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**HOUSE OF COMMONS**  
**OFFICIAL REPORT**

**PARLIAMENTARY**  
**DEBATES**

**(HANSARD)**

**Monday 20 February 2017**

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# House of Commons

*Monday 20 February 2017*

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## BUSINESS BEFORE QUESTIONS

PARLIAMENTARY COMMISSIONER FOR ADMINISTRATION  
AND HEALTH SERVICE COMMISSIONER FOR ENGLAND  
(ANSWER TO ADDRESS)

The VICE-CHAMBERLAIN OF THE HOUSEHOLD reported to the House, That the Address of 24 January, praying that Her Majesty will appoint Robert Fredrick Behrens CBE to the offices of Parliamentary Commissioner for Administration and Health Service Commissioner for England, was presented to Her Majesty, who was graciously pleased to comply with the request.

## Oral Answers to Questions

### WORK AND PENSIONS

*The Secretary of State was asked—*

#### Benefits Cap

1. **Martyn Day** (Linlithgow and East Falkirk) (SNP): What assessment he has made of the effect of the benefit cap on households in Scotland. [908755]

23. **Peter Grant** (Glenrothes) (SNP): What assessment he has made of the effect of the benefit cap on households in Scotland. [908779]

**The Secretary of State for Work and Pensions (Damian Green):** Work is the best route out of poverty, and the benefit cap has been successful in encouraging people into work. Since its introduction, almost 62% of households in Scotland have found work, reduced their housing benefit claim or no longer claim housing benefit at all after having their benefits capped.

**Martyn Day:** Does the Minister agree with paragraph 90 of the fiscal framework, which states:

“The Governments have also agreed that the UK government’s Benefit Cap will be adjusted to accommodate any additional benefit payments introduced by the Scottish Government.”?

**Damian Green:** Of course we agree with the fiscal framework—the Government drew it up, in conjunction with the Scottish Government. The Scottish Government already have extensive benefits powers if they wish to introduce them, but the fact that they do not is a matter for the hon. Gentleman to take up with his colleagues in that Government.

**Peter Grant:** Writing in today’s *Daily Record*, Scotland’s First Minister has commented that the Scottish Government have yet to receive “confirmation” from the UK Government that when we abolish the bedroom tax the benefit cap will not be applied. Will the Secretary of State take this opportunity to guarantee that there will be no clawback of social security funding when Scotland abolishes the hated bedroom tax?

**Damian Green:** I can only refer the hon. Gentleman to the answer I gave the hon. Member for Linlithgow and East Falkirk (Martyn Day), because it is for the Scottish Government to take these decisions. They have the power to give benefits, increase benefits and make supplementary payments beyond the benefits available throughout the UK. It is noteworthy that they fail to exercise those powers and Scottish National party Members come to this House to complain about benefits in Scotland, despite having the power to do something about it themselves.

**Frank Field** (Birkenhead) (Lab): I support the Government’s strategy in this area, but does the Secretary of State accept that those who support it have concerns about what might be happening, certainly in the short run, to families so affected? What research is he carrying out to make sure that those who can move into work do so and that those who cannot do so are looked at sympathetically?

**Damian Green:** The right hon. Gentleman makes a characteristically reasonable point, to which I make two responses. The first is that those who are put into hardship have available to them discretionary housing payments, which have been extensively used by local authorities throughout the country precisely to avoid the problem that he suggests. Secondly, on the other point he makes, some of the research we have done shows that households that have been capped are 41% more likely to go into work than similar, uncapped households. So the policy is very successful in encouraging people to get back to work, which of course is the best thing for them in the long run.

**Dr Eilidh Whiteford** (Banff and Buchan) (SNP): During the passage of the Scotland Bill, UK Ministers gave me and others clear assurances that any income derived from new benefits or top-ups introduced by the Scottish Government using new powers would not simply be clawed back from claimants through the benefit cap or other forms of means-testing, and those commitments were reflected in the fiscal framework. Will the Secretary of State therefore give a cast-iron assurance that that is still the UK Government’s position?

**Damian Green:** The UK Government’s position has not changed at all and nor, so far, has the Scottish Government’s, which is that they are not prepared to take or exercise the powers that they have.

**Dr Whiteford:** With respect, that is just nonsense; the Scottish Government are working towards the already-published timetable. But there should be absolutely no ambiguity here, so will the Secretary of State now commit that he, his Ministers and his officials will engage positively with Scottish Ministers as they use those new powers to abolish the bedroom tax in Scotland?

**Damian Green:** I, along with both my Ministers and my officials, engage positively with the Scottish Government all the time. I know that because I go to the meetings, and I have engaged positively with them on this and all the other important issues that we have to discuss in this field.

### Mental Health: Support

2. **Charlie Elphicke** (Dover) (Con): What steps the Government are taking to ensure that people with mental health conditions are supported into work. [908757]

8. **Mr Dominic Raab** (Esher and Walton) (Con): What steps his Department is taking to support people with mental illness into work. [908764]

**The Minister for Disabled People, Health and Work (Penny Mordaunt):** We have been seeking views on this through the “Work, Health and Disability” Green Paper. We are also investing £100 million in trialling voluntary employment initiatives to consider what works for this group, including embedding employment advisers within the NHS talking therapy services.

**Charlie Elphicke:** I thank my hon. Friend for that reply. Does she agree that local voluntary groups, such as the Talk It Out mental health group in my constituency, do invaluable work to help people to be work-ready, and that we must do more to support them?

**Penny Mordaunt:** I agree that voluntary organisations have huge insight and expertise that we can tap into, and I commend the work of Talk It Out in my hon. Friend’s constituency. We are recruiting 200 community partners throughout the Jobcentre Plus network so that we can ensure we reach all those organisations and benefit from their huge experience and wisdom.

**Mr Raab:** What consideration has been given to providing tax breaks to employers that hire employees with a certified mental health illness, as proposed by the National Autistic Society and others?

**Penny Mordaunt:** My hon. Friend has hit on a theme of the Green Paper. Much work is going on in this area, not only for those with mental illness but for those with a learning disability. One health trial is currently looking at discounting business rates for employers with good mental health practice.

**Stephen Timms** (East Ham) (Lab): The Government’s laudable aspiration to halve the disability employment gap is completely meaningless without a date being attached to it. What is the Minister’s latest assessment of how long it will take to halve that gap?

**Penny Mordaunt:** The target of halving the disability employment gap is at the same time both hugely ambitious and hugely underwhelming. We should be working to ensure that everyone can reach their full potential. I have asked the Department—the right hon. Gentleman’s office will have been supplied with this information—to look at the local need in all our constituencies. How many people with a learning disability do we need to

ensure can get into work? How many people with particular conditions are we focused on? We need to focus on those numbers, not on some arbitrary formula that will change with all sorts of other factors. The labour market survey will still contain all the measures it has contained in the past, but if we are really to crack this issue we need to focus everyone locally on the local numbers.

**Ian C. Lucas** (Wrexham) (Lab): I agree with the aim that the Minister has outlined, but in my constituency office the overwhelming issue, particularly for those with mental health conditions, is the assessment process for personal independence payments, which is causing individuals real distress and great worry about their future and their ability to support themselves. I welcome the work being done with local partners, because at the moment the system is not working. The sooner the Government realise that, the better.

**Penny Mordaunt:** I thank the hon. Gentleman for his comments. We are clearly looking to reform the work capability assessment on employment and support allowance. That affords us some opportunities to look at the PIP assessment process, to which there have already been many improvements. If we can ensure that both those systems are sharing data properly, we should be able to reduce the burden on the claimant.

12. [908768] **Andrew Bridgen** (North West Leicestershire) (Con): What are the Government doing to raise awareness of the Access to Work programme and the support it can offer to employers who want to make reasonable adjustments for employees with disabilities?

**Penny Mordaunt:** The Access to Work programme is popular, and is just one of the Government’s schemes to provide support and financial assistance to employers. One way in which we are publicising that is through the Disability Confident scheme, which we relaunched last autumn. Around 4,000 organisations have now signed up to it, and it is one way of ensuring that employers really do understand the support that is there for them, as well as the huge talent and insight that this group of people can bring to their workforce.

**Neil Coyle** (Bermondsey and Old Southwark) (Lab): Many people with mental health problems pay the bedroom tax. Three months ago, the Government lost three cases in the Supreme Court that had been brought by disabled people over the bedroom tax. How has the Department identified other disabled people who should not be paying that tax, and when will disabled people in Bermondsey and Old Southwark and across the country stop having to pay it?

**Penny Mordaunt:** As the hon. Gentleman knows, there is a discretionary fund that is administered at a local level. Many local authorities have not accessed the fund. The vast majority of people, including those who are disabled, are exempt from the scheme. If he has examples of cases where that is not happening, he should write to us and let us know.

22. [908778] **Chris Davies** (Brecon and Radnorshire) (Con): What are the Government doing to draw on the expertise of charities and other third sector organisations

to help find the best way to support those most in need into the workplace, as many charities have much experience in supporting those with mental health conditions?

**Penny Mordaunt:** In addition to the community partners that we are recruiting to ensure that we have local networks plugged into our Jobcentre Plus scheme, we are also looking at opportunities for where that sector can increase the services that it already provides and derive an income from them. One such example is our one-stop-shop hub for employers, which can be a shop window for many of the organisations that already provide support to employers and that want to do more.

**Ms Angela Eagle (Wallasey) (Lab):** Will the Minister say a little more about how ESA and PIP assessments for those with mental illnesses work? I have six cases where mandatory reconsideration letters are identical to the letters providing the original decision. I have four cases—she knows of one of them because she has written to me about it—where the wrong information, about other people, has been cut and pasted into the mandatory reconsideration letter.

**Penny Mordaunt:** Let me point out that only 3% of those decisions are overturned. The vast majority of the assessments are good. The hon. Lady should let me know if she has examples of where that is not the case. One thing I have done to ensure that we get more timely information about where things are going wrong and where standards are not being maintained is to establish a claimant user rep panel, which will go live in the next few weeks. It will be rolled out on a very large scale across the country. In the meantime, she should keep on flagging up the issues that she finds.

**Victoria Borwick (Kensington) (Con):** Perhaps the Minister could talk a little more about the ESA assessments for those with mental health conditions, with particular regard to regulations 29 and 35 of the Employment and Support Allowance Regulations 2008, as they are causing much distress to disabled people.

**Penny Mordaunt:** We are looking at the assessment process. A huge amount has already been done to ensure that assessors and those in our Jobcentre Plus networks have been trained to recognise the needs of people with a mental health condition and to ensure that what they are doing is fit for purpose. The Green Paper on work and health will provide us with the opportunity to re-evaluate entirely those assessment processes primarily for ESA, but it will also reveal some opportunities for PIP.

**Debbie Abrahams (Oldham East and Saddleworth) (Lab):** People with mental health conditions and autism whom I met recently in Bristol told me of the difficulties they face getting into work. They also told me about the issues relating to PIP, work capability assessments and sanctions. Those in the ESA support group fear that the Green Paper spells out that they will be targeted next after cuts to people on the ESA work-related activity group in April. How does the Minister justify ESA WRAG cuts, cuts to employment support, jobcentre closures and the liberal use of sanctions as helping disabled people into work when there is overwhelming evidence to the contrary?

**Penny Mordaunt:** We are doing more for that group of people, which is why, despite the hon. Lady's request, I will not be pulling the personalised support package that will take effect in April.

### Young People in Work

3. **Michael Tomlinson (Mid Dorset and North Poole) (Con):** What assessment his Department has made of recent trends in the number of young people in work. [908758]

**The Secretary of State for Work and Pensions (Damian Green):** The number of young people in work has increased by 235,000 since 2010, and is up 38,000 in the past three months. Nearly nine in 10 young people are in education or work, and youth unemployment is the lowest it has been since 2005.

**Michael Tomlinson:** I am very grateful to the Secretary of State for his answer. I warmly welcome the fact that the youth employment jobs figures are at near record levels. Will he join me in welcoming the work of the Dorset Young Chamber, which helps to match individual businesses in and around my constituency with particular schools and to bridge the gap between education and employment?

**Damian Green:** I am happy to join my hon. Friend in welcoming the work of the Dorset Young Chamber. I have seen the great work that my local chamber of commerce, Kent Invicta, does in schools. My hon. Friend chairs the all-party parliamentary group for youth employment, so he will be pleased to know that the youth claimant count in his constituency has gone down by 74% since 2010 and by 7% in the past year alone.

**Chi Onwurah (Newcastle upon Tyne Central) (Lab):** More young people are claiming benefits in Newcastle Central this year than they were last year, and the north-east has the overall highest unemployment rate in the country. Too many of our young people have to leave the region to find good jobs, so when will the Secretary of State make the northern powerhouse a reality for the north-east?

**Damian Green:** We are determined to make the northern powerhouse a reality. As the hon. Lady says, youth unemployment is higher in certain areas than it is in others, but I hope she recognises that youth unemployment as a whole has come down markedly in recent years in her region, as in all others. Some 86% of 16 to 24-year-olds are now in full-time study or work, which is a record high, and the employment rate for 16 to 24-year-olds who have left full-time education is up by 0.4 percentage points in the past year.

**Nusrat Ghani (Wealden) (Con):** Apprenticeships are solid routes for young people to secure work. What work is the Secretary of State doing with his counterparts in the Department for Education to ensure that all our young people have access to apprenticeships?

**Damian Green:** We work closely with colleagues in the Department for Education to ensure that the Government meet their commitment to having 3 million

new apprentices during this Parliament. We are on target for that. In particular, we wish to ensure that apprenticeships are available not only to young people leaving school for the first time, but throughout the age range so that we can make a reality of the phrase “lifelong learning.”

**Mr David Hanson** (Delyn) (Lab): What would the Secretary of State say to areas such as mine, where youth unemployment has actually risen in the past month? Will he please look at working with colleagues in the northern powerhouse to ensure that the benefits of Government investment are shared across the north-west and north Wales as a whole?

**Damian Green:** I am happy to listen to the right hon. Gentleman’s latter point. One purpose of the northern powerhouse and, indeed—more widely—of the Government’s consultation on the industrial strategy is to ensure that the success of the economy is spread to all regions of the country. I am more than happy to talk to the right hon. Gentleman about any specific points he wants to make on his region.

#### Auto-enrolment

4. **Bob Blackman** (Harrow East) (Con): What assessment his Department has made of recent trends in the number of people saving into a pension scheme as a result of auto-enrolment. [908759]

6. **Royston Smith** (Southampton, Itchen) (Con): What assessment his Department has made of recent trends in the number of people saving into a pension scheme as a result of auto-enrolment. [908762]

**The Secretary of State for Work and Pensions (Damian Green):** Almost 7.3 million eligible workers have been enrolled into a workplace pension because of automatic enrolment. This is an unseen revolution; the way people are now saving will lead to more freedom, more choice and more security for the pensioners of tomorrow.

**Bob Blackman:** Does the Secretary of State agree that it is quite clear that many people who would otherwise not save into a private pension will now have a pension for their futures, and that young people, who often do not save for a pension now, will have a secure future in retirement?

**Damian Green:** I agree with my hon. Friend, particularly on his point about young people. The Institute for Fiscal Studies has done some research showing that participation in auto-enrolment among those aged 22 to 29 increased from 28% in 2012 to 85% in 2016. That is a very impressive improvement.

**Royston Smith:** Auto-enrolment has been hugely successful. However, a number of people are still opting out. A business in my Southampton, Itchen constituency suggested that up to 50% of its staff may be opting out. What steps is the Secretary of State taking to encourage people to continue to save for their retirement in a workplace pension?

**Damian Green:** I am happy to tell my hon. Friend that his example is an exception. When the Turner commission reported and suggested this kind of scheme in 2005, it estimated that about 25% of people would opt out, but the opt-out rate is about 10% at the moment.

There is always more to do, as my hon. Friend’s example suggests, which is why we are currently conducting a review to ensure that such schemes are even better in the future in order to work for all kinds of individuals, particularly those in small businesses.

**Rob Marris** (Wolverhampton South West) (Lab): The Library is not able to supply me with any evidence that tax relief on pension contributions—costing £30 billion a year or more—encourages savings. Can the Secretary of State supply me with such evidence?

**Damian Green:** I can supply the hon. Gentleman with evidence that we have transformed saving over the past few years. People have often said that young people in particular do not want to save, but the facts I have just put before the House suggest that that is no longer the case. If the hon. Gentleman is advocating taking away all tax relief for pensions, I would be interested in his ideas—as, I am sure, would his own Front Benchers.

**Alex Cunningham** (Stockton North) (Lab): Ministers have been clear on the need for transparency in the pensions industry, including in master trusts dealing with auto-enrolment. In his Second Reading speech on the Pension Schemes Bill, the Secretary of State spoke of it. In a speech to the TUC, the Pensions Minister said:

“We have to get transparency. It’s not an option to do nothing.”

On Report in the Lords, Lord Freud said:

“We want pension scheme members to have sight of all costs and charges”.—[*Official Report, House of Lords*, 19 December 2016; Vol. 777, c. 1528.]

Despite those fine words, all the attempts to deliver on transparency in the Bill Committee were dismissed by the Government, so can the Minister tell the House what they mean by transparency in the pensions industry?

**Damian Green:** The Bill—I note the Labour party did not vote against it on Second or Third Reading, so the hon. Gentleman cannot have objected to it that strongly—actually set up a new system of regulation, particularly of master trusts, that deals with not just transparency but a whole range of aspects, so this relatively new form of financial body is now much better regulated than it was before. I would have thought that the hon. Gentleman welcomed it—actually, he did welcome it.

#### Learning Difficulties: Support

7. **James Berry** (Kingston and Surbiton) (Con): What steps the Government are taking to ensure that people with learning difficulties are supported into work. [908763]

**The Minister for Disabled People, Health and Work (Penny Mordaunt):** The Green Paper consultation, which concluded on 17 February, asked a range of questions about how we can better support people into employment and highlighted learning disabilities as an area for further work. We will bring forward shortly schemes to support this group in their ambitions.

**James Berry:** Will my hon. Friend join me in praising the work of the Balance community interest company in Surbiton, which provides employment support for

people with learning difficulties? I urge her to raise awareness of organisations such as Balance and, indeed, of the Government's own Access to Work scheme, so that everyone knows what support is available out there.

**Penny Mordaunt:** I am happy to join my hon. Friend in praising the work of Balance CIC. This is a group of individuals we want to do much more for. We will be bringing forward a young person's work experience scheme shortly, and we wish to open up apprenticeships, but more is needed in this area, and organisations such as Balance can help us do that work.

**Kerry McCarthy (Bristol East) (Lab):** The disabled students allowance has been a great help to students with learning difficulties such as dyslexia in gaining the qualifications they need to enter the world of work. Will the Minister not accept that the £200 fee is acting as a real deterrent to the uptake of this allowance and that it is unfairly penalising students who need that extra help?

**Penny Mordaunt:** We are looking at a range of things we can do in particular to help young people with learning disabilities, with autism and with mental health conditions. They need more options available to them, and they need more financial support in some of those areas. I am happy to look at what the hon. Lady suggests if she would like to write to me with evidence that these things are happening.

**Justin Tomlinson (North Swindon) (Con):** Governments of all persuasions have tried and failed to shift the employability rate of those with learning disabilities from 6%. That rate is an absolute waste of the huge amounts of talent and enthusiasm that are out there. That is exactly why we brought forward plans to open up apprenticeships and to have a special disability apprenticeship scheme. Please would the Minister update the House on where we are with creating those opportunities?

**Penny Mordaunt:** I thank my hon. Friend for drawing attention to the apprenticeship scheme. We wish to open up the opportunities such schemes bring to those with learning disabilities, and we are making good progress on that with the Department for Education, but we need to do other things as well. When we talk about people with learning disabilities, we are talking about a huge range of individuals. We have not done enough for those who are at the highest-need end of that spectrum, and I hope we will be able to do more shortly.

### Personal Independence Payments

9. **Sir David Amess (Southend West) (Con):** What recent representations he has received on the process for assessment and reassessment of personal independence payments. [908765]

**The Minister for Disabled People, Health and Work (Penny Mordaunt):** I receive regular representations from disability organisations and hon. Members regarding personal independence payments. As I have previously stated, we want to do more to create real-time feedback across the whole country. We will shortly be introducing service user panels to feed directly back from claimants on PIP and employment and support allowance.

**Sir David Amess:** Unfortunately, I have to tell my hon. Friend that I am still receiving complaints from constituents about the procedures regarding personal independence payments, so what is she doing to improve the process, reduce delays and support people through what is often a traumatic assessment process?

**Penny Mordaunt:** The goal is clearly swift, accurate and admin-lite assessments. Good progress has already been made in many areas—for example, reducing the average time it takes for a claim from point of registration to decision by more than three quarters from over 40 weeks to 10 weeks as of October last year—but there is more to do. One reason we have set up the service user panels is that it is incredibly important to be aware that, while things may be generally going well, there are certain hotspot areas where they are not, and identifying those in real time is critical—but there are many other things in the PIP improvement plan as well.

**Liz McInnes (Heywood and Middleton) (Lab):** Yet again, one of my constituents has been to see me about a PIP assessment that has led to her Motability vehicle being taken away from her. She is currently appealing, and I have written to the Minister about the case. What reassurance can she give me and my constituent that this vehicle, which she needs, will be returned to her?

**Penny Mordaunt:** There are 70,000 more people making use of the Motability scheme than there were in 2010. The hon. Lady will know that there are improvements that we want to make to the Motability scheme. We have been working very closely with that independent organisation; we are now attending its board meetings and are able to work much more strategically. I have spoken at length, so I will not repeat it, about the areas where we wish to see better customer service. We hope to be able to make some announcements shortly.

**Mr Philip Hollobone (Kettering) (Con):** Will the Minister make strong representations to the Ministry of Justice that it should reduce the length of time that unsuccessful claimants are having to wait for their tribunal, so that they can process their claim successfully?

**Penny Mordaunt:** We are concerned with all aspects of the claims process, whether for ESA or PIP. We want this to be swift and admin-lite, and we have some opportunities, which I have already outlined, to achieve both those things.

**Carol Monaghan (Glasgow North West) (SNP):** Last year, the Government announced that those with chronic progressive conditions would not be subjected to continual work capability assessments. Why are constituents of mine with progressive conditions like multiple sclerosis continually being called for reassessment?

**Penny Mordaunt:** If the hon. Lady has cases she wishes me to look at, she must write to me about them. We are currently still outlining the criteria for the scheme to be introduced, but in the meantime, as she will know, we do not wish to call people for reassessment who would be in that category, so if she has cases where that is happening, she must let me know.

**Marie Rimmer** (St Helens South and Whiston) (Lab): At present, 65% of all claimants have their PIP appeal upheld by tribunal—an all-time high. It should be a source of huge embarrassment to the Government that, even after the introduction of mandatory reconsideration before appeal, the majority of claimants who go to tribunal win their case. How does the Minister justify forcing vulnerable claimants to navigate the complex and gruelling process that the appeal system demands, often with little or no support? Will she now get a grip and reform this clearly broken system?

**Penny Mordaunt:** I welcome the hon. Lady to her post. She is not correct: 6% of the caseload is overturned, but there are many things that we wish to do to ensure that that is improved. Some opportunities will come after the consultation in the Green Paper with the reforms that we want to make to this part of the system to improve it and reduce the administrative burden on those also claiming PIP.

### Universal Credit

10. **Mr Virendra Sharma** (Ealing, Southall) (Lab): What estimate his Department has made of the number of households in which a person in work will receive less income in universal credit than they would have received in tax credits. [908766]

**The Minister for Employment (Damian Hinds):** It is not meaningful to compare against an unchanged tax credits system, but the national living wage, help with childcare and the straightforward taper in universal credit all mean that people can earn more, and a higher income tax allowance means that they can keep more of it.

**Mr Sharma:** A single parent working full time on universal credit will be up to £3,000 worse off than someone in the same situation on tax credits, as a result of this Government's cuts. Does the Minister accept that those cuts are creating an unjustified disparity in the in-work support received by people in similar circumstances?

**Damian Hinds:** Anybody who changes from tax credits to universal credit as a result of managed migration can get transitional protection. For those who are coming into it with a new claim, it is a wholly different system with a completely different support set, including much more child care support. There are various other reforms from which the individual to whom the hon. Gentleman refers would also benefit.

**Sir Julian Brazier** (Canterbury) (Con): Does my hon. Friend accept that universal credit, which now reaches almost a third of the unemployed people in my constituency, is a much simpler system and the first major new benefit introduced in my political lifetime that has not resulted in a whole string of correspondence from people with difficulties?

**Damian Hinds:** It is indeed a dramatic and critical reform for our welfare system. I will highlight just one statistic: for every 100 people who moved into work under the old jobseeker's allowance system, 113 do so under universal credit.

**Kate Green** (Stretford and Urmston) (Lab): Last week, DWP informed Members of Parliament that our constituents would have to give specific and precise explicit consent if we are to help them with full universal credit claims with which they have difficulty. I think that that will significantly inhibit our ability to assist our constituents. Will the Minister reassure the House that measures will be put in place to ensure that MPs can support our constituents effectively?

**Damian Hinds:** Of course we want hon. Members to be able to support their constituents, but the universal credit full service system is different because the online account allows the user to access a greater breadth of their data. The claimant holds the key to those data, and implied consent cannot be assumed. A claimant can give their consent via their journal, and that is what has to be done to enable a Member to act on their behalf.

**Margaret Greenwood** (Wirral West) (Lab): Currently, families have to wait at least six weeks to receive universal credit after they have made a claim, which is leading to some people being in rent arrears and at risk of eviction. Research by the Child Poverty Action Group and the Trussell Trust found that about 30% of food bank users were waiting for the outcome of a benefit claim. What urgent action will the Government take to cut the delay at the start of universal credit claims?

**Damian Hinds:** Universal credit, as the hon. Lady knows, is a monthly benefit, but benefit advances are available where people cannot make it through to the first pay day. The fundamental point is that universal credit is helping more people into work, and once they are there, it is helping more people progress in work, and that is what is putting down the better foundation for their future.

**Margaret Greenwood:** Many families on tax credits and universal credit will lose out when the two-child limit comes into force in April. The Institute for Fiscal Studies projects a 50% rise in child poverty by 2020—the biggest in a generation—and it says that a key reason will be the impact of tax and benefit changes on families with three or more children. Do the Government think that some children matter more than others?

**Damian Hinds:** The policy to which the hon. Lady refers relates to new cases. I remind her that relative poverty is down by 100,000 children since 2010.

### Pension Investments

11. **Mary Robinson** (Cheadle) (Con): What steps the Government are taking to ensure that people have accurate and clear information to inform decisions on the use of their pension investments. [908767]

**The Parliamentary Under-Secretary of State for Pensions (Richard Harrington):** The Government are committed to providing free impartial guidance through Pension Wise to help people make informed and confident decisions about how they use their defined-contribution pension savings in retirement.

**Mary Robinson:** What further steps is the Department taking, working with other Departments, to ensure that protections are in place for those in receipt of their pensions who may be at risk of falling foul of financial scams in their retirement?

**Richard Harrington:** I thank my hon. Friend for that really important question. She can be reassured that a cross-Government consultation on further measures to tackle pension scams closed very recently—on 13 February—and it included a proposal to ban all cold calling in relation to pensions. We will announce our next steps once we have considered the responses we have received to the consultation, but I assure her that we will take action as soon as possible.

### Jobcentre Plus (Closures)

13. **Louise Haigh** (Sheffield, Heeley) (Lab): For what reason his Department did not carry out an impact assessment prior to the announcement of the proposed closure of Jobcentre Plus estates on 26 January 2017.

[908769]

**The Minister for Employment (Damian Hinds):** We have been mindful throughout of the impact on staff and customers. Analysis and local knowledge have informed the proposals, which are all subject to consultation with staff and, where appropriate, the public. A full equality impact assessment will be carried out.

**Louise Haigh:** Following the Minister's advice, I went to see the regional manager of my jobcentres last week, but she had absolutely no information on the number of employment and support allowance or income support claimants that will be affected by the proposed closure in my constituency; the plans for outreach in relation to what will replace my jobcentre after its closure; the amount saved by that closure; the necessary spend on increased capacity at the alternative centre; or projections of footfall at the centre destined for closure. I hope that such work has been undertaken internally, so will the Minister commit to publishing all that information not only before a decision has to be made, but preferably before the end of the consultation period?

**Damian Hinds:** First, ESA and IS claimants are not required regularly to attend the jobcentre in the same way that JSA claimants are. We want to look at outreach and other opportunities in working with partners. As the hon. Lady will know, the consultation closes on 28 February. On the overall approach for the city of Sheffield, this is about consolidating the amount of available space and using that space better to get a better deal for the taxpayer, while being able to provide enhanced services for customers. It will raise utilisation across Sheffield from 51% to 69%.

**Luciana Berger** (Liverpool, Wavertree) (Lab/Co-op): In 2010, there were three jobcentres in my constituency. The coalition closed one in 2012, and now the Minister's Government want to close the remaining two. Just under 3,000 people—not an insignificant number—have to access the jobcentre in my constituency at least every two weeks. Why did his Department not conduct and carry out the full equality impact assessment before the closure of the consultation?

**Damian Hinds:** The proposals will raise utilisation across the city of Liverpool from 66% to 95%, which will make better use of buildings. Where movement from one jobcentre to another involves travelling less than three miles or 20 minutes by public transport, we consider it is reasonable to ask people to make such a move.

### Disabled People

14. **Peter Aldous** (Waveney) (Con): What steps the Government are taking to ensure that employers are encouraged to recruit and retain disabled people.

[908770]

**The Minister for Disabled People, Health and Work (Penny Mordaunt):** In "Improving Lives: The Work, Health and Disability Green Paper", we asked about the barriers preventing employers from recruiting and retaining disabled people and people with health conditions. We will shortly bring forward measures to address those barriers.

**Peter Aldous:** I am grateful to the Minister for her reply. I recently held an engagement event in Lowestoft in my constituency to consider the Green Paper. The conclusion reached was that the disability employment gap is best tackled with bespoke local solutions worked out with local employers. Will the Minister give this approach fair and full consideration as she assesses the feedback from the consultation?

**Penny Mordaunt:** First, I put on the record my thanks to my hon. Friend and Members of all parties in the House who have held local consultation events. Doing so was incredibly important and has made this a very good consultation, but it is also vital in establishing and building such local networks. My hon. Friend is absolutely right that the solutions have to be local ones, not least because healthcare is commissioned locally. I can give him reassurances that we will bear that in mind as we go forward.

**Fiona Mactaggart** (Slough) (Lab): The all-party group on human trafficking and modern slavery has heard compelling evidence about how people enslaved in the UK have post-traumatic stress disorder and similar serious disabilities as a result. Will the Minister commit to meeting the relevant Minister in the Home Office to look at practical ways in which those victims of exploitation can be supported into work and be enabled to work in companies?

**Penny Mordaunt:** The right hon. Lady raises an important point. I can give her assurances that both my office and that of the Minister for Employment are working very closely with the Home Office on precisely the group of individuals she mentions and other vulnerable people such as refugees. I am very happy to raise any points that she wants me to make.

**Philip Davies** (Shipley) (Con): I am holding a Disability Confident event in my constituency on 28 April. The Minister will be very welcome if she is able to find time in her busy schedule to join us. In the meantime, will she look at what incentives can be given to employers to give disabled people a chance to prove themselves and to show what they are capable of if they are just given that chance in the first place?

**Penny Mordaunt:** I thank my hon. Friend for holding a Disability Confident event. We are looking at what further support and, in some cases, incentives we can provide for employers. We need to raise the profile of the fact that these individuals have much to offer any business. We will be holding events in March in this place to enable all Members of all parties to become Disability Confident employers and to ask for their assistance in signing up 30 targeted organisations in their constituencies. I hope all Members will take that opportunity.

**Rebecca Pow (Taunton Deane) (Con):** This question is highly relevant to what Members have been saying. I am sure that the Minister will agree that to change attitudes towards disability in the workforce, we need more businesses to become role models in this area. In Taunton, sadly, very few businesses have signed up to the disability awareness register. Will the Minister join me in encouraging local businesses to attend a special event to be staged by Taunton jobcentre on 13 March to promote the Disability Confident initiative?

**Penny Mordaunt:** I thank my hon. Friend for what she is doing in her constituency to promote the scheme. It is important that employers realise not only what opportunities are presented by employing these people, but the support and advice that go alongside it. The more people who know about that, the closer we will be to achieving the goal of ensuring that every citizen in this country can reach their full potential.

#### Jobcentre Plus (Closures)

16. **Stewart Malcolm McDonald (Glasgow South) (SNP):** What support his Department is providing to staff and service users before the proposed jobcentre closures announced in January 2017 take place. [908772]

**The Minister for Employment (Damian Hinds):** The proposals are subject to consultation with staff and, where appropriate, the public. Should they proceed, the Department will support customers through any change of jobcentre. Staff will continue to offer the same support and services to customers and to maintain the relationships they have built up over time.

**Stewart Malcolm McDonald:** Now that the Glasgow consultation is closed, can the Minister tell us the following: when will the consultation responses be published; when will the equality impact assessment be published; and when will the decision be announced? On the announcement, will he assure the House that it will not be slipped out in a press release or a written statement, but that he will make it from the Dispatch Box?

**Damian Hinds:** As the hon. Gentleman mentioned, the consultation on the jobcentres in Glasgow has closed. We are working through a number of responses and will do so within the timeframe. I anticipate making announcements in April.

**Helen Goodman (Bishop Auckland) (Lab):** I have met the 83 people who work at Vinovium House in my constituency—another office that is scheduled for closure. Will the Minister explain what the impact of the closure

of that child maintenance back office will be and how it can possibly be efficient to close an office in one of the most low-rent towns in the entire nation?

**Damian Hinds:** The entire estates review has come about because a 20-year private finance initiative contract comes to an end at the end of March 2018. That has presented the opportunity—indeed, the requirement—to review almost the entire DWP estate. We are trying to consolidate it into less space to save money for the taxpayer and to do things more efficiently. We do not want the people who work in those places, particularly in back-of-house locations, to be made redundant. We are trying extremely hard to find other opportunities for them elsewhere in DWP or in the public sector.

#### Employment Trends

17. **Seema Kennedy (South Ribble) (Con):** What assessment his Department has made of recent trends in the number of people in work. [908773]

**The Secretary of State for Work and Pensions (Damian Green):** The UK labour market is the strongest it has been for years. Over the past year, the number of people in employment has increased by 302,000. The employment rate stands at a new record high of 74.6%. The unemployment rate remains at 4.8%—the lowest rate in over 10 years.

**Seema Kennedy:** I thank my right hon. Friend for that answer. He will agree that long-term unemployment is particularly damaging for a young person. What steps is his Department taking to ensure that no young person falls through the cracks?

**Damian Green:** My hon. Friend is right: long-term unemployment can significantly damage anyone, particularly young people. I welcome the recent employment statistics, which show that 3 million 16 to 24-year-olds are full-time students, and another 3 million have left full-time education and are working. Together they account for 86% of all young people in the UK, the joint highest on record. She is right that there is always more to do, which is why, in April, we are introducing the youth obligation to ensure that young people are fully supported as they progress into work and while they are at work.

#### PIP Assessments

20. **Holly Lynch (Halifax) (Lab):** What steps his Department is taking to ensure that personal independence payment assessments are undertaken fairly and efficiently. [908776]

**The Minister for Disabled People, Health and Work (Penny Mordaunt):** We are committed to ensuring that claimants receive high-quality, objective, fair and accurate assessments. The Department monitors assessment quality through independent audit. Assessments deemed unacceptable are returned to the provider for reworking. A range of measures, including provider improvement plans, address performance falling below expected standards.

**Holly Lynch:** My constituent Neville Cartwright is living with just one lung following a battle with lung cancer, yet he lost his Motability car when his PIP was cut last year. He began his appeal in June, but has still

not had a tribunal hearing. Does the Minister agree that an eight-month wait to find out the result of an appeal is totally unacceptable?

**Penny Mordaunt:** I do agree with the hon. Lady, which is why we have been trying to work more strategically with Motability, thrashing through the issues I am very aware of on appeals and on matters such as when an individual leaves the country. We are looking to reduce the amount of time that appeals take and at what we can do with the running of the scheme so that the precise scenario she outlines does not happen.

