negotiations having sought a mandate from their own councillors. That is not what is being proposed in Christchurch. For good measure, the Christchurch Council leader has also criticised the combined authority, despite being a party to submitting it to the Government. He said:

“We don’t think it would deal with the massive expectation”.

It is hardly surprising, therefore, that the public consultation has been so criticised as inadequate, biased and, indeed, untruthful. I am sorry that my hon. Friend the Member for North Dorset (Simon Hoare) has been taken in by this, because the consultation was designed to mislead respondents into believing that no change in structures was not an option. The consultation questionnaire gave the impression that there was no alternative to abolishing the existing structure of nine councils, and stated that if the nine councils were retained, “major savings would need to be found and it is likely that many council services could not be provided in future”.

The only argument it put forward in the consultation for retaining the nine existing councils was “familiarity”—nothing about control over one’s own destiny and all the rest of it.

No evidence is produced in support of the scaremongering in the document. Indeed, I have been informed by the councils’ chief finance officers that all “authorities within Dorset are in a solvent position and have sufficient balances to remain this way for the foreseeable future”.

Simon Hoare: Will my hon. Friend give way?

Mr Chope: No, I will not give way again.

The consultation period was only eight weeks, during which time I attended five public meetings and had numerous meetings and discussions with constituents, voluntary organisations, councillors and former councillors, parish councillors and community groups.

Simon Hoare (North Dorset) (Con): On a point of order, On a point of order, Madam Deputy Speaker. I am slightly surprised, so I seek your guidance. I wrote to my hon. Friend the Member for Christchurch (Mr Chope) at the end of last week, giving the factors I just stated in my interjection, mentioning that part of my constituency lay within the boundaries of East Dorset District Council, and requesting that I be allowed to make a short speech. He refused my request but invited me to come and listen to his speech, which is why I am here today. Is it in order, therefore, notwithstanding his right to refuse my request to speak, and given that part of the area in question is in my constituency—as it is also in the constituency of my hon. Friend the Member for Mid Dorset and North Poole (Michael Tomlinson)—for him not to accept an—

Madam Deputy Speaker (Natascha Engel): Order. I am stopping the hon. Gentleman because he is eating into the time of the hon. Member for Christchurch (Mr Chope), whose choice it is; it is his Adjournment debate. The hon. Gentleman is perfectly entitled to put in for another Adjournment debate, and then it will be up to him who is allowed to speak.

Mr Chope: I am most disappointed in my hon. Friend. I gave way to him and now he has taken up a minute or more of my precious time with a spurious point of order. This indicates his embarrassment at not being on top of the facts of this issue.

I was talking about the different organisations to which I had spoken. *The Daily Echo* was highly critical of the consultation, and its lead letter on 21 October was headlined “We are being manipulated”, which reflected the widespread opposition to council abolition among my constituents. The documentation and financial evaluation of options in the consultation were based on the presumption that a new town council would be created in Christchurch to replace the borough council following abolition. Even elected councillors were unaware of that.

Simon Hoare: Will my hon. Friend give way?

Mr Chope: No, I will not.

Nor did they realise that the funding for the town council would come from an extra £150 a year extra band D council tax. My constituents would forever, therefore, be paying higher council tax than residents in Bournemouth and Poole for the same level of service, despite the contrary having been asserted in the consultation document. The creation of a new town council replicating the borough council would also undermine the avowed objective of reorganisation of reducing administrative costs, cutting out duplication and simplifying local government.

Simon Hoare: On that point, will my hon. Friend give way?

Mr Chope: I will not give way. My hon. Friend has already taken up my time in raising a spurious point of order, and I will not give way to him again.

When after seven weeks of asking questions I received the admission that the financial figures were based upon the creation of a new town council, I inquired as to why Christchurch would choose to create a new town council when the consultation document at page 3 assured its readers:

“The two unitary councils would deliver the services currently provided by the six District and Borough Councils”.

No clear answer has been given to my question about what extra services beyond those already being provided in Christchurch would be funded with an extra £150 per year band D council tax. With 21,332 properties paying band D, as an average this amounts to over £3.8 million a year from Christchurch, subsidising this proposition.

The guile exhibited in the consultation is such that it is hard to regard it as merely accidental. If it had been, one would have expected an immediate admission that the prospectus was false. Page 4 of the consultation states:

“Councils would need to make sure that, within an agreed period of time, all residents of one council area pay the same—a process called council tax harmonisation.”

Page 9 explains further:

“This assumes an approach in which over a twenty year period...all the council tax rates in all areas within a new unitary council eventually become the same”.

It is now clear, however, that on the basis of the consultation, council tax rates and bills for citizens in Christchurch will always be higher than for those in Poole and Bournemouth under two of the unitary options, and would always be higher than for those in East Dorset, North Dorset—in the constituency of my hon. Friend the Member for North Dorset—Purbeck and West Dorset under the third unitary option. Not only is this fact not disclosed in the consultation; it is actively covered up.

The only justification put forward for abolishing Christchurch and East Dorset Councils is financial. The consultation paper states that option 1 would result in East Dorset having a cumulative shortfall of £0.3 million between 2019 and 2025, and Christchurch a surplus of £0.1 million. Such figures would certainly not justify abolition. Some council leaders argue, however, that because the shortfall across Dorset as a whole would be £30 million, reorganisation is justified. Now, £30 million over six years might sound like a lot of money, but when put into the context that Dorset councils are currently spending £920 million a year—£5.52 billion over the six years—it means we are talking about just 0.5% of total turnover. When set against the costs of reorganisation, estimated at £25 million, and the assumptions behind the figures of continuing to increase local government spending by 4% per annum—I think it extraordinary, but that is the assumption—the case for abolition looks incredibly weak.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Will my hon. Friend give way?

Mr Chope: Yes, of course.

Michael Tomlinson: I am grateful. My hon. Friend has mentioned Purbeck, which falls within my constituency, as does East Dorset. Does he accept two things? First, does he accept that there will be an opportunity for each and every council in Dorset to debate this and vote on it later in January? Secondly, does he accept that there is a range of views, on a spectrum perhaps from his views to those of my hon. Friend the Member for North Dorset (Simon Hoare)?

Mr Chope: Exactly. I had a very civilised conversation yesterday with the deputy leader and chief executive of Purbeck Council. My hon. Friend is quite right that

there will be plenty of opportunities, but what I am keen to do in this debate is to make sure that we have a discussion on the basis of the facts. The shortcomings of the consultation so far have meant that the facts have been covered up from the people.

As with all such possible changes, the beneficiaries are keen to shout loudest. Both Bournemouth and Poole Councils have chosen over recent years to freeze their council taxes, while Christchurch and East Dorset have been more realistic in their approach. It is insulting to my constituents that Poole and Bournemouth should now expect Christchurch residents to subsidise their councils—currently in the case of Poole £196 lower than in Christchurch and £161 lower in Bournemouth.

Council taxes in Christchurch and East Dorset are very similar to the national average, which was £1,484 in 2015-16, while the average tax in East Dorset over the same period was £1,720, the second highest in England, and £1,756—the highest—in Weymouth and Portland. Although only tangential to tonight's debate, I am not sure how many people living in the Weymouth borough realise that under the proposals in the consultation paper they would continue to have to pay at least £150 extra each year compared with other parts of rural Dorset.

There are many other elements of the proposals for change that have not yet been sufficiently revealed. The first is that no savings are assumed across adult social care, children's services and education—the three upper-tier responsibilities that consume the most money. Nor has the motivation of those seeking a unitary solution been highlighted as wishing to squeeze out local discretionary services provided by district councils so that that income is available to supplement statutory services such as adult social care. Most crucially, the consultation document does not make it clear that option 1 is the most financially beneficial option—unless Christchurch and Weymouth and Portland pay extra for town councils for no additional service.

A document from Local Partnerships headed "Overall Summary without Town Councils" seems to have been suppressed. What it shows, however, is that over the six-year period from 2019-20, the difference between the amounts of council tax forgone in the unitary option for a medium conurbation is £8 million higher on the assumption that there is no town council than it would be with new town councils. That is the extent to which the people of Christchurch are subsidising this proposed project. The financial merit of no change is that each council continues to have the freedom to maximise its increases in council tax in line with Government rules, should it so wish. Having been so cruelly misled by the documents—and, incidentally, at roadshows and focus groups—my constituents cannot have any confidence in the objectivity of the consultation process. Any purported outcome will be invalidated by the inadequacy of the process, and the inherent prejudice and bias in it.

If Dorset councils remain keen to progress the idea of creating new unitaries in place of existing structures, they should launch a fresh consultation based on objective data and with assumptions that are transparent. The process should also enable every household to express its opinion, which happened when the Local Government Commission for England undertook a similar exercise in 1995.

About four months ago, I led an Adjournment debate on the issue of beach huts in Christchurch. As a result of that debate, councillors were lobbied very strongly by people living in the town, and the beach huts proposal was abandoned. I hope that as I have this evening drawn the attention of my constituents to the gravity of the current proposal, they will again lobby their councillors successfully to reject it.

5.21 pm

The Parliamentary Under-Secretary of State for Communities and Local Government (Mr Marcus Jones): I thank my hon. Friend the Member for Christchurch (Christopher Chope) for securing this important debate on the proposals for reorganising the governance of Dorset. I welcome the opportunity to discuss the issue. My hon. Friend's interest in these matters is well known. I recognise his long experience of local government and his ministerial experience: back in the 1980s, he was a Minister in a Department that was a predecessor of mine.

Let me say at the outset that what Dorset councils are doing is exactly what councils should be doing. They are looking into how they can deliver better services to the towns, villages and people of Dorset, how they can provide stronger, more efficient and more effective leadership, and how they can generate significant savings to support front-line services. None of that is to say that we have concluded that any of the proposals on which the councils have consulted, and will consult further, are the right ones. What is right is that there should be consultations, discussions and analysis. The councils may then decide that it is right for them to submit a formal proposal for governance change to my right hon. Friend the Secretary of State for his consideration.

At this point, I should add that the nine councils have already submitted a formal proposal to create a combined authority for the area. They would like it to be established by April 2017. They think that it would serve as an effective mechanism enabling them to intensify their collaboration in the provision of economic development, regeneration and transport services throughout their areas. We are considering the proposal, and expect to respond early in the new year.

All this is taking place against a wider canvas of significant change throughout local government. At a time of fiscal constraint, and as the demand for services such as adult care increases, the best of local government is showing how it can improve the effectiveness and efficiency of services as well as driving the economic growth on which the prosperity of places depends, and that is what Dorset councils are doing. The Government strongly believe that local government should be as efficient, effective, transparent and accountable as possible. The right approach to any reform of local government is bottom-up: that is how councils figure out what is right for their areas and come up with locally driven solutions. It is the approach that underpins the provisions that the House considered some 12 months ago in what is now the Cities and Local Government Devolution Act 2016, and it is the approach that we are following for the purposes of both devolution and governance changes.

Simon Hoare: Can my hon. Friend confirm that the responses from the councils, when they discuss the consultation and indeed the recommendations, do not have to be unanimous across all nine for a submission

[Simon Hoare]

to be made to his Department, and can he also confirm—maybe this is rather good news—that unanimity does not need to be delivered between the MPs within the county as well?

Mr Jones: Technically, my hon. Friend is right, but our Department is absolutely clear that we want any reforms to be locally driven, and once a local area has its blueprint for any reforms we will listen carefully, and the Secretary of State will decide whether the reforms are acceptable to him.

There are discussions about local government reorganisation across the sector. These include discussions about moving to more unitary structures, as in Dorset, and recently a detailed proposal has been put forward from Buckinghamshire to transform into a single unitary authority. We have also seen the recent research published by the County Councils Network looking at aspects of reorganisation. It has published two reports, which will contribute to discussions and debate about local government reorganisation. These point out financial benefits and savings that it is suggested may be possible if councils choose to unitarise. These reports suggest a saving of between £2 billion and £3 billion over five years net of transition costs, if all 27 county councils became single unitary authorities.

Dorset has told us that the options it is discussing, which include a reduction in the number of local authorities through unitarisation, could generate substantial savings of at least £108 million in the first six years. We are clear that appropriate governance reforms, which is what we want to have, must have the potential to deliver significant benefits, but reform, and in particular reform to include unitarisation, is not always going to be right for every area. It may not be right for Dorset, and it may not be right in Buckinghamshire, and it is certainly not going to be compulsory or imposed where there is no support for it.

But the Government remain 100% committed to being open to innovative bottom-up proposals that will improve local services, enhance accountability and deliver financial sustainability. We welcome local government pursuing and discussing these ideas, particularly when done, as in Dorset, collaboratively and constructively.

The assurance I can give my hon. Friend the Member for Christchurch is that if Dorset does come forward with proposals we will consider them very carefully and fully. We will want to see evidence that any proposal submitted offers a better local service, greater value for money and stronger leadership, as well as putting in place a more financially sustainable structure and delivering significant savings.

Mr Chope: Will the Minister emphasise the importance of trying to achieve consensus, because there has been a lot of workplace bullying in Christchurch Council and we have seen, perhaps, elements of it in the Chamber this evening? Surely it is wrong that what may be a minority should be oppressed; surely it is important that minority views can be heard?

Mr Jones: I thank my hon. Friend, and in making my comments this evening I have made it clear these proposals must be bottom-up, not top-down, and we will certainly listen to views.

In concluding, I assure my hon. Friend once again that we will look very carefully at any proposal Dorset may or may not come up with. Once we receive it, we will study it and speak to those local authorities and to colleagues, because we are absolutely sure that proposals being brought forward should be valuable, but we are also sure that we need to be certain that they are right for local people.

Question put and agreed to.

5.29 pm

House adjourned.

Westminster Hall

Thursday 1 December 2016

[MR DAVID NUTTALL *in the Chair*]

Prison Safety and Security

[Relevant documents: Sixth Report from the Justice Committee of Session 2015-16, Prison safety, HC 625, and the Government Response, HC 647, Session 2016-17; oral evidence taken before the Justice Committee on 15 July 2016, HC 417, on radicalisation in prisons and other prison matters, and on 29 November 2016, HC 548, on prison reform; and letters dated 19 May 2016 and 30 June 2016 from the Secretary of State for Justice to the Chair of the Justice Committee on prison safety.]

1.30 pm

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

That this House has considered prison safety and security.

It is a pleasure to serve under your chairmanship, Mr Nuttall. This is a very last minute debate; it was only on Monday that we knew it was going to take place. I am grateful to the Deputy Speaker for finding time for the debate and to the Minister for making time for it.

In the introduction to the White Paper on prison safety and reform, the Lord Chancellor and Secretary of State for Justice made a very important statement:

“We will never be able to address the issue of re-offending if we do not address the current level of violence and safety issues in our prisons.”

Today’s debate aims to focus on some issues around that and to try to tease out what the Government’s objectives are on prison safety and prison violence. The Minister has been round the House quite a bit on this matter, not least at the Justice Committee on Tuesday. I know that he will want to do his best to respond to the issues. I know also that those who work in the service, from Michael Spurr through to the prison officers on the wings, will also want to do their best to ensure that we improve prison safety and security. However, I start from the premise that something is not quite right.

All the indicators on key issues of prison safety and security that the Government look at have been going in the wrong direction over the past few years. Let us look at some of the issues in our prisons at the moment.

In 2015-16, nine men absconded from category B prisons, four women and 80 men absconded from open prisons and eight prisoners absconded from male open youth offenders institutions. In the last few weeks—I know these individuals have been recaptured, for which I am grateful—two men, in the early hours of the morning, hid dummies in their beds, sawed through bars with metal drills brought in illegally, avoided CCTV, climbed over a wall and escaped from Pentonville prison; as the Minister confirmed to the Select Committee this week, that was not discovered until 12 noon the following day. These are serious issues.

As of 29 July 2016, just over 60%, or 76, of our prison establishments were officially listed as overcrowded. In total, overcrowded prisons held 9,700 more prisoners than they were originally designed to hold. Cells meant for one person have been accommodating two people, while those meant for two people have been accommodating three, and that has added to the stress in prisons.

I know, accept and understand where the Government are coming from; they have announced large amounts of increased prison capacity and are looking at closing older prisons and opening newer prisons, such as HMP Berwyn, which is shortly to open in north Wales near my constituency. The removal of old capacity is, however, well ahead of the replacement in terms of the building of new capacity. The chief operating officer of the National Offender Management Service, Michael Spurr, said to the Justice Committee this week that it will be a considerable time before the overcrowding is dealt with.