### Self-employed People: Support

21. **Victoria Prentis** (Banbury) (Con): What steps the Government are taking to support the self-employed. [908777]

**The Minister for Employment (Damian Hinds):** We are building on the success of the new enterprise allowance. From April 2017, eligibility will be extended to include universal credit claimants who are already self-employed.

**Victoria Prentis:** There are 40 new businesses in Banbury currently supported by the new enterprise allowance, with about 100 more going through the developmental stage. Can the Minister reassure us that the programme is not just there to set up new businesses, but to enable them to grow?

**Damian Hinds:** Absolutely. The 40 new businesses in Banbury are a great example of what the NEA can do. In phase 2, we are introducing additional features to continue to promote sustained success in self-employment, including extending the mentoring period and ensuring there is a pre-workshop to outline the responsibilities and realities of being self-employed.

### Topical Questions

T1. [908745] **Justin Madders** (Ellesmere Port and Neston) (Lab): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Work and Pensions (Damian Green):** Today, we published our Green Paper on defined benefit pension schemes. The schemes provide an important source of income in the retirement plans of millions of people. The majority of the nearly 6,000 defined benefit pension schemes are run effectively. We are fortunate to have a robust and flexible system of pension protection in the UK. However, it is clear that experiences differ from scheme to scheme. Some employers are clearly struggling and the system may not be working optimally in all circumstances. The Green Paper is an opportunity to look at the schemes to ensure the system remains sustainable, while still ensuring members' benefits are protected.

**Justin Madders:** Further to the question from my hon. Friend the Member for Stretford and Urmston (Kate Green) on universal credit inquiries on behalf of constituents, does the Secretary of State not accept that putting in this extra hurdle is disadvantaging people who are in a very vulnerable situation and flies in the face of Information Commissioner guidance?

**Damian Green:** As my hon. Friend the Minister for Employment explained, the data are now held in a different way. They are entirely owned by the claimants, who can and should give any Member of Parliament permission to act on their behalf. With that permission, all of us can do our job, as we traditionally have, on behalf of our constituents.

T5. [908749] **Mary Robinson** (Cheadle) (Con): Last October, the Secretary of State announced that people with severe lifelong conditions would be exempt from reassessments for employment and support allowance. This was welcomed by leading charities in the sector. Will motor neurone disease fall within the exemptions?

**The Minister for Disabled People, Health and Work (Penny Mordaunt):** May I first praise the work of the all-party group on motor neurone disease, and the work of my hon. Friend as its vice-chair? Following the announcement, we are working to develop a set of criteria to switch off reassessments for people with the most severe health conditions or disabilities. We have sought feedback from stakeholders, including many motor neurone disease organisations. They will not be about a specific list of medical conditions; they will be based on a number of other factors, in particular how conditions are impacting on people.

**Debbie Abrahams** (Oldham East and Saddleworth) (Lab): In April, the Government's two-child policy will mean that a woman who has a third child after being raped will have to prove that fact if they are to get child tax support. At the same time, the Government are cutting widowed parent's allowance by an average of £17,000 for each bereaved family. In 2015, that benefited 40,000 children who had lost at least one parent. Will the Secretary of State please think again about these punitive measures?

**Damian Green:** I do not agree with the hon. Lady that the measures are punitive. To take just one of the two that she brought up—bereavement payments—as she knows, this measure is bringing three payments into one. The original system was devised for a world in which women often would not work at all and so needed lifelong support, rather than the extra support that they will be offered after such a tragic event. I think she will find that the new system is much fairer and more effective at providing support when it is most wanted.

**Mr Speaker:** Andrew Rosindell—not here.

T9. [908754] **Mrs Theresa Villiers** (Chipping Barnet) (Con): Does the Minister agree that it was important to introduce the cap on out-of-work benefits to deal with the excesses of a system that used to see a single household being given £100,000 a year in housing benefit?

**The Parliamentary Under-Secretary of State for Welfare Delivery (Caroline Nokes):** My right hon. Friend is right to point out that the benefit cap is working. It has brought about behavioural change, and evaluation of the current cap level has found that capped households are 41% more likely to go into work than similar, uncapped households. More than that, 38% of those

capped said that they were doing more to find work, a third were submitting more applications and a fifth went to more interviews.

T2. [908746] **Kate Green** (Stretford and Urmston) (Lab): New recipients of support who are in the work-related activity group will cease to receive the work-related activity component payment as of this April. As we have only a short six weeks until those claimants are hit by this change in policy, can the Minister tell us exactly what additional support they will receive?

**Penny Mordaunt:** The first thing I would say to the hon. Lady is that although the policy is being introduced in April, it will not start to have an impact on individuals until the summer. There is a personalised support package—13 measures that are outlined in the Green Paper—and she will know that we are also looking at ways in which we can reduce an individual's household outgoings that are not related to finding work.

**Amanda Solloway** (Derby North) (Con): Does the Minister agree that we must do all we can to support into work people with mental health issues, disabilities and learning difficulties, but that, equally importantly, we must ensure that businesses are equipped to help them to sustain their employment?

**Penny Mordaunt:** I absolutely agree with my hon. Friend. This is about people being able to reach their full potential and make use of all the benefits that come with having a pay packet—all those opportunities and that choice. Employers have a huge role to play. I have been very encouraged by the results of the consultation, particularly from employers wanting to do more, and we must ensure that they have the tools and expertise to do more.

T3. [908747] **Steve McCabe** (Birmingham, Selly Oak) (Lab): As part of the Government's welcome proposal to halve the disability employment gap, will the Minister ensure that a work support plan is in place before a disabled person is made a job offer, thus increasing the chances of success and reducing the risk of wrongly applied sanctions or accusations that the person does not want a job?

**Penny Mordaunt:** This consultation affords us an opportunity to look at a person's whole journey. Generalising, the earlier someone can have a conversation with somebody about their ambitions and the support they will need, the better that journey will be, so I totally agree with the hon. Gentleman.

**Nicky Morgan** (Loughborough) (Con): I suspect that the Employment Minister may not be aware of the Employment of Women, Young Persons, and Children Act 1920, but it is a concern to the Heritage Railway Association and others, who have had advice from leading counsel that young people cannot volunteer in industrial undertakings. We have now written to the Health and Safety Executive, but I wonder whether the Minister will meet me to have a conversation about it.

**Penny Mordaunt:** I would be very happy to meet my right hon. Friend about that issue. There is a huge amount of work going on to ensure that young people,

but others as well, can make use of all opportunities to expand their horizons, and I would be happy to meet her about the specific points she raises.

T4. [908748] **Naz Shah** (Bradford West) (Lab): Of the 17,000 sanctions on benefit claimants in Bradford West in the past six and a half years, how many could have been avoided if the Government had the yellow card warning system in place? Why has it not been rolled out nationally, following a successful trial in 2016, and when are this Government going to get it done?

**Damian Green:** We are looking at the early warning system trial that took place in Scotland. We are still evaluating it. We will publish the results of the evaluation shortly. Obviously, we will have to do the evaluation first before we decide what to do next.

**Tom Pursglove** (Corby) (Con): Last week, I attended two excellent business breakfasts in my constituency—one organised by the Rockingham Forest hotel and the other organised by Corby Business Group. There was a lot of expertise and experience there. In what ways does the Minister think we can use that experience to support young people entering the world of work through mentoring?

**The Minister for Employment (Damian Hinds):** Mentoring has a critical role to play, and I would encourage those employers in my hon. Friend's constituency, if they are not already doing so, to get in touch with local schools and colleges and to seek out more opportunities.

T7. [908751] **Julie Elliott** (Sunderland Central) (Lab): Will the Minister look at the assessment of people with long-term progressive conditions who are applying for PIP, in the light of some of the issues that have been raised? Would she consider removing the need for continued assessment of people with long-term progressive conditions when, by the nature of those conditions, they are getting worse and not improving day by day?

**Penny Mordaunt:** The hon. Lady makes a good suggestion. We are looking at that, and if we can share data better—not just across our own systems but with local government—we could improve things, because we could cut down on a huge administrative burden for claimants.

**Sir Desmond Swayne** (New Forest West) (Con): Have Ministers identified the critical difference that makes a recipient of universal credit so much more likely to get into work than someone on jobseeker's allowance?

**Damian Hinds:** There are multiple features of universal credit that make that so much more likely. The critical thing is to remove the barriers that create differences between being out of work and being in work. Having the rent paid directly to the individual is one thing; there is also the additional support that people get from the work coach in the jobcentre; then there is the fact that people know how much they will retain for every extra hour worked and extra pound earned.

T8. [908753] **Helen Hayes** (Dulwich and West Norwood) (Lab): Brixton jobcentre, which serves many of my constituents, is situated in one of the most deprived areas of London. How can the Minister justify deciding

to close Brixton jobcentre and dozens of others across the country before any assessment of the equalities impact has been undertaken and without any consultation with the public?

**Damian Hinds:** We are very mindful of our duties under section 149 of the Equality Act 2010, and we do indeed carry out the equality impact assessments that the hon. Lady mentions. She and I have had a chance to talk about the specific jobcentre. What we are doing is making sure that we have a good spread of jobcentres across the country that are accessible to the people who need to use them, but also utilising space better.

**Mr Peter Bone** (Wellingborough) (Con): Last week, I visited a number of successful factories in my constituency that were taking on additional employment. Does the Secretary of State agree that our long-term economic plan has worked and that the Opposition Members who opposed it should now be contrite? Does he also agree with me that it is rather surprising that until two minutes ago there has not been a single Liberal Democrat Member in the Chamber?

**Damian Green:** I am not remotely surprised—

**Mr Speaker:** The Minister is not responsible for the presence of Liberal Democrat Members. *[Interruption.]* If the right hon. Gentleman wants to ventilate, I am sure he will do so.

**Damian Green:** I am grateful for your advice, Mr Speaker, because I would be horrified if I were responsible for the attendance record of Liberal Democrats. I am happy to agree completely with my hon. Friend about the long-term economic plan. Our labour market is in its strongest position for years, which is a tribute to a successful economic policy for the past seven years.

**Siobhain McDonagh** (Mitcham and Morden) (Lab): On behalf of my constituent, Miss Leslie, may I ask the Secretary of State to get personally involved in her case? The victim of a house fire when she was 12 weeks old, she has no hands and has multiple physical problems. In the migration from DLA to PIP, she could not open the envelope telling her to go for her assessment. On 1 February, all her benefits ceased, and on 10 February, her Motability car was taken away. This cannot be right; please help.

**Damian Green:** If the hon. Lady wishes to contact me directly and urgently about that case, we will take it up.

**Mr David Nuttall** (Bury North) (Con): Does my right hon. Friend agree that there is no evidence to suggest that we are going to lose 3 million jobs, as we were so often warned would happen if we left the European Union? Given the recent announcements that thousands of new jobs would be located in this country by the likes of Google and Amazon, does he agree that this country remains a very attractive place in which to do business?

**Damian Green:** It is perfectly clear that this country is an extremely attractive place in which to do business. I am delighted at the number of big companies—particularly in the tech sector, but in others as well—that have

decided to move jobs to this country in recent months, and the Government will do all they can to ensure that that economic success continues.

**John Cryer** (Leyton and Wanstead) (Lab): Leytonstone jobcentre, in my constituency, is threatened with closure, which has spread alarm and despondency among some of the most vulnerable people whom I represent. The nearest jobcentre, in Walthamstow, is more than 3 miles away, which breaks the Minister's own guidelines. Will he undertake a proper impact assessment and publish the results?

**Damian Hinds:** Of course I will look into the position, but the criterion is that consultation takes place if a jobcentre is both more than 3 miles away and more than 20 minutes away by public transport. Within that, if either of those conditions is met, it is reasonable to ask people to move.

**Philip Davies** (Shipley) (Con): On Friday I visited Shipley jobcentre to hear at first hand the concerns of staff about its closure, and their concerns for its clients. Will the Minister agree to meet me so that I can go through that list of concerns and, hopefully, he can find a way of addressing them?

**Damian Hinds:** Of course I shall be happy to meet my hon. Friend, just as I have been happy to meet other Members on both sides of the House to discuss such concerns.

**Several hon. Members** *rose*—

**Mr Speaker:** Single-sentence questions, I hope. Alison Thewliss.

**Alison Thewliss** (Glasgow Central) (SNP): I am astonished that the Secretary of State said that the rape clause was not punitive, given that, in their response to the consultation, the Government said that many respondents considered it

“unacceptable for Government to ask women to re-live the ordeal of a rape just in order to make a claim for benefit.”

Will the Minister and the Government accept that the policy is simply unworkable, and absolutely despicable?

**Damian Green:** I do not accept that, and I do not think the hon. Lady's description of the exemptions to that clause accord with reality. The system that we are proposing is not remotely punitive; it is entirely sensible and workable.

**Chris Stephens** (Glasgow South West) (SNP): What plans has the Secretary of State to reduce the cost of telephone calls to his Department, which can now cost up to 55p a minute? Is he still having discussions with the Social Security Advisory Committee, which believes that all telephone calls to the Department should be at no cost to claimants?

**Damian Green:** I am, obviously, in constant contact with the Social Security Advisory Committee. People who phone the Department always have an opportunity to ask to be called back if they do not wish to continue their own calls.

## Point of Order

3.38 pm

**Kate Green** (Stretford and Urmston) (Lab): On a point of order, Mr Speaker.

**Mr Speaker:** I understand that the point of order flows directly from a question, so, exceptionally, I will take it if it is brief.

**Kate Green:** I am very grateful, Mr Speaker. I wish to follow up the answer that the Minister for Disabled People, Health and Work gave me a few moments ago about the work-related activity component of the employment and support allowance. The Minister said that no one would be affected by the change before the summer, but the DWP website says—and, indeed, I think we always understood—that it will take effect in April. I wonder whether you, Mr Speaker, will invite the Minister to clarify or correct the record.

**The Minister for Disabled People, Health and Work (Penny Mordaunt)** *rose*—

**Mr Speaker:** It is not a matter for the Chair, but the Minister is literally itching to appear at the Dispatch Box.

**Penny Mordaunt:** I am happy to clarify the position. The policy change will happen in April, but it will not start to have an impact on people until later in the year because of the process that they will be going through. However, all the elements of the personalised support package, and all the other things that we are seeking to do to help with individuals' liquidity, will be in place by April.

## Vauxhall/Opel: Proposed Takeover

3.39 pm

**Justin Madders** (Ellesmere Port and Neston) (Lab) (*Urgent Question*): To ask the Secretary of State for Business, Energy and Industrial Strategy if he will make a statement on the proposed takeover of Vauxhall and Opel by PSA.

**The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark):** Vauxhall is one of our oldest and most valued motor manufacturers. It has been making cars in Britain for 113 years and has been owned for the last 92 years by an overseas investor, General Motors. There are over 40,000 people employed directly by GM or in Vauxhall's retail or supply chain in this country. Last Tuesday, news emerged that GM was in discussions with French company PSA about the future of GM's European operations.

I spoke to the president of GM by telephone that afternoon and communicated the importance we attach to Vauxhall's presence in the UK and to its workforce. I am grateful to Mr Ammann for travelling to meet me in my office last Thursday morning. In our meeting, he told me that no agreement with PSA had been reached and discussions were ongoing, that he shared my assessment of the success of the Vauxhall plants in Britain and the Vauxhall brand, and that GM's intention was that any deal should be about building on the success of these operations, rather than seeking to rationalise them.

Following my meeting with GM, I travelled to Paris to meet my counterpart in the French Government, the Industry Minister, and following those discussions I met PSA board members for two hours later on Thursday night. I emphasised once again the importance I attach to the continuing success of Vauxhall in Britain and the recognition of its workforce. The PSA executives said that they, too, greatly valued the Vauxhall brand and the commitment of its workforce, and that any deal would build on these strengths. They also emphasised that their operational approach in recent years has been not to engage in plant closures, but to focus on continuous improvements in plant performance. On behalf of the UK Government, I emphasised our commitment to securing continued mutually beneficial access to European markets, and our intention, as part of an ambitious industrial strategy, to enhance the competitiveness of the UK economy generally—including, of course, the automotive sector. Earlier today, my Minister of State spoke to his German counterpart.

We remain in close contact with GM, PSA and the French and German Governments, and I look forward to meeting Carlos Tavares, PSA chief executive, later this week. Of course, I have also met, and will continue to meet, the trade unions and Members of this House with constituency interests. I will do everything I can at all times to secure the best possible future for Vauxhall and its workforce. Our unity of purpose in seeking this good future should be a source of strength in the House, and I will keep the House informed at every opportunity.

**Justin Madders:** I thank the Secretary of State for his response and for the helpful way in which he has kept me and other interested parties informed as matters

have unfolded. As he said, not only are thousands employed directly at the plants in Ellesmere Port and Luton, but there are tens of thousands of other people working in the associated supply chain and sales network.

I want to make it clear that Vauxhall is a British success story. The plants in Ellesmere Port and Luton benefit from dedicated and highly skilled staff, who are among the most efficient anywhere in Europe. If this takeover does go ahead, we need to get the message out that risking the closure of either facility would be a retrograde step not just for the UK economy, but also for the new owners. Will the Secretary of State confirm that the Government stand ready to use all the tools at their disposal to safeguard British jobs at Vauxhall?

Of course, this is a worrying time for everyone affected, but it is not a new experience. There have been threats to the plants in the past, but they have been seen off by industry-leading collaborations between unions, workforce, management and Government. I want that to carry on, so can the Secretary of State confirm that he will continue to work closely with everybody at every stage?

Although it would be an over-simplification to characterise the proposed deal as being entirely down to Brexit, there are understandable concerns about Brexit's potential impact, particularly if tariffs were imposed. Will the Secretary of State ensure that the future of the automotive sector is put front and centre of our negotiations and that a red line will be that there will be no deal that imposes tariffs—not just on the finished product, but on components in the supply chain?

We are very proud of our automotive sector in Ellesmere Port and Neston, but we know we cannot take it for granted. I will do everything I possibly can to fight for the future of Vauxhall, and I expect nothing less from the Government.

**Greg Clark:** I commend the hon. Gentleman, and I am grateful to him for giving us the opportunity to update the House on these matters. I completely agree with him about the importance and the success of the workforce at both Ellesmere Port, his constituency plant, and Luton, and of course the supply chain, the retail network across the country and the call centre and customer service sector.

Every part of Britain has a stake in Vauxhall, so I completely agree with the hon. Gentleman: we will do everything we can. My personal commitment, and the commitment of this Government, will be unbounded to make sure that the future, building on the success of the plant in the hon. Gentleman's constituency and the workforce, will be maintained. That is my purpose, and I am grateful for the hon. Gentleman's support for that. I will of course work with all the groups, including the trade unions and the workforce, to make that case to the new owners, if new owners there are to be.

**Andrew Selous** (South West Bedfordshire) (Con): Vauxhall has been a huge name in Bedfordshire for over a century, and that tradition continues with the building of the excellent Vivaro van at the IBC plant in Luton. I want to see the Secretary of State doing everything he can to secure those jobs, but will he also say something about the pensioners in this country, many of whom are in my constituency and across Bedfordshire? They will be worried about the future of their pensions, so will he say a little bit about that issue as well as about the jobs?

**Greg Clark:** Of course, the continued welfare of the pensioners is of great importance in any prospective takeover, and I have mentioned in my discussions with GM and with PSA how important it will be. No deal has been concluded yet, but both those organisations are well aware of the importance that I, and my hon. Friend the Member for South West Bedfordshire (Andrew Selous), attach to that matter.

**Rebecca Long Bailey** (Salford and Eccles) (Lab): I thank the Secretary of State for his response and my hon. Friend the Member for Ellesmere Port and Neston (Justin Madders) for his question. Vauxhall employs over 40,000 people in the UK, as the Secretary of State said, including 4,500 at its manufacturing plants in Ellesmere Port and Luton and tens of thousands in its retail and support arms and in the supply chain. It is, as we have heard, a great British success story.

I would like to raise a number of questions. First, the French Government own a 14% share in Peugeot, which has prompted many to suggest that any job cuts are likely to fall on Opel's six plants in Germany, the UK and Spain. The German Government have already demanded that there must be no job or plant losses as a result of any deal, and German papers reported yesterday that PSA had pledged to continue operating all four of Opel's German production sites. Will the Secretary of State tell us what action the Government are taking to obtain the same assurances for the UK? Will the Prime Minister demand that no jobs or plants will be lost when she meets the PSA chief executive?

Secondly, at the 2016 Conservative party conference, the Prime Minister stated:

“We are the party of workers”.

To make good that promise, will the Secretary of State confirm that he will demand equal treatment for UK workers, compared with workers in France and Germany, in any final deal package?

Thirdly, the UK's automotive industry is dependent on the EU for sales and components. Nissan's special deal provided assurances of unencumbered EU market access, more UK-based suppliers, and support for green vehicle research and development and for jobs and training. Can the Secretary of State confirm reports that PSA has been offered the same deal, and whether, in return, it has given an assurance that no UK jobs or plants will be lost? Is it not the case that all UK industries require certainty and stability? Would he agree that a haphazard and crisis-led approach is quite simply the very antithesis of an industrial strategy?

**Greg Clark:** First, I welcome the hon. Lady to the Dispatch Box and congratulate her on her appointment. She will find that there is no one more prepared than I am to be active in supporting employment prospects in every constituency in the country, wherever they might be. In our discussions with industry, including the automotive industry, about overseas investment, there has been tremendous enthusiasm and warm encouragement for our industrial strategy. This is something that has been pursued in other countries for some time. I think the hon. Lady described our approach as haphazard and random—

**Rebecca Long Bailey:** Haphazard and crisis-led.

**Greg Clark:** Indeed. I am not sure that the hon. Lady, in speaking from her Front Bench, is in the best position to talk about that. She made some important points, however. She mentioned the fact that the French Government own a significant stake in PSA. That is why I felt it was important immediately to have a meeting with my French counterpart. That meeting was very constructive, and he recognised the importance of ensuring that the whole of Europe should be treated fairly in these discussions. We agreed to stay in close touch on that, and I was grateful to him for seeing me.

On the treatment of plants across Europe, one of the points that the PSA executives made to me is that, since the new management of PSA has been in place, they have taken pride in the fact that part of their strategy is not to close plants. The discussions are clearly continuing and no deal has been done, but I share the view of the hon. Lady, the hon. Member for Ellesmere Port and Neston (Justin Madders) and Members on both sides of the House: it is very important that our successful enterprises with successful workforces should be able to continue that success in the future.

As for questions about the European Union, many of GM's operations in Europe are in Germany, which is not about to leave the European Union, so this is not a Brexit-related transaction. I have said very clearly that our commitment, evidenced in black and white in our industrial strategy, is to build on our strengths in advanced manufacturing, including in the automotive sector. That is available to all players in the sector through the Automotive Council, and in our industrial strategy we mention electric vehicles, battery storage and training, which are important to all members of the sector and, as I began by saying, have attracted enthusiastic support from firms all over the world.

**David Rutley** (Macclesfield) (Con): I welcome my right hon. Friend's characteristically speedy response to this new situation. Can he confirm that the UK automotive sector is not only integral and important to our industrial strategy but will play a vital role in shaping our future trade relationship with EU member states post-Brexit?

**Greg Clark:** I agree with my hon. Friend. One of the strengths of our automotive sector is that it is particularly international. It benefits from and is strengthened by trade to and from not only the rest of Europe but the whole world. Vauxhall's being owned by GM for such a long time is a reflection of the fact that the motor industry has long been international beyond Europe. The industry will be very prominent in our discussions.

**Callum McCaig** (Aberdeen South) (SNP): I congratulate the hon. Member for Ellesmere Port and Neston (Justin Madders) on securing this urgent question. I welcome the hon. Member for Salford and Eccles (Rebecca Long Bailey) to her Front-Bench position, and I look forward to working with her in that role.

Like every Member of this House, my party's thoughts are with those affected at the plants in Ellesmere Port and Luton and with all those who work in the supply chain or for the company in other ways. I welcome that the Secretary of State has led from the front in his interactions with the French and others.

What assurances has the Secretary of State sought and/or received from the French Government or from PSA about the plants, employment and, in particular,

the terms and conditions of employees and pensions? We cannot ignore the impact that Brexit might have on this issue. If there is direct competition between a German plant and a UK plant—regardless of the undoubted strength of UK plants—given that 75% of a UK plant's components come from, and 80% of its exports go to, the single market, it will be at a comparative disadvantage with European counterparts.

Given that the Secretary of State has said that he will do everything he can at all times to rule out the hard Brexit that has been proposed, will he reassess single market membership? We can leave the EU, but we do not have to leave the single market, and staying in the single market would protect employees at Vauxhall and right across the economy.

**Greg Clark:** I am grateful to the hon. Gentleman for his kind words. I thought it was important to have discussions immediately with both parties to the negotiations. It is fair to say that, as a deal has not been concluded and discussions are continuing, the prospective purchaser is clearly not in a position to give contractual guarantees. One of the important reasons for meeting was to have a clear understanding of the prospective purchaser's purpose and to commit to having further meetings as the discussions continue—I will be having a further meeting later in the week. Of course, the conditions for workers and pensioners are uppermost in the discussions.

In the context of Brexit, I made it clear, as the Prime Minister did in her speech at Lancaster House, that we want to negotiate the best possible access to the single market, free of tariffs and bureaucratic impediments. It is also important to reflect on the fact that we have a very strong and successful domestic market, with Vauxhall having a particularly strong share of it. That was mentioned to me by both parties, GM and PSA; they are very aware of that, and we will emphasise it in the days and weeks ahead.

**John Redwood** (Wokingham) (Con): Are the Government considering their policy on when, why and how to intervene in mergers that could be damaging to British jobs and the public interest?

**Greg Clark:** In the context of the Hinkley Point C decision, we said that we would come forward with measures to govern the critical national infrastructure regime. In addition, we have proposed some changes to our corporate governance regime, and we will be making suggestions as to how we can keep our merger regime up to date.

**Mr Iain Wright** (Hartlepool) (Lab): In an earlier answer, the Secretary of State said that this will not become entangled in Brexit, but the concern will be that the issue of this important company's future in Britain will become collateral damage in wider negotiations and deals on Brexit. In the face of elections in France and Germany this year, does he think that nations will have to engage in an ever-rising bidding game in order to maintain production facilities in their countries? If so, what will he do for British manufacturing?

**Greg Clark:** The hon. Gentleman should reflect a bit more positively on the success of Vauxhall in this country. The two plants we have been talking about are

among the most efficient in Europe and, therefore, the world. So this is not about altruism; these are successful plants, which is a tribute to their workforce, and they are competitive. As I said a few moments ago, the other side of the equation is that the Vauxhall brand is a very successful one in this country. So we start from a position of strength and, as he would want, I will be vigorous in promoting those strengths and influencing the negotiations so that this excellent workforce can continue and go from strength to strength in the future.

**Graham Evans** (Weaver Vale) (Con): My right hon. Friend will be well aware of the importance of this plant to the Cheshire and greater Cheshire economy. Will he assure the House that he will ensure that PSA understands the skill and efficiency of the plant and its workforce?

**Greg Clark:** I will indeed, and from my initial conversations I can say that I think that is well understood. It is matter of pride that our automotive industry in general and those two plants in particular are such high performers, and nobody will be more vigorous than me in reminding all parties to the transaction of that.

**Tom Brake** (Carshalton and Wallington) (LD): Does the Secretary of State believe that it will be much harder for companies that are looking at their integrated European operations to want to base themselves in the UK, because of the uncertainty surrounding our leaving the single market and the customs union? Does he agree that in those circumstances they are going to need some very attractive sweeteners? What sweeteners has he offered? Are those sweeteners also going to be available to the medium-priority and low-priority areas that the Government have identified, such as fisheries and chemicals, and steel and telecoms?

**Greg Clark:** I would say to the right hon. Gentleman what I said to the Chair of the Select Committee: he should reflect on the competitiveness of our automotive industry. Companies choose to invest in Britain because we are a competitive place from which to do business, we have a skilled and flexible workforce, and we have fantastic research and development facilities. We have been absolutely clear in the industrial strategy consultation that these strengths will be extended so that we continue to be a beacon of success in this and other industries.

**Mr Andrew Tyrrie** (Chichester) (Con): The Secretary of State has clearly made some reassuring noises to the firm. We need transparency on those, so will he now respond to the Treasury Committee request to publish the letter he sent to Nissan on 21 October giving reassurances to that company?

**Greg Clark:** My right hon. Friend may not have noticed that, some time ago, I said that of course we would release the letter sent to Nissan at the time when it is no longer commercially confidential.

**Ms Angela Eagle** (Wallasey) (Lab): I commend the Secretary of State for his fast action in meeting all the parties. I represent people who work in the Ellesmere Port factory. We local MPs are all justifiably proud of the work that has been done there to keep the production process as one of the most efficient in the world. We bow

to no one in the world when it comes to efficiency and productivity at the Ellesmere Port plant. Nevertheless, given that it is effectively much cheaper to get rid of British workers, because of the nature of employment rights in this country compared with those in France and Germany, what can the Secretary of State do to ensure that, when it comes to possible cost cutting, the equation is evened up so that we can support British production and British jobs?

**Greg Clark:** Like the hon. Lady, I am proud of the performance of the two plants, as well as that of the other plants in our automotive sector. The PSA executives communicated to me that performance is their guide to strategy. The two plants have very effective performance, so I want and expect them to be major parts of the future of an expanded group, if the transaction proceeds.

**Jeremy Lefroy** (Stafford) (Con): I welcome my right hon. Friend's action on this incredibly important issue of retaining the plants at Ellesmere Port and Luton. Most investment in motor manufacturing in this country comes from overseas, with the exception of Aston Martin and Triumph. What is my right hon. Friend doing to encourage British-based investment in motor manufacturing so that we do not always rely on overseas investment?

**Greg Clark:** I am very proud that we attract the world's best automotive companies and that they see Britain as a place to prosper and succeed, so I am always encouraging that level of investment. Of course, it is not only about the major manufacturers; the supply chain is increasingly important in all advanced manufacturing, including the automotive industry. We have an increasingly good record of attracting small and medium-sized businesses either to locate here from overseas, or to grow from the bottom up. My hon. Friend will know that our industrial strategy makes a great focal point of the opportunity to grow our supply chains.

**Maria Eagle** (Garston and Halewood) (Lab): The Secretary of State understands the importance of the plant at Ellesmere Port, and its suppliers and retailers, to the wider north-west's automotive sector, which includes Jaguar Land Rover at Halewood. What will he do to ensure that we do not lose some of the essential skills, jobs and firms, and that the sector in the north-west does not shrink as a consequence of factors that are completely out of the control of the Government and the people who work at the Ellesmere Port plant?

**Greg Clark:** The hon. Lady knows from the work that we have done together that it is possible to make a case for attracting investment and commitment. She is absolutely right that the plant is important, and not only to the north-west but to the whole country, if the dealership network is taken into account. My ambition, as is the case for the rest of advanced manufacturing, is for our automotive sector to be more successful and to employ more people in the future. That does not happen by accident; it will involve our being engaged with the sector and making sure that facilities for research and development and training establish our reputation as the go-to place in the world for motor manufacturing, as we are for other sectors. I will work with the hon. Lady and others, and I will be vigorous in making sure that that message is very loudly understood.

**Seema Kennedy** (South Ribble) (Con): Leyland in my constituency has a long and proud history as a part of the automotive sector. Will my right hon. Friend the Secretary of State tell the House what specific support for the automotive sector will be included in the industrial strategy?

**Greg Clark:** The automotive sector has been one of our most successful sectors in recent years. That is partly due to the effective arrangements that have been put in place through the Automotive Council, whereby firms, including small and medium-sized suppliers, can work together to support each other. An example of that is the National Automotive Innovation Centre, which I visited recently, where new facilities are being made available not only for the majors, but for people with new ideas who are setting up new businesses. That can reinforce and continue the success of one of our most effective industrial sectors.

**Alison McGovern** (Wirral South) (Lab): A number of my constituents work for Vauxhall at Ellesmere Port and Unilever in Port Sunlight. If there are Members who think that everything in our economy is rosy, I invite them to come to Wirral South this weekend and say that. When it comes to the high-value manufacturing that the Secretary of State has talked about, does he realise the importance of the customs union, and has he made a great and important contribution to the Prime Minister's strategy on Brexit with regard to keeping us inside the customs union?

**Greg Clark:** The automotive sector, like others, trades across borders. That is one reason why the Prime Minister and I have been very clear that we need to be able to negotiate trading arrangements that maintain our access across those borders without tariffs and without bureaucratic impediments—that is clearly understood. Those negotiations have some way to go, but it is important to emphasise, as I and the Prime Minister have done, what our intention is.

**Sir Desmond Swayne** (New Forest West) (Con): What guarantees might General Motors USA be required to make to General Motors GB with respect to the pension deficit before any disposal can take place?

**Greg Clark:** As my right hon. Friend knows, the independent Pensions Regulator is the arbiter of any changes to pension arrangements. It is absolutely right that such robust independence is in place. I emphasise that discussions are still continuing. No agreement has yet been reached but, as I have said to a number of colleagues across the House, the future of pensioners is very important to me, as it is to all Members.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): I was involved in the discussions that took place the last time that GM considered selling its European brands in the wake of the financial crisis. At that time, we had a successful resolution, in that the company decided to retain the brands. The Secretary of State is right that Vauxhall is tremendously successful. The Astra and Corsa are among the top 10 best-selling cars in the UK, but those cars are made by a Europe-wide company that has a Europe-wide supply chain. In any of the discussions that he has had in the past week, have exchange rate movements over the past year been raised?

**Greg Clark:** We have of course discussed all aspects of Brexit. One feature of the decisions that are being made about investment is the opportunity to locate more of the supply chain firms nearer to the production facilities. Across the board, it is important to emphasise our commitment to negotiating the best possible access to the single market, and also that the intrinsic competitiveness of the UK makes it attractive to overseas investors.

**Mr Peter Bone** (Wellingborough) (Con): If I were on a board of directors of a very successful vehicle manufacturing outlet in the fifth biggest economy in the world and that economy was about to leave the EU, I think that I would want to invest more in that facility and make sure that I did not put all my eggs in one basket. Does not the future for Vauxhall look rather good and not the reverse?

**Greg Clark:** I agree with my hon. Friend that we have in Vauxhall a very successful firm that is well regarded in the domestic market and across the continent. It is building on the success that is in prospect, but it is important that, through the discussions, that is secured in the future arrangements of the firm.

**Margaret Greenwood** (Wirral West) (Lab): Many of the thousands of people employed at Vauxhall Ellesmere Port live in Wirral and they are understandably concerned about the future of their jobs following the announcement of PSA Group's acquisition of Opel. Some 80% of the cars made at Vauxhall Ellesmere Port are exported directly to EU states, and 75% of the value of each car is imported. The Prime Minister is reported to have received a meeting request from the chief executive of the PSA Group, which Downing Street has said will take place

“in principle, subject to diary availability”.

Will the Secretary of State suggest that the Prime Minister make a space in her diary as a matter of urgency?

**Greg Clark:** I think that the hon. Lady started by saying that the deal has been agreed, so let me first say that the deal has not been done. Secondly, no one could be under any illusions as to the vigour of our response. Of course, the Prime Minister will need to find the time in her diary for a meeting, but we are keen to continue the close contact we have had.

**Nigel Mills** (Amber Valley) (Con): The various takeovers that were talked about over the weekend show the importance of having robust and enforceable rules on takeovers and mergers. When will the Government come forward with new policy so that we will know not only how we will handle takeovers when we leave the European Union, but how we can intervene in deals that we do not want to take place?

**Greg Clark:** It is important to reflect on the context: our reputation as an open economy that attracts overseas investment is one of the foundations of our success. We need to maintain that success and reputation. We have said that we will bring forward proposals, as we will regarding corporate governance. We will do that in due course and I will update the House at that time.

**Christian Matheson** (City of Chester) (Lab): As a trade union official, I supported the management and workers at Ellesmere Port through new model bidding processes three times. Each time, they demonstrated themselves to be productive, efficient and flexible, and their plant to be profitable. Unfortunately, those attributes cut no ice with Peugeot, which has form in this area, as any Coventry Member will attest. May I suggest that the Secretary of State uses this opportunity to beef up his industrial strategy? I also suggest that any public procurement of motor vehicles, for example by police forces, local authorities and Government Departments, should involve only the purchase of cars from companies that build in the UK, and that those that choose not to build in the UK should not be considered?

**Greg Clark:** Of course, I discussed with PSA the context of its closure of the Coventry plant. It was pointed out to me that the company has new management and a different approach was described. These are early stages, but that was a better message to receive than the alternative. However, like the hon. Gentleman, I want to ensure that it is reflected in practice. On procurement, it is obviously important that we get good value for money, and we have changed the procurement rules to take into account some of these wider impacts.

**Craig Whittaker** (Calder Valley) (Con): Opel has not made a profit in the EU since 1999, and Carlos Tavares, the chief executive of PSA, has a record of drastically reducing costs. What further tools does my right hon. Friend have in his armament to ensure that PSA does not move vehicle producing factories and the supply chain out of the UK?

**Greg Clark:** The discussions are at an early stage. The leak of the discussions came out only in the middle of last week and I have had a number of meetings since then. I have been clear to the House that the successful operations in this country need to be maintained. The PSA side of the discussions has pointed out quite recently that Vauxhall is not yet its company to make contractual statements about, but the direction in which the discussions are going is clear. I will continue to be vigorous in extracting the best possible agreements about the future of Vauxhall here.

**Jim Shannon** (Strangford) (DUP): I welcome the Secretary of State's statement and what he has said so far. It is clear that Vauxhall's UK plants are run to a high standard, with above-normal efficiency ratings, so will the Secretary of State outline what support he will offer to ensure that the plants are retained—and, indeed, enhanced—and that jobs are secured during any takeover? What influence, including financial assistance, can the Government exert to help?

**Greg Clark:** I am grateful to the hon. Gentleman for what he says. Again, I come back to the fact that Vauxhall's UK operation is successful. It is efficient and effective, which is the reason, as with other car companies, why investments come to this country. We have had a successful programme of joint working with the automotive sector in areas such as research and development, and in training and upskilling the workforce. That programme continues and is available to any manufacturer that participates in the sector.

**Tom Pursglove** (Corby) (Con): The UK car sector and steel manufacturing are inextricably linked, so what role does my right hon. Friend see the industrial strategy playing in the betterment of both?

**Greg Clark:** The benefit of an industrial strategy is that we can look at the connections between areas and between sectors. Of course, a thriving automotive sector in this country is good for the steel industry.

**Liz McInnes** (Heywood and Middleton) (Lab): Does the Secretary of State agree that the weaker protections against dismissal that are afforded to UK workers make them more vulnerable than their European counterparts? Given the Conservative party's supposed recent conversion into a party of the workers, what plans does he have to strengthen protections for UK workers?

**Greg Clark:** I would say two things to the hon. Lady. First, the standards we have for workers in this country are very exacting, and we have made a commitment to maintain them as we leave the European Union. The second thing is that our record of employment is one we should be proud of—in just the last few days, we were able to report employment of record numbers. That shows that the environment we operate in is attractive to investors, and the consequence of that is good jobs for British workers.

**Ian C. Lucas** (Wrexham) (Lab): As the Secretary of State said, the UK automotive manufacturing sector has been extremely impressive in the past decade. However, what is striking is that the one advanced industrial nation that has not invested in the UK sector is France. Does he believe that a French business such as PSA will really choose to invest in the UK when we are outside the European Union? Will not such a business invest in France and Germany? Will the Secretary of State therefore urgently look at a British solution to the future of the excellent Ellesmere Port plant, which provides work in north Wales, on Merseyside and right across the north-west?

**Greg Clark:** Notwithstanding—in fact, in many cases, as a result of—the successful partnership with overseas car manufacturers, 2016 was a record year for car production in this country, which was at a 17-year high. Providing that the arrangements are right, we should welcome other countries' confidence in this country. The conversations that I have had with PSA lead me to believe that its intentions, as communicated to me, are to invest in performance, and we have a proud record of that.

**Helen Goodman** (Bishop Auckland) (Lab): The Secretary of State approaches this issue with great calm and carefulness. I am sure that he has looked at the impact on the firm of being inside or outside the customs union. He wants a zero-tariff regime with Europe, but we have heard that a high proportion of the components are imported. Would the Vauxhall cars that are exported meet the threshold for being made in the UK under the rules of origin?

**Greg Clark:** The hon. Lady takes us further ahead than these preliminary discussions about a prospective sale of GM's assets to PSA have got to. I have been very clear with not just PSA but every auto company—indeed,

[*Greg Clark*]

every manufacturer—that our intention is to pursue constructive negotiations and to have the best possible access to the single market, respecting the need to avoid bureaucratic impediments and tariffs.

**Kerry McCarthy** (Bristol East) (Lab): I was born in Luton and spent the first 40 years of my life there, so I know how losing the Vauxhall plant would absolutely rip the heart out of the town. However, the issue is much broader than that, and the anxiety felt by Vauxhall workers is shared by others in the manufacturing sector as we face Brexit. What assurances can the Minister give that he is building into the Brexit strategy and the industrial strategy something that will embed those manufacturing jobs in our communities?

**Greg Clark:** I am delighted that the hon. Lady makes that point. I hope that she will respond to the consultation on the industrial strategy, because it is very clear that it reflects on and proposes ways to strengthen what are already pillars of success, including our excellence in research and development in terms of the efficiency of the industrial processes and the skills of the workforce. We cannot stand still. We need to prepare for the future, and that is precisely what the industrial strategy, which has been warmly welcomed by international investors, sets out to do.

**Stephen Timms** (East Ham) (Lab): This deal would inevitably lead to job losses around Europe. The Prime Minister has said that we might have to leave the EU without a deal, so tariffs on vehicles and components are now a possibility. Does that not mean that UK employees will inevitably be at a disadvantage compared with their colleagues elsewhere in the European Union?

**Greg Clark:** What the right hon. Gentleman misses out of his analysis is the efficiency and success of our operations here in this country, and also our strong domestic market. It is necessary to negotiate and to get the best possible terms for our Brexit arrangement—everyone is clear about that—but he should not underplay our strengths that attract businesses to invest in this country.

## Points of Order

4.20 pm

**Mr David Winnick** (Walsall North) (Lab): On a point of order, Mr Speaker. It would appear that there has been no change in the processes of the House as a result of the change at the Table—that is, no wigs, which I very much welcome; I wish it had happened a long time ago. With regard to the message received from the Queen—from the Head of State—that occurred at the very beginning of our proceedings, I wonder whether the message could be communicated to the House by you, Sir, instead of the Whip coming in with the stick, and the rest of it.

**Mr Speaker:** I am very grateful to the hon. Gentleman for his point of order. The answer is that the message that is delivered comes from the Government, and so I do not see that there would be an obvious logic in its being delivered by me. [*Interruption.*] I am extremely grateful to the hon. Gentleman, but Her Majesty communicates through Ministers, and that is what has happened. With regard to his other observation, I note what he has said. Without my rehearsing the whole issue, he will know that the request for a change came from the Clerk of the House and his senior colleagues, and it was agreed to unanimously by members of the House of Commons Commission. When I responded to points of order, I made no bones about the fact that I welcomed that change, but it was proposed by others and agreed by the Commission, chaired by me.

**Mr Winnick:** Further to that point of order, Mr Speaker. Needless to say, I agree entirely with what you said about the wigs. On the procedure at the beginning, despite the explanation you gave, on the advice of the Clerk, as I understand it, I wonder whether it could be altered so that there is more emphasis on the message from the Head of State—from the Queen—rather than all the attention being on the Whip coming in, whether he will be able to march backwards without difficulty, and the rest of it. It does not give the impression of a modernised House of Commons.

**Mr Speaker:** I am very grateful to the hon. Gentleman. I have made the point before, and I am happy to repeat it—I think that most people, certainly including the hon. Gentleman, will accept it—that change in this place comes about by the will of the House, and it is right that that should be the case. If he wishes to initiate a process of attempted change, it is absolutely open to him to do so and for the case to be argued either way. I think we will leave it there for today.

## Cultural Property (Armed Conflicts) Bill [*Lords*]

*Motion made, and Question proposed,*

That the Order of 31 October 2016 (Cultural Property (Armed Conflicts) Bill [*Lords*] (Programme)) be varied as follows:

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

(2) Proceedings on Consideration and any proceedings in legislative grand committee shall (so far as not previously concluded) be brought to a conclusion, at today's sitting, two hours after the commencement of proceedings on the motion for this order.

(3) Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion, at today's sitting, three hours after the commencement of proceedings on the motion for this order.—(*Tracey Crouch.*)

4.24 pm

**Mr Peter Bone** (Wellingborough) (Con): I wonder whether the Minister could explain why we are changing the programme motion.

**Mr Speaker:** I allowed the scope and the momentary wait, and the hon. Gentleman has taken his opportunity. I am extremely grateful to him for an extremely succinct speech. It is open to the Minister to respond, if she wishes to do so, but she is not under any obligation to do so.

**The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch)** indicated dissent.

**Mr Speaker:** The Minister does not seem to wish to take advantage of the enticing opportunity that has been offered.

*Question put and agreed to.*

## Cultural Property (Armed Conflicts) Bill [*Lords*]

*Consideration of Bill, not amended in the Public Bill Committee.*

### Clause 3

OFFENCE OF SERIOUS VIOLATION OF SECOND PROTOCOL

4.25 pm

**Kevin Brennan** (Cardiff West) (Lab): I beg to move amendment 4, page 2, line 6, at end insert

“, which includes a digital attack if the cultural property in question is in digital form.”

*This amendment would make explicit that an offence is committed if the act committed under paragraphs (a) to (e) of paragraph 1 of Article 15 of the Second Protocol is a digital attack, where the cultural property in question is in digital form.*

**Mr Speaker:** With this it will be convenient to discuss the following:

Amendment 5, page 2, line 17, at end insert

“, or

(c) a foreign national serving under the military command of the UK Armed Forces.”

*This amendment would ensure that an offence is committed if an act described in paragraph 1(d) or (e) of Article 15 of the Second Protocol is committed by any foreign national serving under the military command of the UK Armed Forces.*

Amendment 1, in clause 17, page 8, line 12, leave out “or having reason to suspect”.

Amendment 2, page 8, line 12, leave out “having reason to suspect” and insert “believing”.

Amendment 3, page 8, line 12, leave out “having reason to suspect” and insert “suspecting”.

**Kevin Brennan:** The amendment seeks to probe the Government's thinking on whether digital attacks on cultural property would be considered as damaging cultural property under the Bill. I say in passing that we very much support the Bill, having first introduced it ourselves, but sadly we ran out of time in the Parliament prior to 2010. The Bill will bring into domestic law the offence created by article 15 of the second protocol to the 1954 Hague convention, so it is not before time. I am glad that there is House-wide support for the Bill, but we want to probe a few more points during the remaining stages, to make sure that the Government's position is clear and on the record before it is sent for Royal Assent.

During previous debates, both here and in the other place, there have been many discussions about the digital reach of the Bill. Given that the original convention was written in 1954, with a subsequent protocol, that was obviously long before issues of digital property would have been actively considered. We welcome the numerous assurances provided by the Government, including by the Minister in Committee, that cultural property in digital form could be protected. If it is true that digital property is protected under the Bill, it would be natural that digital attacks on that property are also covered. The purpose of the amendment is to get the Government to confirm whether that is the case.

[Kevin Brennan]

It would not be reasonable to recognise digital cultural property but not digital attacks on such property. Given that the Bill involves creating criminal offences, it is important that the Government put their thinking on the record. Their response to an amendment discussed in Committee highlights the need for clarity. We debated whether the cultural emblem of the blue shield, which the Bill introduces from the convention and which marks a protected item, could be shown in digital form. The Minister said:

“For modern, born-digital material, such as films and music, in practice we would expect the emblem to be displayed on the physical object on which the material is stored or on the building in which the physical storage object is kept, rather than being displayed digitally. That would help to ensure that the emblem is readily visible. That is not to say that it cannot also be depicted in digital form.”—[*Official Report, Cultural Property (Armed Conflicts) [Lords] Public Bill Committee*, 15 November 2016; c. 9.]

That could be interpreted as assuming that cultural property, even that which is digital, would be attacked only in a physical sense—in other words, that any attacker would be in close physical proximity to the item and able to see the blue shield on its casing. In reality, however, digital content is more likely to be attacked by way of hacking, in which case the question of how the blue shield could flag up digital cultural property to a potential attacker is relevant. Somebody hacking into a database of some sort will not see the shield on the hard drive’s casing.

4.30 pm

We want to know whether the Government have considered the possibility of digital attack, and we want to know their response to our amendment so that we can get that on the record. Will the Minister strengthen her previous wording and assure the House that it would be possible to show the blue shield in digital form in conjunction with a physical marking on the casing or the location of the digital property? The Minister also said in Committee that a roundtable on the particulars of implementing the convention was scheduled and that this item would be on the agenda. When she responds, will she tell the House whether the roundtable has happened since the Committee stage and what conclusion has been reached about the digitisation of the blue shield?

Amendment 4 is also a useful way to probe further the digital reach of the Bill more broadly. Despite reassurances, the digital relevance of pre-digital legislation is not as simple as it seems. I want to draw the attention of the House and of the Minister to two specific issues relating to the digitisation elements of the Bill. The first relates to what the Minister said in the letter, dated 19 December 2016, which she helpfully sent to members of the Committee and others interested in the Bill following the Committee stage. In response to concerns about whether digital content is covered by the convention’s definition of cultural property, she said that it is covered. She also said:

“We do not believe that interpreting the definition in this way would lead to inconsistencies with the international approach, but believe that attempting to expand the definition in our Bill could.” We have heard that line of argument throughout the proceedings on the Bill. It seems to us that either the protection of digital material is a fair and clear interpretation

of the convention that would garner the required international consensus of all those who are party to it and could therefore be set down in writing in some way or other, or it is not. It would be useful if the Minister clarified which of those is the case.

Furthermore, I understand that Wikipedia sought to be listed on UNESCO’s memory of the world register three years ago, which would have secured its protection as cultural property. However, that attempt was unsuccessful due to the difficulties of listing a digital-only and constantly changing website. Is the Minister able to shed any light on that? What consideration has been given to such issues in relation to the Bill? Have such classification issues been considered with regard to attacks on cultural property, as well as with regard to the definition of that property?

We do not intend to press amendment 4 to a Division because we support the Bill, but we want the Government to provide as much clarity as possible for those who have to implement the law in the future. Given that the Bill will create criminal charges, I am sure the Minister agrees that it is absolutely necessary for us to have such clarification before we pass the Bill.

Amendment 5 would ensure that foreign nationals embedded in the UK armed forces are bound by the second protocol of the convention. I am sure that many people will have noted that I and my hon. Friends tabled a similar, if not identical, amendment in Committee, which I agreed to withdraw after listening to what the Minister had to say. I have retabled the amendment on Report on the basis of some new information from the Government. I think it is useful to put that information on the record and get the Minister’s response on behalf of the Government.

In Committee, I mentioned that I was disappointed to have been denied information in response to my written question to the Ministry of Defence about the number of foreign nationals embedded in the UK armed forces in each year since 2010. In an answer submitted on 14 November 2016 at 17.00, the Minister for the Armed Forces responded:

“This information is not held centrally and could be provided only at disproportionate cost.”

I had asked the Secretary of State for Defence

“how many members of foreign armed forces have been embedded in the UK armed forces in each year since 2010.”

I was surprised that the Ministry of Defence did not know how many members of foreign armed forces had been embedded in the UK armed forces in each year since 2010, so I raised that surprise when we discussed the matter in Committee.

**Tom Tugendhat** (Tonbridge and Malling) (Con): The question is slightly harder to answer than it might initially appear. On operations, foreign armed forces are embedded with and serve alongside British troops in various guises and in many different capacities. Unless the hon. Gentleman can be more specific, I can understand the MOD’s difficulty.

**Kevin Brennan:** It is certainly within the power of the Ministry of Defence to answer the question in terms of its own definitions. However, it cannot have been that hard, because the Minister for the Armed Forces subsequently changed his mind and wrote to me, telling

me that he could give me some information. It is always dangerous to intervene too early during the development of an argument. On 28 November, the Minister decided that he could provide some information, albeit not as precise as one might have desired.

**Tom Tugendhat:** There you go.

**Kevin Brennan:** I will give the hon. Gentleman five out of 10 on that basis. The Minister for the Armed Forces wrote:

“As my formal PQ response made clear—a definitive response to your question could only be provided at disproportionate cost.

However, it is roughly estimated that at least 200 members of foreign armed forces are either liaison officers or on exchange officer roles annually across the three services.”

He went on to confirm that the Department “does not routinely collect” the requested information about embedded foreign armed forces.

That does at least tell us what kind of numbers we are talking about, albeit not in precise terms. However, the point of my question was to get a general idea of how many people might be impacted by this legislation and to understand whether the Government had a grip on the rough ballpark figures.

Our concern was how the Bill would impact on foreign nationals embedded in the UK armed forces who were involved in the destruction or illegal exportation of cultural property. In her response to my amendment in Committee, the Minister said that

“if a foreign soldier were to commit an act set out in article 15(1)(d) or (e) while embedded in a UK unit, we would dismiss them and send them back to their home state to be dealt with for disobeying orders. The individual would face the consequences of their actions on their return home, and there is no loophole for embedded forces; that would apply whether or not a foreign state had ratified the convention or protocols, as the individual would be disobeying an order.”—[*Official Report, Cultural Property (Armed Conflicts) Public Bill Committee*, 15 November 2016; c. 14.]

Now that we have a figure from the Government on the number of foreign nationals to whom the Bill will apply, albeit a rough one, I just wonder—

**Tim Loughton** (East Worthing and Shoreham) (Con): I appreciate that these are probing amendments, because if the hon. Gentleman were to press them to the vote, I do not think he would get much support from the people behind him. However, will he explain what he thinks is the difference between the terminology in the Bill, which is

“a person subject to UK service jurisdiction”,  
and that in his amendment, which is

“a foreign national serving under the military command of the UK Armed Forces”,

because he has not answered that question yet?

**Kevin Brennan:** I do not think that is a question for me to answer. It is one for the Minister to answer in her response. As for his comments about those on the Benches behind, I always prefer these odds when debating in the House of Commons.

What assessment has been made of whether this matter constitutes a risk or a loophole? In Committee, the Minister mentioned that when a foreign national is embedded,

“a bespoke status of forces agreement or memorandum of understanding is drawn up that sets out responsibility for the individual involved.”—[*Official Report, Cultural Property (Armed Conflicts) Public Bill Committee*, 15 November 2016; c. 14.]

Is responsibility for protecting cultural property a part of that understanding? If it is not, will it be following the passage of the Bill?

As the House knows, the UK armed forces already abide by the terms of the convention. I very much welcome that, and I want to take this opportunity to pay tribute to their work and their outstanding contribution. I hope the Minister will be able to reassure the House that although the armed forces are a complex organisation, the application of the Bill will be consistent for everybody who serves in them.

The other amendments in this group were tabled by Government Members. We had fairly extensive discussions in Committee on the impact of the Bill on the arts market so I do not propose to say anything further on that matter.

**Sir Edward Garnier** (Harborough) (Con): I am very sympathetic to the shadow Minister, the hon. Member for Cardiff West (Kevin Brennan). He has ploughed a lonely furrow with great elegance and humour. At least he can claim to have 100% support from the representatives of the Labour party today. I am not entirely sure that I can, but I will have a go and see whether I can tempt the House towards supporting my amendments—amendments 1, 2 and 3. I am very happy to say that they were co-signed by my hon. Friends the Members for Kensington (Victoria Borwick) and for North West Norfolk (Sir Henry Bellingham). Like the shadow Minister, although we are few in number we are very high in quality.

**Tim Loughton:** And modesty.

**Sir Edward Garnier:** Modesty is not a word I have ever heard of. It may be, to refer to the Dealing in Cultural Objects (Offences) Act 2003, a cultural object, but clearly one that is far too expensive for me to have ever clapped eyes on.

If I may, I would like to tease out from the Government further information on, and their thoughts about, their policy in relation to clause 17, which sets up the offence of dealing in unlawfully exported cultural property. I should say by way of introduction—if, three minutes into my speech, I am entitled to call these words an introduction—that it strikes me that the Bill is, by and large, entirely uncontroversial, deeply unexciting and about 50 years too late. That said, if we are to introduce uncontroversial Bills 50 years too late, we might as well get the law right. It strikes me that clause 17 contains a self-evident defect, which I dealt with on Second Reading on 31 October 2016. If I may, I would like briefly to rehearse those arguments for the following reasons.

I convinced myself—I remain convinced and have yet to be persuaded otherwise by the Government—that the second element of the criminal intent provision in clause 17, which I criticised, is legally incoherent. Beyond that, I have yet to be persuaded by the Secretary of State and the Minister of either the content or quality of the counterpoints they made in response to the concerns identified in my three amendments. We have had a number of meetings, both one-on-one and collectively—possibly with my hon. Friend the Member for

[*Sir Edward Garnier*]

Kensington, but certainly with other representatives of the art market—and I think it is fair to say that our concerns about the wording “having reason to suspect” in clause 17 have not been answered satisfactorily.

There has been some assertion: “This wording is better,” say the Government. There has been further assertion that the wording that I prefer, which comes from the Dealing in Cultural Objects (Offences) Act 2003, has failed to lead to the prosecution of any people guilty or suspected of being guilty of offences under that Act and that therefore the level of criminal intent needs to be lowered.

4.45 pm

**Mr David Burrowes** (Enfield, Southgate) (Con): I apologise for missing the start of my right hon. and learned Friend’s speech—

**Sir Edward Garnier:** That was the best bit.

**Mr Burrowes:** My right hon. and learned Friend does himself an injustice: repetition can be a good thing, if he is right, but it might not be such a good thing if the point is overstated. I refer him to the Iraq (United Nations Sanctions) Order 2003, as well as the EU Council regulation on Syrian cultural property, where the wording is:

“had no reason to suppose”.

That is similar to the wording in the Bill, and I understand that there has been no grave injustice served on those law-abiding, prudent antique dealers who have been observing those provisions.

**Sir Edward Garnier:** My hon. Friend anticipates me: that was the fourth point I was going to make in due course. The difficulty in his making that point—I am grateful that, either through his own research or thanks to assistance from other hon. Friends, he has been able to make it to me—is that those are statutory instruments, which were never debated on the Floor of the House. I am not even sure they were debated in Committee. The whole point about passing criminal legislation that could lead to an individual being sentenced to seven years’ imprisonment or, if a company, to an unlimited fine is that we ought to pass good law. We ought to debate it and we ought to allow an idea to be tested, sometimes to destruction. The Afghanistan and Iraq orders that my hon. Friend talks about have not been tested in this place. The 2003 Act was tested in this place and this Bill is being tested in this place, and if the Government do not enjoy that, well I am sorry for them.

**Mr Burrowes:** My right hon. and learned Friend is dealing with his fourth point, but I wonder whether one of his subsequent points deals with international best practice in relation to United Nations resolutions, including paragraph 7 of Security Council resolution 1483 of 22 May 2003 or Security Council resolution 2199 of 2015, which focus on the same provision of “reasonable suspicion” that is in the Bill, which are obviously binding on all UN members and which are also part of the international legal architecture of our accession to The Hague convention.

**Sir Edward Garnier:** I am sure that my hon. Friend will have plenty of opportunity in the next two or three hours to make his own speech, but I am always very happy to take his interventions. If, however, he looks at The Hague convention—which is being brought into our criminal law by this Bill—he will see that there is no rubric or form of words that are required by that convention to be imported into our criminal law. If we are to base our criminal law on a form of precedent, I would look to the most recent statute, which is the 2003 Act, rather than two undebated and, I think, time-limited statutory instruments. But anyhow, my hon. Friend will no doubt have an opportunity over the next few hours to develop the points that he has thought a great deal about.

I have yet to be persuaded that the Government’s counter-arguments, which I rudely describe as mere assertions, deal with the points that I made on Second Reading. I will not repeat what I said on Second Reading—I know that the hon. Member for Cardiff West, speaking from the Opposition Front Bench, has carefully read what I said on 31 October and recited it every week at the Labour party parliamentary meetings, which is why Labour Members have not attended this afternoon—but I make a serious point: the content of clause 17 sets up two systems, which is to say, actual knowledge, which is fair enough, and “reason to suspect”, which in my view is not fair enough and could lead to the conviction of people for lacking curiosity or being careless, rather than for having the requisite criminal knowledge.

During the meetings, as I say, the Government undertook to find out from the Crown Prosecution Service how many cases had been dropped or not pursued by virtue of what was described as the high level of criminal intent required under the 2003 Act. As I understand it—the Minister will correct me if I am wrong—there is no information to support that assertion. That argument, it seems to me, falls away.

To persuade me and those who think like me who come from the art market rather than from Parliament that this is a perfectly acceptable way to design this clause, it has been said, “Don’t worry; we will produce some guidance to the CPS, or the CPS itself will produce some guidance, which will inform the decisions of the police or prosecutors about whether to prosecute under the ‘reason to suspect’ arm of clause 17.” Of course, we have not seen that guidance, and we do not know where it is or what it will say; neither do we know what its legal effect will be.

I repeat that we are here creating an offence that could lead to somebody being sent to prison for seven years. Now if I am about to be sent to prison for seven years, I would rather like to know why. If I am to be prosecuted—even if I am later acquitted—I would again like to have some clearer information about the basis on which I am to be prosecuted.

I would hope, too, that all of us in the Chamber would like to keep an eye on the public expenditure implications of running prosecutions. We all know that the court system is overloaded; we all know that bringing prosecutions is expensive and has to be paid for by the taxpayer. If we are asked to introduce into our criminal law wording that foments uncertainty and a sense of unfairness, we should all be a little more careful before permitting such wording to go ahead.

As I said a few moments ago, I shall not repeat everything I said on 31 October, because it is there on the record for everyone to see. Let me finish, however, with this plea. If the Government are not persuaded to get the law right, simply because so few people are interested in this subject, and they know that they can whip the Government party to come in here and vote for whatever it is they want, I say fair enough in that I accept the arithmetic of our legislative democracy. It would be foolish of me to think that by standing up and speaking on a Monday afternoon I could persuade others to defeat the Government.

I am not going to press my amendments to the vote. I do not know whether my hon. Friends the Members for Kensington and for North West Norfolk have other plans, but for my part, I shall not urge them to press these amendments. What I do urge, however, is that the Government at least condescend to tell us what on earth they are on about. So far, we have not had any genuine information or any genuine evidence or any thoughtful response to the concerns that I have expressed. As I said on the previous occasion, these are not just my concerns; they are shared by many who have worked for many years in the art market and have practical experience of the difficulties caused by woolly wording.

My arguments have also been assisted by and based on what has been said by people who have far greater legal expertise than I have. I listed their names on Second Reading. They include a former Lord Chief Justice, a professor of law at Leicester University, a highly respected Queen's Counsel who specialises in criminal law, and many others who—while approving of the policy behind the Bill and the inclusion of this ancient convention—fear that we are setting off on a wrong track that may lead to injustice. I know that my hon. Friend the Minister hates injustice of all sorts, and I suspect that, when she finds it in a Bill of which she has the conduct, she will probably want to do something to correct it.

**Brendan O'Hara** (Argyll and Bute) (SNP): Let me begin by repeating what I said on Second Reading. Both the SNP and the Scottish Government welcome the Bill and the purpose that it serves. Like the hon. Member for Cardiff West (Kevin Brennan), I support its enactment.

When talking about amendment 4, the hon. Gentleman made some good points about the use of the blue shield in digital form, which seems to be an eminently sensible idea. I also agree with his amendment 5. It is only right that foreign troops who are embedded in United Kingdom forces adhere to the same standards and rules as those forces. The Government can be assured of our support for this important legislation, so that the United Kingdom can ratify the 1954 Hague convention for the protection of cultural property in the event of armed conflict, and accede to both the 1954 and the 1999 protocols.

Although the United Kingdom has never ratified the Hague convention, it is widely and rightly acknowledged that UK armed forces already comply fully with it during military operations, and that they also recognise the blue shield, which is—as the hon. Gentleman explained—the emblem that identifies cultural property that is protected under the convention and its protocols. I think it would be useful if the Government considered extending it to digital property. Ratifying the protocols would allow the Government to give our troops formal responsibility when they are operating in armed conflict.

We firmly believe that, no matter where it is located in the world, we all benefit from having a rich and diverse historical and cultural heritage, and that every effort must be made to protect that in time of war—and, indeed, at all times. I do not expect to hear many, if any, dissenting voices when it comes to the principles of the Bill. We all recognise that a people's culture is a crucial part of who they are now and what they were in the past. For virtually all communities, regardless of where they are in the world, cultural heritage is a symbol whose importance cannot be overstated.

With your permission, Mr Deputy Speaker, I shall return to a theme on which I touched briefly on Second Reading: the fate of the Parthenon marbles, which are still referred to by some as the Elgin marbles in memory of the man who misappropriated them from the Parthenon just over two centuries ago. What better way could there be of marking the passing of the Bill than allowing the Parthenon marbles to return to—

**Mr Deputy Speaker (Mr Lindsay Hoyle):** I have tried to allow the hon. Gentleman some latitude, but, as he knows, we are dealing with amendments rather than with Second Reading speeches. Tempted though I was to hear the hon. Gentleman's Second Reading speech again, I must keep him within order.

**Brendan O'Hara:** I will be very brief indeed, Mr Deputy Speaker.

We know that there has been systematic looting of priceless artefacts, and that a flood of artefacts are coming on to the market throughout Europe, America and the far east. We must do everything that we can to protect those artefacts, and I hope that the Government will take on board the amendments tabled by the hon. Member for Cardiff West. I think it incumbent on all of us to protect the cultural heritage, regardless of whose it is. I look forward to supporting the Government, and I am sure that they will accept the amendments.

**Victoria Borwick** (Kensington) (Con): I declare that I am president of the British Antique Dealers' Association and that I have also been advised by the British Art Market Federation, the Antiquities Dealers' Association and LAPADA, all of which have made written representations on this Bill. I concur with the comments of my colleagues that the art and antiques industry is fully supportive of the principles and aims of this Bill.

5 pm

Turning to the amendments in my name and those of colleagues, clause 17 relates to the most important point made in the submissions from the art and antique trade. Members have spoken before of the need for certainty in law—that is the point that needs to be clarified—so that well-intentioned and honest dealers and auction houses are clear as to exactly what is permitted. That is even more important when, as others have said, there is the possibility of a criminal conviction. The concern is over the level of knowledge of wrongdoing required before a dealer or auctioneer can be judged to have committed a criminal offence—what I understand lawyers call the *mens rea* point—and whether that has been expressed with an appropriate level of clarity in the Bill as currently worded.

Clearly no one objects to the word “knowing” in the relevant subsection. If a dealer knows that cultural property was unlawfully exported from an occupied territory, they are guilty of an offence. The problem lies with the additional criterion for committing an offence when someone has “reason to expect” that an item was unlawfully exported. Despite carrying out appropriate provenance checks on an item of cultural property, a dealer or auctioneer might, just prior to exhibiting it at an auction or antiques fair, receive an unsubstantiated allegation that it was illegally removed from an occupied territory.

**Kevin Brennan:** Does the hon. Lady take any comfort from the Government’s impact assessment of the Bill, which envisages that there would be one prosecution every 30 years under the Act?

**Victoria Borwick:** Of course we all hope that is the case, but that is why we all in this House, jointly I believe, are seeking clarification: we do not want unsubstantiated allegations that something was illegally removed from an occupied territory, or a request for something that was legally exported. The allegation might be totally groundless when something is just about to be sold or exhibited, but the seller, genuinely believing that the item had not been illegally exported, would fear that the allegation could be deemed “a reason to suspect”, and that could lead to the item then being withdrawn from sale. The time-dependent opportunity to sell it would be lost and the very act of withdrawal could well then damage the artwork’s future saleability. The mere making of an unfounded allegation that an item was unlawfully exported from a potentially occupied territory after 1954 may place in the mind of a potential dealer or auctioneer a reason to suspect that it has been unlawfully exported, and although that might not later turn out to be the case, he will not go near it because it has been tainted.

I give as an example an old master picture that has changed hands on the legitimate open market in Europe in the past few years. It is sent to London for sale by auction. Due diligence is carried out and its known provenance is investigated, as is its sale history, and checks are made that the item has not been stolen. The picture is then included in an auction catalogue which is published several days before a sale. An allegation is then made that it was removed from an occupied eastern European country in the 1960s. Time is necessarily short to investigate whether that is true. Attempts to resolve the matter beyond doubt before the auction do not succeed, and even though it may well prove groundless, the allegation itself represents a reason for suspicion under the terms of the Bill as currently drafted. Not wishing to run the risk of prosecution, the auction house has no alternative but to withdraw the picture from the auction, to the disadvantage of its owner who, at best, will have to wait for another auction and, at worst, will face financial loss, as marketing it for a second time could adversely affect its value. The rarer and more valuable a picture or piece of art it is, the greater is the risk that a successful sale will be prejudiced by its withdrawal from an auction. In time, the allegation could well prove groundless, but the damage will have been done.

I recall the Secretary of State saying on the Floor of the House on 31 October that

“It is important that we are clear that the Bill will not hamper the way in which the art market operates.”—[*Official Report*, 31 October 2016; Vol. 616, c. 700.]

The closest existing legislation to the current Bill is the Dealing in Cultural Objects (Offences) Act 2003, to which my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) referred earlier. It is concerned with illegally removed archaeological material and objects that have been taken illegally from monuments or historical structures. However, unlike the Bill—in which the types of cultural property covered are extensive and could even include cultural property in people’s family collections—the 2003 Act does not cover works of purely artistic interest. The Act states:

“A person is guilty of an offence if he dishonestly deals in a cultural object that is tainted, knowing or believing that the object is tainted.”

**Sir Edward Garnier:** My hon. Friend refers to the 2003 Act. She and I will recall that the genesis of the Act was the ministerial advisory panel’s report on illicit trade, which was published in 2000. The report suggested that the gap in the Theft Act 1968 should be filled by what became the 2003 Act and by the “knowing or believing” test for mens rea. Is it not a pity that the Government do not seem to remember that, and that they seem to be moving down a different route?

**Victoria Borwick:** I thank my right hon. and learned Friend for giving us the benefit of his experience, which I hope will prompt the Government to reconsider.

As the British Art Market Federation and others have stated, the existing statutes mean that a dealer acting with honest intent and conducting reasonable due diligence is highly unlikely to run the risk of prosecution, unless it can be shown that they have wilfully acted dishonestly. I understand that the Government have cited article 21 of the second protocol of the convention as justification for a lower level of mens rea, but I draw my hon. Friend the Minister’s attention to article 15 of the protocol, which indicates that an offence has occurred if a person intentionally commits an act of theft or misappropriation against cultural property protected under the convention. Surely that suggests that an element of dishonest criminal intent is required by the convention. I seek that assurance. If the Bill were to introduce a lower threshold of mens rea, that would amount to gold-plating, which appears to run counter to Baroness Neville-Rolfe’s assurances in the other place that

“the Government intend to do only what is necessary to meet our obligations under the convention and its protocols.”—[*Official Report*, House of Lords, 6 June 2016; Vol. 773, c. 586.]

For all those reasons, I am concerned that the words “having reason to suspect” are inappropriate. Terms such as “believing” or even “suspecting” carry greater certainty and clarity. I emphasise that this is a point of law; it does not weaken or water down the Bill. We all understand that the objective is squarely to target those with criminal intent. I ask the Minister to consider these views and those of the art and antiques industry when drawing up the detailed regulations that will ensue from this legislation.

**Mr Burrows:** It is a pleasure to take part in the later proceedings of this important Bill. I am co-chair of the all-party parliamentary group on cultural heritage; it is excellent to see the Bill on its way and at long last to enable our ratification of The Hague convention, which will be very welcome. Having said that, I very much respect this level of scrutiny and the concerns outlined by my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) and my hon. Friend

the Member for Kensington (Victoria Borwick). We also had exchanges on this issue in the Bill Committee. I welcome that because the concern among dealers has been outlined, not least to the all-party parliamentary group.

The British Antique Dealers Association, the British Art Market Federation, the Antiquities Dealers Association and LAPADA all made considered written representations, which need to be fully respected, and I join them in wanting to ensure confidence in the market. The last thing we want to happen is for the Bill in any way to provide uncertainty or ambiguity in the codes of practice and guidance, which are very welcome—they are welcomed not least by the all-party parliamentary group. We want London to be the centre of excellence for dealers' associations, and we want there to be true confidence in the market.