More seriously, and more challenging for the prison system as a whole, there were 324 deaths in prison in the 12 months to September 2016, which is a rate of 3.8 deaths per 1,000 prisoners: an increase of 57, or 21%, on the previous year. Many of those deaths were due to natural causes—that is to be expected because of the growing population of elderly prisoners—but 107 were self-inflicted deaths, an increase of 13% from the previous year’s total of 95. There were five apparent homicides, including one in Pentonville recently. Some 33 deaths are currently awaiting further information before being classified.

I am grateful to the House of Commons Library for these figures. On the issue of self-harm in prison, in the 12 months to June 2016, 36,440 reported incidents of self-harm occurred, an increase of 7,509 or 26% on the previous year—a rate of 426 self-harm incidents per 1,000 prisoners, compared with 338 incidents per 1,000 prisoners the previous year. Some 10,544 prisoners self-harmed last year, up 1,943, or 23%, on the previous year.

The indicators on hospital attendance show that there were 2,500 hospital attendances, an increase of 35% on the previous year. The proportion of self-harm incidents requiring hospital attendance has thankfully remained consistent, but the indicators are showing that there are more deaths in custody, more self-harm incidents and, sadly, a significant number of homicides in prison at the moment.

The indicators on assaults show that in the 12 months to June 2016, there were 23,775 assaults in prison, an increase of 6,078, or 34%, on the same period in the previous year, and a rate of 278 assaults per 1,000 prisoners, up from 207 assaults per 1,000 in the previous year. There were 3,134 serious assaults, an increase of 26% on the previous year. There were 17,782 prisoner-on-prisoner assaults, up 32% on the previous year; 2,462 serious prisoner-on-prisoner assaults, up 28% on the previous year; and 5,954 assaults on staff, up 43% on the previous year, from 4,177. That is a ratio of 70 incidents of assault on staff per 1,000 prisoners, up from 49 per 1,000 in the previous year. Of those assaults, 697 were classified as serious assaults on staff, up 20% on the previous year.

Those indicators are not going in the right direction. All those indicators have seen a significant increase—not one of 1% or 2%—in a 12-month period. I will be fair to the Minister; I know that in the recently published document, recognition of that fact is paramount. I will return shortly to further figures.

What is lost in the figures on assaults are the significant increases in certain types of assault. Let me point the House to three particular issues. The use of dangerous liquids as an assault mechanism on prisoners and staff has gone from zero incidents in 2010 to 193 in 2015. The use of blunt instruments in assaults on prisoners and staff has gone from 246 incidents in 2010 to 666 in 2015: a 170% increase. The number of spitting incidents—an

[Mr David Hanson]

issue, given some of the conditions that many people will have in prison—has risen from 12 recorded in 2010 to 394 in 2015: an increase of 3,000%. Knife and blade incidents—prisons are not supposed to be places where knives and blades are available in the first place—have risen from 212 to 491 last year over a five-year period: an increase of 131%. I am grateful to the Prison Officers Association for some of those figures. Again, those are serious issues, and the trend is in the wrong direction.

There is an argument that some of those issues are related to drug abuse and new psychoactive substances. In 2010, there were 16 recorded incidents involving new psychoactive substances in prisons, but in 2014, the last year for which I have figures—the Minister may have more up-to-date ones—the figure was 436: a 2,625% increase. Spice has gone from 15 to 430 cases; mephedrone has gone from zero to two cases; and ketamine—kat—has gone from one to four cases. Again, that is the wrong direction of travel.

I held the Minister's job for two years and one month some time ago, so I know how difficult it can be and about the challenges, but the level of disturbance in prisons has increased in the past few months and is causing noticeable pressure. It is greater than it was in the past. There have always been prison disturbances, and there probably always will be, but in the past couple of months alone there has been, for example, the incident in Lewes prison. The chairman of the Prison Officers Association said that at the time of the incident there

“were only four staff on that wing and all four had to retreat to safety”

because they were concerned about their safety.

In November, 200 inmates in Bedford prison went on what was described in the press as a rampage or a riot—we will determine what it really was when the investigation is completed. It took six hours to bring the disturbance under control. That happened only days after the Justice Secretary said that she was going to introduce a range of measures to tackle violence in our prisons. The question for the House is: what can we do about those issues?

The Justice Committee, of which I am pleased to be a member—my hon. Friend the Member for Stretford and Urmston (Kate Green) and the hon. Member for Dumfries and Galloway (Richard Arkless) are also members—has looked at this issue in detail. In their White Paper, the Government accepted this premise: in the past six years, they have presided over a reduction in prison officers of some 7,000 at a time when attacks on the workforce have increased by 41%. The prison workforce in March 2010 was 49,230, but as of March 2016 it was 43,530.

The Prison Officers Association and the assessments we heard in the Justice Committee suggest that the benchmarking figure is now 800 officers below its required level, and that the service is losing 1,600 officers every year. The level of prison officer resignations increased by 128% over that six-year period, and officer retention remains challenging, as we discussed with the Minister in the Justice Committee on Tuesday.

On Tuesday, the chief operating officer of NOMS, Michael Spurr, told the Committee that, although the Government are going to increase the number of

prison officers by 3,500—although I am a Labour MP, I acknowledge that that is thanks to welcome investment for the Ministry of Justice in the autumn statement—he is going to have to recruit, with the Minister's support, 8,000 people to get a net figure of about 3,500.

Kate Green (Stretford and Urmston) (Lab): I congratulate my right hon. Friend on securing this important debate. Does he agree that this is about not just the number of prison officers lost and the need to recruit replacements, but their level of experience? It will inevitably take time for new recruits to learn the skills they need to do what is now an extremely complex, dangerous and demanding job.

Mr Hanson: That is a serious point. I do not want to be too flippant, but we will have a cohort of inexperienced prison officers and a cohort of experienced prisoners, which will lead to a mismatch in expectation. Those officers will lack experience when dealing with some of the initial problems. Officers need face-to-face engagement with prisoners to build the relationships that can prevent the kind of activities that I have been talking about.

Many people have expressed concerns about where we are. The Howard League for Penal Reform said that we have seen “the highest death toll” in prison

“in a calendar year since recording practices began in 1978.”

It said:

“The number of people dying by suicide in prison has reached epidemic proportions.”

The organisations that have a statutory duty to look at the Prison Service also expressed concern. Nick Hardwick, former chief inspector of prisons, said on 14 July 2015:

“You were more likely to die in prison than five years ago. More prisoners were murdered, killed themselves, self-harmed and were victims of assaults than five years ago.”

The current prisons inspector said in his annual report for this year that

“there is a simple and unpalatable truth about far too many of our prisons. They have become unacceptably violent and dangerous places.”

Nigel Newcomen CBE, the prison and probation ombudsman, who is in the process of leaving or has just left, said in his 2015 annual report:

“Unfortunately...I have identified a fundamental lack of care, but, more often, I have found caring and compassionate efforts by staff to support the suicidal. What is clear, however, is that more can and should be done to improve suicide and self-harm prevention in prison.”

He went on to say that

“what is already clear is that there is an unacceptable level of violence in prison.”

This is not scaremongering by Members of Parliament. It is a shared concern, which the Ministry itself recognises and has been expressed by the prisons ombudsman, the prisons inspectorate, external agencies, the Prison Officers Association and, indeed, the Justice Committee, three members of which are here today. We recently produced a cross-party report that was supported by the Scottish National party, Labour and Conservative Members, including the hon. Member for Shipley (Philip Davies), who often has a different view to those of the members here today, and the Chair. Our conclusion was clear:

“This is a matter of great concern, and improvement is urgently needed.”

We said that

“it is imperative that further attention is paid to bringing prisons back under firmer control, reversing the recent trends of escalating violence, self-harm and self-inflicted deaths...It is a matter of particular concern that despite a sustained recruitment exercise...the net increase in public sector prison officers was only 440 last year.”

I will return shortly to how we are going to manage that recruitment exercise in the future. We want, among many other things, a regular report on safety in custody statistics to look at indicators of disorder, staffing levels, NOMS performance ratings and the activity of prisoners.

The Government have—let me be churlish—belatedly responded to the pressure. In my view, they caused the pressure themselves by reducing prisoner officer numbers and putting pressure on prisons, but they have belatedly looked at the issue. In the autumn statement, and on the back of the “Prison Safety and Reform” White Paper, they allocated additional resources to address prison safety issues. The programme of governor devolution is ongoing, which may or may not help—the jury is out on that. There will be operational improvements, which may include body-worn video cameras, staff training, a multi-disciplinary approach to violent prisoners and improvements during the early days and weeks of custody. We have looked at the recruitment issues. The Minister will no doubt talk about the 3,100 new officers, but we need to recruit 8,000 to make sure we reach the net figure. We have looked at the issue of mobile operators and illicit phones in prisons.

Ultimately, there are still challenges that we need to face. I want to look at what the White Paper means in practice. The Government have said, for example, that they will improve legislation on psychoactive substances. What does that mean? They have said that they will “strengthen search capability”. Well, that will take boots on the ground. What does that mean?

The Government have said that they will:

“fundamentally reassess our wider approach to tackling the supply and demand for drugs in prisons”;

and

“reduce supply and demand for illicit mobile devices; and...work with industry...to detect and block drones”.

What does that mean in practice? It is up to the Minister to spell out clearly and effectively what is in the White Paper.

The Minister has said that the Government will “enhance our intelligence capability”. Fine, but let us see what that means, what the progress is and what the timescale is. He will:

“devise and implement a strategy to address staff corruption in 2017”.

What does that mean? What is the investment? What are the intended outcomes?

We need to look at a range of measures, which we certainly can do, although the situation is complicated and challenging. I therefore want to test the Government with some discussion of at least four or five key areas, and I will start with staffing. Perhaps the Minister will reflect on my questions and, if he does not answer them directly, look at *Hansard* to bring something back to us later today or in the future.

Will the Minister undertake a review of benchmarking in prisons to see whether staffing rotas are right? He has picked the 10 prisons with the highest levels of violence, but will he look at other prisons or prisons as a whole?

What measures will he introduce to retain staff who are in post? That means looking not just at salaries or, potentially, enhanced payments, but at valuing people’s work, or discussing with members of staff the retirement profile of those who are leaving, to see whether we can keep experienced staff.

What pay challenges are there? On Tuesday, the Minister indicated to the Select Committee that he was considering allowing governors to enhance pay and to use such things as positive inducements, but various people are sceptical about whether that can be done within the Government’s public sector pay policy and the pay cap, so will he reassure me about how Government pay policy comes into play on staffing? What autonomy will governors have on pay and retention measures designed to keep staff in the 10 or so prisons that are to have governor autonomy? After all, in future, there may be more such prisons.

In the White Paper, the Minister indicated—he repeated this clearly on Tuesday—that he expects ratios of six prisoners per prison officer. When does he expect to reach that target? How far away from it is he now? Will it apply only in the 10 prisons, or will it apply in all prisons? What will happen with the fluctuation of numbers in prisons, and how will he plan for that in future?

One of the key issues for prison security has been mobile phones, which have been a challenge for years—since the day the mobile phone was invented. When I was the Minister, we had BOSS—body orifice security scanner—chairs and lots of other measures. Prisoners, by their nature, want to have a mobile phone, but the Minister can do things about that, which he alluded to in the prison reform White Paper. I want some more clarification. For example, what steps is the Minister taking to trial phone blocking? That has been looked at by some prisons—public and private sector.

In the White Paper, the Minister suggested no-fly zones for drones over prisons. Let us examine that for a moment: what does it mean in practice? How will he operate a no-fly zone? What does it mean? How will it work? What about additional measures on entry and security? He alluded to them with a nice easy sentence on page 48 of the paper, saying that he would:

“reduce the opportunity and attractiveness for visitors to smuggle drugs”;

and mobile phones, into prisons. What does that mean exactly? What measures back up that statement?

To look at drugs generally, the Minister stated in the White Paper that the Government would:

“ensure that the perimeters of prisons are secure and maintained in a state that can help deter items from being thrown into the prison”.

What does that mean? What policy change next year will that mean? Ensuring that the perimeters of prisons are “secure and maintained” is a nice phrase, but what does it mean in terms of resources, focus and activity?

Also, on page 46 of the same document, the Government state that they will:

“continue to pursue and evaluate technology that can detect drugs including body scanners and drug trace detectors.”

What does that mean next year? What does that mean in practical terms for the Minister at the moment?

The Minister said on page 48 that he would look at telecommunications restriction orders to disconnect mobile phones or SIM cards permanently. That is fine and

[Mr Hanson]

good, and according to the Minister the first disconnections will take place before the end of this year, but what steps is he taking to achieve that? How many disconnections does he expect? In how many prisons will telecoms restriction orders be available? How many phones does he expect to decommission?

Over the summer the new Secretary of State produced that nice, blank statement in the White Paper, and the aspiration is great, but I am interested in the beef behind it. I share Ministers' aspiration to block mobile phones, but what does that mean and, if I went a year ahead through the magic of a "Doctor Who" TARDIS, how many prisons would have those restriction orders? How many phones would be disconnected? The White Paper is sending out signals about aspirations, without necessarily having any beef behind them.

The Parliamentary Under-Secretary of State for Justice

(Mr Sam Gyimah): I thank the right hon. Gentleman for giving way, and I hope that my intervention allows him to get in a sip of water. I am listening to his powerful speech, but he has criticised the Government for being long on aspiration. I will tackle the point he makes in detail in my speech, but I want to say up front that a team that is long on aspiration but not focused on delivery would not have got the biggest—and only—increase for six years that the Ministry of Justice has had in its budget: £100 million for staffing and £550 million overall. That underscores our commitment to deal with the challenges in the prison system.

Mr Hanson: The Minister heard me say that I welcomed the additional resource, but if the Government cut 7,000 prison officers over six years and only decide to put something in urgently once the estate starts to creak—all the indicators that I mentioned are now heading in the wrong direction—in a sense, that is backtracking on a problem of the Government's own making. However, I am saying to the Minister, "Let's put that to one side." He has some aspirations, and I am trying to tease out from him what the beef is so that he can build on them.

Some things are costly and cost-effective. Simple things can be done in the prison estate to help support the aspiration of the Secretary of State. We cannot address the issue of reoffending if we do not address the levels of violence or the safety issues that exist in our prisons. For example, what assessment will the Minister make of the lock-up regime, in particular in those prisons with serious levels of violence? If prisoners are locked up for 23 or 24 hours a day, of course they will face frustrations. What if no elements of support are in place for training, employment or drug rehabilitation, or if prisoners are not out of their cells doing things that might punish them, because they are in prison, but help with their reform so that when they leave prison they are in a better place? If such things are not in place, the Minister will again have a kettle that is boiling furiously. That shows the difficulties we face.

Richard Arkless (Dumfries and Galloway) (SNP): The right hon. Gentleman is making a characteristically powerful speech. Does this not cut to the heart of the issue? If a substantial proportion of the prison population is locked up for 22 or 23 hours a day, prisoners' frustration and the decimation of the relationship with the officers

will be causing the tension. The officers are powerless to stop that, and it is directly triggering the increase in violent disorders.

Mr Hanson: I thank the hon. Gentleman—or my hon. Friend as I will call him—for his support of that particular assertion of mine, but it is one factor in a range of factors. Fewer officers are dealing with frustrated prisoners who have more and more challenging needs because of drug abuse and mental health problems and cannot participate in any important training, support or even recreation. That is part of the pressure cooker that is the Prison Service.

What strategy does the Minister have for looking at safer custody issues, the risk assessment changes or the prisoners coming in? When I was Minister, I regularly chaired a safer custody group. I do not know whether the Minister does that. Will he tell us whether he does, and if he does not, why? He should focus on what we can do to make custody safer. What assessment has he made of the pressures created by gangs in prisons? Such gangs cause difficulties, which prison officers, given their smaller number, are finding it more difficult to deal with. What innovations will he introduce to tackle prisoners' mental health problems? We have an ageing prisoner population because of historical sex offences. What impact is that having on the care given by prison officers? Are they unable to deal with other types of prisoner because they have to invest more in that cohort of older prisoners? What assessment has he made of prisoners with sentences of imprisonment for public protection, whom we have talked about? Everyone agrees that those prisoners need to be released if they are over tariff and able to be released into society, but the assessment of support for them is not being carried out to the extent that we want it to be, so there is an element of frustration there as well.

All those things are in a difficult and challenging pot. Prison is never an easy place for the people who are in it, the people who work in it or the people who have policy responsibilities for it, but I want the Minister to put some more meat on the White Paper. I want more discussion—a discourse—with him and I want him to explain where he is heading. The Harris review made wide-ranging and simple recommendations, but the Government have accepted only 29 of those. Will the Minister revisit some of those recommendations to see whether they would help reduce the pressure on prison populations?