The all-party parliamentary group has deliberated on some of the scaremongering stories out there. We recognise that the London dealers' market has a very good record, and we want to ensure continuing confidence in that market. I have due respect for the concerns that have been expressed, and I look forward to further roundtable meetings and the publishing of guidance.

My right hon. and learned Friend the Member for Harborough, a former Law Officer, pleaded for guidance to be published at this stage. As he will know, some of us who scrutinised the Bill in Committee, including the shadow Justice team, are on his side in pleading for such guidance to be published before the end of our proceedings. Sadly, those pleas have been made in vain in some ways. I share his concern that there should be as much transparency as possible.

It is important to recognise that other stakeholders are concerned about amending clause 17. Although the antiquities and antiques dealers' associations are important and must be listened to, we must also listen to the police. I understand that police representatives have said that they support the Bill as currently drafted. I have an interest as a criminal defence solicitor, and I am not necessarily surprised that the police support the current wording, but it is worth taking account of other interested parties, such as the British Red Cross and the British Museum.

**Sir Edward Garnier:** I was puzzled by the reference to the British Red Cross in a letter from the Minister, so I checked it with the Secretary of State for Culture, Media and Sport, and she, too, was a little puzzled by the reference. I am not sure that the Red Cross has anything whatever to do with this. This is all about preventing the unlawful trade in items unlawfully exported from occupied territory. The Red Cross has lots of things to worry about, but I am not sure its main aim in life is supporting this Bill.

**Mr Burrowes:** I do not often disagree with my right hon. and learned Friend, but the British Red Cross has a great deal of interest because, in many ways, it is the pre-eminent body in dealing with issues of international humanitarian law. What we are doing here is ratifying The Hague convention, in which the Red Cross plays a crucial role.

I quoted Mr Michael Meyer, the head of international law at the British Red Cross, in Committee. If you will forgive me, Mr Deputy Speaker, I will repeat what I quoted because it is of direct relevance:

“However, it appears that, in practice, the clause should place no greater burden on dealers than already exists to conduct

appropriate due diligence. In other words, the threshold of ‘reason to suspect’ is not so low as to have an adverse impact on the legitimate market, while at the same time acting as a necessary and suitable deterrent for those who may be less scrupulous. The wording is somewhat similar to that used in the existing Iraq and Syria sanctions orders. There is also very similar wording found in section 17 of New Zealand’s Cultural Property (Protection in Armed Conflict) Act 2012.”

That Act followed New Zealand’s ratification of The Hague convention. What that international lawyer says is relevant because, although I respect the well-made point that this Parliament is considering how the convention is applied domestically through our courts, we are catching up on ratifying The Hague convention and setting ourselves on an equal footing from an international legal standing. I pray that in aid.

I am arguing against myself to some extent here, but I recognise that if we were dealing with a simple issue relating to another dishonesty offence being added to the criminal legal handbook, I would be joining my right hon. and learned Friend in expressing concern about the disparity on mens rea in respect of this offence and the normal panoply of dishonesty offences. However, we are dealing with a unique offence in unique circumstances.

The shadow Minister made a point about the impact assessment and the view that there will be one prosecution. That is relevant because we are talking about an exceptional prosecution in respect of an exceptional piece of property that comes through to the market in this country and how it is then dealt with. We should therefore not overstate the concern, and we need to take into account the confidence of the market. We are dealing with exceptional cases, which need to be dealt with appropriately and carefully. That is why we need to have regard for what is already in place, not least how other cases are dealt with in international practice and how we have applied other relevant legislation.

5.15 pm

The Iraq (United Nations Sanctions) Order 2003 was a statutory instrument that did not have the level of scrutiny we are afforded in dealing with this Bill—that is why we are undertaking this scrutiny. It is important to look at the impact of what has been in place since 2003. That order contains the words:

“and had no reason to suppose that the item in question was illegally removed Iraqi cultural property.”

That is particularly relevant here, as it is an equivalent provision to the one in clause 17. Interestingly, the provision is more onerous, as it shifts the burden on to the defendant, with the onus on them to prove that they had no reason to suppose that the property had been illegally removed, whereas in clause 17 the onus is on the prosecution to provide the proof. I have not heard concern from the dealers' association and others about this order and how it goes even further in shifting the onus in respect of people dealing illegally with removed Iraqi cultural property. I am not aware of any case in which an antiquities dealer has been unjustly convicted—or, indeed, even prosecuted or arrested—under that order, even though it goes a lot further than clause 17 in shifting the burden on to the defence.

**Sir Edward Garnier:** Does it follow from what my hon. Friend is saying that he does not know whether any convictions under the statutory instrument have been for the “knowing” or for having “had no reason to suppose”? He does not know either way, does he?

**Mr Burrowes:** What I do know either way is that no antiquities dealer has come forward about being unjustly convicted and there has not been a campaign about such. None seems to have been unjustly convicted under this order—or there has been no evidence that there has been an iniquity in relation to an arrest, prosecution or seizure under the order or, indeed, under the other relevant provision, the European Union Council regulation on Syrian cultural property. That refers to

“Syrian cultural property goods and other goods of archaeological...importance...where there are reasonable grounds to suspect that the goods have been removed from Syria without the consent of their legitimate owner”.

Again, I am not aware of any antiquities dealer having fallen foul of those provisions, with the complaint being that the net is cast too widely.

I concede that, in terms of *mens rea*, there is a difference between normal dishonesty offences and this particular offence, but in respect of the actual impact of the Bill, I am not aware of a serious problem. Rather, the answer is that, with the appropriate legal advice and the due diligence that one would expect of any decent, law-abiding antiquities dealer, they will be able to chart their way through the legislation.

Another relevant aspect is international practice. We are in the process of ratifying The Hague convention and putting ourselves into line internationally. It is important to refer to paragraph 7 of UN Security Council resolution 1483, which came into being on 22 May 2003 and is obviously binding on all UN member states. It was made in direct response to the looting of cultural institutions in the immediate wake of the invasion of Iraq. All member states signed up to taking

“appropriate steps to facilitate the safe return to Iraqi institutions of Iraqi cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from the Iraq National Museum, the National Library, and other locations”.

Paragraph 7 says specifically that that should be done “by establishing a prohibition on trade in or transfer of such items and items with respect to which reasonable suspicion exists that they have been illegally removed”.

Similar wording is used in United Nations resolutions.

That similarity continued in paragraph 17 of UN Security Council resolution 2199, from 12 February 2015. Again, it is binding on UN member states. It was adopted in direct response to the looting of Iraqi and Syrian cultural property in the course of the ongoing armed conflicts in those states. The Security Council reaffirmed its decision and recognised that there was a corresponding obligation for cultural property illegally removed from Syria since 15 March 2011. On the standard of knowledge considered sufficient by the Security Council, of which the UK is of course a permanent member—we want to ensure we are right up there in terms of signing up to ratifying the two protocols—there was the same equivalence in relation to reasonable suspicion.

**Victoria Borwick:** On the point about the uncertainties, perhaps the Minister will clarify whether the legislation is going to be retrospective. Is it going to apply to items that are imported in future, or to items that are currently in the country? Alternatively, will it apply only to what happens after the Bill is passed? We are talking about items that move from country to country, particularly those in areas of potential conflict, so it would be helpful if there was clarity in the Bill about the date on which an item was imported.

**Mr Burrowes:** I am happy to facilitate the Minister’s being able to respond to that question.

On 18 January 2012, before the adoption of paragraph 17 of Security Council resolution 2199, an EU Council regulation emphasised the same points made in the Security Council resolutions. It referred to situations in which

“there are reasonable grounds to suspect that the goods have been removed from Syria without the consent of their legitimate owner or have been removed in breach of Syrian law or international law”.

The amendments have been tabled in good faith and are well intentioned, and in ordinary circumstances I would think they were well merited and had substance. In this particular case, however, given the context, I do not think they are necessary or, indeed, desirable, especially when one takes into account the international best practice or hears from stakeholders such as the Red Cross and the British Museum. I shall conclude with the words of the latter:

“We feel it is particularly important that there is no watering down of responsibilities or requirements in the Bill. Specifically, we feel that in regard to the Clause 17...it is imperative that the working should remain ‘knowing or having reason to suspect that it has been unlawfully exported’”.

**The Parliamentary Under-Secretary of State for Culture, Media and Sport (Tracey Crouch):** I am grateful to all those who have contributed to this good debate on Report. I propose to respond to the amendments in the order in which they have been grouped.

I am grateful to the hon. Member for Cardiff West (Kevin Brennan) for his explanation of amendment 4. He and Lord Stevenson have been passionate about ensuring that digital property is protected—I congratulate them on their efforts. The hon. Gentleman raised really interesting points about the risk of cyber-attacks. We should always be vigilant in protecting against and resisting such attacks. This is a complex and, indeed, developing area, but the amendment is both unnecessary and inappropriate. It is unnecessary because we consider that article 15 of the second protocol is already capable of covering cyber-attacks in the context of an armed conflict. As clause 3 is drafted with reference to article 15, the Bill is also able to cover such attacks.

The amendment is inappropriate because the precise meaning of article 15 is a matter of international law and we should not seek to elaborate on its meaning. The amendment would risk creating a divergence in meaning between our own law and international law, and not only would that be unhelpful, but it could ultimately place us in breach of our international obligations. Clause 3 as drafted is sufficient to implement the convention effectively in the UK, so I must oppose the amendment.

Let me briefly address the other issues that the hon. Gentleman raised about digital property. The roundtable on implementation took place on 5 December with representatives from the heritage and museum sectors, and experts in cultural property protection. On the subject of the cultural emblem, we discussed its digital display, which stakeholders broadly welcome. I can reassure the hon. Gentleman that digital issues will continue to be fully considered as part of the ongoing discussions about this particular aspect of the Bill.

I am grateful to the hon. Gentleman for tabling amendment 5, not least because it allows me to highlight the tremendous work of our armed forces on cultural property protection. Our military already take the protection

of the world's cultural heritage very seriously. Not only is respect for cultural property upheld across the UK's armed forces and reinforced in policy and training, but the joint military cultural property protection working group provides an important focal point for progressing numerous aspects of cultural property protection.

Planning for the new military cultural property protection unit is continuing apace. The unit will ensure that cultural property is protected from damage and looting, and it will provide advice, training and support across our armed forces. I am sure that the whole House will join me in commending this important work.

Amendment 5 would extend the UK's jurisdiction over the offences described in sub-paragraphs (d) and (e) of article 15.1 of the second protocol. If it were passed, foreign nationals committing those offences abroad would be subject to our jurisdiction if they were serving under the military command of the UK armed forces. This issue was raised in Committee and, to be helpful, I will be more than happy to set out our position again. Before I do so, however, let me respond to the hon. Gentleman about the reply he received from the Minister for the Armed Forces regarding the number of foreign personnel embedded in UK armed forces. That is a matter for the Ministry of Defence, and I am really sorry to say that I have nothing further to add to that correspondence.

In Committee, I stated that we should not extend our jurisdiction beyond our obligations under the convention and protocols. Clause 4(3)(b) currently covers all those subject to UK service jurisdiction, regardless of nationality. Although that is not expressly required by article 16(1), it does no more than reflect the existing position under the Armed Forces Act 2006. This is quite a different matter to extending jurisdiction to all foreign nationals serving under UK military command, which would be inappropriate. It is important that we respect the service jurisdictions of our allies in relation to their personnel when they are embedded in the UK military, as we rightly expect our service jurisdiction to be respected when our own service personnel are embedded in the forces of another state.

Such arrangements are often reciprocal. If we try to impose UK jurisdiction on foreign embedded forces, other states will be less willing to allow UK forces to be embedded with them. Clearly, that would be detrimental to the operation of UK armed forces. As I explained in Committee, these arrangements are reflected in status of forces agreements or memorandums of understanding, and a foreign soldier committing a serious violation would be dismissed and returned to their sending state. It should also be remembered that, as required by the convention and protocols, jurisdiction over the acts described in sub-paragraphs (a) to (c) of article 15.1 of the second protocol already extends to all foreign nationals committing the gravest offences abroad.

The scope of jurisdiction set out in clause 3(4) is in line with that required by the second protocol, taking into account existing provision in the 2006 Act. This ensures that all people subject to UK service jurisdiction can rightly be prosecuted on the same basis, regardless of nationality. To go any further would be to interfere needlessly with the service jurisdictions of our allies in a manner that would be at odds with standard military practices. Given that explanation, I hope that the hon. Member for Cardiff West will not press amendments 4 and 5 to a Division.

5.30 pm

I turn to amendments 1 to 3, which relate to clause 17. I am grateful to my right hon. and learned Friend the Member for Harborough (Sir Edward Garnier) and my hon. Friend the Member for Kensington (Victoria Borwick) for setting out their concerns, but I am afraid that I cannot agree to their proposals. I explained the Government's approach when we considered clause 17 in Committee, but I am sure that it will be helpful to the House if I briefly go through the main points again.

I stress that the Bill is about protecting a small but very special category of cultural property: that which is "of great importance to the cultural heritage of every people", as defined in article 1 of the convention. The dealing offence in clause 17 applies only to this most important cultural property when it was unlawfully exported from occupied territory after 1956, when the convention and first protocol came into force, and if it has been imported into the United Kingdom after the Bill comes into force. I hope that that provides some clarity with regard to the point raised by my hon. Friend the Member for Kensington. However, dealers should always be concerned to ensure that any objects in which they deal have good and lawful provenance. If there is any evidence to suggest that an object might have been unlawfully exported from its country of origin—wherever and whenever that export took place—dealers should not deal in that object.

My hon. Friend the Member for Kensington raised this issue by using the example of an old master. I know that art market stakeholders are concerned that claims about the provenance of an object that are made in a phone call or published on a blog shortly before a sale could stop that sale proceeding. That might be the case on very rare occasions, but this is already an issue for the art market and it will not be solved by watering down the Bill. If new, convincing evidence is presented about an object's provenance shortly before an auction, we already expect dealers to pause and consider whether they need to undertake further due diligence. If, however, a claim is made with no evidence to back it up, it may be perfectly legitimate for a dealer to disregard that and proceed with the sale. Such claims are unlikely to be considered a reason to suspect that an object has been unlawfully exported. When unlawfully exported cultural property is imported into the United Kingdom, it is important that we are able to protect it by deterring and, if necessary, prosecuting those who would deal in it.

**Sir Edward Garnier:** The Minister's point is confusing. She says that the examples she gave do not provide reason to suspect. In fact, they provide reason to suspect, but it might be that that suspicion is not true. That is the distinction that the Government fail to understand.

**Tracey Crouch:** But my point is that this issue already exists in the art market—the Bill does not alter that at all. Art market dealers should be carrying out due diligence in all cases. The hypothetical circumstances and examples that have been given make no difference as to whether such cases are covered by the Bill or by existing legislation. The Government consider that the offence as drafted is the most appropriate way to achieve the protection needed to deter people from unlawfully importing exported cultural property into the UK.

[Tracey Crouch]

The offence created by clause 17 is consistent with similar offences created by the Iraq and Syria sanctions orders, which use “reason to suppose” and “reasonable grounds to suspect” as the basis for determining criminal liability. The offences in the sanction orders are the most appropriate comparators for the offence created in the Bill, as they also deal with cultural property that is unlawfully removed from conflict zones. We therefore refute the suggestion that the drafting of the Bill is novel or contentious, as some have suggested. The Iraq sanctions order has been in place since 2003, and the Syria sanctions order since 2013, and they have not had an adverse impact on the art market. While I hear what my right hon. and learned Friend says about the fact that they are statutory instruments, they are still the law. The fact is that they have not had an adverse impact on the art market, and we still think they are the best comparators.

Thirdly, key stakeholders, including the police, academics, museums and the Council for British Archaeology, support us in our view that the threshold is appropriate. One leading academic, Professor Roger O’Keefe of University College London, has confirmed his view that the drafting of the offence reflects international best practice, as was highlighted by my hon. Friend the Member for Enfield, Southgate (Mr Burrowes). Furthermore, we have discussed the issue at length with art market stakeholders, and we have listened to their concerns carefully, but they have provided no clear evidence that the mens rea in the Bill would create insurmountable problems for the market or increase the due diligence that dealers need to undertake. It will, however, provide a deterrent for those unscrupulous dealers who might be tempted to deal in unlawfully exported cultural property.

My right hon. and learned Friend the Member for Harborough also mentioned guidance. To reassure those with concerns on this issue, we made a commitment to work with art market stakeholders, with a view to providing guidance where necessary to assist the art market in understanding the new dealing offence and complying with the Bill. My officials are taking that forward with art market stakeholders, the Crown Prosecution Service and the police. A meeting to discuss the issue was held last week, and a further meeting is planned for 1 March.

With that, I hope my colleagues are reassured and feel that they do not need to press their amendments to clauses 3 and 17.

*Amendment 4 negatived.*

*Third Reading*

*Queen’s consent signified.*

5.36 pm

**Tracey Crouch:** I beg to move, That the Bill be now read the Third time.

Today is an important milestone in our drive to protect cultural property not only in this country but around the world, and particularly in places where it is threatened by armed conflict. The 1954 Hague convention for the protection of cultural property in the event of armed conflict and its two protocols are an important

part of the international legal framework for protecting cultural property. Since 2004, successive Governments have promised to bring forward the legislation required to enable the United Kingdom to ratify the convention and accede to the protocols. I am delighted that this Government have finally been able to do so, and I thank my right hon. Friends the Members for Maldon (Mr Whittingdale) and for Wantage (Mr Vaizey) for securing time for the Bill in this Session.

The Bill, together with The Hague convention and its protocols, fits into the wider framework of our initiatives to protect cultural property. I recently had the pleasure of visiting the British Museum to learn more about its Iraq emergency heritage management training scheme, which is helping to build capacity in the Iraqi state board of antiquities and heritage by training staff in a wide range of sophisticated techniques of retrieval and rescue archaeology. The scheme is supported by £3 million from our new cultural protection fund. That fund, which is managed by the British Council, is so far supporting nine projects to the tune of £8.8 million, using British knowledge and expertise in places where cultural heritage is at risk.

The first group of Iraqi participants completed their training in November. One of them has already been appointed by the Iraqi state board to lead the assessment of the site of Nimrud, which was recently liberated from Daesh control. The second group of participants is now in training at the British Museum, and I am delighted that they are in the Public Gallery to witness our debate and the passing of this important Bill.

**Mr Burrowes:** I commend the Minister on navigating us through to this stage. She has now become an international advocate, having travelled to conferences to extol the virtues of our commitment to cultural property. Will she also pay tribute to Professor Peter Stone of Newcastle University and the UK Committee of the Blue Shield, who want us to establish a centre of excellence for the collection and sharing of information on threats to cultural property worldwide? We are an exemplar on that, and we could perhaps do more with more funding.

**Tracey Crouch:** I am grateful for my hon. Friend’s intervention. I am sure that the Prime Minister was paying close attention to our proceedings in Committee, during which my hon. Friend asked me to consider going to Abu Dhabi for an international convention on cultural property, because, shortly after he made that request, the Prime Minister wrote to ask me to attend that convention. I am really pleased that I went to that excellent convention. I met some leading figures from around the world, including the head of UNESCO, and the event gave us an opportunity to show that the UK is leading the way on this matter. I will come to my hon. Friend’s point about praising Professor Stone later.

The creation of the new cultural property protection unit in the British Army—a modern-day version of the famous monuments men, and of course women—will ensure that respect for and protection of cultural property is embedded in our armed forces. The unit is expected to consist of between 10 and 20 specialist reserve officers. It will provide advice, training and support across the armed forces, ensure that cultural property is protected from damage and looting, and be able to investigate,

record and report cultural property issues from any area of operations. I congratulate Lieutenant Colonel Tim Purbrick on his work so far to develop this unit, and I look forward to following its progress.

Those initiatives are ensuring that the United Kingdom is a world leader in the protection of cultural property. Passing this Bill, and becoming a state party to The Hague convention and both its protocols, will cement that position. The Bill introduces into UK law the provisions that are necessary to ensure that we are able to comply with the convention and protocols when they come into force. Together, they provide protection for the most important cultural property—that which is of the greatest importance for the cultural heritage of every people. As I confirmed in Committee and in my subsequent letter to hon. Members on 19 December, the definition of cultural property set out in the convention is broad and flexible. It could include cultural property on film and in digital form, provided that it satisfies the requirement of being of the greatest importance for the cultural heritage of every people. The Bill makes it an offence to attack or destroy such cultural property during armed conflict, in violation of the convention or second protocol. It regulates use of the cultural emblem—the internationally recognised sign used to identify cultural property that is protected by the convention. It also makes it an offence to deal in unlawfully exported cultural property from an occupied territory, and ensures that we are able to protect cultural property that is brought to this country from areas of conflict until it can be returned.

This has been my first Bill as a Minister. It has been a pleasure and a privilege to be responsible for such an important measure that has become so widely and internationally welcomed and supported, not just in Parliament but beyond. The Bill has been well debated and scrutinised in both Houses. I am grateful to all hon. Members who contributed to our proceedings. I thank Opposition Front Benchers, particularly the hon. Member for Cardiff West (Kevin Brennan), for their support. I also thank the Whips and the Clerks for their assistance. Looking back, I thank the Culture, Media and Sport Committee for its scrutiny of the draft legislation in 2008. At that time, the Committee was chaired by my right hon. Friend the Member for Maldon, who championed this cause by ensuring that we could introduce the Bill during this Session. I thank the devolved Administrations in Scotland, Wales and Northern Ireland, who have been fully supportive of the Bill. This has been an excellent example of us working together as one United Kingdom to achieve a common goal on an issue of great importance to us all.

My thanks also go to the many stakeholders who have advised and supported us during the preparation and passage of this Bill: academics, particularly Professor Roger O’Keefe and Professor Peter Stone; the police, including Chief Constable Paul Crowther and his team; specialist agencies such as the Red Cross—I am pleased that Michael Meyer is in the Gallery today to show his support—and many other representative organisations. They have all contributed their specialist knowledge and expertise, which has been most welcome and much appreciated.

Last but not least, I thank the officials who have worked on this Bill—not only those who have supported me and my ministerial colleagues in taking the Bill

through Parliament, but their predecessors who worked on these issues, drew up the draft Bill 10 years ago, and ensured that that was not forgotten but was ready when a place was found for it in the legislative programme. Their efforts have finally borne fruit, and it is only right that we should acknowledge their contribution.

Passing the Bill moves us one step closer to finally ratifying The Hague convention, acceding to the protocols and, I hope, achieving our aim of becoming the first permanent member of the United Nations Security Council to do so. Indeed, it seems that our initiative in introducing the Bill might well have encouraged France and China to begin their own procedure to accede to the second protocol, proving once again that the UK is the world leader in the protection of cultural property.

We look forward to continuing to work closely with our partners and stakeholders to develop and enhance the protection of cultural property in this country and around the world. It has taken 60 years for us to get around to ratifying The Hague convention. The Bill has been waiting for almost 10 years to get on the statute book. That it is finally on the verge of becoming law is true testament to this Government’s commitment to protecting the world’s cultural heritage.

Although I have acknowledged that the Bill seeks to protect a limited class of cultural property, it should not be lost on Members that, in passing it, we will be taking essential steps to protect the world’s most pre-eminent cultural heritage for the benefit of all people and future generations. At a time when cultural property is facing global danger, that cannot happen soon enough. I commend the Bill to the House.

5.45 pm

**Kevin Brennan:** I echo all the thanks given by the Minister. I also note our achievement in saving A-level art history along the way as well. We raised the issue on Second Reading and managed to save the Government from themselves, so this outbreak of cross-party collaboration has been worth while.

We do not oppose the Bill, as we have said all along. On the contrary, we are very proud to support the ratification of the 1954 Hague convention. The Bill has been 63 years in the making and I am pleased that the ratification of the convention will show that protecting cultural property is a UK priority. Culture is essential to society. It is not an added luxury. It preserves our past, inspires our future and enriches us as human beings.

The convention is particularly laudable in its internationalism and collectivism, and in its acknowledgement that the culture of one is important to the culture of all across the world. As has been pointed out many times during our debates, the process of ratifying the convention has been done on a cross-party basis in this House and in the other place. The process was begun by the last Labour Government. Unfortunately it was not completed by 2010, but I thank my colleagues and former colleagues for putting the issue on the national agenda as far back as 2004 and for publishing a draft Bill in 2008. In 2015, the Government announced their intention to ratify the convention, and thanks are due to the right hon. Members for Maldon (Mr Whittingdale), the former Secretary of State, and for Wantage (Mr Vaizey), who played a part at that stage.

[Kevin Brennan]

Likewise, I thank the Minister for her contributions in this Chamber and in Committee; for her responses to the sometimes annoying amendments that we tabled in Committee; and for granting us access to her officials during the course of the Bill, which was extremely helpful. The Bill is about co-operation and mutual respect, so it was entirely appropriate that we co-operated across party lines in order to get it on the statute book. The way in which the Minister has steered the Bill through and the courteous manner in which she has conducted herself throughout the debates is a useful example that all Ministers in her Department and others should follow.

Likewise, we should thank all those individuals and organisations that submitted evidence and participated in discussions, as well as those who campaigned for the convention's ratification in the intervening years. I also thank my colleagues in the other place, particularly Lord Stevenson of Balmacara and Lord Collins of Highbury, for their robust and informed questioning as the Bill went through its respective stages in the House of Lords.

I am also grateful for the previous work of my hon. Friend the Member for Bishop Auckland (Helen Goodman) and for the work of the Clerks, *Hansard* reporters and Door Keepers in making possible the passage of the Bill.

Before our debate comes to an end, I want to re-emphasise a point I made on Second Reading that, in the light of recent events, has sadly become even more relevant. The destruction of Palmyra in Syria has been mentioned many times during our debates as a tragedy and an outrage that made clear the importance of ratifying a convention that pledges to protect cultural property, even if it does not directly apply to that circumstance.

While the Bill was proceeding through its stages, the Government recently announced their plan to suspend the scheme inspired by Lord Dubs's amendment and to stop accepting unaccompanied young refugees. All of us who strongly support the Bill would assent to the notion that Governments should be judged principally on how they treat people, rather than how they treat palaces. I hope that rather than being an inconsistency, the passage of the Bill will mark a turning point in this Government's thinking. We should extend to Syrian people fleeing conflict and seeking refuge the same respect and protection that we are offering to their ancient architecture.

Again, we are proud to support the Cultural Property (Armed Conflicts) Bill. It is not often that the House is united in passing a Bill of such historical significance with such a degree of consensus, and I also welcome the support of SNP colleagues throughout this process. I hope that the passage of the Bill gives the UK an opportunity to demonstrate international leadership and to create a legacy of which all of us can be proud.

5.50 pm

**Sir Edward Garnier:** I thought, listening to all these paeans of praise, that I had wandered into the BAFTAs, but they are well placed, and I congratulate my hon. Friend the Minister. She says it is the first Bill she has conducted through this place as a Minister, and I hope it is not the last. I wish her every success.

That having been said, as we used to say, this is not simply formulaic; there is a purpose in having a Third Reading debate, albeit that such debates are now very truncated and that as I think we all agree, apart from my point of disagreement, this is a wholly uncontroversial and utterly worthwhile Bill. Its genesis was several decades before my hon. Friend was even a twinkle in her parents' eyes; sadly, I am older than the convention, but there we are. Perhaps I am a cultural object.

**Tracey Crouch:** A treasure.

**Sir Edward Garnier:** I know I am a treasure, but the Minister is so kind.

I will make three quick points, if I may. First, it is important not to confuse evidence for an offence with the definition of an offence. Those are two different legal concepts, and in our enthusiasm to pass this Bill into law, we are in danger of allowing that confusion to remain. Despite the fact that I accept the political reality, I think clause 17(1) is and remains flawed, and I am not yet convinced that what the Government propose is the right answer, but there we are, I have lost that particular argument.

Secondly, I hope we will see the guidance for prosecutors and the police soon. As my hon. Friend the Member for Enfield, Southgate (Mr Burrowes) said, Governments often talk about guidance and secondary legislation is often drafted to achieve clarity. It is no good just saying things; we need to do things. I hope that we will see the guidance long before the end of the summer, and that it will be available to be considered in published form.

Thirdly and finally, I urge my hon. Friend the Minister to press the Foreign Office to come up with some form of definition of "occupied territories". It is a movable feast, and I appreciate that the facts on the ground and the law relating to the status of particular parts of the world change almost week by week. However, if there is to be guidance on whether it is appropriate to prosecute under clause 17(1) for "having reason to suspect", we equally need guidance on what an occupied territory is as a matter of fact and as a matter of law.

5.53 pm

**Victoria Borwick:** As president of the British Antique Dealers' Association, I know, as I have said previously, that the arts and antiques industry fully supports the aims of the Bill. There are still areas of concern, however, which have been mentioned. In particular, it is important that honest and well intentioned dealers and auction houses do not risk criminal prosecution when conducting reasonable due diligence. We have discussed the aspects of the Bill concerning the trade that relate to avoiding uncertainty in the art market and ensuring clarity in the practical operation of the law. There is no doubt that uncertainty hampers any market. It is reassuring that the Minister has made it clear on the Floor of the House today and previously that she does not want the market to be hampered. I thank her for that assurance.

The clause 17 offence of dealing in unlawfully exported property depends directly on the clarity and understanding of what is meant in the Bill by the term "cultural property". As it stands, the punctuation that is used in article 1(a) of the convention, which is reproduced in schedule 1, means that cultural property is not limited to "property of great importance to the cultural heritage of every people".

Although the Minister has previously reassured us that cultural property can be protected if it is of great importance to every people, the market seeks absolute clarification on these points, as has been said by other hon. Members. Other categories of property are covered by the definition, regardless of their cultural significance, including

“works of art; manuscripts, books and other objects of artistic, historical or archaeological interest”.

I am delighted that the Minister today confirmed her statement in the House of 31 October that the Government intend to take the same restricted approach to the definition of “cultural property” and that the clause 17 offence of dealing in unlawfully exported property will apply to only a very small but special category of cultural objects—those that are of great importance to the cultural heritage of every people.

Another area of uncertainty is an auctioneer or dealer’s ability to identify the occupied territories to which the law applies, particularly if an item may have been here previously. Of course, a lot of trading goes on between countries all the time. That is why the points that have been made about certainty and the dates of an occupied territory need to be clarified.

Clause 16 states that the Secretary of State’s confirmation that a territory was occupied is “conclusive evidence” of that status once legal proceedings have begun. If the Secretary of State’s word may be provided after the beginning of proceedings, cannot the list of occupied territories, together with the relevant dates of occupation, be drawn up for all to see? Alternatively, could the criteria that the Secretary of State would apply when determining whether and when a country is considered to have been occupied be clarified? I could add to the list east Jerusalem, the west bank, northern Iraq, Libya or southern Sudan. I am sure that other countries could be added. For the avoidance of doubt, art and antique dealers need to know at what point since 1954 a particular territory is covered by the legislation, and whether or not that will be retrospective.

Even if those operating in the art market can identify the territories and the periods when they were considered to be occupied, there is the added issue of determining whether objects left those territories during the period of occupation or at another time, and whether those objects were here before, during or after that period. We need that clarity. The precise historical date or year when an object left a territory could well be difficult to ascertain, which is why the trade asks for clarity in and guidance on the final definitions. We are talking about territories that were deemed to be occupied prior to 1954, so surely this is historical and factual information that should be readily available to the arts and antiques trade, and others, to provide absolute clarity.

In 2008, the Government’s response to the territory question was that a dealer who had carried out proper due diligence checks would be unlikely to be convicted of a criminal offence. I urge the Minister to ensure that that response is clarified and brought up to date.

The Government added that they were unaware of any other parties to the convention having drawn up such a list. I struggle to understand how a law concerned solely with objects unlawfully exported from occupied territories can be expected to operate effectively when there is no means by which anyone is able to identify those territories. Do the Government expect a dealer or auction house to submit requests for confirmation of a territory’s status to the Secretary of State on a case-by-case basis, prior to handling an antique, as part of their due diligence? I urge the Government to prepare a list of the territories covered and the relevant dates, so that proper guidance can be given. As the application is retrospective to 1954, that information must be available and must be a point of record. I ask the Minister to consider these points and others when preparing the regulations governing the Bill.

*Question put and agreed to.*

*Bill accordingly read a Third time and passed, without amendment.*

## High Speed Rail (London - West Midlands) Bill

*Consideration of Lords amendments.*

### Clause 4

POWER TO ACQUIRE LAND COMPULSORILY

6.1 pm

**The Parliamentary Under-Secretary of State for Transport (Andrew Jones):** I beg to move, That this House agrees with Lords amendment 1.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** With this it will be convenient to take Lords amendments 2 to 54.

**Andrew Jones:** Let me say right away that the majority of the amendments are technical clarifications, corrections and updated references. The Government accept all the amendments to the Bill made by the Lords. I will provide some comment on the amendments of substance. Before I do so, I would like to take the opportunity to thank the Lords for its scrutiny of the Bill. I pay particular gratitude to Lord Ahmad of Wimbledon for having very skilfully steered the passage of the Bill through the other place, and to my noble Friends Lord Viscount Younger and Baroness Buscombe for their diligent work in assisting Lord Ahmad during the Lords stages of the Bill. It would be most remiss of me not also to thank Lord Walker of Gestingthorpe for his distinguished chairmanship of the Select Committee that considered the petitions against the Bill in the Lords, and to thank the other members of the Committee.

Lords amendments 1 and 2 were introduced by the Lords Select Committee and concern the removal of a strip of land in the Chelmsley Wood area of Solihull from the Bill. The Government were proposing to acquire the land to re-provide public open space for local residents. However, the Lords Select Committee concluded that this was not necessary. As we set out in the Government's response to the Lords Select Committee report, the Government regret that that means that the residents of Chelmsley Wood are to lose permanently a portion of public open space, but we will be working with Solihull Metropolitan Borough Council to consider, within the limits and the powers of the Bill, reasonable ways in which to reduce the temporary impact of construction and the permanent impacts of the operation of the railway. Clearly, any solutions agreed that fall outside the limits and powers of the Bill will be for Solihull Metropolitan Borough Council to deliver in its role as the local planning authority.

Lords amendment 4 was also introduced by the Lords Select Committee. It removes the power in clause 48 that made provisions for the Secretary of State to promote a compulsory purchase order to acquire land for regeneration purposes related to High Speed 2. It was always intended that the power would be used only as a backstop if commercial negotiations failed to reach a satisfactory conclusion and if a significant regeneration opportunity would otherwise be lost. However, the Lords felt that given the broad nature of the powers and the fact that local authorities already had similar powers, it was unnecessary for the Government to take the powers. The Government accept that ruling and will continue to work with local authorities to ensure that opportunities for regeneration arising from phase 1 of HS2 are not missed.

Amendments 3, 51 and 52 introduce a new clause and schedule in relation to traffic regulation orders. TROs are a mechanism for local highways authorities to impose temporary or permanent restrictions on the use of highways in their areas in order to control traffic. Local highways authorities will need to make a range of TROs in relation to the construction of HS2. They will also need to ensure that they do not make TROs that conflict with the construction of HS2. The amendments ensure that local highways authorities will be required to consult with the Secretary of State for Transport before making any orders that affect either a specific road identified for use by HS2 or other roads related to HS2 construction works. This will avoid TROs being made that might otherwise inadvertently cause problems for the construction of phase 1 of HS2.

The amendments also allow the Secretary of State, if required, to make TROs himself and prohibit or revoke TROs that unnecessarily hinder the delivery of the railway. These powers are similar to those that the Secretary of State already has under the Road Traffic Regulation Act 1984 and will ensure that TROs necessary to deliver phase 1 of HS2 in a timely and economic manner can be made.

**Mark Field (Cities of London and Westminster) (Con):** I appreciate that there would be a desire, particularly in central London, to prevent any local transport authority, whether the local authority or Transport for London, from frustrating the building of the railway, but will the Minister give an assurance that the Secretary of State's powers will be used sparingly? In London we already have democratically elected authorities, through the local authorities and Transport for London, that are able to represent the public interest in this regard, so it is a slight concern that the Secretary of State could use the powers less sparingly than might be desirable for democratic accountability.

**Andrew Jones:** My right hon. Friend makes an important point and I can give him the assurance he is looking for. The powers would only ever be used in a very sparing way, as he suggests is appropriate. Basically, the right way forward is for HS2 and the Department and local highways authorities to work together to agree some kind of consensus; these are just powers that might be necessary should situations arise. An example of success in that would be Camden, where there has been agreement between the borough council and the Department and HS2 Ltd on how to take forward the TROs required.

**Mr John Spellar (Warley) (Lab):** Although we may be seeking consensus, if there is disagreement, these provisions would ultimately give the Department for Transport the power to proceed by fiat and override the local authority or, indeed, local residents' concerns, would they not?

**Andrew Jones:** The Bill certainly does give the Secretary of State the power, if required, to make TROs himself and to prohibit or revoke TROs that unnecessarily hinder the delivery of the railway. The answer to the right hon. Gentleman's question is therefore yes, but we cannot allow a significant national project to be held up over the small matter of a TRO. As I have said, the best thing to do is to work with the highways authorities; these are some backstop powers, just in case that does not deliver the consensus required.

The powers were subject to significant debate and amendment in the House of Lords, and I am glad to say that the powers we are considering this evening represent the correct balance between giving the Secretary of State the powers necessary to construct HS2 and providing reassurance to local highways authorities about how they will be used. Clearly, we hope there will be little or no need to rely on them, as the regular meetings established with local highways authorities will be used to consult, agree, monitor and generally supervise the local traffic management plans. However, the powers are needed to ensure that, if those arrangements fail, HS2 can be delivered in an efficient manner.

The remainder of the amendments make technical clarifications in relation to the changes to the Housing and Planning Act 2016, update references and make corrections. I urge the House to agree to the Lords amendments.

**Andy McDonald (Middlesbrough) (Lab):** I am pleased to contribute to the progress of the Bill once again. I was fortunate enough to have been able to contribute to it in Committee, and I know the Minister will share my enthusiasm for the fact that this Bill will soon receive Royal Assent. High Speed 2 is, of course, the brainchild of a Labour Government, but I give credit to the coalition Government and the present Government for providing continuing support.

**Mr Spellar:** For purposes of clarification, HS2 was the brainchild of the last year of the last Labour Government. All previous Transport Ministers had treated it with considerable scepticism.

**Andy McDonald:** I am grateful for my right hon. Friend's clarification, but if a party is in power, it is in power. Whether or not this happened in 2009 or 2010, Labour were still the Government of the day.

There are some points of disagreement between the Opposition and the Government on HS2—I shall return to them later—but the consensus that exists across the House and among businesses and industry experts on HS2 is to be welcomed. Projects of this scale often require the support of successive Governments and support from the Government and Opposition Benches, so it is reassuring to see a consistent approach to this critical investment in our nation's rail infrastructure.

**Mrs Cheryl Gillan (Chesham and Amersham) (Con):** Is not the hon. Gentleman rather ignoring the fact that most Members are not affected by this project, so they show very little interest in it at all? If MPs' constituencies are affected by the project, Members are of course passionately engaged. In fact, that consensus has really gone by default.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** Order. Let me say that our time should be devoted to the amendments, and I am bothered that we might stray into other areas that should not be debated. I have allowed a little latitude, but I do not want us to open up into a general debate. Let us keep to the amendments.

**Andy McDonald:** Let me just say that this project benefits the entire country in its construction and its reach. I shall leave it there, Mr Deputy Speaker.

HS2 helps to address the severe capacity constraints on our rail network and improve connections between cities in the midlands and the north of England and beyond into Scotland. HS2 is vital for unblocking the capacity constraints that are undermining punctuality and constraining economic growth.

I would like to place on record my thanks to all Secretaries of State and Ministers, shadow Secretaries of State and shadow Ministers and Members of both Houses who have contributed to and carried the Bill forward. I want to pay tribute to all the Clerks who managed the petitioning process and provided invaluable advice and guidance throughout. I would like to pay a particular tribute to the great professionalism and dedication to his task of the late Neil Caulfield, who as Clerk to the Committee was immensely patient and attentive, giving me his time to ensure the smooth progress of the Bill. He is very sadly missed, but not forgotten.

This is a large and complicated Bill and has been subject to the highest levels of scrutiny throughout the process, and we now have a much improved Bill. We will support the Lords amendments to it. The majority of the amendments are without controversy and simply seek to tidy up the measure and make small changes where necessary. It is not necessary to debate them in any detail.

The most significant change to the Bill is the new schedule on traffic regulation, which, given the identified effects of the redevelopment of Euston station, is particularly pertinent for the London Borough of Camden. I acknowledge the consultation that took place following Committee with local highway authorities, which informed the changes to the new schedule. Entirely legitimate concerns were expressed that the new schedule as originally drafted would have given powers that were too wide ranging and could have caused a lack of proper regard for the residents of London—concerns expressed by Camden Borough Council and Transport for London. To a large extent, these concerns were addressed in the changes made to the new schedule, but some issues are still outstanding. I understand that the discussions between the promoter and both TfL and Camden Council are ongoing, and that an undertaking has been negotiated, but not yet received. I understand that the undertaking will say that the use of these powers will not affect bus lanes, cycle ways, the safer lorry scheme and the congestion charge zone.

Is the Minister able to give assurances that the promoter of HS2 will meet the costs incurred by local authorities in putting in place and removing traffic regulation orders required by the Secretary of State? Can he also give assurances that the Secretary of State will be required to provide justification when seeking to use these powers? The powers are needed for construction, but Labour's position from the start has been that the impacts of construction on affected areas must be mitigated as much as possible, and such assurances would be appreciated. Pursuant to the new traffic regulation, will the Minister tell us what plans the Department has to minimise the number of HGV journeys on London roads, in the interests of the environment and public safety, during the redevelopment of Euston station? No fixed target has been endorsed, and the issue is crucial to London residents.

6.15 pm

Labour supports the progress of HS2, a hugely important undertaking which will not only remedy the considerable capacity problems that currently exist, but bring enormous economic benefits. There will be immense opportunities for young people, who will be able to spend their entire careers in high-speed rail. It will showcase Britain at its best to the world, and will serve as a real manifestation of our national pride and confidence in ourselves. We are more than capable and good enough to build HS2, and more than capable and good enough to run it when it has been built.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** I think that the hon. Gentleman has strayed off the point, but I am sure that he is approaching the end of his speech.

**Andy McDonald:** There are two more sentences, Mr Deputy Speaker.

HS2 does not have to be a Deutsche Bahn HS2 or an SNCF HS2 or Nederlandse Spoorwegen or Trenitalia state-run HS2, but it can be—if I may paraphrase the Prime Minister—a British red, white and blue HS2, and the Government should guarantee it.

**Mrs Gillan:** HS2 may well embrace young people's entire careers, as the hon. Member for Middlesbrough (Andy McDonald) suggested, and they will have good careers out of it if it is built. However, I do not underestimate the fortunes being made—by the top echelons of HS2, certainly, but also by people who are benefiting from very lucrative contracts at the taxpayer's expense.

I presume—and I am hardly surprised—that the Government have accepted the Lords amendments. A number of them correct inaccuracies, many of which have been and continue to be attached to this project, and which have been a source of great anxiety on the part of people directly affected. I join those on both Front Benches in saying thank you to their lordships, who were restricted in what they could do. They were unable to amend the Bill significantly—they could not make any additional provisions—and we are therefore dealing with a group of amendments that the Government are, of course, able to accept in their entirety because they do not do that much to the Bill.

I must say that I would welcome the acceptance of Lords amendment 4, which I call the “land grab” amendment, because it would limit the power of the state to acquire land compulsorily in association with the project for the purposes of regeneration or development. I think it fair to say that the current Secretary of State for Transport, when lobbied by me and by many others—particularly the CLA—responded very positively. Such a sweeping power would have added insult to injury, namely the plundering of property that has resulted from a project that is as ravenous for land as it is for taxpayers' money. Without the amendment, the Government would have been able to buy up land for lucrative developments virtually without control.

However, some of my constituents have serious concerns about schedule 16. They believe that HS2 has only to give 28 days' notice to enter, do what it likes to the land and pay no compensation until the job is finished, which they believe could take many years. During those years, my constituents would have to shoulder the loss of value to property and income. My right hon. and learned

Friend the Member for Kenilworth and Southam (Jeremy Wright) believes that there are constituents fighting to prove that they are affected by HS2, whose applications for compensation have been successful, but who are still struggling to agree on a value for their property. When the Minister responds to these amendments, I wonder whether he will care to say something in relation to that and this land grab amendment, which I am grateful the Government are accepting.

**Mr Dominic Grieve (Beaconsfield) (Con):** Anti-land grab amendment.

**Mrs Gillan:** My right hon. and learned Friend intervenes from a sedentary position, and he is right that this is an anti-land grab amendment.

**Mr Jim Cunningham (Coventry South) (Lab):** I, as much as anybody else, have supported the right hon. Lady for a long time in respect of this scheme, and she raises an important point. I have constituents who cannot get a penny of compensation because they do not meet the necessary requirements. I think something very serious should be done about that, and I hope the right hon. Lady agrees.

**Mrs Gillan:** I thank the hon. Gentleman for that intervention, and this is what has worried me about this project: it has been a David and Goliath project, and Goliath has won. It has crushed the spirit of so many people, and it is going to affect people who do not yet know how they are going to be affected. I worry for the years of disruption that will come, as I will discuss later.

Amendment 7 will improve the reporting on vocational qualifications, but when it comes to personnel—this is an amendment about personnel—a project such as this should have had continuity and strong leadership. Far from that, there have been three Prime Ministers, five Secretaries of State, four permanent secretaries and three chief executives over the past six years. Young people joining this project to obtain the vocational qualifications that amendment 7 reflects will want assurances that the personnel and training functions are being run by reputable contractors and a reputable organisation.

Questions are being asked about the relationships between the Department, HS2 and contractors such as CH2M. CH2M has already been paid hundreds of millions of pounds of taxpayers' money in connection with this project and its director has been placed in temporary charge since the very highly paid Simon Kirby departed to Rolls-Royce. It has had so-called Chinese walls during the latest bidding process and now another director of the same company has been appointed as the new permanent CEO on less money than the departing CEO.

We read reports in the *Financial Times* this morning that the losing bidders on phase two are considering legal action because CH2M could well have been party to information from the CH2M professionals embedded in HS2 on phase one. I ask the Minister to clarify this: he needs to give assurances, or else the pall of suspicion will continue to hang over the top personnel of this project and will affect those young people referred to in amendment 7, whose vocational qualifications are going to be reported on.

**Mr Deputy Speaker (Mr Lindsay Hoyle):** Order. The right hon. Lady knows very well that she is stretching not the patience of the Chair, but the terms of the debate in order to allow it to continue. We have to concentrate on the amendments, so we do not want to get into salaries and comparisons in that regard. I am therefore sure the right hon. Lady is coming straight back on to the amendments before us.

**Mrs Gillan:** I take your admonition, Mr Deputy Speaker. I am trying to use these amendments to make the points that my constituents would expect to be made in the House. They do not understand that we have to try to stick exactly to the final letter, but I do understand that, so I shall attempt to stay in order and not try the patience of the Chair too much.

Lords amendment 11 updates references to environmental regulations, but I am afraid that HS2 continues to be environmentally unsound. The promoters of the project will never be forgiven for the violation of a nationally protected area of outstanding natural beauty, when the technology and capability exist to have tunnelled the whole of that protected area. In fact, the line emerges now from a tunnel near the railway's highest point.

The derision with which campaigners have been treated is no better reflected than in the words of Lord Snape during the Lords debate. He said that what extra protection was achieved in the Chilterns through tunnelling was

“as a result of demands, including semi-hysterical demands from a then member of the Cabinet, which in the view of many of us who have taken an interest in the project has added unnecessarily to the cost and makes travelling by train less pleasant.”—[*Official Report, House of Lords*, 10 January 2017; Vol. 777, c. 84.]

**Mr Grieve:** I think that my right hon. Friend was in large measure responsible for getting the extra tunnelling in the Chilterns. Perhaps she should take the comments of Lord Snape as a token of approbation.

**Mrs Gillan:** My right hon. and learned Friend is absolutely right. Lord Snape was always a real gentleman when he was in this House, and I can see that he has gone on to maintain those credentials of politeness and to be a champion of equality. His elevation was undoubtedly deserved.

Lords amendments 12 to 25 correct references to local roads, and Lords amendment 51 covers the traffic regulation changes. The residents of Great Missenden parish still have concerns about the siting of the north portal and the effect of construction traffic in the area. I hope that the Minister will be able to tell me which of the traffic regulation changes will reassure my constituents, who are disappointed that there has been no relocation of the haul road. Great Missenden Parish Council has noted that

“residents were aggrieved that an undertaking to move the haul road further north is not to be met”.

The mitigation package of assurances for Great Missenden was first discussed in October 2016, but it has still not been formally entered on to the HS2 register of undertakings and assurances. I hope that the Minister will also be able to comment on that.

All the major changes to traffic referred to in Lords amendments 12 to 25 will require good community engagement. When it comes to engaging with local communities, however, HS2 still has a lot to learn. My right hon. Friend the Member for Aylesbury

(Mr Lidington), my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve) and I know that we and the constituents we represent are not being treated with due respect.

My constituents have instances of HS2 experts failing to take local concerns seriously, even to the extent of giving incorrect information. Indeed, many of these amendments contain corrections to inaccuracies in the legislation. I understand that this is now a matter of formal complaint, but HS2's actions have continued to fall short of what is expected from a public body. My right hon. and learned Friend the Member for Kenilworth and Southam has noted that people often have to resort to freedom of information requests and to petitioning Select Committees because communication with HS2 is so poor. It is really disappointing that HS2 Ltd has not shown more empathy or understanding of the human cost of HS2, even now.

With Royal Assent will start a right royal assault on the people still living on and around the route. The disruption that will be a daily part of their lives during this project's construction will go on for many years. It would be fitting to say that this has been a life-changing experience—not just for me, but for so many people in the Chilterns and beyond. We are discussing these Lords amendments today, but I have learned that the House of Lords could actually prevent Members of Parliament from speaking up on behalf of their constituents. I was amazed that our locus standi was challenged by the Department for Transport's subsidiary, and that any Member of Parliament wishing to put forward constructive ideas could be shut up by a House of Lords Committee.

**Dame Caroline Spelman (Meriden) (Con):** I support my right hon. Friend's point. It is incomprehensible to our constituents, who have elected us to speak for them, that we should be prevented from articulating the real concerns that have arisen since this legislation left our House. There are very strong feelings among our constituents about that prohibition.

**Mrs Gillan:** I would have thought that in a democracy, and particularly as elected representatives in a representative democracy, we would have the freedom to speak in these Houses but, no, that is not the case. The Lords amendments were arrived at without the help and support of the elected Members for the affected constituencies. The process certainly taught me a lesson, and it changed my life and my view of democracy.

6.30 pm

**Keir Starmer (Holborn and St Pancras) (Lab):** Does the right hon. Lady share my regret that MPs were shut out from representing their constituents by petitioning the Lords Select Committee? There are constraints at the various stages of a Bill's consideration in this House, and the Lords Select Committee was an opportunity for our points to be made in detail on behalf of those we represent.

**Madam Deputy Speaker (Natascha Engel):** Order. Before the right hon. Lady answers that question, I remind the House that the amendments are very, very narrow. The amendments are really quite typographical, and they have nothing to do with what happened over there.

**Mrs Gillan:** Thank you very much for reminding me of the rules, Madam Deputy Speaker. I am trying to stick very closely to the amendments. Of course, I am referring to the Lords proceedings and to these amendments. I agree with the hon. and learned Member for Holborn and St Pancras (Keir Starmer) that it is extraordinary that Ministers who represent constituencies along the route, and who were therefore unable to speak in this House, were prohibited from speaking to the Lords Select Committee because the *locus standi* was challenged by the very organisation set up by the Department for Transport—in collusion, in other words. MPs were shut up on this issue, as they have been in many instances since the project was first thought of.

With your permission, Madam Deputy Speaker, I will now pay tribute to people such as Hilary Wharf and her husband Bruce Weston. They helped to lead the brave HS2 Action Alliance, which still gives advice to beleaguered people and tries to stop or improve this project. My county council, ably led by Councillor Martin Tett, has put an enormous amount of work into the Bill, as has my district council, Chiltern District Council, led by the formidable Councillor Isobel Darby. I particularly mention my parish council, which is struggling to find the resources, alongside the larger councils, to carry out the work necessary to protect and inform its residents.

An additional burden runs from the amendments on traffic regulations, for example, and those costs will fall on our local councils. The amendments covering flood risk, possession of land and changing traffic flows, for example, will lie at the feet of our financially challenged councils, and there is little chance of the full costs being restored to those councils for all the extra work that has been forced on them, unless the Minister tells me different at the Dispatch Box today. In other words, our constituents are paying not once but two or three times over for this project.

Will HS2 be a success? I am still not convinced. Will these amendments make it a success? We learned from last weekend's newspapers that the Department is so concerned that HS2 may be overtaken by new technology, such as driverless cars, that it is trying to encourage technology companies such as Google and the ever-popular Uber to take a financial stake in the recently announced combined franchise for the west coast main line and HS2 in order to offset the risk that HS2 is, in fact, old technology.

This is my last opportunity to speak on the Bill, and I want to acknowledge, as did the Opposition Front-Bench spokesman, a couple of other people who tried to help those affected by HS2. I think particularly of Neil Caulfield, who tried so hard to help people through an obscure and often frightening process. He was a credit to this House and to the Clerks Department. He was scrupulously fair, and nothing was too much trouble for him. Quite frankly, he went above and beyond the call of duty to try to deal with an arcane process that really should be banished from our procedures in this House.

I also want to mention an amazing constituent, Mr Ray Challinor. He was chairman of the Hyde Heath village society, and his commitment to our community and social action was second to none. Sadly, his family laid him to rest this afternoon. I would have liked to attend his funeral to pay my tribute to him, but I pay my

tribute on the Floor of the House because he was not a man who supported HS2. He was a man who was fiercely protective of our local community.

Lastly, I should mention all those individuals who have supported the campaign to either stop or radically change HS2. These are people who often could not afford to donate but did so because they could not believe that the state could ride in such a roughshod fashion over the very people who put it in charge.

The Government will get their way—Royal Assent will be given—but this Bill and this project are tainted by the way in which their people have gone about their business. In a democracy, there should not be a process that is so unequal, giving the state such powers over its citizens without the balance that we would expect from a fair society. I hope that at some stage we will be able to consign this hybrid Bill process to the history books. I wish I could say the same about HS2.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): I shall be brief, as I am well aware that for some people in the House this has been a long process and it is good that we are getting to the end of it. I caught the end of the previous debate, in which people were saying that the Cultural Property (Armed Conflicts) Bill was 64 years in the making, so this Bill has, in fact, taken somewhat less time. My party is generally supportive of this bold proposal from the Government, but we would like it to be bolder in the long run as it is important that HS2 extends to Scotland. We also need improvements to the existing line north of Crewe in the meantime so that we can have shorter journey times up north.

I am well aware that I am supposed to be speaking to the Lords amendments. As they have improved the Bill, we support them. We welcome the amendments to clause 48 relating to compulsory purchase order powers. It is important that the Secretary of State sticks to his commitment that any CPO powers will be used sparingly and as a last resort.

As I said, we are supportive of the concept. My background is in civil engineering, so I appreciate the value that infrastructure investment can bring in long-term wider business and economic benefits. On that basis, I would like to see the project go forward and I look forward to the start of the construction. I am well aware that some enabling contracts have been let. While we want to see construction starting, I again remind Ministers that we need improvements north of Crewe, and we need this line to get to Scotland sooner rather than later.

**Dame Caroline Spelman:** It is not every day that one walks into the Chamber to find parts of one's constituency, villages or parishes singled out in legislation, but Lords amendment 1 does precisely that. Madam Deputy Speaker, you reminded us that these amendments are narrow, describing them as largely "typographical", but I wish to impress on hon. Members that this is a topographical amendment. I should not want any Member to leave this Chamber without understanding exactly what we are talking about. The lovely parish of Bickenhill is perhaps where some hon. Members have disembarked from the west coast main line at Birmingham International station. Perhaps they have stood on the platform looking across to the National Exhibition Centre, but they might not have been wholly aware that they were in the green belt. Very close by is Chelmsley Wood, one of the

largest council estates in western Europe. I mention those topographical points because, as I am sure that hon. Members can see, names such as Bickenhill and Chelmsley Wood conjure up images of lovely rural locations, yet people there are at no point further than 8 miles from the centre of either Coventry or Birmingham, so we are talking about land that is precious to those who try to keep the balance of green space and urban density.

Bickenhill parish lies in what is known as the Meriden gap, and ever since I have been a Member of this House, I have fought strenuously to protect it, because it is the green lung that holds Coventry and Birmingham apart. Although a matter of 3 or 4 hectares of green space may not theoretically—maybe abstractly—appear to be all that important to everybody else listening to this debate, it is an important issue for the residents of Chelmsley Wood, because the estate has a very high population density of 60 units of accommodation per hectare. The loss of green space in the area is therefore significant.

The local authority, Solihull Council, made representations when the Bill was considered by the Lords Select Committee because every hectare of green space in our green-belt borough is a matter of great importance to all of us who share completely in the local authority's motto of "Urbs in Rure". All Latin scholars will realise that that tells us everything we need to know about the balance we need to strike between urban and rural sustainability, side by side. I would therefore say that this is a bit more than just a typographical matter, Madam Deputy Speaker; it is really important for my constituents.

Will the Minister consider whether the Government's proposals are compatible with their commitment to biodiversity offsetting? As the 2012 "Natural Environment" White Paper set out, the whole principle of biodiversity offsetting was to make it clear that when we destroy green space, we should create new green space to make up for the loss of natural capital. When he responds, will the Minister be clear about whether he has considered that important dimension?

If, by chance, the Government have not thought about the compatibility of their proposals with biodiversity offsetting, I impress on the Minister the enormous opportunity that exists to do something ambitious, at scale, to offset the loss of green space of the type referred to in the amendment. A good proposal to regenerate the Tame and Blythe river valleys has been worked up by a professor at Birmingham City University and presented to the Department. Rather than glossing over a small piece of green space, should we not seize the opportunity of working together to ensure that people who prize green space in urban areas get proper compensation for the green space that is so important to them?

**Mrs Gillan:** My right hon. Friend is articulating, through the medium of this small amendment, the fears of many people about environmental matters. Does she agree that we face a huge danger because the costs of the project are spiralling out of control, and we all know that it is environmental payback that gets sacrificed if the project cannot afford it? As a major infrastructure project has never been delivered on time and on budget in this country to date, that is the danger.

**Dame Caroline Spelman:** I could not agree more with my right hon. Friend. The fact is that we now know so much more about the true value of green space that is lost—we can actually calculate the value of the natural capital. I set up the Natural Capital Committee, which reports to the Treasury, so that we no longer make decisions on the assumption that nature provides things for free. That is not true, because when we take away natural capital, there is a cost to our economy, so it is important that there is proper offsetting.

When the Lords Select Committee discussed the issues relating to Lords amendment 1, it was stated that there is already enough public open space in the locality. Well, I beg to differ. With a housing density of 60 units of accommodation per hectare, there is obviously great pressure on what public open space remains. We should not regard the situation as static, because from the moment the high-speed railway is built, the pressures on the parish of Bickenhill will be enormous. People are always trying to put some new development in the Meriden gap—we already have the M6, the M42, the west coast main line, Birmingham airport and the Chiltern line. We almost had the national football stadium, and we have the National Exhibition Centre. Space will be at an enormous premium, so to disregard the significance of just 4 hectares of green space is not a little matter, which I why I particularly wanted to raise it in this debate.

6.45 pm

My right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) dubbed Lords amendment 4 the anti-land grab amendment, which I think will go down in posterity as a good description. I welcome the change it brings. This is very important for precisely the reason that I have just outlined. The effect of building the high-speed railway will be to make the land adjacent to it considerably more attractive for development. The Government were entirely right to constrain the power of HS2 to acquire more land than it necessarily needs for the construction of the railway. I commend the CLA for its very strong campaign to get the balance right on this issue.

May I just impress on the Minister the importance of this matter, particularly when one thinks about the parish of Bickenhill or indeed the wider borough of Solihull, because the local authority already has important plans to improve the connectivity to the first station outside London? There will be a 31-minute journey time from Birmingham airport to London Euston, which makes that locality very attractive for other uses. Solihull Council has come up with a proposal for a garden city that would connect to my council estate in Chelmsley Wood. For the first time in its existence, this housing estate, which was built at the same time as other garden cities, would be connected to 21st-century transport infrastructure. That would mean that people would feel included, which is important, because as one of the main aims of the new Prime Minister was to underline inclusivity. That can be achieved, but only if we strike the right balance between what HS2 takes for the purposes of building a railway and what other key stakeholders such as the local authority might need for housing or other purposes.

While the amendment is very important to my constituency, it is also very important to the airport, which is another key stakeholder in this very sought

after piece of transport infrastructure. Getting the balance right between the different players is crucial, so I impress on the Minister that using this power judiciously will be important for a sustainable outcome around the new parkway station.

Although the Transport Secretary said that the powers conferred by clause 48 would be used as only a last resort if commercial negotiations failed to reach satisfactory conclusions, the Lords Select Committee concluded that it was

“not sound law-making to create wide powers permitting the expropriation of private property on the strength of ministerial statements, not embodied in statute, that the powers would be used only as a last resort.”

Let me tell the Minister that trying to deal with compensation cases is a life-changing experience for any MP and their staff. A handful of Members are bearing a disproportionate burden of dealing with what are sometimes very complex and distressing cases, such as when the site of someone’s retirement home is required for the construction of the railway. I am concerned that we strike the right balance with this measure, because I have seen malpractice in the form of pressure being put on my constituents to concede their private properties at prices that they would certainly deem to be below some of the estimates of their true market value.

In one case, enormous pressure was put on one of my constituents to concede what he saw as a below-market price for his property, but he was not allowed to make any reference to it before appearing before the Select Committee. Such undue pressure on our constituents has been completely unreasonable. I am concerned about the conclusion that there will be sufficient powers to protect our constituents. Some of the compensation cases are still outstanding. Despite writing to the outgoing chief executive, David Higgins, in August about a particularly difficult ongoing case involving a very vulnerable constituent of mine, which he had promised to expedite, there is still no conclusion to that case in late February 2017. As we consider Lords amendment 48, we need to give some ongoing thought to the fairness of the compensation process and to where our constituents will turn in the absence of any third party to oversee that fairness.

**Mrs Gillan:** My right hon. Friend mentions David Higgins. In fact, the outgoing chief executive is Simon Kirby. Sir David Higgins is the chairman. He has just joined the board of Gatwick, and he is also on the board of an Australian bank, so he is doing three jobs at once. I think that my right hon. Friend has made a mistake, which I would love her to correct.

**Dame Caroline Spelman:** There has been a bit of change at the top of HS2—my right hon. Friend is right. However, I received a letter from David Higgins, and, despite my reminding and re-reminding the offices of HS2 that the case needs to be expedited, it still has not been dealt with.

Lords amendment 51 deals with traffic regulation, which will be very important during the construction phase. I do not pull my punches over this issue with my constituents. We are going to be a building site for at least five years, and that will be extremely disruptive around one of Britain’s busiest transport nodes: the midlands motorway crossroads. I impress upon the Minister that a continuous haul route is very much

sought after in my constituency. We have so far been unable to secure undertakings that construction traffic can be prevented from thundering through some of our villages.

Such a village is Balsall Common, which is just outside the parish of Bickenhill. It carries the Kenilworth road, and an alternative for haulage needs to be found because the thought of construction lorries going through the village centre, where children walk to the secondary and primary schools, gives me and their parents real cause for concern. Is there anything the Minister could do to assist with this? David Higgins showed real interest when I raised the possibility of finding a solution under the legislation. It is not in HS2’s interest to have its construction traffic thundering down the centre of villages where children walk to school, but all the alternatives cost money.

Local authorities just do not have the money to create new roads to take five years of construction traffic away from centres of habitation. There is a very real prospect of a good legacy project arising from achieving a continuous haul route so that permanently, and once the railway has been built, people who want to use it do not tear through the centre of the village trying to catch a high-speed train. Perhaps the Minister could make a note of the importance of that for my constituency. Of course, we really wanted a tunnel, which would take some of the pressure off, but rather like my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) we recognise that some of our early requests have not fallen on fertile ground.

I also pay tribute to the work of Neil Caulfield. It is important, particularly with the Clerks of the House present in the Chamber, that we share with colleagues that he was a man who went the extra mile for our constituents. I always think that the Clerks go the extra mile for us as Members of Parliament in a way that the public often do not see, such as by helping us with amendments to Bills and finding ways to give expression to the things that our constituents want to see in legislation, but Neil went even further than that. He interacted with a huge case load of people’s needs. These people were desperate to find solutions to the threat of losing their home, or at the very least to get proper compensation. I remember that he took the trouble to come away from the Houses of Parliament to visit the constituency with the High Speed Rail (London - West Midlands) Bill Committee in order to see it all for himself. That was a remarkable commitment by a Clerk of the House. Although the Chair of the Commons Select Committee is not present in the Chamber, I am sure that all members of that Committee, who put in many hours of listening to our constituents’ needs, would like to ensure that we recognise the special role that Neil played.

I give my last word to my constituents, who have gone from being shocked at the proposal when Lord Adonis first mooted it, to believing that it would never happen, to having the dawning realisation that we have to work with how it turns out in practice. I commend Solihull Council for creating a working group that meets once every month—I attend the meetings—to talk through the day-to-day implications as the project unfolds. However, there is no disguising the fact that this is going to be a life-changing experience for the constituency of Meriden and especially for those of my constituents who are most directly affected. They will read this debate and

listen to our deliberations, and I would like them to know that I will not give up fighting on their behalf to ameliorate and mitigate the impact of the railway, which will fundamentally benefit our region, but whose impact will fall disproportionately on a few homes.

**Keir Starmer:** May I begin by joining the tribute to Neil Caulfield? The construction of HS2 will have a devastating impact on thousands of my constituents—one has only to go to a meeting with them to see the concern etched on their faces. Some of them made their way to Parliament to try to go through the bewildering process of making their concerns known, and Neil went out of his way to explain the processes to them and to help them to put their points. I know all the Clerks have done that with us and with others, but what he did was appreciated by my constituents, and I was pleased to be able to write to his family to convey to them what he had done on behalf of my constituents. I am therefore grateful to be able to join the tribute to him.

Amendments 3 and 51 deal with traffic regulations, and amendment 52 deals with lorries and lorry bans. As noted by the shadow Secretary of State, my hon. Friend the Member for Middlesbrough (Andy McDonald), traffic and lorry movements have particular relevance in Holborn and St Pancras and in Camden. As the Lord's Select Committee on HS2 recognised, Camden residents face disruption on an

“unprecedented scale, both in intensity and in duration”

from the HS2 construction works, which will continue over no fewer than 17 years for my constituents.

That is why the Select Committee made a strong recommendation that all households in Camden, and others similarly affected, that qualify for noise insulation as a result of the works should be eligible for the upgraded level of compensation available to residents in rural areas living within 120 metres of the line. The traffic, the lorry movements and the construction will go on for a long period and will have a profound impact, and that can be demonstrated by the fact that anybody in Holborn and St Pancras having a child this year or next year faces the prospect of that child growing up with construction works taking place for pretty well the whole of its childhood. Equally, anyone retiring this year or next will probably spend their retirement during a period of construction works.

The Select Committee estimated that its recommendation about compensation would benefit 1,300 households in Camden, which, again, gives an indication of the extent of the impact there. Those households would be eligible to receive the full unblighted market value for their property or a cash payment of up to £100,000 if they remained in occupation of their property during the works.

In response to the Select Committee, the Government accepted the part of the recommendation about households that are subjected to severe and prolonged noise and disturbance, but they did not accept the full recommendation. Other components of the Government's compensation scheme, which they have stated will provide a fair and proportionate remedy for affected households, are still to be specified and remain completely unknown. It was disappointing that, on Report in the Lords, the Minister responding, Lord Ahmed, had nothing to say on the Government's position on compensation. I remind the Government of the ongoing obligation to meet my

constituents' very genuine concerns about what the future holds for them in relation to mitigation and compensation for such a prolonged period of construction and its impact on them.

The location of the tunnel portal in Camden will make a material difference to the construction process and to the traffic and lorry movements. As the Government will know, there have been rumours for some weeks that an announcement is to be made concerning a move of the tunnel portal in Camden from the top of Parkway to a location south of Mornington Street bridge, several hundred metres nearer to the station. That may seem like a small thing, but to the constituents of Holborn and St Pancras and those living in the area it makes a huge difference. This proposed change has the potential greatly to reduce the damage and disruption to residents of Camden, and is therefore welcome. In the Lords Grand Committee, the Minister promised to provide an update in writing about this important matter, but that has not yet happened. I urge the Government to bear in mind that anything that can be said here, or at any stage in the near future, about the portal will alleviate some of the very real concerns that my constituents have about this, as the Minister knows.

7 pm

I turn now to transporting spoil and construction materials by rail. This is again relevant to the traffic regulations and the lorry movements. In their response to the Lords HS2 Committee, the Government reiterated their

“overarching commitment to continue to seek to maximise, as far as reasonably practicable, the amount of material that can be moved by rail”.

That is obviously welcome, but there is huge concern felt by my constituents, and by me, about the lack of detail and ambition. We ask the Minister to provide a commitment that every possible effort will be made to increase the removal of spoil and materials by rail, thereby reducing the burden on my constituents over such a prolonged period.

Finally, there is the ongoing issue of the integration of the station at Euston. That has become a central concern in terms of the overall impact and the absolute requirement for integration.

As the Bill is completing its stages in this House, this will be the last opportunity that I have to raise these concerns on behalf of my constituents. I hope that the Government and the Minister will respect the spirit of the points that have been made and commit to an ongoing dialogue so that mitigation of the consequences can be as great as possible. The battle leaves this House, but for my constituents it will go on for many, many years to come. I will be proud to stand up for their interests for the duration of that period.

**Mark Field:** Thank you, Madam Deputy Speaker, for allowing me to say a few words. I had not intended to speak, partly because HS2 does not go through my constituency, but I have a lot of sympathy with right hon. and hon. Friends and Members whose constituencies are directly affected. As an MP in central London, I have had Crossrail going through my constituency in the past decade or so. I have made several hundred enemies by not opposing that scheme, but it is clearly a

[Mark Field]

scheme that is very much in the national interest. I am afraid that that does not apply as much to the rail scheme we are discussing.

Where I would disagree with my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) is that I do think that the Government have done their level best to make sure that we have legislation that has allowed people to have their say. I know that the outcome is not what she wanted, or indeed what many other right hon. and hon. Members wanted. I hope that the Minister will very much take on board the comments of my constituency neighbour, the hon. and learned Member for Holborn and St Pancras (Keir Starmer). This has got to be the beginning of a process, not the end of a process. The issue of an ongoing dialogue with constituents who are going to be affected by this in the London Borough of Camden and, indeed, throughout the UK must be at the forefront of the Government's mind.

While we should support large-scale infrastructure projects that are going to work—whatever one thinks of HS2, there are clearly designed to be benefits in that regard—the disruption will clearly be very profound. One of my particular concerns in relation to London is that we also hope to have Crossrail 2. I am already getting letters from constituents within the City of Westminster who are very concerned about the impact that that will have. We must remember that the efforts made by the Government in relation to HS2 will set a precedent for the way in which they deal with those who will be affected by another big infrastructure project such as Crossrail 2.

I fear that there has been a missed opportunity, but not in relation to the amendments. As I have said, I give credit to the Government for their work in getting this hybrid Bill together. We should all support large-scale infrastructure projects that are in the national interest, but whether or not this is the right way forward has been far more open to question. The one thing that the Government can do for those many Britons who will be affected by it directly—whether they are in the midlands, further north or, indeed, in central London—is ensure that they keep their interests at the forefront of their mind as and when the building work commences; otherwise, life will be made incredibly difficult for them. We need to do our level best to ensure that, if the national interest is to be served by an infrastructure project, Ministers keep the mitigation of the disruption at the forefront of their minds and that, although the legislative process is coming to an end, this is not the end of those considerations.

Thank you, Madam Deputy Speaker, for allowing me to say a few words. I suspect that the boundary commissioners will have a part to play in ensuring that I work very closely with my constituency neighbour to make sure that all people in central London are properly represented in the many years ahead.