Finally—I have had a good run at the time available—as the Minister knows, there are measures that could be taken to help address the problems in prisons but that would be difficult to manage politically. If overcrowding is part of the problem of violence and stress in prisons, there are groups of people that we could look at removing from prison or sentencing to less time in prison. This is not an attack on the Government, who have indicated that they want to look at reducing the number of prison sentences of less than 12 months. There is no point sending someone to prison for 14 days or 30 days when they will come out and find their whole life in a skip in the centre of London, Birmingham or Newcastle; they will reoffend. There is no point giving many of the women my hon. Friend the Member for Stretford and Urmston is particularly concerned about short prison sentences for not paying their television licences, or for offences linked to their lifestyle, perhaps involving drugs or

prostitution, which could be tackled with a firm community sentence. The Lord Chief Justice told the Justice Committee as much last week.

There is a whole cohort of foreign national prisoners, which we talked about on Tuesday. In my experience, ministerial drive is needed to secure the removal of certain foreign national prisoners from the UK to their home nations, so which countries is the Minister focusing on? What efforts is he making to secure the transfer of such prisoners? Every prisoner who goes out to a foreign country leaves a space and allows pressure to be taken off the UK system.

I hope I have not rambled too much. The Minister's role is difficult and challenging, but every indicator is going in the wrong direction. The Government have responded in part—they have set a series of aspirations. My purpose in securing this debate was to give the Minister a chance to flesh out those aspirations and allow other hon. Members to hold the Minister to account and ask him what he is going to do in the next 12 to 15 months, so that we can see whether there is going to be a change. I say to him in a non-threatening way that if, despite the actions he takes, the indicators continue to go in the wrong direction, the House will hold him and the Secretary of State to account for the actions that they could, should and must take to alleviate those pressures.

Prisoners and people who work in prisons have a right to safety, and the public whom we all represent have a right to see the people who leave prison after their sentences—I remind hon. Members that that is ultimately most prisoners—return to society in a way that does not lead to further reoffending and prison sentences.

2.5 pm

Kate Green (Stretford and Urmston) (Lab): It is a pleasure to contribute to this debate with you in the Chair, Mr Nuttall. I am grateful to my right hon. Friend the Member for Delyn (Mr Hanson) for creating the opportunity for this matter to be debated.

We can all agree that we are at an acutely dangerous moment in the management of our prisons. I know that the Minister and his ministerial colleagues are not in the least bit complacent about that, but it has been some years since such a cocktail of problems has created such a sense of instability, insecurity and danger in our prisons. As my right hon. Friend clearly exposed, that is being driven by several complex and interlinked factors that require both immediate action by Ministers and long-term reforms to address some of the underlying drivers of the situation we find ourselves in.

My right hon. Friend talked about some of the most pressing issues that the Minister faces. He talked about overcrowding and the difficulties that creates for managing prisons and engaging prisoners in effective and purposeful activity. He talked about the dramatic staff reductions, particularly the loss of experienced staff. The Minister has ambitious recruitment plans to replace many of the officers who have been lost over the past couple of years. That is welcome, and I join my right hon. Friend in congratulating him on securing additional funding in the autumn statement. However, as we have heard, not only will we inevitably need to over-recruit, but time will need to be spent training and equipping new staff to carry out their roles in prisons. I would be grateful if the Minister said a little about the training that new staff will undergo.

There are other factors that relate less to the decisions that Ministers have taken over the past couple of years and more to the external things that are having a bearing on our prisoners. My right hon. Friend mentioned the dramatic rise in the use of vicious new psychoactive substances and the changing make-up of the prison population, which is making management of prisons an even more challenging task. I do not underestimate the difficulty for Ministers of dealing with that range of complex and pressing problems—I understand that it is difficult to deal with those all at once with immediate effect—but we cannot tolerate another day of the current danger and insecurity in our prison system. We are sitting on a tinderbox, and urgent action is needed to get our prisons back under control.

I do not think the answer can be toughening the regime alone, although it is absolutely right that prison staff and officers have effective control of our prisons; control must not be ceded to prisoners or groups of prisoners. Our prisons work when there is a management model that emphasises consensus between those in custody and those who control them, but in the end prisons must be in the hands and under the absolute control of governors and staff.

Too often, the kinds of activities that we have seen recently—in Bedford and Pentonville, for example—give us a sense of control being lost. As the past year or so has shown, toughening the regime alone will not address that. Under previous Lord Chancellors, aspects of the regime have been toughened. The incentives and earned privileges regime was toughened, and there has been a more restrictive approach to release on temporary licence. Appropriate use of such mechanisms may have a part to play in the good management of a prison, but it is clear that in and of itself, that will not be sufficient to return our prisons to the state that we want to see them in.

My right hon. Friend talked about the particular pressures that Prison Service staff experience. I am well aware that theirs is always a challenging and difficult job, and one that perhaps does not command the respect that it should in wider society. Indeed, prison officers have said that themselves and that was referred to in the evidence that Michael Spurr gave to the Justice Committee earlier this week.

When the Minister responds to the debate, I will be interested to hear about not just what he intends in terms of recruitment, training and professional development for prison staff, but what we can do collectively and what the Government can do to enhance the professional status and regard in which prison officers and prison staff are held across wider society; that is one way in which he can fulfil his ambition to recruit more easily and recruit high-calibre staff with the skills, competences and attributes he would look to have in our prisons. I hope he will be able to say a little on how he intends to improve prison officers' status, remuneration, incentives—my right hon. Friend talked about that—and training, and what support he envisages will be available in prisons for staff who are under great mental and physical pressures, to ensure their continued and improved wellbeing.

Overcrowding is obviously a problem that has been building up over many years. The Minister will say, quite correctly, that the prison estate still has many old Victorian, unsuitable prison premises in the portfolio. It takes time to replace those with modern, fit-for-purpose buildings. I welcome the new build programme that

[Kate Green]

Ministers have in train, but no matter how much rebuilding, repurposing and refitting of our prison estate Ministers are able to undertake, the underlying problem is the size of the prison population. We need to look at a means of addressing that.

I am afraid I am one of the people who just cannot see any objective case for our prison population having gone from about 45,000 20 years ago to more than 85,000 today. I know that crime has fallen in that period—I readily accept that—and some of that may be attributable in part to the use of custody, but the case for that correlation has not been compellingly made to me or, I suspect, the wider public in a way that demonstrates that the substantial increase in custody in the past 20 years can be wholly justified or explained. It really is time to be prepared to answer some hard questions about the number of people we incarcerate—something I was concerned to hear the Minister was only half-willing to grapple with when he was in front of the Justice Committee earlier this week; in some ways, I think it is still felt to be in the “politically too difficult” box.

I welcome what the Minister talked about when he came to the Justice Committee on Tuesday: attempts to divert offenders to alternative provision, away from custodial sentences. I also welcome the initiative first brought in under the coalition Government and now being rolled out under this Government of post-release supervision for those who have undertaken short custodial sentences. We have all known for many years that, where such sentences are appropriate—they often are not—the high rates of recidivism among that group of ex-prisoners should give us deep concern. I therefore welcome programmes to put post-release supervision in place for those offenders.

However, one consequence of that approach has been, perversely, to drive up the prison population in relation to the number of those who have been released following a short custodial sentence and then breach their post-custodial supervision arrangements. If we look at the latest offender management statistics, published for April to June, we see that of 5,512 licence recalls, 2,045 were of prisoners who had been serving sentences of less than 12 months before release, which represents an increase of 79% over the same period in the previous year.

There is a particular concern in my mind about the effect on women offenders, because they are more likely to be serving shorter sentences. Therefore, incarceration following breach during supervision on licence is likely to be bearing particularly harshly on them. While, as I said, I welcome the post-release supervision arrangements put in place, it is time for us to start asking the hard question of Ministers of whether we are now seeing an unintended consequence of the way in which the arrangements are implemented that means that more offenders are coming back into custody than might previously have been the case.

My right hon. Friend mentioned the long-standing concerns about IPP, or imprisonment for public protection, prisoners, which I share. I am concerned that, although four years ago the coalition Government removed the IPP sentence—that did not have retrospective effect—the rate of progress since then has been slow in releasing those prisoners in custody on an IPP arrangement,

particularly because the report by Her Majesty’s inspectorate of prisons shows progress has been “painfully slow” in releasing prisoners at the appropriate time.

IPP prisoners still form 16% of the prison population, and some have experienced very long periods of incarceration over the length of their tariff, especially those—about a fifth of them as of March last year—who had received an original tariff of less than two years. Bearing in mind that no one after 2008 will have received an IPP arrangement if they had had a sentence of less than two years—it was no longer possible after 2008—we are talking about some people who now, the best part of 10 years after the sentence has been imposed, are still in custody on an IPP arrangement. I venture to suggest to the Minister that that might be a group for early attention in looking at whether there are opportunities for some to be released.

A number of approaches could be taken. Obviously the protection of the public and risk factors will be on the Minister’s mind, and I understand that, but we must look both at opportunities to identify those prisoners who could and should now be released and at those who Ministers do not yet feel confident in releasing. What programmes are being put in place in our prisons to enable them to progress to the point where it will become safe for them to be released?

We know that the Ministry of Justice has set up a dedicated unit to look at the IPP prisoners issue. I have no idea what that unit has been doing, so I hope the Minister will enlighten us on its plans for the future and on the progress and impact it has been able to make to date.

Finally, I want to talk about a group that, as my right hon. Friend rightly pointed out, I am always concerned about in our custodial system: women in prison. It is my firm view that there are many women in our prisons who are there not because they pose a risk or threat to society but because they have been driven there by a set of circumstances in which they have been victims of abuse and traumatic life circumstances. Women in custody are more prone to self-harm, and there are many with complex needs.

There is widespread agreement about the opportunity to try to bring down the number of women in our prisons and the fact that prison closures, such as the recent closure of Holloway, offer an opportunity to reconfigure the custodial estate to meet the particular needs of women offenders. It is now nearly 10 years since Baroness Corston’s seminal report on the management of women in the penal system. At that time, she recommended that it was inappropriate for women to be in large custodial institutions and that most would be much better supervised in the community, making use of, for example, women’s centres, enabling them to stay close to their home, to continue to look after their children and maintain their community and family ties. She also said that, for that small group of women for whom custody is necessary, it would be appropriate to hold them in much smaller, local, secure units.

I want to ask the Minister specifically about his intentions in relation to that group of offenders. When I asked the Justice Secretary about the issue in the Chamber on 3 November, she said that she did intend to replace some of the old women’s prisons with small, local custodial units. However, I understand that that is not necessarily the kind of secure, very small and very local

unit envisaged in the Corston report. I ask the Minister to be a little more specific about how local those local units will be. Given that not many women are in custody, and that there are fewer institutions across the country, women are inevitably held further from their families in many cases.

How small will those units be? How many women does the Minister envisage will be in each, and how will they be designed and adapted to meet the specific and particular needs of women in custody? What kind of regimes and opportunities does he envisage being on offer for rehabilitation and, indeed, to address the underlying problems that have led women into offending behaviour?

The Minister has a real opportunity right now, if I may say so, because this is probably a once in a generation reconfiguration of the estate. He has a real chance to do something bold and future-proofed—particularly for that small group of women offenders who need a custodial sentence. I hope he will be bold and will be able to offer if not specific plans, at least a willingness to explore as broadly as possible what those Corston units might look like in today's context.

My final point is about new psychoactive substances; I want to press the Minister a little more on the proposals in the White Paper around attacking those pernicious substances in our prisons. I am aware that Ministers want a more assertive testing regime, and I understand why, but those regimes have historically not been successful. They have quite often run into difficulties such as, for example, motivating offenders to switch to the use of a different—perhaps less easy to detect—substance. There is a real issue in relation to those new substances, which, as the Minister knows, are constantly mutating and changing as new forms and versions of them are developed. I am interested to know how he intends for his new testing regime to keep ahead of that curve.

In the end, the answer to the rise in the use of those dangerous substances will not be found, to any considerable extent, in mandatory testing, but in offering purposeful regimes that get prisoners out of their cells and engaged in activities that improve their learning, their employment prospects and their social engagements. The incentive for prisoners to use such substances is to combat the boredom and distress that they otherwise feel when locked in their cells—for up to 23 hours a day, as my right hon. Friend the Member for Delyn said. The answer must lie in a change of regime, which is not to say, of course, that the Minister is not right to want to do all he can to keep those substances out of prisons altogether.

As I said, I do not think that there are simple answers to the many problems now pressing on our prison system. However, as my right hon. Friend made clear, we now need very quick answers. We cannot go on with the pressingly dangerous situation that we find ourselves in. Like my right hon. Friend, I look forward to hearing how the Minister intends to put flesh on the bones of the White Paper, and how he intends to make an immediate difference to the situation that we face.

2.22 pm

Richard Arkless (Dumfries and Galloway) (SNP): It is a pleasure to serve under your chairmanship, Mr Nuttall. I think this is the first time; I may be mistaken. I first pay tribute to the staff who work in our prison estate, not only in England and Wales but across all nations of

this union. At the moment, they are all hard pressed and they feel demoralised and isolated, and we ought to recognise that—and I think we do. I hope the Minister will say something likewise to reassure them that they are in his thoughts at what is an unquestionably difficult time for them.

We have heard two speeches and on the plus side both were excellent, but on the negative side they have left me very little to say. The right hon. Member for Delyn (Mr Hanson) gave a characteristically powerful speech, in which he pointed out with great clarity that the direction of travel of the statistics is troubling. We ought to recognise the difficulties for prison officers, not only because it is polite and respectful, but because of the vivid statistic, mentioned by both Members who spoke, that 6,000 prison officers are assaulted each year while at work. That is up 43% on the previous year and translates, on the ground, to 16 assaults a day—three of which are serious assaults. In that context, it is no wonder that they feel demoralised.

The right hon. Member for Delyn began his speech on the premise that things are not quite right, which I think is somewhat kind. He laid out some pertinent questions, and I will be interested to hear the Minister's replies. He was right to praise the Minister's aspirations, because there is no doubt that this is a difficult job—a point well made by the former Minister for prisons, the hon. Member for South West Bedfordshire (Andrew Selous). It is not an easy job, and it is right to have those aspirations, but the right hon. Gentleman is also right to ask for some meat to be put on the bones of the White Paper. I hope the Minister will provide some clarity.

The hon. Member for Stretford and Urmston (Kate Green), my friend, gave an excellent speech, and she clearly has a keen and detailed interest in the topic. She was right to say that we stand at an acute point, and that a “cocktail of problems” necessitates the change that we all want to see. She was right to say that we need to work towards a consensual model, and that toughening the regime will not work. The relationship between inmates and officers is key, and she put that point very well.

I also pay tribute to the hon. Lady for raising what is not an easy issue to raise, as it is perhaps not politically sexy or attractive—the size of the prison population. I do not believe that we serve society, our prison officers or our youth well by locking people up for short sentences. The Scottish Government have introduced an assumption that short sentences are only necessary in the most extreme of circumstances. The point she made about people going in for short sentences, coming out on licence, breaching that licence and ending up in a perpetual circle in and out of prison, does not serve anybody well. I beg the Minister to have a serious and detailed look at the use of short sentences, and to try to at least recognise that the increasing prison population is a huge contributing factor in the problems that we are speaking about. The hon. Lady deserves credit for making that point.

Why have we ended up in this situation? As has been discussed, a cocktail of factors—including synthetic drugs, mobile phones, drones and other external factors—is causing this problem. However, I want to make it abundantly clear that I see one problem—resources—as more pertinent than the others. I am honoured to be a member of the Justice Committee. We travelled to Wandsworth prison a few months ago, and we heard from both prison officers and inmates about the stress

[Richard Arkless]

being put on the relationship between the two by lack of resources. The majority of the prison population are locked up in their cells for between 22 and 23 hours a day, simply because there are not enough officers to get them out of the cell and into purposeful activity.

Detecting drugs with new measures, introducing mobile phone blocking systems and drone no-fly zones, and getting prisoners out of their cells for more than two hours a day all depend on resources. They depend on having enough prison officers to make them happen, and clearly we do not. We have lost 7,000 prison officers over the past six years, while the prison population has increased.

It is laudable that the Minister recognises that and notes that we need to increase the number of prison officers, but we have a huge retention and training problem. To June this year, there was an increase of 500 officers, but that took a recruitment drive of nearly 2,500. There is an endemic problem with prison officer morale that will make it difficult to get the number of prison officers that we need. The right hon. Member for Delyn crystallised it perfectly by saying that although we have ambitions to recruit another 3,500 officers—which I applaud; it is the right thing to do—current problems dictate that we will need to recruit some 8,000, or perhaps even more if the situation persists.

I will finish with a quote from the Justice Committee from earlier this year, which sets it out in stark terms. Even though we have differing views on some things, all members of the Justice Committee agreed on this point:

“In particular, we conclude that the fall in staffing levels...are bound to have reduced the consistency of relationships between officers and prisoners, and in turn affected safety.”

Without the numbers on the ground, we cannot get inmates into purposeful activity. If we do not get them into purposeful activity, their agitation and frustration grow, and the manifestation of that is the violence that was so adequately demonstrated in the statistics given by Members. I am interested to hear what the Minister has to say, I recognise that his is a very difficult job and I would be grateful if he, too, could pay tribute to the service of our officers, who are so hard-pressed at this time.

2.30 pm

Yasmin Qureshi (Bolton South East) (Lab): It is a pleasure to serve under your chairmanship, Mr Nuttall. May I start by echoing the sentiments of the hon. Member for Dumfries and Galloway (Richard Arkless) and paying tribute to the hard work of our prison officers, who face daily dangers and carry out valuable work? I am grateful to my right hon. Friend the Member for Delyn (Mr Hanson) for securing today's timely and important debate, which I am pleased to be able to respond to. Given his experience as a Justice Minister and a member of the Justice Committee, his views on the current situation and what must be done are most welcome.

There is clearly an agreement that the current prison system is not acceptable. My hon. Friend the Member for Stretford and Urmston (Kate Green), a member of the Justice Committee, highlighted additional areas of concern, such as IPP prisoners. The state of our prisons and the growing levels of violence shame our nation.

Prisons are becoming increasingly volatile and dangerous environments for both staff and prisoners. In the 12 months to June 2016, there have been nearly 6,000 assaults on staff, 24,000 prisoner-on-prisoner assaults and 105 self-inflicted deaths of prisoners, an increase of 13% from the previous year. There are 6,000 fewer officers on the frontline than in 2010. Ministry of Justice statistics show that poor mental health and distress among prisoners is higher than among the general public. Incidents of self-harm in prison have increased by over 25% in 2016 from the previous year.

Nick Hardwick, the former chief inspector of prisons, has said that prisons are at their worst level for a decade. We have seen riots breaking out at Her Majesty's prisons Moorland and Bedford and prisoners escaping from Pentonville. While the prison staff and the tornado teams who deal with these incidents should be commended, it is clear that prison conditions are simply not good enough. Violence continues to increase and safety continues to decrease.

The austerity experiment on our prisons has failed. Working in prisons has become less appealing and more dangerous. The presence of fewer officers, who are overstretched and overwhelmed, means a stricter and increasingly unsafe prison regime. It means that prisons cannot effectively reform and rehabilitate in the way that prisoners and wider society need.

Staff shortages meant that a prisoner was not allowed out to visit his dying mother. He was allowed a phone call, but it was too late; his mother's life support machine had already been turned off. It has still not been confirmed whether he will be allowed to attend her funeral. Again, that is the result of staff shortages. When questioned on that issue at the Justice Committee on Tuesday, Michael Spurr of NOMS was not even aware of the incident. Will the Minister confirm when he became aware of that incident? How often do such incidents take place in our prisons?

Front-line prison officers leaving their jobs outstripped new recruits over the past year. Almost 14% of prison officers leave the prison after serving less than 12 months. The Government have failed to explain how they will deal with the problem of retention. Even more alarmingly, it appears that the number of deaths will not form any part of the assessment of how safe a prison is.

Mr Gyimah: On that point about whether the number of deaths will form part of how prisons are evaluated under our reform programme, I refer the hon. Lady to the White Paper. It explicitly says that under safety, deaths in a prison will be one of the outcomes looked at.

Yasmin Qureshi: I thank the Minister for that clarification.

Some 324 people have died in prison this year so far, which includes 107 suicides. It appears that assaults on prison officers by prisoners are not being appropriately dealt with. Although the Minister has said there is “swift justice”, and although we welcome a zero-tolerance approach to violence, it is increasingly clear that prison officers do not feel safe at work. Has there been any consideration of what impact consecutive sentences for assault will have on prison capacity and overcrowding?

It is clear that a range of hugely complex issues need to be considered in order to reform the prison system. While I welcome prison reform, I am afraid that the

Government's White Paper does not provide the rapid action that our prison system so urgently needs and has long asked for. It is a matter of particular concern that despite a sustained recruitment exercise, described by one Minister as going at "full throttle", the net increase in public sector prison officers was only 440 last year.

While the commitment to increase the number of prison officers by 2,500 is much needed, it is not a cause for celebration. Four hundred of those jobs have already been announced, and it is 2,500 extra after a reduction of more than 6,000 on the frontline. Where will the first 400 go? How will they be allocated to prisons? How were the 10 most challenging prisons identified? They do not appear to be among the worst prisons for violence and self-harm. As it stands, this is far from being the biggest overhaul of our prisons in a generation.

The lack of detail in the White Paper is worrying. It is difficult to believe that these proposals have been fully thought out. Instead, they seem to have been hastily assembled. That is indicative of the lack of detail in the Ministry's proposals on, for example, mandatory drug-testing. We are told that the drug testing regime will be enhanced,

"supporting governors to enable drug testing on entry to and exit from prison as part of a more extensive testing programme, increasing the frequency and range of drugs tested for".

Putting aside whether mandatory drug testing has proved effective, given the widespread availability of drugs in prisons that could add thousands more tests each year, but there is no analysis of the impact on cost and staff resources, especially as both are in short supply.

Mr Gyimah: The hon. Lady seems to be disagreeing with a lot of the proposals in the White Paper. Can she tell us what she would do instead to sort out our prisons?

Yasmin Qureshi: I am not disagreeing with the White Paper; I am saying that it fails to deal with a lot of issues. There are a lot of unanswered questions in it. On one level, the Government want there to be more drug testing, but the question we are asking is: what about the impact on staff and resources? The White Paper singularly fails to provide answers on the details. For example, it says there will be rehabilitation and education programmes, but who will provide those? Where will the money come from? Will there be an unlimited pot? A number of issues are not clear in the White Paper. I look forward over the course of the next few months to hearing how the Department will deal with those issues.

What do the Government think they will learn from testing on entry and release, given that prisoners will most likely simply avoid drug taking in the run-up to those periods? The argument that counting the problem—and not even counting the problem in a particularly robust way—is the same as dealing with it seems unrealistic, at best.

Overcrowding is another issue contributing to the level of violence in prisons. As of July 2016, 76 prisons—just over 60%—were overcrowded. Overcrowded prisons held 9,700 more prisoners than they were designed to hold.

The White Paper sets out a programme for building new prisons, but also points to more prison closures. Since coming to power in 2010, the Government have announced the closure of many prisons, with a combined operational capacity of over 4,100. Again, the Government's

policy is muddled. Are they trying to build their way out of overcrowding or will they address the number of prisoners coming into the system?

Finally, we all acknowledge that the prison system is no longer working and is increasingly unsafe. The Justice Secretary continues to say that prison reform is a priority, but the level of violence in prisons has not even stabilised, let alone begun to improve. Urgent action is needed now, not in a few months or a few years. The matter goes beyond politics. Livelihoods are at stake and lives are at stake, and the fact that we have unsafe prisons must not be ignored.

One of the main reasons why prisons are unsafe is the number of prison officers who were made redundant and the reduction in their number. We have been told that we need at least 8,000 prison officers to deal with prison safety and prison issues. The Government do not seem to have got anywhere near achieving that. Will the Minister think about the prison officers who have been made redundant? Has there been any consideration of the idea of re-employing them, even temporarily? The Government say they are trying to deal with the matter, but if they had not cut the number of prison officers in the first place, we would not be the mess we are now in.

2.41 pm

The Parliamentary Under-Secretary of State for Justice (Mr Sam Gyimah): I am pleased to serve under your chairmanship, Mr Nuttall. This debate has been conducted sensibly and the former prisons Minister, the right hon. Member for Delyn (Mr Hanson) made a powerful case.

The challenges facing our prisons are indisputable. The statistics make grim reading, as do many reports from chief inspectors of different prisons. I do not dispute much of the right hon. Gentleman's analysis of the problem. He rightly referred to our White Paper, which responds quite well to the challenge, although he was right to challenge us on the detail, as did the Labour shadow Minister, and to ask when implementation will take place.

The White Paper commits us to introducing legislation in the next Session on a number of measures. As I said to the Select Committee, we will introduce a Bill covering some of those measures. However, some do not need legislation and we will crack on with them. Over the next few weeks and months, the Justice Department will make several announcements on many of the issues that the White Paper touched on, demonstrating how we will implement what we have discussed in it.

Our brave and valuable prison officers work hard in our prisons and do a tremendous job. Whenever I visit one of our prisons, I make sure I spend time with the staff. I spend time with members of the Prison Officers Association and other staff to hear their experience of the challenges facing them, because I firmly believe that to understand the front-line challenges there is no substitute for speaking to those who are doing the job.

That is why it gives me great pleasure to announce—the House is aware that we have been in discussion with the Prison Officers Association on health and safety, pay and pensions—that we have come to an agreement with the association's national executive committee on a new pay and pension package for front-line staff that it will recommend to their members. We have also agreed a significant number of health and safety reforms, as well

[Mr Sam Gyimah]

as new powers for governors to deploy their staff. That is a big step. Many questions have been asked about retention and how we value our prison officers. Hon. Members will hear the details of the deal after the debate, but it goes a long way to show how we value prison officers and should help to retain the best officers in the service.

Caroline Flint (Don Valley) (Lab): I apologise for not being here at the start of the debate. I was involved in parliamentary business in another part of the estate.

The Minister's announcement is very welcome. In my constituency, I have three prisons where the staff are represented by the POA, and there is a private prison in Doncaster where the Community union, which I am a member of, represents a number of people working in the justice sector in that establishment. Has the Minister spoken to representatives of the Community union to make sure we have consistency across the prison estate, both private and public?

Mr Gyimah: I am not sure what consistency the right hon. Lady is referring to.

Caroline Flint: I am sorry if I was not clear. Will the terms and conditions, numbers and all the other factors the Minister constructively announced a moment ago be shared by the private establishments as well as the public ones?

Mr Gyimah: Obviously, private prisons determine pay and conditions. The deal we have agreed is for members of the Prison Officers Association in bands 3 to 5. I will write to the right hon. Lady with more details.

I echo the concerns raised by the right hon. Member for Delyn on this important topic. I hope the new money we secured for staffing, the new money for the Ministry of Justice and now the new deal on pay, pensions and health and safety indicate that, as I said in my intervention, our interest is long not just on aspiration. We are determined to deliver. This is all happening in the four months the new team has been in post.

The right hon. Gentleman rightly challenged us on the White Paper and on providing concrete plans to tackle drugs, phones, recruitment and the old Victorian estate. We have announced a comprehensive plan to tackle these and other crucial components of the prison system. Despite the inevitable time lag—it will take time because some of the problems have been long in the making and did not arise overnight—we are working to make sure that what can be delivered today will be delivered, and we are confident that we will see lasting benefits in the coming months and years.

As we set out in the White Paper last month, we will invest £100 million to recruit an additional 2,500 staff. Reference has been made several times to the number of staff in 2010, but we have closed 18 prisons and secure detention centres since that date. More importantly, our desire to recruit 2,500 extra staff is based on evidence. We want to create a system in which every prison officer handles the cases of six prisoners. That is what we call the new offender management model, which was recommended in the Harris review, which Members have mentioned. We are implementing it via our new staffing model.

The investment will provide the capacity for prison officers to play a dedicated officer role and to build constructive relationships. As the former prisons Minister is aware, we are talking about a people business: it is about relationships and about prison officers being able to listen prisoners' frustrations, to diffuse tensions and ultimately to reduce the level of violence. That is a vital component of our plan to stabilise and then decrease the level of violence, self-harm and suicide, as well reforming offenders more generally. With nearly half of all offenders going on to commit crime within a year of being released, we believe that giving each prisoner a dedicated officer will help prisoners to turn away from crime in the long term.

We recognise the challenge in recruiting an extra 2,500 staff. That is why, as I told the Select Committee, we will launch a number of initiatives to help us to do that.

Yasmin Qureshi: The Minister says that 2,500 extra staff will be employed, but achieving the things that he has mentioned will require far more than 2,500 prison staff.

Mr Gyimah: That figure is 2,500 new staff over and above what we would ordinarily recruit. In the Select Committee, the National Offender Management Service chief executive, Michael Spurr, made it clear that in practice that means we will have to recruit 4,000 staff next year and 4,000 staff the following year. It is a challenge, but that is why we have new resources and investment. We will also do it completely differently from how it has been done historically. In the past, prison governors did not have the freedom to recruit themselves. They could not hold open days or advertise locally. People who ended up being recruited into our Prison Service had never visited their place of work or met anyone they will work with beforehand. In addition to the national recruitment effort, we will give the governors of the 28 most challenging prisons the power to recruit for themselves, and that will make a huge difference. It is a question of someone seeing an advert on the internet versus seeing that their local prison is recruiting and they could get a local job.

A question was asked about pay supplements and where they would apply. In fact, that is already happening. For example, HMP Feltham can pay £4,000 extra per person in recognition of how difficult it is to recruit there. Many of the people that Feltham would interview might be choosing between a job there and working at Heathrow airport, which they might feel is a less aggravated environment in which to work. That is why in those establishments the governor can use a supplement to attract staff. For our 10 most challenging jails, we had a target of recruiting 400 staff and we allocated £14 million for that. We are halfway to that target already, so we are making progress.

We all need to recognise that prisons today are in a very different place from where they were 10 years ago. The issue of new psychoactive substances has been mentioned, and we cannot gloss over that. Those substances are incredibly dangerous. In one incident, even the officer who went to help someone who was on those drugs had to be hospitalised because of how potent the drugs are. I mentioned in the Select Committee that taboos are being broken. Prisoners never used to attack female prison officers, but we have seen such incidents, including potting. Also, prisons magnify the community outside, so gang violence is being imported into our

prisons. We are also seeing serious cases of mental illness. Yes, staffing is part of the solution, but the problem with which we are dealing, as the right hon. Member for Delyn recognises—he is nodding—is incredibly complex. We must ensure that we deal with it.

Richard Arkless: Of course I welcome the proposal to recruit 4,000 prison officers in each of the next two years. Is that a net figure and, if so, what is the gross figure that the Minister is aiming for? We have a huge retention problem, so to get to a net figure of 4,000, we would need to recruit substantially more. What is the figure?

Mr Gyimah: Four thousand is the net number that we need to recruit to meet our targets. *[Interruption.]* The hon. Gentleman asks what the gross figure is. A lot of people are leaking through in different areas of the prison estate and I cannot give the overall gross figure.

Mr Hanson: I think the Minister means that the 4,000 each year is a gross figure and, at the end of that, there will be a net figure of the 2,500 to 3,000 he has mentioned. Otherwise, he is committing to 8,000 new prison officers in the next two years. I would welcome that, but I would not want him to commit to it because he might have to increase his expenditure significantly.

Mr Gyimah: I thank the right hon. Gentleman for that helpful clarification as I leaf through my notes.

Mr Hanson: I am here to help. *[Laughter.]*

Mr Gyimah: Yes. The Treasury would not welcome a commitment to new expenditure in this debate.

There are other challenges. We mentioned the challenges of mobile phones, and the right hon. Gentleman asked about the telecommunications restriction orders blocking mobile phones and other technologies. The legislation allows a prison, where mobile phone usage is suspected, to get a court order to block that specific mobile phone. It is a tool in a prison's armoury, but we need to deal with the problem on the industrial scale that it is happening in our prisons. The work that we are doing with mobile phone companies to block signals is the most effective way to ensure that we deal with the problem not on an incremental basis, but on an industrial scale.

Mr Hanson: I agree. This matter has been discussed for many years. Will the Minister commit to piloting mobile phone blocking in one or two prisons to see how it works in practice?

Mr Gyimah: We already have mobile phone blocking in some of our prisons. One challenge with mobile phone blocking is that in some prisons in urban areas we could end up blocking the mobile phones of people who are not in the prison. That is why we are developing a bespoke solution, working with the operators, and we have signed an agreement with them to go ahead with three jails early next year and then on that basis roll it out across the estate.

As for psychoactive substances, much has been said about drugs and our approach to them. We have trained more than 300 dogs to detect psychoactive substances. The point of mandatory testing, other than deterrence, is to help, because if someone is on those drugs, they need

treatment, and the only way we can know that they are on the drugs is by testing and finding that they need help to come off them, or punishment where that is necessary.