**Andrew Jones:** There are quite a lot of questions to answer. This has been a very helpful final debate on the Bill and I will try to answer colleagues' questions, some of which had themes in common.

I will address the questions in no particular order. Several Members have said that it is important that we maintain and commit to an ongoing dialogue. I am happy to make that commitment. I do not view this as

the end of a process; I view it as the end of one phase of a process and the start of another. We go from a project in development to a project in delivery, and that will require more dialogue, not less, particularly as we work, as my right hon. Friend the Member for Cities of London and Westminster (Mark Field) has just said, to keep mitigation at the forefront of our minds during the construction process. I am happy to make that commitment—there is no doubt about that.

Many people have also been concerned about the hybrid Bill process. The locus standi rules are set by the House, not by the Government, but the House is considering the hybrid Bill procedure. That review is under way and I am sure that it will consider colleagues' views on whether they were able to participate and petition in the other place. I know that those petitioning arrangements caused much frustration and, indeed, confusion among our constituents. The process is not straightforward.

**Mrs Gillan:** I know that it is too late now, but it would have been nice if the Government had actually instructed HS2 Ltd not to get its very expensive barrister to object to our locus standi. The Government had a simple solution in their hands: they could have let all the MPs represent their constituents, but they chose not to do so. I appreciate that the Minister is relatively new to the issue, but it was really and truly a case of being let down by your own side and of your own side letting down democracy.

**Andrew Jones:** I am not sure that I can comment on that point. It refers to something that happened way before I took any responsibility for this area, but my right hon. Friend has made it firmly.

The Labour Front-Bench spokesman, the hon. Member for Middlesbrough (Andy McDonald), asked about traffic regulation orders and I can confirm that reasonable costs will be met by HS2 Ltd. I will ask HS2 Ltd to confirm that to local authorities, in case there is any doubt.

On Great Missenden, the relocation of the haul road was considered by both Houses. Moving the haul road north would have created new, significant environmental effects, and a new version of the register of undertakings and assurances, which my right hon. Friend the Member for Chesham and Amersham (Mrs Gillan) has asked about, will be published at Royal Assent.

Several Members talked about the skills footprint and the careers legacy of HS2, with people perhaps spending their entire working career on the project, and I completely agree with them. I had a great visit to the HS2 college in Doncaster this morning. The college is progressing very well. It is due to open in September, and it is already attracting significant interest. In fact, the number of applicants seeking to go there in September is way ahead of projections. This is part of how HS2, among our other railways, will redefine the future. I saw the progress that the college has made—it has actually got as far as having track laid in the training workshop area—and that brings home to us that the project really is a very big and exciting opportunity.

I can confirm, in answer to several requests, that the Government fully accept Lords amendment 4, which colleagues have called the land-grab or non-land-grab amendment. I confirm that we accept all the Lords amendments, including Lords amendments 1 and 2 in relation to the work in the Meriden constituency.

Many colleagues have mentioned the compensation arrangements and how long it is taking to come to financial arrangements with HS2 Ltd. This is a mixture of the financial costs and the fact that we must recognise that there is also a human or emotional cost. We do not just invest cash in creating our homes; our homes are much more than that, and we must respect the human cost. If some people have their homes repossessed or changed, we have to be sensitive and to treat people with respect and generosity. Quite frankly, if colleagues are not seeing that happen, I am sure they will be keen to raise that with me—they have already done so—and I am very happy to continue to raise their points with HS2 Ltd. I want HS2 Ltd to be a good neighbour, and I know that view is wholly shared by HS2 Ltd itself.

I welcome the SNP's support for this project. I recognise that we are going no further north than Leeds and Manchester—I should perhaps add that we are going no further north than Leeds and Manchester yet, and I see much merit in taking it further—but there will be immediate benefits for the people of Scotland from the development that will, I hope, receive Royal Assent this week. Its capacity will allow more services and the time involved in journeys will be reduced.

**Ian Murray** (Edinburgh South) (Lab): The Minister mentions the benefit of HS2 to Scotland. Will he confirm whether there is a Barnett consequential to the spending on HS2?

**Andrew Jones:** That is way above my pay grade. I simply do not know the answer to the hon. Gentleman's question, so I will have to do some checking to find out.

There were a number of other questions. I have clearly heard the points about compensation and mitigation raised by the hon. and learned Member for Holborn and St Pancras (Keir Starmer). I can confirm that we are working on the tunnel portal location, but we are not yet in a position to make any announcements. I recognise that such a change will make a significant difference to many people, but we are working on it, as he will be aware.

**Mrs Gillan:** I am sorry to go back to the Barnett consequential, but as it has been raised may I point out that there was a Barnett consequential to the travel element of the Olympic park for Wales and Scotland? As this is a transport project, I presume that there will be Barnett consequentials for the devolved Administrations.

**Andrew Jones:** I am not sure that I can add anything to what I said a moment ago. Barnett consequentials are way above my pay grade, and I will have to do some checking before commenting one way or the other. It sounds as though making a presumption would be a very foolish error, and that is clearly not within the remit of these amendments.

**Keir Starmer:** I am grateful to the Minister for his comment that this is the beginning of an ongoing dialogue about compensation and mitigation. The tunnel portal is no small matter. Is he able to say when an announcement might be made about the portal, because there is real concern in my constituency about that and other issues?

**Andrew Jones:** I am afraid that I cannot give the hon. and learned Gentleman a date yet, but I can tell him that we recognise the importance of this. We are working on it and will seek to resolve all outstanding questions as soon as we can. I recognise that such uncertainty is not helpful for him or anyone he represents.

I have answered a significant number of questions. If there were any further questions, I will write to colleagues.

Taking the Bill through Parliament has been a significant piece of work. We have had 3,408 petitions lodged against the Bill and its additional provisions. In response, the Government have submitted five additional provisions to the Bill, which have made 400 changes to the project. The sheer amount of work that has gone into addressing all the concerns is phenomenal.

The environmental assessment work that has supported the parliamentary and public scrutiny of the Bill has been unprecedented. An almost 50,000-page environmental statement—perhaps that in itself is not environmentally friendly—accompanied the original deposit of the Bill in November 2013. Several further detailed environmental statements have been published alongside the additional provisions that have been made during the Bill's passage. That work has developed measures to avoid, reduce and, if possible, offset all the major adverse effects of the project.

The Government have given well over 4,500 individual assurances to reassure petitioners about concerns they have raised. Those are binding commitments on the project that will be integrated into contracts for the delivery of the scheme.

Parliament has spent over three years scrutinising the Bill and longer still debating the project. That debate will continue as we move into phases 2a and 2b, and as further Bills are deposited in Parliament in due course. The case for phase 1 has been proven in fine detail. Parliament has voted in overwhelming numbers to approve the project in both Houses at every opportunity it has been given to do so.

I believe that HS2 will deliver much-needed capacity in our rail network. It will deliver economic growth right across our country, north and south. It will deliver jobs and a lasting legacy of economic change. It will be the cornerstone of a world-beating economy—a vibrant economy that works for all of us, up and down our country.

*Lords amendment 1 agreed to.*

*Lords amendments 2 to 54 agreed to.*

## Business without Debate

### BUSINESS OF THE HOUSE (22 FEBRUARY)

*Ordered,*

That at the sitting on Wednesday 22 February, notwithstanding the provisions of Standing Order No. 16 (Proceedings under an Act or on European Union documents), the Speaker shall put the Questions necessary to dispose of proceedings on—

(1) the Motion in the name of Secretary Amber Rudd relating to Police Grant Report not later than three hours after the commencement of proceedings on that Motion, and

(2) the Motions in the name of Secretary Sajid Javid relating to Local Government Finance not later than three hours after the commencement of proceedings on that Motion or six hours after the commencement of proceedings relating to Police Grant Report, whichever is the later; and

(3) proceedings on those Motions may continue, though opposed, after the moment of interruption; and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Michael Ellis.*)

### BUSINESS OF THE HOUSE (23 FEBRUARY)

*Ordered,*

That, at the sitting on Thursday 23 February—

(1) paragraph (2) of Standing Order No. 31 (Questions on amendments) shall apply to the Motion in the name of Mr Nigel Dodds as if the day were an Opposition Day; and proceedings on the Motion may continue for three hours and shall then lapse if not previously disposed of; and

(2) notwithstanding sub-paragraph (2)(c), as applied by paragraph (4), of Standing Order No. 14 (Arrangement of public business), backbench business set down for consideration may be entered upon at any hour, may be proceeded with, though opposed, for three hours, and shall then lapse if not previously disposed of.—(*Michael Ellis.*)

### INTERNATIONAL DEVELOPMENT

*Ordered,*

That Albert Owen be discharged from the International Development Committee and Mr Ivan Lewis be added.—(*Bill Wiggin, on behalf of the Committee of Selection.*)

### Motor Neurone Disease/Gordon Aikman

*Motion made, and Question proposed, That this House do now adjourn.—(Chris Heaton-Harris.)*

7.18 pm

**Ian Murray** (Edinburgh South) (Lab): I am very grateful to the good offices of Mr Speaker and you, Madam Deputy Speaker, for granting time for this Adjournment debate. I want to talk about the dreadful disease that is motor neurone disease and to pay tribute to the life of Gordon Aikman.

I wish we were not having this debate, because that would mean Gordon Aikman was still with us. He sadly passed away on 2 February, aged just 31.

I want to do three things this evening: first, pay tribute in this House to Gordon Aikman and what he achieved both in his life and in his death; secondly, give more exposure to what MND is and how the disease affects those stricken by it; and, thirdly, discuss what we can all do and what the Government can do to help find a cure.

**Alberto Costa** (South Leicestershire) (Con): I congratulate the hon. Gentleman on bringing this much needed debate to the Floor of the House. Will he join me in paying tribute to local MND associations across the United Kingdom for the invaluable support they provide? I know of the excellent work of my local Leicestershire and Rutland association, having heard at first hand from a constituent and friend of mine, Ruth Morrison, about her tragic personal experience. The support that is available is of immense value and I hope the hon. Gentleman will join me in paying tribute to the work of those associations.

**Ian Murray:** I am delighted that the hon. Gentleman was able to intervene to emphasise the good work that MND associations, including MND Scotland, do across the country. I pay tribute to him for highlighting that good work in the House and I ask him to pass on our best wishes to his constituents who are stricken by this dreadful disease.

Gordon Aikman was only 29 when he was diagnosed with MND. He was given 14 months to live but, as was usual with Gordon, his dedication and determination made sure he doubled that to 28. Gordon died leaving behind a loving husband, Joe, who is with us this evening, a doting mother, Nancy, and a devoted sister, Lorraine. He has become a twinkling star in the sky for his young niece Ailidh and young nephew Murray, who would describe Gordon as “Uncle Gordon with wheels” when he was in his wheelchair. He leaves behind friends whose lives will forever have a Gordon Aikman-shaped hole in them. All our thoughts at this time go out to everyone who knew him.

Gordon leaves a legacy that few of us will ever be able to match. Gordon was an inspiration: dedicated, intelligent, meticulous and simply a lovely person to be around. He touched the lives of everyone who had the pleasure of getting to know him and spend time with him. He was a graduate of the University of Edinburgh and a former gymnast who represented Scotland. He was working as director of research for Better Together, the campaign to keep Scotland in the UK, during the Scottish independence referendum in 2014 when he fell ill. He had

gone to the doctors with recurring numbness in his hands. He was beginning to find it difficult to tie his shoelaces and button his shirts. He anticipated, as we all do, that a pack of pills and a bit of rest would do the trick. How wrong could he be?

I cannot do justice to what happened to Gordon, so I will let Gordon tell his own story in his own words, quoting from the moving *Scotland on Sunday* article he wrote in the week he was given the sad news. He wrote:

“I am lying on a cold hospital bed, stripped down with electrodes stuck all over my skin. A doctor quietly takes notes as pulses race through my body. After almost an hour I get back into my suit, ready for a packed day of calls and meetings.

The doctor steps out to speak to my consultant. I flick through the morning’s headlines on Twitter and quickly check my email as I wait. In my job as director of research at Better Together, I have got to be up to date. The doctor is gone some time. My appointment has already overrun. I’m irritated. He returns and says: ‘Your neurologist would like to see you at 1.15 tomorrow.’

‘Tomorrow won’t work. I have meetings. Meetings I can’t miss.’ He tilts his head to one side, holding my stare for what seems like an eternity, before stressing: ‘Your neurologist will see you tomorrow. 1.15.’ The penny starts to drop. Suddenly that conference on the economics of independence seems far less important. Fast-forward 24 hours and I am back at Edinburgh’s Western General. This time I sit opposite my consultant neurologist; a young, caring face looks back. He speaks softly, but this time the atmosphere is different. He talks slowly. He pauses. I know it isn’t good news, but nothing could prepare me for what he is about to say.

Tears form in his eyes as he explains that all the diagnostic tests point to something called Motor Neurone Disease or MND. I’m confused. ‘That doesn’t sound good,’ I respond awkwardly, thinking to myself: ‘I don’t have time for this.’ He asks what I know about MND. ‘Very little,’ is my honest answer.

‘It is a rare, progressive and debilitating disease,’ he explains, ‘that attacks the brain and spinal cord.’ I don’t believe what he is telling me. I shake my head in disbelief. ‘In time,’ he says, ‘it will lead to weakness, and muscle wasting,’ affecting how I walk, talk, eat, drink and breathe. How could this be? My symptoms seemed so innocuous. ‘Why me? Why now?’ I ask. He bites his lip, before replying candidly: ‘We just don’t know unfortunately.’

When I press further, he concedes: ‘There is no cure.’ I cut to the chase: ‘What is the prognosis? How long will I live?’ Hesitant, he prefixes his answer with ‘everybody is different’ and ‘it is difficult to predict’. He then wells up before admitting that we are talking ‘just a few years’. My head is a mess. I stand up, walk across to the window, run my hands through my hair and stare out into the middle distance. My mind goes blank. I don’t know what do. I’m 29 years old and I have just been given a death sentence.”

Gordon went on to write:

“When you are told you are dying you face a choice: you can wallow in self-pity, or you can make the most of what you’ve got”.

And, my goodness, Gordon certainly made the most of what he had. He married his husband Joe and travelled extensively. As we heard at the funeral and the celebration of Gordon’s life on Saturday, he travelled to New York, Boston, Amsterdam, Dublin, Stockholm, Madrid, Tenerife, Prague, Tuscany, Newquay, Paris, Cork, Munich, Orkney, Fort William and California, as well as Israel, South Africa, Switzerland, and had a trip on the Queen Mary II and a break in Iceland to see the northern lights. If I have missed any, I apologise. He also spent as much time as he could with his family and his friends.

With all of that, Gordon was determined to ensure that those who suffered from MND got the best care, the best deal and the hope of a cure in the future. Understanding lies at the root of all human endeavour.

In order to defeat something, we must find out what it is first, so here is what we do know and, most importantly for tonight’s debate, what we do not know about MND.

**Chris Stephens** (Glasgow South West) (SNP): I congratulate the hon. Gentleman on securing this debate. I agree with him that Gordon Aikman was indeed an inspiration. Does he agree that his campaigning work, particularly with the First Minister of Scotland, ensuring changes to the law around voice therapy, for example, and doubling the number of specialist nurses, was important to his campaign?

**Ian Murray:** I do agree, and I am delighted that the hon. Gentleman was able to make that point, but as the First Minister said on Saturday at the celebration of Gordon’s life, all the credit for those changes to care in Scotland goes to Gordon and his campaign. There is a need for us all now to take that campaign and make sure that the rest is delivered.

Researchers have yet to discover how or why people develop the disease. In Gordon’s case and in around 95% of diagnoses, there is no family history of the condition. MND is a fatal, rapidly progressing neurological disease that affects the brain and spinal cord. It can leave people locked in a failing body, unable to move, talk or, eventually, breathe. It kills a third of people within a year and more than 50% within two years of diagnosis. It affects up to 5,000 adults at any one time in the UK and kills six people every day in the UK.

**Mark Menzies** (Fylde) (Con): I thank the hon. Gentleman for securing this evening’s debate. I never met Gordon, but I have been inspired by what I have found out about him in the last two weeks. We all come across constituents who will face life-changing situations, and Gordon will become the reference point. I will refer people to what he did, how he coped with adversity and how he helped to improve and change the lives of others. If I may also say in this intervention, Madam Deputy Speaker, I would urge the Minister to look at Gordon’s Fightback website and take on board some of the points that he raised, because we have much to learn from what he told us.

**Ian Murray:** I am delighted at the hon. Gentleman’s intervention; he is indeed right. Many people have drawn inspiration from Gordon’s Fightback, the way in which he dealt with the disease, the dignity with which he did so, and the fact that he spent his remaining time fighting to raise over half a million pounds for the things that he believed in, when most of us would have been lesser human beings and wallowed in self-pity or done something else. It is testament to that that we have the Secretary of State for Scotland and the Minister in the Chamber tonight listening to the debate. Hopefully, the Minister will be able to respond with some positive developments to keep Gordon’s memory alive.

Some people may experience changes in thinking and behaviour, with a proportion experiencing frontotemporal dementia, which is a rare form of dementia. This is the key thing about MND, though: it has no cure. It is that last point that drove Gordon on. He was a tireless and courageous campaigner on behalf of people living with MND, as well as their families and loved ones. He created his Gordon’s Fightback campaign, which we have heard

[Ian Murray]

about tonight, and his tenacious work with MND Scotland was inspirational to many and helped to raise awareness of MND across the country.

Gordon had raised over £500,000 by the time he died—more now, incidentally—but he had also put MND on the map. Do you remember the ice bucket challenge, Madam Deputy Speaker? I do not know whether you participated yourself—if not, we could maybe go into Palace Yard after this debate and relive what happened in 2014—but that was the summer campaign, where we all soaked each other with iced water in the name of MND awareness and fundraising. It was with campaigns such as these that Gordon doubled the number of—

**Madam Deputy Speaker (Mrs Eleanor Laing):** Order. For the avoidance of doubt, I am glad that the hon. Gentleman has mentioned this. Never was there a better campaign to draw attention to something that needed attention drawn to it. Although I managed to avoid it myself, I did engineer other people's participation. The hon. Gentleman has done very well to mention this issue today. I had not realised that the two things were connected. What an absolutely brilliant campaign.

**Ian Murray:** I am delighted, Madam Deputy Speaker, that you are now able to make the connection between that campaign and Gordon's Fightback, and are aware of the significant amount of money that was raised in 2014. I do not think there was ever an end-point to the ice bucket challenge. If there was an end-point, perhaps someone from MND Scotland could let me know. I think the way it went was that if someone was soaked, they nominated others, as indeed you have done, Madam Deputy Speaker. With the grace of the House, therefore, I would like to nominate Madam Deputy Speaker to do the bucket challenge. I think the terminology is, Madam Deputy Speaker, "You have seven days".

That, then, was the summer campaign when we all soaked each other with iced water in the name of MND awareness and fundraising. It was through campaigns such as these that Gordon doubled the number of specialist nurses in Scotland, paid for by the NHS rather than by charitable donations. Among Gordon's more recent achievements was ensuring that MND patients with communication difficulties had access to their own voice synthesizers on the NHS. It was Gordon's biggest fear—not just losing his own voice, but the synthesisation of his own voice being someone else's. He fought for that and got it changed.

Despite those and other improvements, however, there is still much more to be done in the battle to defeat MND. First and foremost, if we are to find a cure for MND, we must vastly improve our understanding of its root causes, and it is here that I hope the Minister can help us this evening. MND is a question to which we have yet to find a suitable answer. Researchers still do not know what causes the disease. A key recommendation of Gordon's Fightback campaign is to double public investment in MND research from its current level of £5 million a year to £10 million a year. Unlike some of Gordon's wonderful achievements that we have highlighted this evening, there has to date been no action taken to meet that goal. At present, MND research relies heavily on the support and contributions of the voluntary sector.

The MND Association, sister associations in England and Wales and MND Scotland have a research portfolio comprising over 80 projects, totalling over £14 million of charitable funds, including £5 million raised by the very ice bucket challenge in which you will participate, Madam Deputy Speaker, in the next seven days. I am conscious, Madam Deputy Speaker, that this might be my last ever speech in this Chamber, but I shall carry on regardless.

The association's support for MND research focuses on five key themes: identifying the causes of MND; developing models of MND; identifying markers of disease progression; developing treatments; and improving healthcare and disease management for those affected.

We have a real opportunity to embrace the leading research base in this country to do just that. For centuries, major leaps forward in medicine and science have been made in the UK. With the right investment and support, we could find a cure for MND here now. Scotland is uniquely placed to become a hub for innovative research into the disease for a number of reasons. Edinburgh University's Euan MacDonald centre is already undertaking cutting-edge research into MND. Patients already have a unique patient identifier, which means those with MND can be more easily identified and monitored throughout their interaction with the health service. The increased number of specialist MND nurses will allow better, more detailed tracking of how the disease progresses in patients.

Progress has been made. The Euan MacDonald centre thinks it might have found a potential reason why motor neurons are vulnerable to stress and disease, which could be one of the very first steps to avoiding or halting the progression of MND. This collaborative project, involving the universities of Edinburgh and Cambridge and institutions as far afield as Japan, is also helping understand how motor neurons develop and regenerate. The cure could be in this generation's hands. Funding in the United States—where the ALS Association, the US equivalent of the MND Association, has identified a key genome with funds raised by the US bucket challenge—could be the first step towards a cure.

As well as doubling public research funding, the Minister could help by making "fast-track" benefits fit for purpose. People with MND do not live long—we know that—but it can take several months to process applications for the benefits that they need, such as personal independence payments. Currently, the "fast-track" system applies only to people who are judged to have less than six months to live. That needs to be extended to 12 months, or, indeed, the system should apply at the time of diagnosis.

The hon. Member for Dumfries and Galloway (Richard Arkless) hoped to attend the debate, but he is stuck on a train somewhere between Wigan and London, and the main business ended early today. Let me just mention that his mother and brother-in-law both died of MND. I believe that he met the Under-Secretary of State for Health, the hon. Member for Warrington South (David Mowat), just before Christmas, with the aim of ensuring that when a DWP assessment was completed for someone suffering from MND, that person would not be reassessed. However, I understand from the hon. Gentleman that the Department for Work and Pensions is still issuing letters about reassessment. I should be grateful if the

Minister wrote to the hon. Gentleman, and me, to update us on what progress has been made in relation to not issuing such letters when people have been diagnosed with MND and a proper assessment has already been carried out.

Let me also pay a brief tribute to another friend of mine who died from MND. Robert Wilson died in August last year. He was a former partner at Deloitte in Edinburgh, and became the first chair of the Scottish Premier League in 1998 after helping to set it up. I got to know Robert when he advised the Foundation of Hearts to be in a position to take Heart of Midlothian football club out of impending liquidation. His straight-talking style was direct. He said things as he saw them. He was always challenging, and always hugely helpful. We were lucky to have him, and so was the club. It is thanks in large part to Robert that it survives and thrives today; it would have disappeared had it not been for people like him. Robert and I subsequently served together on the board of Hearts football club. Everyone was really fond of him. We were robbed of his intense intellect, his passion for the club, and his companionship when MND took his life. He was respected and admired by all, and will be very sadly missed, especially by his wonderfully supportive family.

Gordon had a nickname when he worked at the Scottish Parliament. His nickname was "14%". Many people may ask why that was. It was because when he worked as a researcher for the Scottish Labour party, he was responsible for 14% of all the freedom of information requests submitted to the Scottish Government. That fact was even mentioned by the former First Minister, the right hon. Member for Gordon (Alex Salmond), at First Minister's Questions. The right hon. Gentleman was rather irritated by it. If Gordon is to leave any legacy, irritating the former First Minister is very high up in my book. Tonight, however, I want us to change Gordon's nickname. I want us to change it from "14%" to "100%", and we can do that by doubling the annual research budget for MND from £5 million to £10 million a year.

Gordon, in his death, transformed the lives of so many. The world is a better place for his having been in it. The understanding of MND is enhanced by his dedication to educating. The care of those suffering is enshrined in his having fought for it. The rights of those affected are secured because he demanded that. The cure for MND is closer after his fundraising for it. Gordon did so much in such a short space of time, and now it is our time to find a way to honour that legacy. I say this to the Minister: let us pledge tonight to be a little more like Gordon, and double the MND research budget.

In life, Gordon gave a voice to MND patients; in death, Gordon's own voice speaks on. It speaks on in the words that he wrote, in the things that he achieved, and in the lives that he touched. I opened my speech in Gordon's words, and I will finish with them, as echoed by the Scottish Labour leader Kezia Dugdale at his funeral on Saturday. Gordon said:

"What I have lost in strength of body, I make up for in strength of mind. I am more determined and driven than ever... I want to make every day count.

My love is deeper. I find joy in simpler things and in different places. I am more chilled out, at peace with the fact that there is so much in life that is out of our control.

Let's celebrate the rich, diverse and complicated world we live in. Let's savour each day. Let's measure life not by length but by depth."

Gordon Lewis Aikman, born on 2 April 1985, died on 2 February 2017, aged 31. May he rest in peace, but may his legacy live on.

7.40 pm

**The Minister for Universities, Science, Research and Innovation (Joseph Johnson):** I thank fellow Members for their contributions and passion on this topic, and in particular the hon. Member for Edinburgh South (Ian Murray) for calling this debate.

We have heard this evening how many in this House were saddened to hear of Gordon Aikman's passing this month, and we have heard how his courageous and incredible efforts to raise awareness of motor neurone disease and help others were truly inspirational and have made a huge difference to the lives of MND sufferers. His loss will of course be most keenly felt by those who knew him best, such as people who are in this Chamber today, and all Members' thoughts are with his family and friends at this difficult time.

Sadly, Gordon's condition was not unique. It is estimated that there are up to 5,000 people with MND in the UK today, while each year approximately 1,100 people are diagnosed around the world. The Government are aware of the immense difficulties and challenges faced by MND sufferers and we are taking significant action, both via research funding and alterations to clinical guidelines, to improve MND patient care and treatments.

As the hon. Member for Edinburgh South said, funding MND research is key if we are to find a cure and improve treatments for MND patients. We are investing over £1 billion a year in the National Institute for Health Research, whose spend on research relating to neurological conditions was £53 million in 2015-16. In addition, the Government fund the seven research councils, which invest around £3 billion each year in research covering the full spectrum of academic disciplines, from the medical and biological sciences to astronomy, physics, chemistry and engineering, social sciences, economics, environmental sciences and the arts and humanities. The majority of research council investment in MND research is made by the Medical Research Council, with some relevant research also funded through the Biotechnology and Biological Sciences Research Council.

The MRC supports research relating to a broad portfolio of neurodegenerative diseases and currently spends, as the hon. Gentleman said, about £5 million per year on research relating to MND. The MRC funds research at many leading institutes in the country, including the MRC Laboratory of Molecular Biology, the UCL Institute of Neurology, the National Hospital for Neurology and Neurosurgery and the University of Oxford.

MRC-funded research includes projects to increase understanding of the basic molecular mechanisms underlying MND, improve the assessment of disease progression and identify biomarkers of disease activity in patients with different types of MND. It also works in partnership with charities and other funders, nationally and internationally, to support research into MND.

In addition to the MRC, the BBSRC funds world-class bioscience and biotechnology that underpins health research. In the context of MND, this may include the basic bioscience of motor neurones. Over the last five financial years, the BBSRC has spent about £4.7 million on research projects which focus on basic underpinning

[Joseph Johnson]

research that will increase understanding of the normal cellular processes that support motor neurone function.

In addition to research funding, we understand that positively influencing the healthcare and clinical system is key if we are to improve the lives of MND sufferers. The Government understand that one of the major hurdles facing MND patients is the challenge of getting an accurate and fast diagnosis. No two people with MND will be affected in exactly the same way, and there is no one test to diagnose the condition.

The disease can be difficult to identify in its early stages, as the symptoms are often mild and shared with more common conditions. The National Institute for Health and Care Excellence published its MND assessment and management guidance document in February 2016. The guidance sets out MND's signs and symptoms, provides information about local referral arrangements and recommends that robust protocols and pathways are in place to inform healthcare professionals about the disease and how it might present itself. I know, and am glad, that the guidance was described by the leading charity, the Motor Neurone Disease Association, as "hugely significant".

We know that MND patients value and need specialist services, and this is something that Gordon Aikman successfully campaigned for in Scotland. NHS England has set out that services for MND patients should be specialised. Care for MND patients involves a multidisciplinary team approach from MND specialists who should work to ensure that patients are fully supported and co-ordinate with other care providers or teams as necessary.

NHS England commissions the care that patients may receive from 25 specialised neurological treatment centres across England. It has published a service

specification setting out what providers must have in place to deliver specialised neurological care. This supports equity of access to a high quality service for patients, wherever they live. Patients are also able to access the drug Riluzole on the NHS. This is the only licensed treatment available that can slow the progression of the disease. I know that specialist MND nurses are highly valued by MND patients and their families. Recruitment of nurse specialists is a local matter, but it is important to highlight that such nurses are a key part of the national specialised services that NHS England delivers for patients with neurological problems such as MND.

Another of Gordon Aikman's seven key campaign points was to guarantee that no MND patient should die without a voice. Augmentative and alternative communication—AAC—aids are used to restore communication for people who cannot communicate using speech, and to address severe impacts on independence and quality of life. NHS England has established a national AAC service, commissioned from 13 centres. It is the first national AAC service of its kind in the country. Priority for assessment is given to patients who have a life-limiting condition such as MND. I am glad that this was welcomed by stakeholders as a major step forward in providing clarity and consistency of provision.

I hope that this debate has reassured fellow Members that the Government are aware of the immense difficulties and challenges faced by motor neurone disease sufferers and that we are taking action in multiple areas to improve the care and prognosis of MND patients. Gordon Aikman's legacy will live on for a long time due to his courage and his determination to raise the profile of MND and to make a real difference to the lives of MND sufferers.

*Question put and agreed to.*

7.47 pm

*House adjourned.*

# Westminster Hall

*Monday 20 February 2017*

[MR CHARLES WALKER *in the Chair*]

## President Trump: State Visit

4.30 pm

**Mr Charles Walker (in the Chair):** This is a very over-subscribed debate. If all hon. Members stick to five minutes and do not take too many, if any, interventions, everybody should get in.

I remind those in the Public Gallery that this is a Chamber of the House of Commons. By all means listen and observe, but if there is any off-stage noise, I will suspend the sitting and clear the Public Gallery.

4.31 pm

**Paul Flynn (Newport West) (Lab):** I beg to move,

That this House has considered e-petitions 171928 and 178844 relating to a state visit by President Donald Trump.

It is a pleasure to serve under the chairmanship of such a distinguished parliamentarian, Mr Walker. I thank the Petitions Committee for allowing me to introduce the petitions. There has been a great deal of misunderstanding about their nature. One of them, which has been signed by more than 300,000 people, states:

“Donald Trump should be invited to make an official State Visit because he is the leader of a free world and U.K. is a country that supports free speech and does not believe that people that oppose our point of view should be gagged.”

The other petition, which has gained the remarkable total of 1,850,000 signatures in a few days and which has been much misunderstood, states:

“Donald Trump should be allowed to enter the UK in his capacity as head of the US Government, but he should not be invited to make an official State Visit because it would cause embarrassment to Her Majesty the Queen.”

That is a fascinating prospect. The first petition suggests that cancelling the state visit would in some way deprive President Trump of his ability to speak freely, when in recent days we have had a ceaseless incontinence of free speech from him—the man is everywhere, 24 hours a day, seven days a week. The other petition is saying not that he should not come here—he should come here, on business or other matters—but that he should not be accorded the rare privilege of a state visit.

Only two Presidents of the United States have been granted a state visit since 1952, yet we are in the extraordinary and completely unprecedented position in which, seven days into his presidency, President Trump has been invited to have the full panoply of a state visit. We can dwell on the reasons for that, but they are nothing to do with the fact that we in this Chamber all hold in great respect the United States’s presidency, constitution and presidential history, which is part of our history. We know how closely our cultures have melded together in the arts—in entertainment, film and cinema we are merging almost into one nation—but we have a direct interest in the presidency of the United States because the President is also the leader of the free world.

**Alex Salmond (Gordon) (SNP):** Does the hon. Gentleman interpret desperation as the reason for the invitation after seven days? If he can see desperation for a trade deal, does he think that President Trump might be able to detect it as well?

**Paul Flynn:** That word comes to mind when we think of the circumstances of our beleaguered Prime Minister. She is in the great predicament of being the bridge burner who is destroying the bridges between us and Europe. We were told of the possibility of Brexit bumps in the road ahead, but there might turn out to be a Brexit sinkhole into which our economy might plunge in freefall. She had a difficulty: could the bridge burner be the bridge builder? She made an attempt to present herself as someone who was going to act as the link between the presidency and Europe, but as the President of Lithuania quite rightly pointed out, we do not need a link, because we are in constant contact with President Trump through his incessant tweets.

**Mark Pritchard (The Wrekin) (Con):** Does the hon. Gentleman agree that although some of President Trump’s views on women, on race and on religion are very distasteful indeed, the special relationship between the United Kingdom and the United States of America goes beyond any individual who might happen to occupy the White House at any particular time?

**Paul Flynn:** I agree entirely. I know that from my own life; my father’s life was ruined by the first world war, and I remember being a child at school during the second world war and seeing the empty desks of children who had been killed by the bombs. We were very grateful for the United States at that time, and we remain grateful. Europe is right to remember that and to recall our gratitude. No country in the whole world has sacrificed the blood of its daughters and sons for democracy in other countries more than the United States.

There is no question of any disrespect towards the United States, but there is a great feeling of concern, which has welled up in this petition. The day after the inauguration, 2 million people, mostly women, marched on the streets of America and 100,000 people marched in this country. It was an expression of fear and anxiety that we had someone like this in the White House wielding such enormous power. The President’s power is enormous, but unfortunately his intellectual capacity is protozoan. We are greatly concerned about the extraordinary actions he has taken. He has blundered into frozen conflicts around the planet that needed delicate handling; they needed the microsurgery of decisions such as those that have been taken in the past by statesmen. He has gone in and caused problems in every area in which he has become involved: the South China sea, Ukraine, and Israel-Palestine.

**Paula Sherriff (Dewsbury) (Lab):** Does my hon. Friend agree that the expression “grab ’em by the pussy” describes a sexual assault and therefore suggests that President Trump should not be afforded a visit to our Queen?

**Paul Flynn:** I entirely agree. President Trump’s manner and behaviour throughout the election period were greatly worrying, and his extraordinary reaction to his own inauguration was concerning; I believe that it partly provoked the demonstrations that took place.

[Paul Flynn]

When he thought he was going to lose, he said that he was going to object to the election on the grounds of fraud, but it is extraordinary for someone to complain when they actually win. He complained about everything. He complained that the rain did not fall—we all saw it fall—and he complained about the number of people in the crowd. He complained and lied about his own result. It is of great concern that the President behaves like a petulant child. How would he behave in a future conflict that might arise?

**Mr Jacob Rees-Mogg** (North East Somerset) (Con): I am grateful for the hon. Gentleman's response to Mr Trump's perhaps ill considered phraseology, but what complaint did he make when Emperor Hirohito, who was responsible for the rape of Nanking, came here?

**Paul Flynn:** Many people have come here who have been less welcome than others; that is absolutely true. We have had people here who were very unsavoury characters—not from the United States, as it happens—but we certainly should not try to imitate the errors of the past. We should set an example by making sure that we do not make those mistakes again.

As I said, this is a situation of grave concern, and the Prime Minister is in an awkward position. Since the seventh day of Mr Trump's presidency, things have got far worse. We are now in the 31st day of his presidency. We have seen General Michael Flynn being forced out of office because he could not tell the truth about relations with Russia and could have been a victim of blackmail. That is a very worrying situation, and we know that allegations were made during the election campaign, and as a presidential candidate Trump made an appeal encouraging people to hack the accounts of Hillary Clinton. There may well be a case coming up that will show that the position of the President will be difficult to sustain if he himself is open to blackmail. We also know of the confrontation that took place during the election campaign involving President Obama, who warned that that eventuality was a likely outcome.