Kate Green: I ask the Minister to keep the effectiveness of mandatory testing under careful review, particularly in relation to those substances, because if they keep being reformed and redesigned to make detection more difficult, the testing will not keep up with the changes in the make-up of the substances being used. I am not saying that he should not be doing mandatory testing and I understand his point about a deterrent effect, but I ask him to keep the effectiveness of that approach under review and to undertake to report to the House regularly on what it is achieving.

Mr Gyimah: Of course we will keep the effectiveness under review. Drugs are such a problem in terms of prison violence, safety and the effect on our prisoners that we ought to do so because we have to deal with the problem, and we will keep it under review.

A question was asked about drones and no-fly zones. We are looking to work with drone operators to programme the co-ordinates of prisons into drones so that if someone buys a drone from the operator and tries to fly it into a prison, it just collapses before it reaches the perimeter. That is technologically possible. On the point about the physical infrastructure, we have seen improved netting and CCTV, which help in dealing with that challenge.

Caroline Flint: Many of these issues affect both public and private prisons. Will the Minister give me an assurance that the Government will take on board some of the issues about staff ratios just as much for contracts for private prisons as they will for public prisons? I would welcome it if he would write to me on that issue.

Mr Gyimah: Of course we look at the entire prison estate when we look at all those issues. Prisons are there to protect the public. All prisons, whether private or public, have the same objectives, and the measures that we are looking at apply across the prison estate.

When it comes to drugs and phones, a lot of crime underpins that activity. People make money from it, which is why we are investing in a new intelligence hub and a search capability. We will say more about that in due course.

I would like to say something about probation, which has not been touched on and is important if we are to turn around offenders. In addition to making prisons places of safety and reform, we must ensure that prisons work hand in hand with probation if we are to achieve lasting change with offenders. It is clear that performance at community rehabilitation companies, which manage low-level offenders, varies widely, and therefore we have launched a review of operations and standards. Public protection is our top priority, and we will take the necessary action to ensure that the probation system reduces reoffending. As with our plans for prisons, I want a simpler, clearer system in which probation is focused on outcomes rather than processes and with increased transparency and accountability. I want specific outcome measures that focus on getting offenders off drugs and back into work. We will look at what additional measures—

Motion lapsed (Standing Order No. 10(6)).

Durham County Cricket Club

[SIR DAVID AMESS IN THE CHAIR]

3 pm

Mr Kevan Jones (North Durham) (Lab): I beg to move,

That this House has considered Durham county cricket club and the England and Wales Cricket Board.

It is a pleasure to serve under your chairmanship this afternoon, Sir David. It is also a pleasure to have the opportunity to speak about one of Durham's passions—cricket—and the absolutely disgraceful and shameless way in which the England and Wales Cricket Board has treated Durham county cricket club.

I want to start with some of the background on County Durham's great cricketing history. The club dates back to 1882. The Riverside ground at Chester-le-Street in my constituency of North Durham has hosted six test matches since 2003, and memorably hosted the Ashes match against Australia in 2013. Most recently, in May, Sri Lanka visited the Riverside; I will talk later about the significance of that match and how it impacts on the issues that the club faces today. In 1992 the club joined the county championship and, after waiting 16 years, won the title for the first time in 2008, retained the trophy in the 2009 season and then won it again, for a third time, in 2013.

Throughout that process, the ECB has had a major influence on not only the Durham club but other clubs as well. One of the main decisions taken by the ECB a few years ago was to encourage county grounds such as Durham to hold test matches. That has led to a large amount of expense on the part of Durham cricket club to ensure that the standards needed for those matches are maintained. It has been a success, not only in making sure that those test matches are run efficiently but in bringing revenue into the club and wider community. That has been one of the key points: the local community has very much been a part of Durham county cricket club's journey.

County Durham has a very vibrant amateur cricket network. Most villages in County Durham have a cricket pitch and a cricket club. Most former collieries used to have cricket grounds and cricket teams. I look out of my constituency office in Sacriston on to the Sacriston cricket club, which is very vibrant, run by volunteers and has an active youth section. That situation is duplicated not only in my constituency but across County Durham. I pay tribute to those volunteers—mums and dads—who support junior cricket, and to older constituents who give up their valuable time to support local cricket in County Durham.

The Riverside has been a success. It has certainly been a boost to the economy of the town of Chester-le-Street, and has also been a boost to the wider region. It has also engendered a good following and new fans; people who were perhaps not natural cricket fans have come to enjoy cricket through the experiences they have had at the Riverside. Importantly, it has also turned many young players in Durham into huge success stories.

Dr Roberta Blackman-Woods (City of Durham) (Lab): My hon. Friend is making a really strong case. Does he agree that the test matches, in particular, have made

good days out for families in Durham, and have introduced a lot of young people and children to that standard of cricket, which is very much to be applauded?

Mr Jones: It is, and it is very important that the test matches and other events there have been family events. The other thing that the club has done—I pay tribute to it for this—is that it has actively gone out and worked with local communities and young people. It has not just gone for the easy targets; it has actually dealt with some very difficult-to-reach individuals who have then got into cricket. That has been part of the ethos of the club from the start: it has been community-based in Durham.

We have actually produced some notable successes—Ben Stokes and Keaton Jennings, to name just two—for the national squad. In this country the county sides develop young players and put them forward for our national squads. The ECB's decision, therefore, to relegate the club to division two of the county championship for the upcoming 2017 season, strip the club of the ability to hold test matches and then punitively deduct 48 points at the start of next season, is clearly going to have far-reaching effects on the club's viability. It is not clear to me whether the ECB had fully thought through the implications of its decision in terms of the cricket fan base in the north-east, the knock-on effect on producing professional international cricketers and the important impact on the local community.

Losing the ability to hold test matches will result in fewer opportunities for the Riverside's 15,000 capacity to be met. The opportunity to see world-class cricket in the north-east will obviously be diminished, and it will also have a devastating effect on local businesses in Chester-le-Street that are dependent on the cash input that a test match brings to the local town. It also robs the wider north-east of the opportunity to showcase ourselves internationally, which is something that cannot easily be replaced. Certainly, for small businesses, that cash injection from test matches is very important not only for local shops but for local hospitality; I am told that the increased footfall from just one test match can be equivalent to up to a month's takings.

Thinking about the younger generation of players that are coming into the game, it is quite ironic that the ECB's current slogan is

“from playground to the Test arena”.

Well, the decision of the ECB to penalise Durham in the way that it has will stifle the dreams of many young, aspiring cricketers not only in County Durham but in the north-east.

I need to cover quickly the events that have led to the situation that we currently find ourselves in. Let us start with the test match against Sri Lanka in May. In order to host the test match, Durham had to pay the ECB a fee of £923,000. It is very odd that supporting county grounds have to pay the ECB, but that is the way it has been—although I understand that it has now been suggested that that should change. There were some important impacts and partly because the ECB scheduled that test match so close to a match at Headingley, gate receipts in Durham were dramatically lower than had been hoped.

Clubs in the north-east—and possibly Glamorgan—do not generate the huge corporate interest and money that southern clubs do, but the ECB does not seem to

take that into account at all. I am told that ticket prices for a test match in the north-east have to be lower than they are in the south because of the economic buying power, but the ECB does not regard that as relevant.

If we fast forward to August this year, the chief executive of the club called players, following rumours in the local press that the financial situation was dire, to reassure them that the club was not going bust and all contracts would be honoured. Mr Harker was right. I want to put it on the record that the club has not gone bust, irrespective of what the ECB is trying to say. Talks were taking place between the club, potential investors and the ECB. In October this year the club was forced to accept a £3.8 million financial aid package from the ECB with draconian conditions. It has been described to me by those involved as not only a take-it-or-leave-it option but a gun-to-the-head option, as if to say, "If you don't take this, there will be no further support." Those are not the actions of an organisation that is there to foster cricket in all our regions and in the north-east.

Draconian conditions were attached. Durham was relegated from the county championship division one and docked 48 points for the next season, a handicap that would make it almost impossible for the club to make its way back to its former position. Also, points would be docked from future cup competitions. The situation was completely unprecedented in English cricket. This had never happened before. Also, the Riverside ground was told it could no longer hold five-day test matches, which is the only way that clubs such as Durham can raise large amounts of finance. That route has been cut off completely and, as I said earlier, local fans in the north-east have been denied access to first-class international cricket.

As if such penalties were not bad enough, the ECB then imposed a salary cap on the club from April 2017 to 2020. That means that the club will not be able to pay players above a certain threshold. That is to be determined by the ECB board on an annual basis. That will not only have a negative impact in terms of attracting international cricketers to come to play for Durham but place question marks over whether aspiring and developing cricketers will stay at Durham.

The financial difficulties facing Durham are not unique. Other clubs are in a similar situation and have mounting debt. Glamorgan was bailed out by the Welsh Assembly. Hampshire was facing financial difficulties. Indeed, Yorkshire, famous for its cricket ground, has debts of around £18 million, but it is in a fortunate and unique position because it has a very rich benefactor who also happens to be the chairman of the current ECB. Durham's only crime is that it has not had access to a rich benefactor with deep enough pockets or good enough connections to be able to see it through.

The news has been devastating for supporters throughout the north-east. My hon. Friend the Member for City of Durham (Dr Blackman-Woods) and I have had many representations from supporters who are constituents. When the news was announced, I wrote to the ECB to find out why the punishment that the club had received was so arbitrary and punitive. I asked whether the offer was a take-it-or-leave-it option. Also, I wanted to understand how the ECB regulations and the penalties that were imposed on Durham were arrived at.

There is, I understand, a set of ECB regulations for deducting points from clubs that get into financial difficulties, so I wrote to the ECB to ascertain how the regulations have been used in relation to Durham. I wrote to the ECB and asked for a copy of the financial regulations so I could see how its actions had been arrived at. I had a reply from Tom Harrison, chief executive of the ECB, on 18 October. I had asked whether he could furnish me with a copy of the regulations. I thought that would be a straightforward task. I thought the ECB would be able to produce them and explain how the points deductions were arrived at. However, in his reply, he said:

"With regard to points deductions, the ECB Board had to consider the points deductions under ECB's Financial Regulations and the fact that, but for the ECB's financial offer, Durham CCC was facing imminent insolvency. We do not currently publish the ECB Regulations governing points deductions, but we are reviewing that...in light of this case."

So what is the ECB's big secret? Why would it not publish the regulations? There is clearly a complete lack of transparency, which raises concerns for me and many of my constituents. I am quite tenacious in trying to get to the bottom of issues, and my two moles in the ECB have now sent me a copy of the regulations, which make very interesting reading. They cover the issue of a club becoming insolvent, but Durham was not. So I looked at the regulations to see if I could work out how the points deductions were arrived at.

Paragraph 6.4 on page 13 of the regulations states:

"A points deduction pursuant to Regulation 6..."—

—the regulation that covers the financial failure of a club and bankruptcy—

"shall be imposed in accordance with the Appendix attached hereto and otherwise on the following basis".

So then we go to the appendix at the back. It is a pretty simple system. If a club becomes insolvent, 50 points will be deducted from the current club or its successor club in the County Championship. Six points will be deducted in the Clydesdale Bank 40 and four points will be deducted in the Friends Provident t20. If we add those together, that is 60 points that could be deducted from the club.

Durham were relegated and then had 48 points taken away; if 50 points had been taken away, they would have gone into the next division. But where did the additional 48-point deduction come from? There is no mention in the regulations about the penalty of taking away test matches or of caps on salaries, so it is clear to me that the ECB has ignored its own financial regulations. What we need from the ECB as a matter of urgency is a clear explanation of how it arrived at that points deduction. It is not clear to me that it was in line with the financial regulations; my mole, whom I talked to yesterday, said exactly that: that the decision of the board is clearly not in line with those regulations.

The chair of the ECB, Colin Graves, who also used to be the chairman of Yorkshire and was a founder of Costcutter convenience stores, clearly does not understand his own rule book. Two weeks ago, in an interview on the Durham situation in *The Daily Telegraph*, he said:

"The punishments are there within our rules and regulation of penalties for financial irregularities for not being sustainable. We did not create them on a wing and prayer. They are there in the financial laws of ECB."

[Mr Kevan Jones]

I am sorry, Sir David, but the ECB was on a wing and a prayer, because it was clearly not in line with the regulations. Mr Graves clearly knows quite a lot about cost cutting, but he is not an expert at cutting corners when it comes to interpreting the ECB's rules. What he told *The Daily Telegraph* is completely wrong.

As for the draconian measures, the ECB needs to explain how its decision was arrived at. There is no reference to a club in difficulty; the reference is to clubs that are bankrupt. I reiterate that Durham was not bankrupt. In looking at how the decisions were reached, we need to know not only the chronology of the meetings, but who was in the meetings that took the decisions. I am told by another mole in the ECB that the decision to penalise Durham was taken on a train and then endorsed by an ECB meeting conducted by telephone conference. If that is so, it is not the way to arrive at such decisions.

If the ECB was to take such unprecedented steps, surely a document should have been produced to explain the rationale for them, with a reference to the regulations, for the consideration of those taking the decision. I challenge the ECB to publish details of the process. It is not clear to me, or my two moles—or many people in the cricketing world to whom I have spoken—how the decision was reached.

I have been speaking to people in and connected with the ECB in the past few weeks, and I do not think that openness and transparency are the first things that come to mind when the ECB is mentioned. Matters to do with financial regulations should be in public documents. The Rugby Football Union's financial regulations are published on its website. What has the ECB got to hide in not releasing the information—unless it is to cover up the reasoning for and justifications of the punitive measures it took?

I want to explore how the decision was reached and who took it. The press has raised concerns about the role of Colin Graves, including his role in relation to Yorkshire cricket. It is clear that he, a wealthy man—or his family—bailed out Yorkshire county cricket club. Without that support it would clearly be in the same position as Durham.

Some have suggested that Mr Graves took the action because there would be a financial benefit to Yorkshire and other teams, as there would be one fewer ground at which to hold test matches. I have no evidence to prove that, and I certainly do not suggest that that was the sole reason for the decision. However, in his interview in *The Daily Telegraph*, Mr Graves claims that he no longer has any financial interest in Yorkshire cricket. I understand that he has put the debt, which is £80 million, into a family trust, which someone else now operates. All well and good, perhaps, but he should explain who the beneficiaries of the trust are.

The actions that Mr Graves has taken as a board member of the ECB will clearly benefit not him directly, perhaps, but his family. In most organisations or companies, an arrangement of that kind would mean absenting oneself from the decision in question. That is not because the individual would personally be trying to gain from it, but because of the idea that someone should not be seen to influence something that they or their family could benefit from directly. Mr Graves needs to explain the relationship.

I understand from my mole that at the meeting in question there were other ECB members who did not take part. In one case that was because the member used to play for Kent, which would benefit from Durham's relegation. If that applied to one board member, why did it not apply to someone with a family interest in a club that would benefit from Durham's situation? I do not say for a minute that that is why Mr Graves took the decision, but in any organisation decision making needs to be seen to be open and transparent, and beyond reproach, because of the possibility that decisions will be questioned.

Another thing that came up in the *Daily Telegraph* interview is the way in which county cricket gets test matches, bidding for them and having to pay the ECB for them. The way cricket operates in this country is that clubs generate players locally, to play at national and international level. The ECB generates large amounts of cash from television rights for covering test matches. I am told that something like 60% of that is retained by the ECB and less than 40% is returned to clubs. That is clearly the wrong way round. The clubs produce first-class players and need support at grass-roots level, and should be getting it. My mole also tells me that the ECB has reserves of £73 million. Money is sitting there that could be used at local level, not just to support existing clubs but to bring tomorrow's generation of kids into cricket.

There are also allegations—I have no evidence for them, but my mole tells me that this is quite open—that being an ECB member involves quite a good life, as far as the way it spends money to support its executives is concerned. That is up to the ECB, if it is what it wants to do, but if it means starving county cricket of much needed resources, that cannot be right.

I should like the Minister to think about the fact that while the ECB hoards money centrally and does not use it to support county cricket, public money is being used to support local cricket. In the case of Durham, there has been £3.9 million from Durham County Council and £800,000 from the local enterprise partnership. Some £6 million was put into Glamorgan on a local basis. Can it be right that in this country the ECB generates huge amounts of money from television rights and other things, which does not go to local clubs, while we expect the taxpayer to support local clubs, because people want them and enjoy them? It cannot be right.

The lack of transparency continues in the way the club operates at the moment. I want to talk about the appointment of its new board. It was announced a few weeks ago that Sir Ian Botham would be the chair of the new Durham board. It is a very strange situation; I was told of his appointment on the day of the announcement about deduction of points and relegation. He was appointed several weeks later. A condition set by the ECB was that he should become chair of the new Durham county cricket club.

Personally, I have nothing against Mr Botham; he has made a huge contribution to English cricket and should be commended on his tireless charity work throughout the country. However, there is a question over how independent he will be as chair. Is he speaking there on behalf of the ECB or on behalf of Durham? Interestingly, in the last few weeks—since he was appointed—he has got good headlines, but he has said nothing at all about the way in which Durham as a club has been treated regarding the points deduction. It will

be interesting to see over the coming weeks whether he will be a real champion for the club or just a mouthpiece of the ECB.

My next point is about the reformation of the board and what role the ECB will have in appointing the board's new directors. Is that yet another condition of the loan? If it is, Durham county cricket club will basically be an arm's length organisation of the ECB, with individuals who do not question anything the ECB do, but simply implement instructions from on high. That cannot be right; it is not in the best interests of cricket in this country, including County Durham, and many fans who loyally support the club will have a very low opinion of it.

What concerns me in all this is that the fans—the important people who support cricket in this country and in County Durham—seem just to have been completely forgotten in this entire process. Have their opinions been taken on board? Have they been consulted? Have they been given information? Clearly not, and that cannot be right if we want vibrant local cricket on a regional level in this country.

On the ECB and its finances, I have mentioned the situation whereby money is kept separate and some is then sent to clubs. The interview with Colin Graves in *The Daily Telegraph* mentions a change in that clubs in future that do not get test matches will be given up to £1 million. Again, we do not know how that figure has been arrived at. Likewise, the arrangement whereby clubs compete for test matches is to be scrapped. I welcome that, because in future, clubs such as Durham—well, Durham has been taken out of the equation, but other clubs—will not have to pay punitive charges upfront to the ECB to secure a test match.

We need a more fundamental look at the way in which English cricket is financed. Clubs such as Durham, which have been completely taken out of test cricket by this decision, will not be helped by the change, but the important thing is that we know how decisions about other clubs are taken. Which club gets which test match in future will be interesting. Again, that comes down to the transparency that we need to make sure the right decisions are taken.

It is scandalous that in 2016 we still have an organisation that is as clouded in secrecy as the ECB is. The first mole referred to the ECB as a very private club, which takes decisions and does not like being questioned when it does things. There is interaction between the ECB and Government, not only in the examples I have given in which public money goes into supporting English cricket, but in respect of the support for English cricket from Sport England and others.

A condition of the Government's providing that money should be that the ECB reforms the way in which it operates. Transparency has to be one of the key issues. Such things as having £73 million in reserve cannot be right in this situation. Is the current model sustainable in the long term? We cannot have a situation in which people who might be perceived as having direct, vested interests in the ECB's decisions are part of those decisions. If they are involved, they should at least provide documents to the public and a fully transparent approach should be taken.

In conclusion, I have a couple of things to ask the Minister. I know he is standing in for the Minister with responsibility for sport, the hon. Member for Chatham

and Aylesford (Tracey Crouch), who is on ministerial business elsewhere today, but I would like a meeting with her to discuss in more detail not only Durham, but wider governance and the ECB.

I would like the Minister to address the situation in which Government money—whether that is Sport England money, local enterprise partnership money or Welsh Government money—is going into cricket, when there is clearly enough money in cricket being hoarded or held by the ECB. It is not being used for what most fans would want it to be used for: developing first-class cricket around the country at a local level and providing facilities for young talent. My fear for Durham in future is that the excellent work that Durham has done to engage with young people—boys and girls—and to encourage them to play cricket will be lost, as the emphasis will really be on considering what the ECB want, rather than what local people want.

The way this has been done is a scandal. Loyal fans who have supported the club over many years—partly through a passionate love of cricket, but also because of a sense of loyalty to their local team—have been completely disregarded. What is the purpose of the ECB? Is it to protect its own interests and be a cosy club, or is it to support fans and young people who actively want to participate, and to encourage people to get involved in cricket? That is the clear question. This type of secrecy and lack of transparency cannot continue in 2016.

3.37 pm

Dr Roberta Blackman-Woods (City of Durham) (Lab): May I say what a pleasure it is to serve under your chairmanship again, Sir David. I thank my hon. Friend the Member for North Durham (Mr Jones) for securing the debate. I am not sure that I will be able to continue with the detailed forensic analysis, but I will do my best. I got to know about this issue, as we all did, from our local press in the north-east and from the volume of emails that suddenly came into my inbox from local people who were deeply concerned about the relegation decision on 3 October. I have pursued the issue alongside my hon. Friend, because I am currently chair of the northern group of Labour MPs.

For those who are not aficionados of Durham cricket club, I will give a quick résumé. It was established in 1882 and had minor county status until December 1991, when it was awarded first-class status. It was the first cricket club to be given the status for 70 years, and it was one of 18 first-class county cricket clubs in England and Wales.

Durham's first-class county status was made conditional on the building of a new test match-standard cricket ground, on which work started in 1990. The Riverside Ground, in my hon. Friend's constituency, was completed in 1995, and the headquarters of Durham county cricket club have been there ever since. In 2010, the club signed a sponsorship deal with Emirates airline that gave the sponsor stadium-naming rights for six years. That contract was extended for a further seven years in February.

Durham has won the county championship three times, most recently in 2013 and, before that, in 2008 and 2009. It also won the Friends Provident trophy in 2007 and the Royal London one-day cup in 2014. As a minor county, it won the championship seven times, and was the first minor county ever to beat a first-class county in the Gillette cup when it beat Yorkshire in 1973.

[*Dr Roberta Blackman-Woods*]

That might be an important point, given what my hon. Friend said about the influence of Yorkshire. When Durham was still a minor county, it went for a record 65 matches without defeat between 1976 and 1982. I could go on with various plaudits about the club. I am trying to demonstrate that it was an extremely good club that did a huge amount for cricket and raised the profile of cricket in the north-east. That has made the relegation decision so very hard to bear for local people.

Durham county cricket club filed its accounts late, and those accounts showed that it owed £7.5 million. The retiring chairman of the club, Clive Leach, admitted that it could not meet its liabilities for the year, but the situation was very much presented as a series of cash flow difficulties, rather than a need to go immediately into insolvency or administration. We also know—I will say more about this later—that the club was applying for some additional funding that would have helped with the situation. Now, the ECB has agreed to help the club with its debt problems by giving it £3.8 million of financial aid, which will go towards allowing the club to maintain its commitments to salaries and to Her Majesty's Revenue and Customs, and to meet operating costs. It will also settle some of the club's substantial debts, and the focus will then be on restructuring the existing debts.

Mr Kevan Jones: Is it not a nonsense that nearly £900,000 of that is actually money owed to the ECB for the test match?

Dr Blackman-Woods: My hon. Friend makes an excellent point. I will talk later about the letter I have written to the ECB and the response I received. What is most interesting about the letter is what is not in it, rather than what is. The money owed to the ECB is not mentioned.

Currently, there is an offer of support—£3.8 million of financial aid—that is tied to restructuring, but it is also, as my hon. Friend so clearly outlined, allied to a series of sanctions. Durham will be relegated to the second division of the Specsavers county championship and will start the 2017 season with a 48-point penalty in the competition, a four-point penalty in the NatWest Blast and a two-point penalty in the Royal London one-day cup. All non-player related ECB competition prize money due to Durham for the 2016 season is to be refunded to the ECB or withheld until all debts owed by the club to the ECB have been settled. The club will not carry out any future capital redevelopment works without the prior agreement of the ECB, and the club is to be subject to a revised salary cap. There is an indication that all those measures will be subject to review and ongoing scrutiny by the ECB.

As my hon. Friend so clearly set out, this punishment is unprecedented. Never has the ECB imposed such a severe penalty on a club, nor has any punishment been so wide-ranging, including a financial penalty, a points penalty, relegation and the removal of the ability to host test cricket. What Durham can do is quite limited.

Mr Jones: I am very interested in the way my hon. Friend is describing the penalties. Does she agree that Durham cricket club is now basically owned and run by the ECB?

Dr Blackman-Woods: My hon. Friend again makes an excellent point. That is what it feels like, but this is about the hugely damaging nature of the penalties for the future. The penalties will prevent the club from easily getting back to the first division or getting into a position of financial viability. That is the underlying worry that we all have. As the team will no longer be in the top division, it will not have matches with county clubs such as Yorkshire and Lancashire, which bring quite a lot of crowds because they are quite close to Durham. Instead, the club will play counties such as Essex and Kent, and it will be much harder for those supporters to get to Durham. The club anticipates that gate numbers are likely to be reduced because of the penalties, and it will be difficult to increase those.

There will also be a knock-on impact on the local community, because the penalties strip Durham of its right to hold test matches. It is the test matches that bring new people into watching cricket. Some constituents are concerned about an impact on the area's economy because restaurants, pubs, guest houses and hotels will lose money, and the area is already struggling economically.

As I said earlier, the ECB interestingly failed to mention to me—in fact, it, seemed to have failed to take this into account when it was putting the sanctions in place—that representations had been made to Durham County Council and the local enterprise partnership to see what they could do to help the club overcome its cash flow difficulties and financial problems. The club received a loan—£800,000 from the LEP—on 16 October, which was only a couple of weeks after the ECB made the relegation decision on 3 October. Why could the ECB not have waited at least a couple of weeks to find out what Durham County Council was going to do, if anything, to help the club? In fact, the council did a lot on 16 October to help the club, agreeing to it becoming a community interest company, which means that it cannot be sold privately. That was important because the previous private sale of Durham county cricket club brought substantial debt. That did not seem to be acknowledged anywhere by the ECB.

A £3.74 million programme of financial assistance to Durham County Council was agreed; effectively, the council has taken shares in the community interest company. It has also been promised a share of special fee payments. Previously—this does not seem to have been acknowledged by the ECB—the council loaned the club £4.3 million in two tranches. The local community—if we can say this—via the council, was trying to do its bit to acknowledge the difficulty and see the club through a difficult period so that things could improve a bit and the club could accept some restructuring.

I chair the northern group of Labour MPs, which met on 18 October to discuss the issue, ably led by my hon. Friend, who knew some of the details. I agreed to write to the chief executive officer of the ECB and to the Chair of the Select Committee on Culture, Media and Sport to ask whether he would consider having an inquiry into the issue. I received a reply from the ECB on 4 November and from the Chair of the Select Committee on 30 November.

The letter that I wrote as chair of the northern group was pretty similar to the letter written by my hon. Friend the Member for North Durham. We outlined our concerns about how the decision had been made, particularly the lack of transparency on how the matter

had been handled. We outlined our basic understanding of the club's financial situation, and we acknowledged the need for financial assistance from the ECB, but we wanted to know what discussions had taken place between the ECB and the club before the relegation decision was made. We asked the ECB to set that out clearly so that we could have a better understanding.

We asked how the sanctions were presented to the club. Were the sanctions up for negotiation, with an opportunity for the club to challenge them, or were they pretty much, as we were all told, take it or leave it? We asked for more information about the decision-making process. I was alarmed to hear my hon. Friend say that this might have happened on a train via some sort of telephone conversation, because in our letter we asked how the decision was made and who was involved. In particular, we wanted to know how the ECB arrived at the range of sanctions that were applied and the regulations that had been used. We said that the sanctions seemed rather extreme. We also said how illogical it was to strip Durham of its status as a test cricket venue, because that is the only possible way for the club to get itself out of financial difficulty. The sanctions seem extraordinarily punitive and stupid if the ECB really is interested in keeping cricket going in Durham. We highlighted some issues with the local economy of the north-east, which the ECB does not seem to have taken on board at all.

It is sad that the letter of reply from Tom Harrison did not answer any of our questions. The letter contained little detail. There were some good things, and I will start with those. We asked for a meeting with him, which he has offered. We will take him up on that offer in the coming weeks—we have asked him to come to speak to the northern group of MPs. I will follow that up. He also assured us that the actions had been taken with the “express intention of saving, preserving and growing cricket in the North East; that is...our primary objective.”

Well, if that is his objective, he is not going about it in the right way at all. He said that the ECB had been working hard with Durham to find a solution to its financial problems, but there was nothing outlining the nature of that work, what the ECB was doing, or anything like that.

Tom Harrison said that Durham's financial problems were the “most significant” he had seen but, again, he gave no evidence. That does not seem to chime with what we have heard about the situation at other clubs, so we will challenge him on that, too. He said that the ECB had

“consulted...stakeholders including Durham City Council”.

Durham City Council has not existed for quite some time—I assume he meant Durham County Council—but, again, he did not say anything about the outcome of those discussions. As we know, the discussions were incredibly positive and perhaps would have enabled the ECB to see the club's financial circumstances in a different light. He went on to say that he thought the ECB had helped the club's future sustainability.

We asked Tom Harrison what regulations the ECB used, how it made these decisions and whether we could see the regulations so that we could understand and be assured that the club was not being treated unfairly. He wrote back:

“We do not currently publish the ECB Regulations governing points deductions, but we are reviewing that position in light of this case.”

That is extraordinary. At the time, I did not realise that the regulations were sitting on my hon. Friend's desk—he got them through another avenue. We will now formally ask for the regulations to be given to us, and we will ask for a more detailed explanation.

Mr Jones: A simple thing that the ECB could do today is to explain to the public not only how the decision was made but how the calculation came together. Clearly, using its own financial regulations, there is no possible way for the ECB to get to this figure.

Dr Blackman-Woods: Absolutely. We need to have far more information in the public domain, particularly on how the decision was made.

Tom Harrison concludes:

“We understand that these conditions are difficult for the club”.

What an understatement. The ECB has plunged the club into a really difficult, if not impossible, situation, and all he talks about is the ECB's hope that restructuring will help the club. He also says:

“A strong, financially robust Durham County Club is a huge asset for the game.”

He talks about the club's importance to supporting cricket in the north-east, but there is nothing on how the club will do that.

I intend to write back to challenge most of the points in that letter. I have a helpful response from the Chair of the Culture, Media and Sport Committee, who has invited us to talk to him about the particular issues with this decision that we think need to be subjected to much more public scrutiny. There are also the issues with Durham County Council, the local enterprise partnership and how the ECB and, indeed, perhaps the Government, will consider support from the public for clubs such as Durham.

The saddest thing in the ECB's response is that it has consistently failed to acknowledge that the club operates in difficult local economic circumstances. There are not huge numbers of businesses with lots of money to give to the club, and there are not huge numbers of wealthy benefactors. We are in a much more difficult and much more disadvantaged situation than many other clubs. The ECB said in the letter that it had singled out Durham because it wanted Durham to act as a deterrent to other clubs that might think they could get a loan from the board or financial support from the ECB, which is truly shocking. The ECB has failed, at every level, to acknowledge the difficult circumstances that Durham faces. Instead of exemplary penalties, the ECB should have been thinking about how to help Durham address its difficult financial and economic situation. That is the biggest challenge that we need to send back to the ECB today.

3.58 pm

Dr Rosena Allin-Khan (Tooting) (Lab): It is an honour to serve under your chairmanship, Sir David. I thank my hon. Friend the Member for North Durham (Mr Jones) for raising this important issue. He has always been a firm advocate for his constituency, his county and his region, and on this issue he is no different.

I have a deep love for the game of cricket. I played to county level as a teenager, and I know what cricket can do to unite communities. Cricket is a sport of which the

[Dr Rosena Allin-Khan]

UK can be proud. It is enjoyed by schoolboys and girls, and by spectators who may be immobile in their home. I am proud to be talking about such an important issue today.

From what we have already heard, we can agree that the situation surrounding Durham county cricket club is serious and has ramifications beyond the club. Nobody disputes that the club found itself in difficult financial circumstances, but it is fair to say that the rescue package offered by the England and Wales Cricket Board has satisfied few people. It will not be lost on people involved with the club that the ECB has said openly that it hopes that its action will serve as a deterrent to other clubs. Although the club's immediate future appears safe, it has been stripped of the ability in the long term to generate additional revenue through prestigious test match fixtures under an ECB-mandated ban, depriving up to 15,000 people per match across the region of the opportunity to see English cricket at the very top level.

As we have heard, the knock-on effect to local businesses will be substantial. Businesses benefit hugely from the test series, which bring sell-out crowds and overseas visitors. Publicans and hotel owners have already remarked how their businesses will be hit due to lower footfall, at a time when people in the local tourism industry are already concerned about what will happen post-Brexit.

It is welcome that one-day and Twenty20 international cricket will still be played at the Riverside ground. I also welcome Sir Ian Botham as chair of Durham county cricket club, and I wish him the best of luck in restoring the club's finances and rebuilding it as a leading force in county cricket. However, for many, that is scant relief for a club that has already built an enviable track record in cricket through a much-vaunted academy system and first-class infrastructure. It is highly valued. Despite being the youngest county club in first-class cricket, it has produced excellent former and current England test players, including Paul Collingwood, Ben Stokes and Keaton Jennings, to name a few.