**Caroline Lucas** (Brighton, Pavilion) (Green): A higher percentage of constituents from Brighton signed the petition than from any other constituency and I am proud to represent them today. Many of them have raised not only Trump's misogyny and racism but his contempt for basic climate science. Does the hon. Gentleman agree that someone who has shown such effrontery to basic climate science is another reason he should not come here on a state visit?

**Paul Flynn:** It is extraordinary that Trump, from the cavernous depths of his scientific ignorance, is prepared to challenge the conclusions of 97% of the world experts on this matter. He makes a bad science conspiracy theory conclusion when, apart from the nuclear issue, climate change is the most important issue of our time.

On the nuclear issue, Trump is almost unique in that he believes in nuclear proliferation. He is trying to persuade countries such as South Korea and Japan to acquire their own nuclear weapons. We know that the danger of nuclear war exists not because of the malice of nations but because of the likelihood that it will come by accident—by human error, or by a technical

failure similar to the one that happened when one of our missiles headed in the wrong direction towards the United States in a recent test. The more nations that have nuclear weapons, the more likely it is that that problem will emerge and we could be plunged into a nuclear war.

The question that the petitioners put as a main point is the situation as far as Her Majesty is concerned. A former permanent secretary of the Foreign and Commonwealth Office, Lord Ricketts, reacted to the invitation by arguing:

“There is no precedent for a US president paying a state visit to this country in their first year”

of office. He is quite right. He said:

“It would have been far wiser to wait to see what sort of president he would turn out to be before advising the Queen to invite him.”

The Queen has been put in a very difficult position, and for that reason alone we should consider this petition, and the Government should consider it, with a bit of humility, to decide what action should take place. They should change the invitation to one for a visit rather than one for a state visit.

**Mr Nigel Evans** (Ribble Valley) (Con): The hon. Gentleman says that the Queen has been put in a difficult position. I know what a great fan of the monarch he is—indeed, he probably has weekly chats with her. What did she actually say to him to lead him to believe that she found the situation difficult?

**Mr Charles Walker (in the Chair):** Order. We are not dragging the monarch into this debate. All right, colleagues?

**Paul Flynn:** I am well aware of the Standing Orders on this matter, but I speak as someone with enormous regard for the Queen. She is my inspiration; she is my example. She is working at an age that is eight years beyond my age, and I will certainly not be so wimpish as to stand down while she continues with her heroic work at her age.

Our main concern is that we are in this position of surrealism, of an Orwellian world that is unfolding before us, where the theme that has been put forward by Trump is that lies are the truth, good is bad, war is peace and fantasy is fact. We see that with the figure of the Trump Big Brother, who is there, ever-present seven days a week and 24 hours a day, preaching from his one source of news—the only voice of truth.

**Mr Adam Holloway** (Gravesham) (Con): Does the hon. Gentleman agree that, although the proposed ban is clearly completely absurd, there is something quite refreshing about a politician actually doing what they said they would do before they were elected? The ban is ridiculous, but it is a reaction to the chaos caused in the middle east by previous generations of politicians, which in my view is far worse than anything that Trump has done, and for which many of the people in this Chamber voted. Where is the hon. Gentleman's respect for the will of the American people?

**Paul Flynn:** The will of the American people has changed rapidly within the last seven days. The position now is—[*Interruption.*] Well, get the facts. The position

today is that Trump's standing is at minus 18, which is precisely the level of support held by Richard Nixon on the day that he resigned his presidency. Trump is at rock bottom. He is the least popular American President ever in this country—hon. Members can go through the figures—and rightly has a low level of approval.

What we are doing, and what this debate is doing, is taking notice of what the public say. We will not be in a position where we ignore public opinion or where we seem insensitive to democratic decisions. That was the reason why many of us, with heavy hearts, voted for article 50 last week. We cannot allow, as happened in America, that gulf to appear in this country between politicians and what is seen as public opinion. That led to the election of Trump, and if we ignore what is being said in petitions and do not take action, the public will greet us with the same cynicism, see us as distant and look to elect non-politicians.

The great overarching topic on Brexit and on this issue is that we must maintain respect for politicians, and we must not see an increase in the divisions and in the lack of trust that has existed in this country. During the expenses scandal, our reputation in this House was at rock bottom; now it is subterranean. We have got to work to change it. Andrew Rawnsley, a very distinguished journalist, has said:

“Some ministers mutter that the big mistake was to issue the invitation to make an early state visit to Britain, a notion conceived as a way of flattering his colossal vanities. At the very least, it would have been prudent to wait before rolling the royal red carpet. Pimping out the Queen for Donald Trump. This, apparently, is what they meant by getting our sovereignty back.”

Those are the words of Andrew Rawnsley, which I am quoting.

**Mr Rees-Mogg:** On a point of order, Mr Walker. I do not think it is in order to refer to pimping out our sovereign, even if someone is quoting a journalist, however distinguished.

**Mr Charles Walker (in the Chair):** I am sure that is not what the hon. Member for Newport West (Paul Flynn) meant. What he did mean, when he talked to me a few moments ago, was that he would speak for only 15 minutes. Can we get to the wind-up please, Mr Flynn?

**Paul Flynn:** Yes, fine, Mr Walker. The wind-up is a simple one. This is a great chance to be here and to start off this debate, but I know there are many people who also have contributions to make on the subject.

We are in a position unlike any faced by any previous Parliament, whereby a person of a unique personality is running the United States. There are great dangers in attempting to give him the best accolade we can offer anyone—a state visit—which, as I have said, has been offered only twice before. That would be terribly wrong, because it would make it appear that the British Parliament, the British nation and the British sovereign approve of the acts of Donald J. Trump.

Several hon. Members *rose*—

**Mr Charles Walker (in the Chair):** Order. I call Nigel Evans. There is a five-minute time limit.

4.48 pm

**Mr Nigel Evans (Ribble Valley) (Con):** Thank you very much, Mr Walker. It is a delight to be under your chairmanship.

I suppose 2016 was a seismic year in many ways. For those of us in the Chamber who actually believe in democracy, I did not actually realise that there were so many different interpretations of it. We have seen that in the last week. In 2015, we had the election of a Conservative Government, which clearly hit a lot of people hard, and then we had Brexit, with which people are coming to terms or not in their own way. We then had the election of Donald Trump.

I advise anyone who is interested to go to YouTube and find the “Newsnight” video that shows the leading lights of the United States of America, from Nancy Pelosi and George Clooney to Harry Reid and others, all saying that there is no chance that this man will ever become President of the United States, interspersed with footage of the inauguration of Donald John Trump. They sneer when they say it. Why? Right at the end, the video says: “The United States has a new President. His name is Donald John Trump”. To those people who are finding it difficult to come to terms with Brexit, I say that we are leaving the European Union. That is what the people decided. To those who are finding it difficult to understand that the American people voted for Donald Trump, I say get over it, because he is President of the United States.

We must all ask ourselves why people felt so left behind that they made the democratic decisions they did. Some of us cannot understand some of those decisions. How could people possibly vote for Brexit? How could they possibly vote for Donald Trump? The fact is that the people have done so. They were the forgotten people. Just as we have forgotten people in the United Kingdom, there are forgotten people in the United States of America. They are the ones who packed that stadium on Saturday to cheer Donald Trump after his first month in the presidency, because they like what he says. We might not like some of the things he says. I certainly do not like some of what he has said in the past, but I respect the fact that he is now delivering the platform on which he stood. He will go down in history as the only politician roundly condemned for delivering on his promises. I know this is a peculiar thing in the politics we are used to here—politicians standing up for something and delivering—but that is what Trump is doing.

We can all go back and talk to the people we know in our own little echo chambers—all we hear are the same things—but the fact is that 61 million people voted for Donald Trump. When we stand up in this country and condemn him for being racist—I have seen no evidence of his being racist—or attack him in an unseemly way, we are attacking the American people and the 61 million who voted for Donald Trump. If they wanted more of the same or the usual stuff, it was on the ballot paper, but they decided, by a majority of states in the electoral college as it works, that they wanted Donald Trump.

**Sir Simon Burns (Chelmsford) (Con):** My hon. Friend keeps talking about the 63 million people who voted for Donald Trump, but people forget that Hillary Clinton got nearly 66 million votes.

**Mr Evans:** I absolutely agree. She piled the votes up in liberal California and liberal New York and the east coast, but that is not how the system works. My right hon. Friend is an expert in American politics and he knows how it works. The fact is that that is part of the checks and balances. Donald Trump knew how it worked. It was the people in the middle of America who felt left behind—they were referred to as the deplorables. They felt left behind by Administration after Administration, irrespective of colour, and decided to put Donald Trump in.

We have limited time, but one thing I will say is that I hope people will condemn the trolling of Barron Trump and Melania Trump. We talk about sexism and racism. The racism that Melania Trump has had to put up with since Donald Trump became President is appalling. She read the Lord's prayer on Saturday in Florida, and the number of people who had a go at her for doing it and for the fact that she is from Slovenia and does not have an American accent is appalling. Let us hear a bit of parity.

I do not want this House to be brought into disrepute, as the hon. Member for Newport West (Paul Flynn) said, regarding double standards. We can refer to all the things about Donald Trump, as some people have, even though he was democratically elected. Xi Jinping was here last year. Where were the demonstrations then? How many votes did Xi Jinping get? How many votes? We had a state visit from a Chinese leader 10 years after Tiananmen Square and there have been a lot of other state visits over the years. It is double standards. It is simply because people in this room, and perhaps in this country, cannot understand why the people voted for Donald Trump, and why people voted for Brexit. Until they understand that, I am afraid there will be more of the same. The people who feel left behind have spoken, and they have voted for Donald John Trump.

4.55 pm

**Mr David Lammy** (Tottenham) (Lab): When members of the public have spent a long time thinking about an issue and calling for a debate, I would hope that some of us might try to be above party politics. This debate cuts to the heart of the nature of our democracy and of how we honour and celebrate other countries, which is why it is important to reflect on whether it is right, after seven days, that Donald Trump be afforded a full state visit.

I am a great friend of the United States. My father is buried in the United States. I studied in the United States. I worked in the United States. I have visited America more times than I have visited France; it is a country I love tremendously. I suspect that all of us in the Chamber are well aware of the British people's deep connection with and affection for America and its people, but we are also aware of the challenges that exist in that country and the contentious manner of the election that led to Donald Trump's becoming President. One would expect, I think, the leader of the free world to come to Britain, but the issue is about the terms and the basis on which that is done. An official visit might have been appropriate, but to afford this man, after seven days, a state visit is why so many people have petitioned.

**Mr Holloway:** Will the right hon. Gentleman give way?

**Mr Lammy:** I will not give way; I have only five minutes.

I am here because I want to remind the Chamber about the path that America has taken and about the contribution of African Americans in the United States. Many African Americans there are sitting at home in fear. They are concerned about a President who has had the support of the Ku Klux Klan. They are concerned about a President who has welcomed white supremacists—a term we had almost hoped would fall into history—into his close inner circle. They look at events such as Black History Month. Think about how our own Prime Ministers of different political stripes respond to such things and the sort of statements they make, and look at what Donald Trump said and how he made the event all about himself. Seven days, and he gets the full panoply of the state. Really?

I think of my five-year-old daughter when I reflect on a man who considers it okay to go and “grab pussy”, a man who considers it okay to be misogynistic towards the woman he is running against. Frankly, I cannot imagine a leader of this country, of whatever political stripe, behaving in that manner. People are offended and concerned that Britain should abandon all its principles and afford this man a state visit after seven days. Really? And why? Is this great country so desperate for a trade deal that we would throw all of our own history out of the window? We did not do it for Kennedy, Truman or Reagan, but to this man, after seven days, we say, “Please come and we will lay on everything because we are so desperate for your company”. I think this country is greater than that. I think my children deserve better than that. I think my daughter deserves better than that. I am ashamed, frankly, that it has come to this. We should think very carefully about a President whose attitude towards the press is, as we are finding out, abhorrent. We should think very carefully about a President who has said the things he has said. He has put so many people in fear through his statements. For that reason, we should not afford him a state visit.

5 pm

**Dr Julian Lewis** (New Forest East) (Con): Having been born at the mid-point of the 20th century, I think it is appropriate to look at what happened in Anglo-American relations and European-American relations before and after the 1950s. Before the 1950s, we had two opportunities for a world war, and both times a world war took place. From the 1950s onwards, we had one opportunity for another world war, and that world war did not take place.

We can all have theories about why there were world wars between 1914 and 1918 and between 1939 and 1945 and why the cold war did not become world war three. For what it is worth, I will give my theory. In 1914, it was possible for an aggressor to think it could pick off a small state such as Belgium without triggering a conflict from day one with the United States of America. In 1939, it was possible for an aggressor to think it could pick off a small state such as Poland without triggering a world war with the United States from day one. However, from the signing of the NATO treaty in 1949 onwards, it was no longer possible for any aggressor to think it could launch an attack against any European or non-European NATO member state without immediately being at war with the world's greatest superpower. For me, that is the single most important consideration.

This debate ought to be about more than the personal qualities of any individual. I would like people to ask themselves this as a matter of conscience: if they knew that it would make a significant difference to bringing on side a new President of the United States of America so that the policies that prevented a conflagration on that scale continue—given he is in some doubt about continuing the alliance that prevented world war three and is our best guarantee of world war three not breaking out in the 21st century—do they really think it is more important to berate him, castigate him and encourage him to retreat into some sort of bunker, rather than to do what the Prime Minister did, perhaps more literally than any of us expected, and take him by the hand to try to lead him down the paths of righteousness? I have no doubt at all about the matter.

What really matters to the future of Europe is that the transatlantic alliance continues and prospers. There is every prospect of that happening provided that we reach out to this inexperienced individual and try to persuade him—there is every chance of persuading him—to continue with the policy pursued by his predecessors.

**James Duddridge** (Rochford and Southend East) (Con): I agree entirely with my right hon. Friend. It is right and proper that we are debating the issue, but given his views, why does he support Mr Speaker saying that Trump should not come here? There is a case for that, but it is incongruent with the argument my right hon. Friend is making.

**Dr Lewis:** I am pleased to say that this is a debate about President Trump and whether he should come here. I believe that it is entirely right that he should come here. Therefore, issues about any extraneous matters are matters for debate perhaps at another time in another place, but not here or now.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): I am grateful to the right hon. Gentleman for giving way, but on what basis does he think giving President Trump a state visit will have the effect he believes? We have already told him he can have one, and just this weekend we hear him again talking about walking away from NATO.

**Dr Lewis:** I am not at all aware that he has talked about walking away from NATO. On the contrary, he has made two criticisms of NATO. One is that he believes that NATO has adapted insufficiently to meet the threat of international terrorism and is too solely focused on state-versus-state confrontation. The other criticism he has made is—if it is an extreme view, it is one shared by the Defence Select Committee—that countries are not spending enough on defence. He has rightly pointed out, as has his Secretary of Defence, that only five out of 28 NATO countries are paying even the 2% of GDP—which is not a target, but a minimum guideline. The failure of NATO countries to pay to protect themselves has been remarked upon time and again to no effect.

I finish with a point that may be strange to relate, but stranger things have happened in history: it may be that the only way to get NATO countries to pay up what they should in order to get the huge advantage of the American defence contribution—they spend 3.5% of

their much larger GDP while so many of our NATO fellow member countries do not spend even 2% of their much smaller GDPs—is Donald Trump's threat. If that is so, Donald Trump, ironically, may end up being the saviour of NATO, not its nemesis.

5.7 pm

**Alex Salmond** (Gordon) (SNP): I am particularly pleased to be able to attend a debate opened at length by the hon. Member for Newport West (Paul Flynn). In fact, hearing him speak at length is justification in itself for the petitions process. I particularly enjoyed his putdown of the whippersnappers on the Tory Benches who are paying insufficient regard to the experience of the hon. Gentleman and Her Majesty the Queen. I thought that was one of the highlights of the debate thus far.

It is difficult to know whether to be appalled at the morality of the invitation or just astonished by its stupidity. If I may disagree with the right hon. Member for New Forest East (Dr Lewis) for a second, the Prime Minister's holding-hands-across-the-ocean visit would be difficult to match as an example of fawning subservience, but to do it in the name of shared values was stomach-churning. What exactly are the shared values that this House and this country would hope to have with President Trump? Exemplifying what shared values are is a process that is fraught with danger, but the Prime Minister tried it when she was Home Secretary. She said that they were:

“Things like democracy... a belief in the rule of law, a belief in tolerance for other people, equality, an acceptance of other people's faiths and religions.”

Which of those values, as outlined by the Prime Minister, has President Trump exemplified in his first 30 days in office?

**Rushanara Ali** (Bethnal Green and Bow) (Lab): Given President Trump's remarks about torture, his misogynistic stance against women and his stance against Muslims, does the right hon. Gentleman agree that associating with the President in the form of a state visit will do huge amounts of damage to the Queen and to our monarchy, which is respected and revered around the world? The Government should have a Government-to-Government visit and leave Her Majesty out of this.

**Alex Salmond:** I do agree. Also, I note that, according to one newspaper report, Trump's acolytes have started to choose which members of the royal family they would meet on a state visit. It said he was not going to meet Prince Charles in case the conversation turned to climate change. Somebody who has been accorded the privilege of a state visit picking and choosing which members of the royal family to meet is a world first.

**James Duddridge:** When the right hon. Gentleman met Donald Trump and welcomed him to Scotland in 2006, did he express the same views?

**Alex Salmond:** I have actually met Donald Trump more than once, which gives me an advantage over, I think, every other Member in the Chamber. I have also negotiated with Donald Trump, which perhaps gives me an additional advantage, to instruct the hon. Gentleman. We should remember that President Trump is not a stupid man. The belief that he has forgotten what the Prime Minister or her supporting staff said about him

[Alex Salmond]

when he was a candidate is nonsensical, and the Foreign Secretary said he would not go to New York in case he was confused with him. To believe that Donald Trump has forgotten those things is to seriously underrate the man's intelligence. To paraphrase P. G. Wodehouse, it is not difficult to tell the difference between a ray of sunshine and Donald Trump with a grievance. I know about that from my experience of the American President, which brings me to the act of stupidity involved in the invitation.

Even when people are in a weak negotiating position, as the UK is at the moment thanks to the nonsensical decision to invoke article 50 without having at least some idea of where the negotiations will end up—I see Brexiteers shaking their heads, but I was quoting almost exactly from the Vote Leave website, which said that doing that would be like putting a gun to our own head. Unfortunately, that is exactly what the Government have chosen to do. To put ourselves in a weak negotiating position and then advertise it so blatantly to President Trump, as the Prime Minister managed to do, is a recipe for total and utter disaster. From my experience of negotiating with Donald Trump, I can tell the hon. Gentleman that we should never, ever do it from a weak position, because the result will be total disaster.

Like the Prime Minister, Justin Trudeau is relatively new to his office, yet he has demonstrated how to pursue a business relationship while keeping Canada's integrity intact. The Prime Minister should take note and rescind the state visit before any more embarrassment and division is caused in this country.

To allow this process to be the pretext for another assault on Mr Speaker—this has already been mentioned in the debate, Mr Walker—is beyond madness. This new gunpowder plot will fizzle out as surely as the last one did. What we should demand from Mr Speaker is fairness to all parts of the House, the ability for all people to be heard—

**Mr Charles Walker (in the Chair):** Order. Mr Salmond, we are not having a debate about Mr Speaker, and that goes for all Members. You have made your point. Please return to the substance of the debate, which is Mr Trump's visit.

**Alex Salmond:** Mr Walker, I was replying to a point that you allowed to be made in the debate earlier. I will simply state my opinion that parties in this House will not allow Mr Speaker to be removed on this issue. I think that is perfectly in order, sir.

On the point about debasing the shared values that we are meant to have with the United States of America—the point was well made by the hon. the Member for Newport West that in 30 days the President has managed to achieve a record low in the Gallup ratings—the United States of America has not been invited on a state visit. The state visit invitation is to President Trump the individual. To confuse the two is a serious mistake by hon. Members and others who support the offer. I speak from my experience of negotiating with the man in saying that to do so from a position of weakness will not result in a face-saving, life-saving augmented trade deal. It will be a route to and a recipe for total disaster for this country. The state visit invitation should be rescinded before any further damage is caused.

5.15 pm

**James Cartlidge (South Suffolk) (Con):** It is a pleasure to serve under your highly tuned chairmanship, Mr Walker. I do not normally speak on foreign policy matters, but I feel duty-bound to speak because so many of my constituents have signed the petition. I have some sympathy with them. They are entitled to sign the petition against the state visit. As has been said, some of the things that Donald Trump has said are extremely offensive, but what concerns me is the points of substance, such as the ambiguity about NATO. That is what we should be worried about.

What we are debating here is UK foreign policy, which is best served by following the national interest, not through gestures or knee-jerk reactions. We need calm, effective diplomacy done in the old-fashioned way, often behind the scenes. We need to work towards a long-term strategy, rather than something redolent of student politics and gestures that get us nowhere. We need to focus on the strategic points, to which there are two parts. The first is the recognition that we need to be as close to the US Administration as possible. If we have concerns—hon. Members clearly have concerns about President Trump—we should be trying to shape his Administration rather than rescinding an offer that was sent and accepted in good faith.

My second point on strategy is to understand who wins if we rescind the offer. We will gain nothing if we withdraw the offer. I can tell Members who will win—there is one man: Vladimir Putin. There will be smiles all round the Kremlin if we follow the suggestion in the petition, because the one thing it wants above all else is to divide the west. It wants the UK and the US to be divided. It does not want a strong transatlantic partnership. I am talking not just about our interest but the global interest in saying that we would be crackers to withdraw the invitation. In fact, I would offer a state visit to Vladimir Putin, as Tony Blair did, despite the fact that Russian Bear bombers are buzzing our airspace and the fact that the Russians have nuclear missiles pointed at us and pose a huge threat. That is precisely why we offer invitations—because we want to influence an Administration.

**Mr Nigel Evans:** My hon. Friend is quite right that everyone wants us to influence the US Administration. Is he not buoyed up by the fact that Donald Trump has taken the opposite position to that of Obama, who came here during our referendum and told us that we would be at the back of the queue for a trade deal? He tried to influence our referendum, whereas Donald Trump has said that he wants to see us at the front of the queue for a trade deal.

**James Cartlidge:** The referendum is done and dusted, of course, and we have some interesting days ahead in the other place. I campaigned to remain in the EU, but when President Obama spoke about the referendum, it was a gift to the leave campaign. The issue today, however, is Donald Trump. As I said, I would invite Vladimir Putin for a state visit. For me, people can say offensive things and represent terrible values—Russia is not a serious democracy, and it has a terrible human rights record—but our foreign policy is about the national interest of the United Kingdom. That means being as strong as possible and having as much influence as

possible on countries that are the major global players. I conclude by saying we will serve this country best by sticking to the invitation we have made instead of making ourselves a laughing stock to the countries that matter.

5.17 pm

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Walker. I thank my hon. Friend the Member for Newport West (Paul Flynn) for opening the debate on the two petitions. I am absolutely delighted that nearly 4,000 of my constituents signed the petition that argued that Donald Trump should not be given a state visit. They are a part of the 1.8 million who signed across the country. It tallies with the concerns raised with me in person in recent weeks. I have had people contact me directly about the matter. Ultimately, I speak for my constituents and I know where they firmly stand.

I love America and Americans. I have travelled to 25 of the 50 states. My grandfather was an American GI who came here in 1944 to help us fight the Nazis. We do not know much about him, but he came over here. I have walked with Government Members on the beaches of Normandy and along Omaha beach and other places where many Americans sacrificed their lives in the service of the freedoms of Europe and our country.

We should have contact with any American Administration. Much as I disagreed fundamentally with the policies and actions of President George W. Bush, I was deeply disappointed that that turned for many into a wider strand of anti-Americanism and anger towards America and Americans. In fact, America at its greatest is a place that espouses the very best of liberty and equality. At its best it has an optimistic Government that allows all people to have freedom. It allows freedom in the press and in the courts, and allows the exercise of democracy at state, local and federal level. It is for that reason that I feel deeply concerned and frightened when I see the very principles on which the founding fathers developed the constitution being called into question by a President. Indeed, he has done so in recent days with attacks on the press, the judiciary, religious freedoms and other parts of the Government that disagree with him. That is what I am most worried and fearful about, and I think we are right to be so.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): Does my hon. Friend agree that this is as much about our Prime Minister as about the American President, and that this apparent cosy-up to people with questionable values or records—not only Trump but Erdogan the day after and Netanyahu recently—has compromised our ability to be a critical friend?

**Stephen Doughty:** It is not an easy job to be Prime Minister and to deal with Governments. The nature and difficulties of diplomacy mean that we often have to have contact, for wider national and global interests, with people with whom we fundamentally disagree, but herein lies the fundamental point. This is not about whether Donald Trump should be banned from coming to this country or whether our Government should have contact with him—indeed, it is absolutely right that the Prime Minister meets the President to discuss matters of mutual interest. We choose whom we honour, the way in which we honour them and the way in which we

negotiate. I note the comments of the right hon. Member for Gordon (Alex Salmond): we choose how we engage. Prime Minister Trudeau has shown a very different way of dealing with President Trump and has maintained his integrity while retaining contact.

The fundamental issue is that we have rushed into offering the Palace, the Mall, the razzmatazz, the champagne and the red carpet. Even if one were the ultimate pragmatist for whom the matters of equality or of standing against torture, racism and sexism do not matter, giving it all up in week 1 on a plate with no questions asked would not be a sensible negotiating strategy. How can that make sense to anybody—even those who argue that we should have a strong relationship with the United States?

**Mr Jim Cunningham** (Coventry South) (Lab): Obama was invited here—people should not forget that he was the first Afro-American President—but he stood for something totally different. Donald Trump so far does not seem to share our values, so we should have waited at least two years to see how his presidency pans out before we came to a judgment.

**Stephen Doughty:** Indeed. That is why I have spoken out so strongly on using the Palace of Westminster, and particularly Westminster Hall, given that that is where President Mandela and President Obama addressed us, where Pope Benedict came and where Churchill lay in state. It is a rare and special honour, and I am absolutely delighted that this is the most signed petition of this Session and that it has support from all parts of the House.

We need to look at the issue of state visits again. Many people have rightly pointed out whom we have offered state visits to in the past and asked whether that was right. There were protests when President Xi was here, and I strongly disagree with much of the way we have fawned over some of the monarchies in the Gulf. That does not mean we should not have diplomatic relations and strong relationships with them, but I am concerned about the way we seem to have turned a blind eye to a whole series of issues. We need to look very carefully at how we choose to use what ultimately is a significant amount of taxpayers' money, and at the categories and types of visits we offer and how we offer them. Many of us question whether Aung San Suu Kyi should have addressed us, given some of the concerns we have about the Burmese Government's policies at present. We can have great hindsight, but just because we have got things wrong in the past does not mean we should not get things right in the future.

We have a special responsibility when it comes to the special relationship with our greatest ally and friend. We cannot accept the denigration of the free press, the judiciary, women and religious minorities, the banning of refugees and the advocacy of torture as the new normal. It would not be acceptable from any country, and it is certainly not acceptable from our greatest ally and one of the countries that has frequently stood up for the values of liberty, equality, democracy and the rights and equality of all before the law. That is why we have a special responsibility in this House to speak out.

Ultimately, I have great faith in the way the American constitution was set up. In 1788, James Madison said:

“An elective despotism was not the government we fought for; but one...in which the powers of government should be so divided and balanced among several bodies of magistracy, as that

[*Stephen Doughty*]

no one could transcend their legal limits, without being effectually checked and restrained by the others.”

We, too, should check and balance our ally, but offering up a state visit and all these honours in week 1 of Donald Trump’s already turbulent presidency is not the way to do it.

5.25 pm

**Sir Simon Burns** (Chelmsford) (Con): I guess I should start by declaring an interest: not simply do I have a deep antipathy towards President Trump, but I was prepared to more than just talk about it and I spent a considerable amount of time last year working for Hillary Clinton on her presidential campaign in New Hampshire, Wisconsin and South Carolina. I believed, as President Obama did during the 2016 campaign, that she was the most qualified candidate to run for President in the 20th century. As every day goes by—not least the past seven days—I am deeply grieved to see the opportunity that America sadly passed up for the person it chose, but we are where we are. Hillary Clinton got 2.8 million more votes, but the Americans elect their President not through who gets the most votes but through the electoral college. Those are the rules, and there is no point crying over spilled milk.

I will not rehearse all the reasons why any reasonable person should have significant doubts about Donald Trump, because they are sadly too well known. America has been our greatest ally for a considerable time: it stood shoulder-to-shoulder with us in our hour of need, as we did in its hour of need, particularly during 9/11, so it is to my mind foolish to allow our personal views and assessments of the more grotesque characteristics or behaviour of an individual to blur what is in Britain’s national interest. I believe it is in Britain’s national interest to continue the special relationship, as we did under most Prime Ministers since the second world war, with the possible exception of Sir Edward Heath.

**Mr Lammy:** I know the right hon. Gentleman’s deep affection for the United States—indeed, I have been with him at Democratic conventions in the past—but is the natural conclusion of his argument that the more offensive the American President and the more concerned we are as a nation about the person who has been elected, the quicker we should rush to give them a state visit? Is this debate really about the nature of how Donald Trump should come to this country?

**Sir Simon Burns:** If the right hon. Gentleman will bear with me, I will get on to the timing. He makes a valid point.

Regardless of what we think of Donald Trump as a man, I believe it is in our national interest to ensure we continue to be a candid friend to the United States. We should be respected by the United States and have the ability to talk to it candidly and explain when we believe it is getting it wrong or could be doing it better. We should ensure that it moderates its views to something more in keeping with what we believe is dignified and the correct way to behave. We cannot do that if we totally ignore the United States, write off the presidency and say, “The man is dreadful, so we shall have nothing to do with him.” We would become isolated and less influential, and that would not be in our national interest.

A number of hon. Members during the debate and outside the Chamber have questioned the timing. Frankly, it does not matter when one issues an invitation if one is trying to protect and develop our national interest. If we do it seven days into a presidency, we will be criticised; if we do it in 2020, we will be criticised for playing around with the American electoral system and helping the man in his presumed re-election bid.

**Alex Salmond:** In delaying the invitation for a state visit, we would at least have the advantage of knowing the President will still be there.

**Sir Simon Burns:** The right hon. Gentleman may be better at looking into a crystal ball than I am. None of us, frankly, can predict what will happen next week, let alone next year, the year after or the year after that. He might be right, but I agree with him that the beginning has not been auspicious in any shape or form. It is a bit like the Bible—one always admires a sinner who repents—and we will have to see whether the people around President Trump are able to moderate and guide him, although I am not convinced that they will be as successful as others might be.

That, however, is not the point. The point is that, whenever the invitation is extended, or whenever a visit takes place, there will be criticism by those who wish to criticise. We have to rise above that. We have to look at what will be helpful for Britain and its future policy and development. It is a no-brainer that working closely with the United States is far more important for this country, in particular as we begin negotiations and the exit from the European Union in two or two and a half years’ time. We cannot afford to be isolated or to ignore our friends to stand alone, thinking that we will thereby ensure that everything works out all right, because more often than not it will not.

Loyalty has always been a key mark of this country, whether under a Conservative or a Labour Prime Minister. Some would argue that in the past at times we have been too loyal. I will not intrude on the grief with regard to 2001 to about 2006, but that was a difficult time and perhaps we got it wrong in how we talked as a candid friend to the previous-but-one President. We all learn from our mistakes, however, and I believe that we have the opportunity, by giving respect to the institution of the presidency of the United States from the start, to continue to work with the United States. That will pay benefits to this country and to America, and it is the right thing to do. The state visit should go ahead, although I have to say—this may come as a surprise to some—I agree with Mr Speaker that there should not be an address in Westminster Hall to a joint session of Parliament.

5.33 pm

**Naz Shah** (Bradford West) (Lab): It is always a pleasure to serve under your chairmanship, Mr Walker.

The subject feels like one we have debated many times since Donald Trump was inaugurated a month ago today. I take the opportunity to thank every single one of my constituents who has used the petition to have their voice heard. Just over 3,500 of them have signed the e-petition on preventing Donald Trump’s state visit, which amounts to nearly 60 people out of every 1,000 registered voters in Bradford West.

What we have seen in the past 31 days has in many ways been chilling, with the executive orders that have dominated Donald Trump's first weeks in the White House being frightening. Many of us are asking where the slippery slope really leads. To take only one of the groups of people where he has sought to divide—those of the Muslim faith, not necessarily distinct to one country or another—his rhetoric has been so broad that I personally, as a Muslim, feel attacked and misrepresented. No doubt many of my constituents, who daily make a wonderful contribution to this country, feel the same. We have to take every opportunity to show that his negativity and divisive messages will not divide us and, just as importantly, will not define us.

British Muslims make an invaluable contribution to the whole of the UK in all forms and walks of life, from doctors to teachers and from business owners to professionals, adding immense cultural value as part of the rich fabric of modern British life. To allow Trump the space to deride and divide a group that plays such a huge role in our society would be a shame on us all. A 2013 report by the Muslim Council of Britain put an economic value on British Muslims' contribution to the UK—an estimated £31 billion-plus—and stated that as a group they have more than £20.5 billion in spending power. In 2013 in London alone, 13,400 Muslim-owned businesses created more than 70,000 jobs. That is a glimpse of the real impact that Muslims have on this country and that is how Muslims should be portrayed, not in the fearful, racist, bigoted views of someone who has used fear to win votes.

**Rushanara Ali:** Does my hon. Friend agree that it is deeply saddening and shameful that colleagues who are defending the state visit do not recognise the serious concerns expressed particularly by Muslims, but also by many other communities, about the dangers of the rhetoric of Donald Trump? It is time that those colleagues spoke out against that kind of hostility, which is deeply divisive. It is time for them to address the issue, instead of making excuses and being apologists for his hatred.

**Naz Shah:** I thank my hon. Friend for making those valid points, with which I concur absolutely.

**James Berry** (Kingston and Surbiton) (Con): I happily take up the challenge of the hon. Member for Bethnal Green and Bow (Rushanara Ali). Donald Trump's attitude to Muslims is an outrage, and what is most outrageous is the total lack of evidence for his actions. All of the deaths caused by terrorists on US soil since 9/11 have been caused by US citizens or residents, and even the 9/11 attacks were made by people from outside the US but from none of the seven countries. The order was not only prejudiced, but totally lacked any evidence.

**Naz Shah:** I thank the hon. Gentleman for making those very valid points.

Last year, in this very Chamber when we first debated a potential ban on Trump visiting the UK, I went on public record to say that I wanted him to come, because I wanted him to visit Bradford West. I invited him out for a curry and I wanted him to see the contribution that Muslims make to this country and to my constituency. I wanted him to meet real Muslims, not the ones he has invented for his own ends. I wanted him to walk down

the street and meet people such as Chief Superintendent Mabs Hussain, who was born in my constituency. I wanted to take him to schools such as Iqra Primary School to meet a Muslim headteacher. I wanted him to visit health professionals in places such as Sahara and Lister pharmacies, and to see Muslims on the frontline in our healthcare services.

I also wanted Donald Trump to see some of the tremendous businesses in my constituency that are run by Muslims, providing jobs and growth, such as Lala's, EnKahnz, MyLahore and many others. I wanted to show the world the cultural impact of Muslims in my constituency through events such as the amazing Bradford literature festival that is run by two extraordinary Muslim women, or the annual world curry festival organised by a Muslim man. But to do so now, now that he is President, would only reinforce and condone his actions and his divisive, racist and sexist messages.

Sadly, that is what Donald Trump represents at this moment, which flies in the face of everything we stand for and everything we thought we shared. We cannot support what he is doing by offering him legitimacy. During the debate we have touched on double standards, but the difference in our conversation is that the British people are aware of the human rights violations or the misogyny in China, for example, when we have a state visit from its President. However, we do not look to China for its record, for its advice and support on human rights issues, or for how to treat women, but we do look to America. We look to the United States of America, the leader of the free world, to support us in those shared values. The new President does not represent those shared values that belong to all of us, including this House. Even my children have seen the movies showing women throwing themselves on the cobbles outside this building to get the right to vote in this country, and we saw what happened with the civil rights movement.