The points deductions for all competitions mean that the club will start in the second division on minus 48 points, which will hamper its ability to be competitive in future as it struggles to keep its star players. In competing at the highest level and providing the ground and infrastructure required by the ECB to host test cricket in the first place, the club appears to have been a victim of its own success. Some may say that it overreached itself in order to compete with Lord's, the Oval, and Headingley, but questions have been raised about how the ECB has encouraged clubs to blind-bid for test matches, while guaranteeing a quota for London grounds; ultimately, it has not been an equitable or transparent process.

Can the Minister push the ECB to be more open about how county clubs bid on test cricket, to ensure that it is available to everyone throughout the country and not concentrated at a few clubs? Can he also get assurances from the ECB that it is still committed to maintaining first-class cricket in the north-east of England and making it accessible throughout the country? Furthermore, can he also ask the ECB to detail how it came to decide on the severity of the sanctions taken against Durham county cricket club? Given that other first-class clubs have significantly higher debts than

Durham did at the time, will the ECB ensure that rules to maintain the league's stability and competitiveness of the league are evenly applied in future?

As I said from the outset, we cannot ignore Durham county cricket club's situation. We must have a sustainable financial model for our top-class cricket clubs. However, many top-flight clubs have high debts that would be unsustainable without test matches or wealthy financial backers, while others have experienced financial problems and required local authority backing to sustain them.

The ECB should take action to ensure a more transparent and equitable funding model for top-class cricket, to keep it accessible to all and fair to our clubs. I hope that the Minister has taken note of the many great points made in this debate, and I urge him to give answers that will be satisfactory to everyone here and those who enjoy Durham county cricket club.

4.4 pm

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Mr Rob Wilson): It is a pleasure to serve under your chairmanship, Sir David. I congratulate the hon. Member for North Durham (Mr Jones) on securing this debate and on what can only be described as the forthright contributions that he and others have made. The sports Minister would like me to put on record her apologies for not being here; she is attending an international conference in Abu Dhabi on cultural protection. If it is any small consolation, I am a cricket-mad watcher and player, so I have a little knowledge about cricket that I hope to contribute to this debate.

We can be in no doubt about the depth of feeling about the recent challenges faced by Durham county cricket club, which have been described with passion and conviction in this debate. The great interest that the hon. Member for North Durham takes in Durham county cricket club's well-being, as both a supporter and an advocate in Parliament, has been clearly heard. I do not know about any moles that he has, but I certainly feel that he has put a cat among some pigeons somewhere in London.

I share the hon. Gentleman's concern about Durham's situation. The club has made some major contributions to English cricket, as others have said, since it joined the ranks as the newest of 18 first-class counties in 1992. Durham was the first minor county to achieve first-class status in more than 70 years, which highlights the mountain it has climbed in the past couple of decades. The county demonstrated its ambition early, when Ian Botham agreed to play for it in its initial first-class season.

Durham has gone on to bigger and better things, providing world-class, home-grown England players such as Steve Harmison and current captain Paul Collingwood—a former England T20 world cup winner—as well as having won the county championship on three occasions, as others have said, with the last time as recently as 2013. My own memory spans back to Paul Collingwood's century against the West Indies in the 2007 test match at the Riverside when he became the first local Durham player to hit a test century at the ground.

It is a matter of great regret to all cricket lovers that Durham has had such serious financial problems recently. The fact that it will have to begin next season in division 2 of the county championship is clearly not considered a satisfactory outcome for the county. The ECB contends that it felt that there was a possibility that Durham

would cease to exist, which would obviously have been an even greater loss to the area. The ECB therefore provided a £3.8 million package of funding in what it saw as the most viable way to secure the cricket club's continued existence. I recognise that many supporters will not agree that the totality of the terms is a good solution, but it should be essential for all parties to share the end goal of securing the future of Durham—not just saving cricket in the north-east, but developing and growing it.

I understand that the ECB has been working with Durham to preserve the club in the face of financial problems that the ECB, as the hon. Member for City of Durham (Dr Blackman-Woods) said, regards as the most significant that it has seen in the professional game. I also understand that the ECB has worked with the chief executive and the board of the club throughout the last year and consulted with its stakeholders to ensure that Durham can continue to play in all three domestic competitions.

Mr Kevan Jones: I thank the Minister for how he has responded. Can he ask his ministerial colleague whether she can get an explanation from the Department of how the points were reached? It is clear from the ECB's own financial regulations that it cannot make those penalties. That is a basic answer expected by cricket fans in the north-east and Durham.

Mr Rob Wilson: I can do better than that. I had a conversation with the sports Minister when I found out that I would be responding to this debate. She has agreed to meet the hon. Gentleman—and the hon. Member for City of Durham too, should that be appropriate—and will do so as soon as it can be arranged to everyone's convenience. The hon. Gentleman can then ask her those questions directly.

The ECB support included making an advance on the annual fee payment of nearly £1.3 million, with which it intended Durham to be able to meet pressing ongoing salary, HMRC and operating costs. The ECB has informed DCMS that its board felt that the cricketing conditions attached to that support reflected the scale and gravity of Durham's accumulated financial issues.

The hon. Gentleman asked about concerns around the decision-making process. Obviously I have not been party to the mechanics of that process or to the entirety of the ECB rulebook—he may have more access to that than I do because of his moles. However, if there is any discrepancy, I urge transparency. I understand that the ECB has offered to meet the hon. Members; I encourage them to take up that offer as soon as possible.

I understand those who primarily see the local impact and who feel that the penalty is particularly harsh. The Riverside has hosted international cricket every year since 2000 and it will host it again in 2017 in a T20 international against the West Indies. Removal of test status may be an unpalatable penalty, but the ECB believes it is a necessary part of the response to enable the club's financial recovery. It has confirmed that Durham will continue to generate revenue via the TV deal with Sky by hosting international T20 and white ball cricket, despite the removal of test match status.

The hon. Gentleman asked about the hoarding of income from fees. To be clear, the ECB is a full signatory to the Sport and Recreation Alliance code of conduct

for rights owners, which pledges investment of broadcast revenue back into the grassroots of sport. I hope that that is of some comfort to him.

Mr Kevan Jones: If it is a 60:40 split, I am not sure how that can be interpreted. Obviously I will take this up with the sports Minister when I meet her, but it is about making sure that that revenue is going to grassroots cricket rather than the centre.

Mr Rob Wilson: I understand the hon. Gentleman's point, but I think it is best if he takes it up directly with the sports Minister when they meet.

The ECB and Durham will need to work together to bring back viable test cricket to the Riverside at the earliest opportunity. The ECB believes that there is a strong and sustainable future for Durham in meeting the growing demand for white ball cricket that will inspire the next generation, and an attractive growth opportunity to inspire fans to attend and generate a sustainable income for the business, ensuring that the club returns to a firm financial footing.

As the hon. Gentleman said, the ECB does not currently publish its regulations governing points deductions, but in the light of these events it is now reviewing that position. I hope that it will proceed quickly to the right conclusion so that concerned stakeholders can benefit from improved transparency. Indeed, such rules are always better in the public domain.

The hon. Gentleman raised some concerns about Colin Graves. I know that disquiet has been felt in some quarters over the ECB chairman's role in relation to connections to Yorkshire county cricket club and the awarding of test matches to particular venues. Of course, any allegations of improper behaviour should be taken very seriously indeed, but the ECB has again reiterated that it believes that such claims are entirely unfounded and that the chairman neither derives benefit from the Graves trust nor plays a role in match allocation.

Mr Kevan Jones: I must put it on the record that I did not accuse Mr Graves of anything. It is just that he needs to be completely transparent about his relationship with Yorkshire, including how the trust operates. I certainly did not accuse him of any wrongdoing.

Mr Rob Wilson: I am glad that we have been able to clear that up and that it is on the record. I thank the hon. Gentleman for making that absolutely clear. That cat among the pigeons is off on another trek.

It would not be appropriate for the Government to become involved in the financial affairs of individual clubs. However, the Government's new sports strategy, "Sporting Future", which was published last December, makes the wider governance of sport a high priority. It contains a requirement for national governing bodies, including the ECB, that are in receipt of public funding to agree to a new code for sports governance. The new sports governance code was launched last month and will come into force from the next funding cycle in April 2017. One of its requirements is that organisations must have strong leadership in place, with the right checks and balances to minimise the likelihood of integrity issues arising.

[Mr Rob Wilson]

The Government are fully committed to tackling corruption in sport at all levels. Working closely with our arm's length bodies, we will continue to work with domestic and international sports stakeholders in the wider fight to eliminate corruption from sport. We expect all sports bodies, including the ECB, to adhere to the principles of good governance, financial stability, and transparency. The new code will help to promote those principles to all bodies in receipt of public funding.

Sport England is providing £20 million to the ECB over the current funding period to help to deliver on its challenging whole sport plan to increase participation in the wonderful sport of cricket, as well as focusing on talent development in the women's games and in disability cricket.

Mr Kevan Jones: Is that £20 million conditional on the ECB signing up to that code? It should be, because the transparency that the Minister says the Government want is clearly something that we need to force on the ECB.

Mr Rob Wilson: I hope to come to that very point in just a moment.

In addition, £7.5 million will go directly from Sport England to the Cricket Foundation to extend the Chance to Shine grassroots cricket programme, which I am sure the hon. Gentleman is well aware of, for a further three years. Since 2010, Sport England has invested more than £42 million in community projects and facilities to get more people playing cricket, aiming to reach more than 400,000 young people and develop more than 1,200 new satellite clubs on school sites.

In the hon. Gentleman's constituency of North Durham, more than £67,000 of Sport England funding has been invested into five community projects and facilities since 2010. For example, Burnmoor Cricket Juniors and Chester-le-Street cricket club have benefited from getting more young people involved in the game and from improvements to pitches—this is literally grassroots investment. Across County Durham as a whole, more than £379,000 has been invested by Sport England in 23 community cricket clubs and facilities. These are the kinds of clubs at which public investment must be targeted. Through that investment, we have greater potential to nurture new Harmisons and Collingwoods in the future for the benefit of both Durham and England—although some may argue that we need them out in India right now.

Dr Blackman-Woods: It is really helpful to have on record the money going into grassroots cricket, but one of the points that we have been trying to make this afternoon is that inspiring young people to get involved in cricket and building up local cricket grounds partially depends on having a cricket club in Durham that is able to host international test matches. It is a way of bringing world-class cricket to the area to inspire young people and others. We do not want to see that money wasted or given to grassroots cricket without looking at test cricket as well.

Mr Rob Wilson: I understand the concern about test cricket and I am sure there will be further debate about it when the hon. Members meet the ECB. However, international cricket will continue at Durham county

cricket club with Twenty20 internationals, including against West Indies next year. I hope that that means that international cricket, at least in the form of limited overs games, will be able to continue at Durham, and let us hope that in the not-too-distant future full-blown test cricket can come back to the Riverside ground.

The ECB is the custodian of the game, which must protect its health, and I agree that it is important that cricket in Durham continues to thrive, not only for elite performance but for those thousands of young people and amateur players who look forward to their weekend or after-school games. Increased participation is vital to the lifeblood of any sport, helping to feed the elite level from a healthy grassroots base.

Finally, a strong, financially robust Durham county cricket club would be a highly desirable outcome from this process and a huge asset for the game, allowing Durham to continue to play a vital role in developing England talent, enriching our domestic competitions and supporting the wider growth of the game. As I have already said, I understand that the ECB has offered to meet the hon. Gentleman and the other members of the northern group of Labour MPs at their convenience; I hope that meeting takes place very soon. I also understand that Durham is now looking forward to the coming season with the aim of returning to the top tier of the county championship at the first opportunity. I wish Durham the very best of luck in that ambition, and in securing a more prosperous and sustainable future.

5.21 pm

Mr Kevan Jones: I thank the Minister and my hon. Friend the Member for Tooting a (Dr Allin-Khan) from the Opposition Front Bench for their contributions. The Minister did very well in outlining the importance of cricket in communities such as Durham at a grassroots level, and my hon. Friend also stressed its importance. However, if public money is going to the ECB, it must be conditional on full transparency, because as a result of what has happened there is now a level of mistrust among cricket fans in the north-east and people from other clubs who have spoken to me over the last few weeks. For credibility purposes, the ECB could do itself a great favour if it shone a spotlight on some of the ways in which it operates. In some cases, those ways of operating lead to suspicions and accusations, even if those suspicions and accusations are unfounded.

Mr Rob Wilson: I forgot to answer that point when the hon. Gentleman made it earlier during my remarks. The £20 million funding from Sport England is subject to the current cycle of requirements and assurance processes that runs to 17 April next year. The new governance code will go even further and will apply to future funding agreements between Sport England and the ECB. I hope that clears up that particular issue.

Mr Jones: It does, and I thank the Minister for that clarification. This is an important issue and it will be one of the issues that my hon. Friend the Member for City of Durham and I will raise when we meet the Under-Secretary of State for Culture, Media and Sport, the hon. Member for Chatham and Aylesford. I will put on the record my thanks for the Minister's courtesy in informing me herself that she was not going to be here. There are some Ministers who could take lessons from the way she interacts with parliamentary colleagues.

The issue of transparency is an important one, because without transparency I do not think any public money should be put into the ECB. As for the way forward for Durham county cricket club, we need a vibrant club. It has a large amount of support from local people, who love it for the sport it provides.

However, the one thing that the ECB could do that would restore some faith in it in the north-east would be to review the points penalty, because, as I think I have explained today, no one can justify how that penalty was arrived at. If the Minister, my hon. Friend the Member for Tooting, most cricket supporters in the north-east, and certainly my hon. Friend the Member for City of Durham and I, want a vibrant way forward for the cricket club, then going into the new season without the 48-point penalty would be a step forward.

That would be seen as fair and it would mean that the ECB could at least get some credibility back. After the way it has acted over the past few months, it will take a lot of time and effort to get any credibility back among local supporters of cricket.

I will put on the record my thanks to you, Sir David, for chairing this debate, to my hon. Friend the Member for Tooting for her contribution, and to the Minister for his reply.

Question put and agreed to.

Resolved,

That this House has considered Durham County Cricket Club and the England and Wales Cricket Board.

4.25 pm

Sitting adjourned.

Written Statements

Thursday 1 December 2016

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Marrakesh Climate Change Conference

The Minister for Climate Change and Industry (Mr Nick Hurd): The annual conference of the parties (COP) to the United Nations framework convention on climate change took place in Marrakesh, Morocco, from 7 to 18 November. The United Kingdom was represented by myself (Minister of State for Climate Change and Industry) who has been negotiating for the UK and promoting British business. The conference was described as an “implementation COP” focused on starting the process of turning the first global climate change deal, known as the Paris agreement, into a clear blueprint for action.

The UK aims for Marrakesh were to: (a) strengthen action and ambition; (b) make progress on implementing the Paris agreement; and (c) demonstrate the UK’s leadership on climate change. These objectives were achieved.

(A) Regarding strengthening action and ambition, there were two key outcomes:

The Marrakesh action proclamation underlined that the global commitment to tackling climate change is irreversible, calling for raised ambition and strengthened co-operation.

Announcements made by Governments, businesses and other non-state actors further emphasised the global momentum and the action being taken. On behalf of the UK, the Minister of State pledged support for many initiatives that will support countries in meeting their emissions reduction targets as the world aims to achieve carbon neutrality in the second half of the century.

(B) Regarding progress on implementing the Paris agreement, consensus was secured on all of the areas where decisions were mandated, including the terms of reference for the Warsaw international mechanism for loss and damage, and the Paris Committee on Capacity Building. Further progress included:

The first meeting of the countries who ratified the Paris agreement (CMA1);

Discussions on detail of the rulebook to support implementation of commitments and setting a deadline to finalise by 2018 with a review in 2017;

Agreement for an inclusive and transparent consultation on mitigation commitments ahead of the facilitative dialogue in 2018 to assess progress, in order to inform the next round of national pledges on mitigation;

Agreement that the adaptation fund should serve the Paris agreement subject to decisions on governance and modalities to be taken at COP24 (in 2018); and

Agreement to a five-year work plan on “Loss and Damage” which will start in 2017. This will include a review of the sources of finance for loss and damage but does not admit new or separate financial arrangements for loss and damage.

(C) Regarding demonstrating UK’s leadership and commitment, we:

Announced that the UK had ratified the Paris agreement. On this occasion, the Secretary of State for Business, Energy and Industrial Strategy reiterated that we look ahead to continuing our leadership on climate action and ensuring that British business continues to play a key role in the new

global low-carbon economy. We believe it will benefit the UK while we implement our industrial strategy to deliver an economy that works for all.

Co-led with Australia the production and presentation of the \$100 billion road map on behalf of donor countries, setting out how the goal of mobilising \$100 billion of public and private climate finance by 2020 will be achieved.

Hosted a Green is GREAT pavilion, showcasing British strengths in managing the impact of climate change and providing a platform to show and sell British innovations.

Underwent our second “multilateral assessment” setting out progress to meeting our 2020 emissions reduction targets and lessons that could be shared.

The positive outcome from Marrakesh will help to implement what was agreed in Paris more effectively. It caps a year of continued momentum on climate change, including the rapid entry into force of the Paris agreement, and agreements on phasing down hydro-fluorocarbons under the Montreal protocol and offsetting the growth in civil aviation emissions at the International Civil Aviation Organisation. From Government and private sector commitments to reduce emissions, it is clear that the economic and political drivers behind the global transition towards a low-carbon future—as well as the commercial opportunities that transition affords—remain.

[HCWS297]

CULTURE, MEDIA AND SPORT

56th Horserace Betting Levy Scheme

The Secretary of State for Culture, Media and Sport (Karen Bradley): On 9 November 2016 the Chair of the Horserace Betting Levy Board (the HBLB) informed me that the HBLB had been unable to approve a recommendation from the Bookmakers’ Committee as to the terms of the 56th Levy scheme. Under section 1 (2) of the Horserace Betting Levy Act 1969 (the Act), it therefore now falls to me to determine those terms. The Act allows me to determine a new scheme for the said period, or direct that the current scheme shall continue to have effect for that period.

In the March 2016 Budget, the Government set out a timetable for replacing the current Horserace Betting Levy by April 2017. It remains the Government’s intention to replace the current Levy scheme by this date. However until such time as the legislation has passed, the existing statutory requirements remain. Therefore my determination for the 56th Levy scheme will only apply should the new Levy not be in place by April.

With this in mind, and having considered the arguments put forward by both betting and racing, I have decided to direct that the current Levy scheme should continue to have effect for 2017-18. In making this determination I have had regard to the offer made by the Bookmakers’ Committee and taken into account the racing members of the board’s reasons for rejecting this offer. Any discussions or negotiations about voluntary Levy contributions in respect of offshore remote betting operators are outside the scope of my statutory role in making this determination.

Having concluded the determination, I would like express my disappointment that the HBLB and Bookmakers’ Committee were not able to agree the Levy scheme and that it has been necessary to refer this matter to Government.

[HCWS300]

DEFENCE

Better Combat Compensation

The Secretary of State for Defence (Sir Michael Fallon):

Today I am publishing a consultation on proposals to provide better compensation for deaths or injuries sustained by servicemen or women in combat. Copies of the consultation are available in the Library of the House and on the www.gov.uk website.

The Government are proud of the armed forces compensation scheme which provides compensation to service personnel who suffer illness or injury attributable to their services or, in the case of those who have died, provides it to their families, whether or not anyone was legally at fault. Separately, the courts may award damages where the Ministry of Defence has been found to be at fault; however, that often leads to lengthy legal cases alleging battlefield negligence.

The Government have been considering options to provide relief for service personnel and their families who may otherwise have to pursue lengthy and stressful claims in the courts. In line with our commitment to the armed forces covenant, we plan to provide better compensation by introducing an enhanced scheme so that members and veterans of the armed forces and their families receive compensation for injuries or death in combat equal to that which a court would be likely to award if it found negligence.

As part of this reform, we intend to clarify in primary legislation the long-standing common law principle that the Government are not liable for damages as a result of injuries or deaths sustained in combat. This will address the “judicialisation of war”, whereby judges second-guess military decisions using criteria that are appropriate for civilian life, but not for the battlefield.

The Iraq Inquiry report by Sir John Chilcot underscored the often challenging circumstances which can contribute to deaths or injuries sustained on the battlefield. The Government are committed to learning the lessons and are reviewing ways in which we can better plan, equip and operate, so that deaths and injuries can be avoided, where possible, in future.

This package will provide relief for individuals and families who in the future will be awarded better compensation without having to pursue lengthy legal action. It will also ensure that the armed forces are able to take the rapid and high-risk decisions essential to operational effectiveness without being inhibited by the risk of future legal claims.

[HCWS299]

EDUCATION

A-Level and AS Qualification

The Minister for School Standards (Mr Nick Gibb): In April this year, the Government announced that GCSEs and A-levels in a range of languages with smaller cohorts will continue and therefore will be reformed in line with other GCSEs and A-levels. This fulfils a commitment made in 2015 to work with the exam boards to ensure the continuation of these qualifications.

The reformed GCSE content for modern foreign languages, published in 2013, is suitable for all the modern languages currently available, and the exam boards are developing specifications for these GCSEs.

At A-level, we have worked with the exam boards to develop specific content for modern languages with smaller cohorts. The Government are today opening a consultation on this content, which will apply to A-levels (and AS) in Arabic, Bengali, Gujarati, Greek, Modern Hebrew, Japanese, Panjabi, Persian, Portuguese, Polish, Turkish and Urdu.

The content for modern languages with smaller cohorts is largely identical to the reformed A-level (and AS) content which applies to French, German, Spanish, Chinese, Italian and Russian. This was developed by the independent A-Level Content Advisory Board (ALCAB), appointed by the Russell Group to meet the expectations of higher education, and was published in 2015.

This content for modern languages with smaller cohorts addresses the risks associated with the assessment of smaller numbers of candidates, including the challenges of recruiting specialist examiners. The requirement to demonstrate speaking skills is not included in the proposed content, which is consistent with current AS and A-level qualifications in languages with smaller cohorts—with the single exception of Urdu (in which speaking skills are currently required). To secure a suitable level of rigour which is comparable for all modern languages, the Government propose a new requirement for modern languages with smaller cohorts. The proposed content would require students to apply language skills (reading, writing and listening) in combination, by responding to spoken and written sources addressing common subject matter.

The A-level (and AS) content for modern languages with smaller cohorts will apply to courses beginning in September 2018. The current specifications for these languages will remain available for courses beginning in September 2017.

I can also confirm today that A-level history of art and AS and A-level statistics will continue to be offered in England following the exam board AQA's decision not to offer these qualifications for new courses starting from September 2017. We believe there is value in having a broad range of high-quality choices available to A-level students and our intention has always been that there should continue to be A-levels available in these two subjects. I am therefore pleased that the Pearson exam board has confirmed that it intends to develop new AS and A-levels in statistics and a new A-level in history of art for teaching from September 2017.

[HCWS301]

Early Years Education

The Secretary of State for Education (Justine Greening):

The Government have today published their response to the recent consultation on changes to the funding of the free early years entitlements for three and four-year-olds. The Government response can be found at:

<https://www.gov.uk/government/consultations/early-years-funding-changes-to-funding-for-3-and-4-year-olds>

This includes the introduction of an early years national funding formula. This will provide a fairer funding system for nurseries, preschools and childminders.

We are delivering our manifesto commitment to double the free hours of childcare provided for working parents of three and four-year-olds, from 15 to 30 hours a week. Many parents want to go back to work, or work more hours, but cannot afford to because of the cost of childcare. This policy will make childcare more affordable and support parents to return to work, or to work more hours, if that is what they wish to do.

We are backing this with an additional £1 billion every year by 2019-20 including £300 million per year to increase Government funding rates. We are committed to allocating this record level of investment fairly and transparently so that early years providers can deliver free childcare on a sustainable and high-quality basis.

That is why we consulted on proposals to introduce a new funding system that is fair, transparent and maximises funding to providers. Our proposals to improve the way we allocate funding have been positively received and today, I can confirm our final funding policy. Key features are:

- a new early years national funding formula from April 2017 that will increase Government funding rates in 80% of local authorities;

- a minimum funding rate of at least £4.30 per hour for every local authority;

- a requirement for local authorities to pass 95% of their funding to providers;

- additional funding, worth £55 million per year, to support maintained nursery schools until the end of this Parliament (2019-20);

- a new disability access fund worth £615 per child per year to support disabled three and four-year-olds to access their early years entitlement; and

- a requirement for all local authorities to have inclusion funds to channel additional support to children with special educational needs.

These changes will put early years providers in a stronger position to deliver the free entitlements on a sustainable basis. They will help to ensure that every child, whatever their background and individual needs, can access the high-quality early education they need to prepare for school and improve their life chances. And from September 2017, they will support the delivery of 30 hours of free childcare to nearly 400,000 eligible working parents, thus making it easier for them to get on and balance work with their family lives.

Education lies at the heart of this Government's ambition to make this a country that works for everyone—and today we are reaffirming our commitment by announcing this new, fairer way of funding our early years. It will ensure the dedicated individuals caring for our children have the support they need to give every child the best start, especially when looking after those who are most in need.

[HCWS306]

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Illegal Wildlife Trade: Hanoi Conference

The Secretary of State for Environment, Food and Rural Affairs (Andrea Leadsom): The Hanoi conference on illegal wildlife trade took place on 17 and 18 November 2016, bringing together leaders from across the world to secure international political commitment to action on tackling the illegal wildlife trade (IWT). The Hanoi

conference was the third global conference on IWT, following the London conference in 2014 and Kasane conference in 2015. I was delighted to attend the conference on behalf of the UK, alongside His Royal Highness the Duke of Cambridge. The conference was successful, with 42 countries and the EU adopting the Hanoi statement by consensus and 23 countries, the EU and six international organisations pledging new and specific actions in the statement annex to deliver on their commitments from London and Kasane.

The UK played a key role in supporting Vietnam as chair and host, including direct financial support and seconding staff to the conference secretariat. Our contribution and leadership were widely recognised and commended by international partners. At the conference, I was able to announce an additional £13 million in UK funding for IWT and a number of new initiatives, including expanded British military training for African park rangers; a project with China to deliver joint training to African border forces; additional funding for Interpol to expand its work with key nations, tracking and intercepting illegal shipments of ivory, rhino horn and other illegal wildlife products; and up to £4 million for the International Consortium for Combating Wildlife Crime (ICWC).

Finally I was also pleased to announce that the UK will host a fourth high-level meeting on IWT in 2018, to ensure that this urgent global issue stays at the top of the political agenda and that we continue to deliver on our manifesto commitment to lead the world in tackling IWT.

The UK was able to lead further progress in the margins of the conference. I hosted a meeting of ASEAN heads of delegation, attended by the Duke of Cambridge, where I pressed for enhanced collaboration in this critical region, particularly on enforcement. The Philippines, chair of ASEAN in 2017, agreed that IWT would feature on the agenda.

In my meetings with Vietnamese Ministers, I welcomed recent positive steps taken by Vietnam to tackle IWT, and encouraged them to intensify further demand reduction and law enforcement efforts, including in respect of specific cases recently highlighted by NGOs and the media. I made clear the UK's commitment to ongoing practical co-operation between our two countries on these issues.

That so many countries and organisations came together once more in Hanoi to agree further action on IWT is a positive signal of ongoing political attention and also a consensus on the importance and urgency of the issue. We will remain focused on driving forward this momentum and ensuring the commitments made in Hanoi are delivered in the lead up to the next event in London 2018.

[HCWS295]

HOME DEPARTMENT

Blue Card Directive

The Minister for Immigration (Mr Robert Goodwill): I am confirming the Government's decision that the UK will not opt into the European Commission's recent proposal for a revised Blue Card directive, published on 7 June 2016.

The proposal seeks to increase the EU's attractiveness to highly skilled workers from outside the EU. It runs counter to the UK's view that decisions on who comes to the country are best framed at national level in accordance with national assessments of economic need. It would also undermine our ability to reduce net migration.

[HCWS303]

Report of the Independent Reviewer of Terrorism Legislation

The Secretary of State for the Home Department (Amber Rudd): In accordance with section 36(5) of the Terrorism Act 2006, David Anderson QC, the Independent Reviewer of Terrorism Legislation, has prepared a report on the operation in 2015 of the Terrorism Act 2000 and part 1 of the Terrorism Act 2006.

I am today laying this report before the House, and copies will be available in the Vote Office. It will also be published on the website: www.gov.uk.

I am grateful to David Anderson for his report. I will carefully consider its contents and the recommendations it makes, and will respond formally in due course.

[HCWS302]

INTERNATIONAL DEVELOPMENT

International Financial Institution: Contingent Liability

The Secretary of State for International Development (Priti Patel): In 2015, the UK agreed to be a founder contributor of the Asian Infrastructure Investment Bank (AIIB). As set out in the summer Budget 2015, HM Treasury made an initial capital instalment of US\$122,180,000, and committed to subsequent payments of the same amount by the UK Government over the four years from 2017 to 2020. The UK's overall capital contribution will total US\$3,054,500,000, of which these five payments together will make up 20% of "paid-in" capital contribution requiring a cash transfer. The other 80%, \$2,443,600,000, is "callable capital"—the AIIB has the right to call for payment for these shares if there is a crisis affecting the bank's assets or loans. As the paid-in capital is an investment, in return for which we get an asset of a share of the Bank, the Office for Budget Responsibility has forecast this payment as a financial transaction. Financial transactions do not add to public sector net borrowing.

Payment of the second annual contribution of \$122,180,000 is in line with the authority provided by this House under the Asian Infrastructure Investment Bank (Initial Capital Contribution) Order 2015. Parliamentary approval for this will be sought in a supplementary estimate for the Department for International Development.

Further, the payment of the second instalment of the capital contribution incurs with it a contingent liability. In line with the AIIB articles of agreement, the contingent liability rises in line with the amount of callable capital paid. As such, the UK will increase its current contingent liability of \$488,720,000, incurred when the initial capital

instalment was paid by a further \$488,720,000 to a cumulative total contingent liability of US\$977,440,000. A Departmental minute to this effect was laid before Parliament on 1 December 2016 to give at least 14 sitting days' notice of the intent to incur a contingent liability. The notice period will be completed on 9 January 2017.

Although the AIIB has the right to call for payment of this callable capital incurred when the initial capital instalment was paid, no such instance has occurred in any multilateral development bank in the past. If the liability were to be called, provision for any payment would be sought through the normal supply procedure.

In joining the AIIB the UK has demonstrated its support for China's initiative to establish the AIIB to address the historic shortage of infrastructure investment in Asia. The AIIB will support economic growth in the region and drive up living standards. The UK's membership will deepen economic ties with Asia and create opportunities for British businesses.

[HCWS305]

UK International Development

The Secretary of State for International Development (Priti Patel): Our world is changing. So our approach to development needs to adapt and keep pace with it. DFID will champion an open, modern and innovative approach to development.

Today I am publishing "Rising to the challenge of ending poverty: the Bilateral Development Review 2016" and "Raising the standard: the Multilateral Development Review 2016".

These reviews build on the Government's UK aid strategy published in 2015 and set out how UK aid will be focused on ending poverty and tackling great global challenges like mass migration, disease and climate change. It demonstrates how investing 0.7% of national income in international development will meet Britain's moral obligation to the world's poorest and work in the UK's national interest.

The bilateral development review sets out how DFID will respond to these global challenges and contribute to a more prosperous, secure and stable world. DFID will follow the money, the people and the outcomes to make our aid more effective, transparent, and accountable to the poorest people in the world and to the taxpayers who fund our programmes.

The multilateral development review builds on a systematic assessment of the performance of 38 multilateral institutions funded by the UK through DFID. The review sets out how the UK, as a committed champion of the multilateral system, will work with its multilateral partners and press them hard to take radical action so they continue to raise their performance. We will back high performers while also pressing them to improve even further.

A copy of these papers and an accompanying document can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-12-01/HCWS296/>.

I will also place a copy in the Libraries of both Houses and make further copies available in the Vote and Printed Paper Offices.

[HCWS296]

LEADER OF THE HOUSE

Strathclyde Review: Government Response

The Leader of the House of Commons (Mr David Lidington): On 27 October 2015 the Government commissioned Lord Strathclyde to lead a review into secondary legislation and the primacy of the House of Commons. Lord Strathclyde published his report on 17 December 2015. The Government have today published their response to the review and the four related parliamentary Select Committee reports, a copy of which can be found online. As I informed the House at business questions on 17 November 2016, *Official Report*, columns 395 to 396, although the Government found Lord Strathclyde's analysis compelling and we are determined

that the principle of the supremacy of the elected House should be upheld, we have no plans to introduce new primary legislation at this time.

Attachments can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2016-12-01/HCWS304/>.

[HCWS304]

PRIME MINISTER

GREAT Britain Campaign: Machinery of Government Change

The Prime Minister (Mrs Theresa May): Policy responsibility for the GREAT Britain campaign will transfer from the Cabinet Office to the Department for International Trade from 1 December 2016.

[HCWS298]

ORAL ANSWERS

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