When I spoke about this subject in the main Chamber, I talked about the first three steps to genocide, as defined in a booklet by the Holocaust Memorial Day Trust. We are already on step three. The right hon. Member for New Forest East (Dr Lewis) says that we might stop world war three, but what do we actually contribute by allowing President Trump to continue using rhetoric that divides people and tells us that Muslims are the enemy within? As a Muslim in this House, I am not an enemy of western democracy; I am part of western democracy. I fought really hard to be elected. I fought against bigotry, sexism and the patriarchy to earn my place in this House. By allowing Donald Trump a state visit and bringing out the china crockery and the red carpet, we endorse all those things that I fought hard against and say, "Do you know what? It's okay." I give my heartfelt thanks to the millions of people who signed the petition and I really hope that we do not honour this President.

5.40 pm

**Crispin Blunt** (Reigate) (Con): Thank you, Mr Walker, for the invitation to take part in this debate, which the hon. Member for Newport West (Paul Flynn) opened so energetically. He referred to our "beleaguered" Prime Minister. I look forward to the authority that she exerts when she is not quite so beleaguered. I am still puzzling about what he meant by "protozoan". I will come back

[Crispin Blunt]

to the power exercised by the President, but first we should take a reality check. An invitation has been issued in the name of Her Majesty, and if we wanted to find a way of embarrassing her, withdrawing that invitation would be the quickest way about it. We are left in a situation where the formal word of Her Majesty, but also that of the United Kingdom, is engaged.

Let us get to the realpolitik behind this. It is very likely that opening up the possibility of an invitation for a state visit secured our Prime Minister the first call on the newly elected President of the United States. During her visit, she got the incredibly important assurance about NATO that was so expertly referred to by the Chairman of the Defence Committee, my right hon. Friend the Member for New Forest East (Dr Lewis).

**Joanna Cherry** (Edinburgh South West) (SNP): I heard the hon. Gentleman being interviewed on Radio Scotland this morning. He said then what he has just said: that it was very likely that the Prime Minister had used the offer of a state visit to secure the first visit to Trump. Can he confirm his source for that statement?

**Crispin Blunt:** I am simply using my own assessment and my experience from my own career of how such matters are arranged to say what might have happened. I am happy to confirm that I have no first-hand evidence of the discussions; I merely use my experience to say what might have happened. However, the Prime Minister secured that first visit. She secured the undertaking about NATO, which is immensely important to Europe's security; she got a reaffirmation of the special relationship by being the first foreign leader to visit President Trump; and, the day before meeting the President, she gave a spectacularly successful address to the Republican caucus in Philadelphia.

We must understand what is going on. We are dealing with the first non-politician and the first non-serviceman to be elected President. He is definitively different. Dangling a state visit in front of a half-Scottish President of the United States, whose mother had an immense attachment to that country, was an exercise in pressing the right buttons to engage him and a successful use of the United Kingdom's soft power.

The Prime Minister secured the undertaking about NATO, but let us also understand the checks and balances that this President will have to operate under. First, he will need to operate under the checks and balances that come from Congress, and the Republican caucus in Congress will be immensely important in that. For our Prime Minister to have secured a place where she has an opportunity, in effect, to put our case, which may be aligned with that of the State Department, the Pentagon and the CIA, to the White House—

**Alex Salmond:** Will the hon. Gentleman give way?

**Crispin Blunt:** I will if the right hon. Gentleman is brief, because his intervention will come out of injury time.

**Alex Salmond:** The hon. Gentleman continues seriously to underrate President Trump. The idea that this President will have things determined by anything other than his

own interests and what he perceives the American interest to be is a mistake of such naivety—naivety that explains the fact that he managed to get into the White House in the first place.

**Crispin Blunt:** I draw the right hon. Gentleman's attention to what is actually happening. This President, who comes from an area where he was not disciplined in the requirements of our profession or those of the services, is issuing undisciplined statements. What has he had to say about torture? He has said that he will concede his judgment to that of his Defence Secretary. I was told cheerfully by lesbian, gay, bisexual and transgender friends of mine that he was about to rescind employment protection for LGBT people in the United States. He did not, as it happens. Who won out in the row between his national security adviser and his vice-president? His vice-president. The immigration ban is being overturned by the judges—another element of the separation of powers in the United States. We are seeing this Administration develop following the extraordinary and unprecedented election of this individual to the presidency.

**Chris Bryant** (Rhondda) (Lab): Will the hon. Gentleman give way?

**Crispin Blunt:** Will the hon. Gentleman forgive me if I do not? I am out of injury time.

The point I am making is that these are early days, and the need for a disciplined Administration is beginning to crowd in on this President. We will see how things develop, but it is incredibly important that our Prime Minister secured the first visit of a foreign leader to the White House.

The truth is that we need to calm and take the hype out of this debate—not just the debate in this Chamber but, frankly, the national debate. The invitation has been issued. I do not think that it should or could properly be rescinded, so there is the possibility that it will be taken up this year. I think that would be a mistake. We need to point out that 2020 will be the 400th anniversary of one of the most remarkable events in British-American history: the pilgrim fathers' settlement. That is incredibly important in the United States, and it would be an utterly appropriate moment to be marked by a state visit to the United Kingdom by whoever is the US Head of State at that time. We should focus the Administration's attention on that opportunity. A Head of Government visit this year would be entirely appropriate. If we do not take the hype out of this debate, given the number of people who signed the petition, there is every possibility that the President's visit will become a rallying point for everyone who is unhappy with the direction of American policy or British policy, or anything else, and the poor old commissioner of the Met will be left with a rather significant public order issue to manage.

There is an opportunity to look forward and celebrate a great anniversary in British-American relations, and extract ourselves from the practical difficulty of the invitation having been issued. But issuing that invitation secured a reaffirmation of the special relationship, a commitment by the President of the United States to NATO—that was reinforced in Europe this weekend by senior members of his Administration—and an opportunity for us to reinforce the voices in the White House of the

State Department, the Republican caucus, the Pentagon and the CIA, and that was infinitely the right thing to do.

**Several hon. Members** *rose*—

**Mr Charles Walker (in the Chair):** Order. A number of colleagues have intervened who have already spoken. I know that this is a debate, but if they desist from intervening, we may get everyone from their own parties in.

5.48 pm

**Kirsten Oswald** (East Renfrewshire) (SNP): It is a pleasure to serve under your chairmanship, Mr Walker. I am pleased to speak on behalf of the thousands of my constituents who signed the petition objecting to Donald Trump being invited to the UK for a state visit, as well as the large number who contacted me to say that they did not wish to sign that petition but strongly objected to a state visit.

Many of the people who contacted me said that they had never signed a petition before, but they felt so strongly that the invitation was wrong that they had done so. No wonder they were concerned. What on earth have things come to when the UK Government think for one second that it is appropriate to reward the disgraceful statements and actions of President Trump with a state visit and all the pomp, ceremony and fantoosherie of the British establishment?

It is hugely depressing to hear those on the Conservative Benches who support the state visit yet again telling us that it is important that we engage with President Trump because America is our friend. So it is, but that is why we should challenge this. President Trump's Administration so far has been characterised by ignorance and prejudice, seeking to ban Muslims and deny refuge to people fleeing from war and persecution. That is what he said and that is what he has done, and that is simply racism. The Prime Minister has decided that she will take any friend she can get for her hard Tory Brexit, and to hang with the refugees, to hang with the Muslims and to hang with anyone who is different. To hang with our EU nationals, to hang with women and Mexicans, and to hang with people fleeing war and terror. That is what the plan for a state visit says.

Let us not kid ourselves. The UK Government, with their ever-reducing plans to help child refugees, have knowingly and deliberately cooed into this Islamophobic, misogynistic—and dangerously confused, if events in Sweden are anything to go by—leader of the free world, instead of, as one of my constituents said to me, having the balls to stand up and show some kind of moral backbone.

President Trump's words and actions are horribly destructive for Muslims across the world. They absolutely will foster Islamophobia and racism. We have all heard about the nasty, insidious, creeping racism that has felt able to raise its ugly head—hate crime incidents are up 41% in England and Wales since the Brexit vote—and the state visit would ramp that up further, giving all those who feel the need to persecute other people the comfort they need, especially as they may now feel that it is rubber-stamped by this rudderless shambles of a UK Government.

SNP Members have grave concerns about the effect that will have on people living, working and studying in Scotland. Many Muslims are understandably upset and fearful, as are other groups. As the mother of mixed race children, I am upset and fearful for the future in a way I have never been before. This is a time of flux and uncertainty and dark clouds are gathering in many parts of the world. Our job here should be to shine a light and to stand tall. We should take the moral high ground and send a firm message to President Trump that this will never be acceptable and he needs to stop. Instead, the UK Government have rolled over to have their belly tickled. Shame on all involved if they do not rescind the invitation for a state visit now. It will never be in our name.

5.52 pm

**Sir Edward Leigh** (Gainsborough) (Con): There are two ways in which those who agree that the state visit should go ahead can approach the debate. There is the argument along the lines of national self-interest, which is the relatively easy way, and there is the more difficult way: we have got to seek to understand what Mr Trump means to many people in America. I will start with the first. It seems obvious to me that great countries such as our own act in their own national self-interest, and they issue these invitations in order to further that self-interest.

Presumably, when we invited not one but two Presidents of China, we were prepared to overlook the fact that China is effectively a police state, that there is no freedom of expression, of movement or of association, and that there is outright religious persecution. In every single respect it is a state that does not share our values in any shape or form. Presumably, when we issued an invitation all those years ago to President Ceausescu and awarded him a knighthood, we felt it was in our national self-interest so to do. Indeed, we rescinded the award of the knighthood only on the day before he was executed by his own people.

**Chris Bryant:** The hon. Gentleman is making a valid point that there is not a great deal of consistency about the way in which we offer state visits, or for that matter the content of them. It was particularly useful when we offered one to the President of Colombia because that helped progress the peace process in Colombia. Would he not support the idea of the Foreign Affairs Committee and the Procedure Committee doing a proper review of state visits so that we get it right for the future?

**Sir Edward Leigh:** That is a perfectly valid point and I have no objection to it.

To continue the historical analogies, presumably when we invited President Mugabe, a racist homophobe, to have tea with the Queen, we were prepared to overlook his transgressions, and when we invited King Abdullah of Saudi Arabia, who presided over the ultimate misogynist state, presumably we felt that Saudi Arabia was an important ally of ours.

We have to be careful about what we wish for. Just think for a moment: if we listened to the petition—I accept that people have signed it in perfectly good faith, and it is a perfectly reasonable point of view—and accepted it and, as a result of the debate, we were to rescind the invitation, that would be catastrophic to our relationship with our closest ally. I will not labour that point, but surely my right hon. Friend the Member for New Forest

[Sir Edward Leigh]

East (Dr Lewis) has won the argument in the sense that our peace and security and the peace and security of the whole western world depends on our using influence with President Trump. I for one believe that our Prime Minister's visit was an absolute triumph not only in furthering our national self-interest but by binding President Trump and his new Administration to NATO. We see the effects of that in terms of what the vice-president has been saying only this week. There is no doubt in my mind that it is in our national self-interest to accord respect and honour to our closest and greatest ally. Whether we like it or not, this man is the duly democratically elected leader of the free world.

To me, that is the easy argument to make, but I feel I have to follow my hon. Friend the Member for Ribbles Valley (Mr Evans) in making what is probably a much more difficult and controversial argument. We had a debate a year ago on Mr Trump when speaker after speaker—even on the Conservative side—condemned him, saying he was outrageous. I was the only one who tried to understand the phenomenon and why people were supporting and voting for him. I made the point then, and will make it now, that it is unwise of us to try to transfer our own views and prejudices to the other side of the Atlantic. For instance, most people here think that I am on the far right of the political spectrum in this House, but here I am, a person who warmly supports gun control, who opposed the Iraq war and who relies entirely on the NHS. All of those things would make me an abomination in large parts of the Republican party. It is very foolish for us to lecture our conservative colleagues on the other side of the Atlantic about what is the right or improper nature of conservatism.

Mr Trump is not my sort of conservative—I have nothing in common with him—but let us look at some of his comments and the charge of misogyny. Of course, what he was reported as saying in a private conversation was horrible and ridiculous—I hope none of us would make those comments—but which one of us has not made some ridiculous sexual comment at some time in our past? [HON. MEMBERS: “Me!”] Well, in private. Let he is without sin cast the first stone. He has apologised. That is not really a reason to withdraw an invitation.

**Hannah Bardell** (Livingston) (SNP) *rose*—

**Sir Edward Leigh:** I had better give way because someone is casting an aspersion.

**Hannah Bardell:** I cast no aspersions, but is the hon. Gentleman seriously suggesting that the comments made in public by Trump on a number of issues, including marriage equality for LGBT people, and his comments on sexual abuse and attacking women, which were made in private, recorded and then broadcast, are a legitimate perspective? Does he stand there and think it is acceptable to say in the Chamber and this House that that kind of position is acceptable?

**Sir Edward Leigh:** I said precisely the opposite. As far as I know, I have never spoken like that and no friends of mine have ever spoken like that. I completely deplore it and find it ridiculous to speak like that in private. All I am saying is that most of us would be rather embarrassed if everything that we had ever said in private in our past was—

**Alex Salmond:** Will the hon. Gentleman give way?

**Sir Edward Leigh:** I have given way twice, so I think I had better get on now. I knew this would be a difficult argument. It is easy to dodge it, but I think it is only fair to make it.

As regards the argument of racism, I do not believe there is any proof that the travel ban is racist. Indonesia is the largest Muslim country in the world and there is no question of a travel ban on Indonesia. All the travel ban countries are riven by civil war and the travel ban builds on work done by President Obama, so to accuse the new President of the United States of racism, misogyny and all the rest is overstating it.

I knew that these arguments would be difficult to make, but the fact is that 61 million American people voted for Mr Trump and support him, like it or not. Even if he fills people with rage, the fact is that he is there. He is the duly elected President of the United States. Our interests rely absolutely on trying to influence the man, and on bringing him over here to tie him to our point of view. He would never be elected in this country—his views would have no traction. He would never become the leader of the Conservative party in this country. None of us would campaign along the lines he has campaigned on. We all disagree fundamentally with many things he has said, but he is there. He is elected. We have to work with him. That is why it would be a disaster if the invitation were rescinded.

[MR ANDREW TURNER *in the Chair*]

6 pm

**Tulip Siddiq** (Hampstead and Kilburn) (Lab): It will not come as a surprise to the House that I shall speak against a state visit for Donald Trump. Last night, discussing the debate, I began to think about how I am his worst nightmare—the daughter of a political asylum seeker, raised in a Muslim household and, perhaps worst of all, a woman with strong opinions. Somehow I do not think I will be on his Christmas card list this year. Joking aside, however, I recognise that he has been elected in the United States. The debate comes off the back of an independent election, but it is about the nature of our Government's response to Donald Trump and whether we give a royal welcome to our country to an individual who has already made thousands of British people, including Members of the House, question whether they are still welcome in America.

I have two main reasons for speaking against granting a state visit to Donald Trump. First, what has he said and done—what has he said to the Prime Minister—to warrant a state visit? In my opinion a state visit is something to be granted, not expected. My hon. Friend the Member for Newport West (Paul Flynn) has already made the point that it is not something that happens because someone has been in their position for seven days. Barack Obama waited two and a half years before he was invited on a state visit. George W. Bush waited three years. Nixon and George Bush Senior were never given a state visit. My question is what Donald Trump has done. In my opinion, all he has done since he has been President is insult the press, champion economic protectionism and try to ban Muslims from entering the United States. Are those reasons to grant him a state visit to our country?

Secondly, a state visit is meant to be a celebratory event for people. However, millions of people have signed a petition to say they do not want Donald Trump to be given a state visit. Thousands have marched along Whitehall, in addition to the people across the country who say they would not welcome it. If we listen carefully we can hear the thousands of people outside the House right now, saying they do not want Donald Trump to come to this country on a royal state visit. We have a duty to listen to those people and give them a voice. If people from the Trump Administration are listening, I would say to them that that is not fake news. The people protesting outside are not alternative facts. The protests are real ones, by British people who do not want to give him a royal visit.

I disagree with the right hon. Member for Chelmsford (Sir Simon Burns), who said that it is not a question of timing. For me, it is. In the post-Brexit era there are deep divisions in the community and we have a duty to heal them, not to invite figures like Donald Trump so that he can cause more. At a time when we are trying to figure out whether the immigration status of British nationals is secure in European countries, and whether European nationals who have lived here for years can stay here, we should not invite someone whose immigration measures are so divisive and contradictory. It sends the wrong message to the rest of the world. I ask Conservative hon. Members: how in all good conscience can they really lay out the red carpet for someone who has talked about grabbing women by the pussy? How can they really lay out the red carpet for someone who has insulted the LGBT community, branded Mexicans as rapists and murderers, and insulted Jewish and disabled people? Is that what we want to do?

My final point—I do not have much time—is that future generations will judge us on what we are doing in telling Donald Trump to come here and pay us a visit. British people value respect and tolerance. We have respect for each other. If we do not speak up in the face of injustice and challenge bigotry, we are not serving ourselves. We should not invite him to preach hatred and spread his bigotry, his misogyny and his division.

6.5 pm

**Martin Vickers** (Cleethorpes) (Con): This issue has resulted in some extremely passionate speeches on both sides of the argument. Many of my constituents will have signed the petition against the visit, and some will have signed the petition in favour of Mr Trump coming here. I have to say that only about 30 have taken the trouble to email me with their views. It is perfectly legitimate for individuals to sign a petition expressing their personal views, but for a Government to support such a petition—particularly the one in favour of banning the President—would be irresponsible and self-indulgent. The Government must separate the individual from the office holder and act in the British national interest, as many of my colleagues have said.

There is no doubt that our relationship with the United States is essential for both the economy and security. If a state visit will enhance and strengthen our ties, we should support it. There are those who have been critical of the President's legitimacy. I think the hon. Member for Bradford West (Naz Shah) spoke about legitimacy, and I recognise the passion and deep feeling with which she spoke. However, the President is

legitimate. He was democratically elected by the American people. For us to turn our back on the holder of the office of President is an insult to many millions of people.

**Naz Shah:** Does the hon. Gentleman agree that the debate is not about legitimacy? No one is saying "Let's not invite President Trump to the UK." We are saying, "Let's not roll out the red carpet and honour his rhetoric."

**Martin Vickers:** I think that we should roll out the red carpet if it is in our national interest to do so. I do not think there is any doubt about that, as I have said. My hon. Friend the Member for Ribbles Valley (Mr Evans), who is not now in his place, rightly raised comparisons with the Brexit vote. Other candidates in the USA can be compared with those who campaigned for a remain vote in the UK, who did not understand the deeply held views of the British people. Many of the sneering, arrogant, superior comments that we now hear from commentators and, it must be said, some politicians, are an insult to the British people or, in this case, the American people.

The United States is a fully functioning democracy. There are checks and balances in its system, as we have seen from the court decision that went against the President's immigration ban. The right hon. Member for Gordon (Alex Salmond) spoke about shared values, and the important shared values that we should unite to strengthen are the democratic process, the judicial system and a free press. Foolishly, last year, as, I think, my hon. Friend the Member for Gainsborough (Sir Edward Leigh) mentioned, we had a debate in this Chamber about whether to ban candidate Trump. That was foolish and ill advised, but the present debate is even more so. I repeat that he is the democratically elected President of our most important ally.

Reference has been made to Mr Trump meeting Her Majesty the Queen. Her Majesty has met, as the hon. Member for Newport West (Paul Flynn) described them, some "unsavoury characters". In fact, she has met some characters who have actually taken up arms against the Crown, but she has moved on from that because it is in the best interests of our nation.

Mr Trump has said some unusual and irregular things, and some things I would certainly not agree with, but he has not, like many world leaders who Her Majesty and the Government have met over the years, abused human rights. One hopes he is now in a position to actually prevent other leaders around the world from doing so. There is absolutely no doubt, in my judgment, that we should indeed roll out the carpet for the President. We are not rolling out the carpet for Mr Trump; we are rolling out the red carpet for our most valued ally.

6.10 pm

**Roger Mullin** (Kirkcaldy and Cowdenbeath) (SNP): I am sorry that the right hon. Member for New Forest East (Dr Lewis) is not in his place, because I would like to respond to his arguments, particularly about the post-second world war situation and the need for peace and stability.

As a wee boy, on 4 September 1959, I walked with my mother from Maybole to Culzean castle in Ayrshire. I did so on that autumn day to view the coming of the then President of the United States, President Eisenhower, on his visit to Culzean castle. He was well known to the

[Roger Mullin]

people of the small town of Maybole, where he had been made a freeman in 1946. He had also been given a suite of rooms in Culzean castle, called the Eisenhower suite, by the people of Scotland.

As many Members will know, Eisenhower was a five-star general who served as the supreme commander of the allied expeditionary force in Europe. Post-world war two, he became the first ever supreme commander of NATO. He was then President of the United States from 1953 to 1961—a time when the cold war gripped people with the fear that we faced the possibility of a third world war. He famously called Culzean castle his second White House, given that he visited it not only in the positions that he held but with his family on many occasions during his life.

However, that great American, who served us so well in the second world war as a supreme commander, who was the first commander of NATO and who became probably the greatest post-second world war Republican President, was only once—in 1959—allowed an informal visit to the United Kingdom. He was never afforded a state reception or the right to address Parliament, and he and the American people never complained once. He was able to engage informally. All we are asking is, if an informal visit was sufficient for that great President, who contributed so much to our society and to the defeat of fascism, why on earth are we rolling out the red carpet for a man who has only spread division and international instability?

The first foreign leader to be invited to address this Parliament was the President of France, on 23 March 1939, so it was not as if there was no precedent of having people coming on state visits or speaking to Parliament. We know that only two American Presidents in history have been afforded both a state visit and an invitation to address Parliament: Reagan and Obama. Bill Clinton was invited to address Parliament but did not receive a state visit, and George W. Bush received a state visit but was not invited to address Parliament.

Since the beginning of the 20th century, most American Presidents who have come to this country have come on informal visits; it is unusual for us to accord a state visit or the ability to address Parliament to American Presidents. If we do so for this President, who has created such international instability and such social division, we should think very carefully about what makes him deserving of a state visit. I would say that nothing does. This is a grubby and despicable manoeuvre by the Prime Minister.

Many years ago, the Scottish poet, Hugh MacDiarmid, said that, when he died, he wanted there to be a two-minute pandemonium. The only good thing I can see coming out of President Trump's state visit is the opportunity for the citizens and parliamentarians of the nations of the United Kingdom to have a two-minute pandemonium in opposition.

6.15 pm

**Mrs Anne Main** (St Albans) (Con): I will keep my remarks brief. I am disappointed that some hon. Members who have spoken in favour of the petition to ban President Trump have said that anyone who supports the visit is an apologist for his views. That is absolutely not the case. My hon. Friend the Member for South Suffolk

(James Cartlidge) was exactly right when he spoke of the need for calm, reflective diplomacy. I do not think megaphone diplomacy is ever to be advocated; we are best served by conducting our relationship with the United States in a positive manner.

The Government's response to both petitions said that the visit was offered

“on behalf of Her Majesty the Queen”.

I cannot think that the Queen is completely unaware of what is being offered in her name. I do not actually have any idea of what Her Majesty thinks—that is way above my pay grade—but that is the whole point: we are not aware of what Her Majesty thinks. As convention decrees, she does not pronounce her views. However, I cannot think that Her Majesty will be embarrassed. As always, she will be a beacon of soft diplomacy by greeting the visitors to this country who are accorded the right of a visit in her name.

I made a list of hon. Members who are against the visit, including the hon. Member for Newport West (Paul Flynn), the right hon. Member for Tottenham (Mr Lammy) and the hon. Member for Cardiff South and Penarth (Stephen Doughty). I find it quite surprising that they argue that seven days was a short term in which to make the invitation. I hope colleagues will indulge me in saying that it is like the old story that someone is arguing with a prostitute about the price, and when he offers her tuppence, she says, “What do you take me for?”, and he says, “I think we know”. That is now a negotiating strategy. [Interruption.] Oh, let us have some fake outrage now; I think everybody has heard that comment before. I am standing here as a woman being shouted down by women, isn't that right?

If not during those seven days, at what time would Opposition Members have considered it appropriate to extend the invitation? What we are actually talking about is a ban. From everything that has been said, there would seem to be no point that would be acceptable to the hon. Members who have spoken in favour of the petition to ban President Trump. I have listened courteously to all hon. Members who have spoken; I have sat here and not intervened because I am mindful of time, so I would appreciate not being barracked by Opposition Members.

My point is that, if we agree that the diplomacy to be extended between ourselves and the United States of America is within the gift of the Prime Minister and, I presume, with the permission of Her Majesty, we know that it will be done in the best possible manner to further our relationship with our closest ally. I am amazed that Opposition Members think that using a stick to poke and stir up the bees' nest is the best way forward. The calm, reflective measures that were talked earlier about are exactly what we need.

Any of us who have particular concerns about some of President Trump's pronouncements are quite right to have them; I object completely to some of the things that have been said. However, our Government have extended an invitation, in the name of Her Majesty, for someone to come to our country as a welcomed ally and as a President with whom we shall hopefully have a good and purposeful relationship.

We are now hearing comments about the man being protozoan. We have no respect for leaders of other countries if we talk about them in that manner. If we have concerns about his policies, we can by all means

criticise them and raise those concerns, but until that point—until we turn our back on the President of the United States of America—I think it is quite appropriate that we offer a state visit. Our Prime Minister, through her diplomatic efforts, has secured a future for NATO and a future direction for this country that binds us together as allies.

**Mr Nigel Evans:** Does my hon. Friend get the impression that a number of people simply cannot come to terms with the fact that 61 million-plus people voted for the President of the United States, Donald Trump, because they felt left behind? There is an inability among people in this House to come to terms with democracy. That is why Tony Blair was visiting TV and radio stations the other day, trying to reverse the democratic decision of the British people—it is an inability to understand what democracy is all about.

**Mrs Main:** My hon. Friend is right. There have been plenty of comments here, but nearly 63 million people, I am reliably informed, voted for President Trump. That is their democratic decision. They are the people who have evaluated whether they like the man and whether they think he will take the country forwards. Many of them were aware of some of his comments in the past, and they voted for him because of the lines he has taken. It is not for us to criticise them and try to redress the matter now. I thought it was ridiculous when we debated somehow standing against his candidacy. He is the President, and we must move on.

If we have criticisms and concerns, the most important thing is that they are expressed behind closed doors. These public pronouncements seem completely counterintuitive to what we need to be doing for the future of this country. My hon. Friend the Member for Gainsborough (Sir Edward Leigh) got it exactly right: the easy thing to do is to stand in this Chamber and make vast speeches about how some of President Trump's comments have been totally reprehensible. They have been, but how much farther does that get us? How much farther does that get our country in trade deals and negotiations, and perhaps when it comes to our reliance on America at some point in the future when it needs to come to our aid? I suspect this is a very dangerous route to go down.

6.22 pm

**Daniel Zeichner** (Cambridge) (Lab): It is a pleasure to serve under your chairmanship, Mr Turner. I want to start by talking about the number of people who have signed this petition, because it is truly staggering. In my constituency, the figure is almost 9,000—that is almost one in every 10 residents of Cambridge. We have heard talk about democracy. I have to say that democracy does not equal majoritarianism, and it is very important to remember that.

I want to say a little bit about why people in cities such as Cambridge feel so passionately about this issue, which goes to the very heart and kernel of people's beliefs about themselves. We have heard about the people who have been left behind, but there is another place that values tolerance, education, understanding and learning. That is the kind of city Cambridge is, and there are other cities around the country just like that. For many people, this is more than just a calculation of national interest; it is about who we are and about our values, and it really matters.

I will quote one or two of my constituents who have not only signed the petition but written to me. One said:

“I am appalled at the recent travel ban imposed by President Trump which denigrates Western values in such a public and devastating way.”

We have heard the argument about the fact that we have had other unsavoury leaders here in the past. Of course, there are always trade-offs. When we invite people here, we are trying to do something positive: we are trying to find common ground. The goal is always to widen dialogue. However, the United States is so much better than President Trump—that is the key to this.

We have a shared history. We go back historically. There has always been a tension between the old world and the new world. It has been a creative, cultural tension over many years. The fact that we are such good friends and have such shared values ought to mean we are the ones who can candidly say to the many, many people in America who are looking for something better than in a troubled time—and it is a troubled time—we stand with them. Frankly, as we speak, the Trump presidency is disintegrating. There has been a near meltdown in the White House over the past month or two, and we should not be coming along to help prop it up.

We have heard about the Prime Minister's rush to go and meet President Trump. We all understand why that was and can see the point of that, post-Brexit. However, one of my constituents describes that as an “obsequious and inappropriate offer of cordiality.”

Those words may not be chosen in every constituency, but it sums up what a lot of people feel in Cambridge. My view is that turning to such an unstable regime is a big risk that may not look so bright in the months ahead. Is that really the patriotic option, in our national self-interest? Are we really sure this is the person we should put our trust in? We used to understand that by sharing sovereignty with others, we were all stronger. We are now in a new world where it is everyone for themselves. America is a big, powerful country—if it is America first, where does that leave us exactly? We should think clearly about that. Another constituent says that our relationship with the US is

“diminished by subordinating our long-held values for our short-term trading interests. The ‘special relationship’ is only as special as the values which underpin it.”

I understand the difficulty that the Prime Minister has got herself into, but there are many ways out of it. Just the revelations about Trump's first choice for national security adviser and his potential link with the Russians should surely be more than enough reason for us to think that enough is enough. If this is about UK national security and interests, I say think again.

Let me conclude by saying that in my view, Mr Trump is a disgusting, immoral man. He represents the very opposite of the values we hold and should not be welcome here. We are a tolerant country, but we cannot allow that tolerance to be abused. We do not welcome bigots and we do not stand aside when we see intolerance, ignorance and hatred on the march—we respond, and that response should be for our Government to withdraw the invitation.

6.26 pm

**Carol Monaghan** (Glasgow North West) (SNP): It is a pleasure to serve under your chairmanship, Mr Turner. I am a teacher by profession. One of the most important

[Carol Monaghan]

things that a teacher can give to their pupils is a view of tolerance, respect and understanding that the world is made up of a whole variety of different people who are no better or worse than one another.

I became concerned when I heard comments such as “Grab them by the pussy”.

I was even more concerned when those comments were dangerously dismissed as locker room talk. Unlike the hon. Member for Gainsborough (Sir Edward Leigh), I do not know any men who think like that, have those thoughts or even discuss them in the locker room—but then again, I move in circles different from him. When Donald Trump was elected, I tweeted:

“Xenophobic, racist, sectarian and sexist rhetoric has just been legitimised. We should all be very afraid.”

Fox News reported that our First Minister, Nicola Sturgeon, had urged Trump to reach out to those who felt marginalised—a view I think we all agree with.

**Michelle Thomson** (Edinburgh West) (Ind): I appreciate that my hon. Friend is a trained teacher, but could I ask her to project a little more, over the noise of the many, many people who are protesting outside against Trump?

**Carol Monaghan:** I thank my hon. Friend for her intervention. Of course, many of us may join those people after this debate. [Interruption.] No, I will not give way.

Fox News also quoted my tweet, which opened the floodgates. I have a whole pile of comments. I will not treat Members to the whole selection, but I will read a couple of brief ones. They include:

“Mind your damn business and stay the hell out of our politics.”

“The silent majority has spoken. We do not want to end up like your piss poor country,”

and

“We kicked your ass once. We can do it again if you give us a reason.”

Here is another one:

“Keep your vulgar comments on your side of the pond. We should have let Germany run over you in the 40s.”

My personal favourite was from the geographically challenged Randy Krone from Dallas, who tweeted:

“Ignorant, thick, foolish is the order of the day with Carol Monaghan. Australia should be very afraid.”

Regardless of why people voted the way they did, a Pandora’s box of hate has been opened and the right wing has been emboldened, both in the United States and across Europe, and we should all be worried about that. Dark rhetoric that should never be uttered is now being freely expressed. What do teachers now tell their classes? How do they teach them tolerance and respect when Trump has been not only elected, but offered a state visit? How can teachers defend tolerance? How can they stand up to their pupils? How can they tackle bullying, xenophobia and homophobia in schools when we have rolled out the red carpet to him? I have heard a number of people saying that that is in the national interest. I will tell them what is in the national interest: showing an example to our young people and telling

them that those views are not to be accepted or tolerated. We should be defending those who have moderate views and moderate positions.

I stand here in support of the 3,554 of my constituents who have signed the petition and the many others who emailed me, urging me to speak out against this state visit.

**Patrick Grady** (Glasgow North) (SNP): My hon. Friend and I share a constituency boundary, and 5,259 of my constituents have signed the petition against the state visit, compared with the 168 who signed the petition in favour. Given the vast level of public interest in this petition, the interest that we can hear outside and the interest that is demonstrated by the number of hon. Members wanting to contribute this evening, does my hon. Friend agree that the Petitions Committee and the Procedure Committee need to look at ways of extending the time and perhaps even the space that is available for this kind of debate in the future?

**Carol Monaghan:** Absolutely. I thank my hon. Friend for that intervention. As soon as we arrived for the debate this afternoon I wondered why it was not taking place in the main Chamber. So many hon. Members obviously want to speak, and I am sure that the main Chamber is much less busy than this one this evening.

To conclude, I agree with the overwhelming view of my constituents that this state visit should not go ahead, in the national interest.

**Several hon. Members** rose—

**Mr Andrew Turner (in the Chair):** Order. The next speaker is Mr Alistair Carmichael. Could we now cut speeches down to four minutes?

6.32 pm

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): It is a pleasure to take part in the debate and to serve under your chairmanship, Mr Turner. I congratulate the Petitions Committee on bringing it to us this afternoon and, in particular, I congratulate all those who set up and signed the petitions. For them to see the direct influence of that political activism on the business of this House has to be a good and positive development.

The argument advanced by those who support the extension of an invitation of this sort to President Trump, which was most thoughtfully expressed by the Chairman of the Foreign Affairs Committee, the hon. Member for Reigate (Crispin Blunt), is that essentially this is the spending of a measure of political capital, on which there will be a return. As the Chairman of the Foreign Affairs Committee put it, the Prime Minister won an important reaffirmation of the special relationship. I have to say to all those who have advanced that argument: where is the evidence that that is in fact the case? I ask that because having offered President Trump a state visit, and the offer having been accepted, we have since seen a very different range of views coming from him that are not particularly helpful, particularly in relation to America’s future engagement through NATO—the relationship with Russia, for example.

**Stephen Doughty:** The right hon. Gentleman is making a very important point. Does he recall another British Prime Minister, one who did many good things but,

I think, was deeply naive about the ability he thought he had to influence an American President, and where that led us?

**Mr Carmichael:** Indeed, and I had cause to reflect this weekend on that former Prime Minister.

My other concern is that we may have spent that capital in this way and it may or may not ultimately be effective, but this is week one of a four-year term. Having offered a state visit this time, what will we offer the next time we want to get a favourable response?

**Alex Salmond:** The Crown jewels.

**Mr Carmichael:** Will it be the Crown jewels? Who knows? Just about anything is possible these days.

Essentially, what we are talking about is a question of judgment, and in my view, the Prime Minister, in the exercise of her judgment, got it catastrophically wrong, not just in offering a state visit but, as others have observed, in doing so seven days after President Trump's inauguration. That was not something that she just decided to do on the spur of the moment. We all know the Prime Minister well enough to know that it was not something she would have blurted out to fill an awkward pause in the conversation, so the question is: what was the motivation? My suspicion is that she was perhaps a little bit spooked by seeing the pictures of Nigel Farage at Trump Tower following the election in November, or it may be—as the right hon. Member for Gordon (Alex Salmond) suggested—that she was pursuing questions of trade deals post Brexit. Whatever the motivation, however, it has left us looking desperate and craven and rushing to embrace a presidency when the rest of the world is rushing away from it.

It is also worth remembering some of the things that that presidency involves and, in particular—this is my personal concern—President Trump's determination or avowed intention to resurrect the use of torture.

**Mr Nigel Evans:** Will the right hon. Gentleman give way?

**Mr Carmichael:** I am sorry, but I am down to four minutes and I do not have any more injury time, as it is called.

Waterboarding or something

“a hell of a lot worse”

was the expression. When I asked the Foreign Secretary whether he had raised that with President Trump, he said that he did not discuss operational matters. Whether we share our intelligence with a country that condones the use of torture is not an operational matter. That is a matter of policy for every other country in the world and it should be a matter of policy for the United States of America as well.

I have no issue with the Prime Minister seeking to influence the President of the United States, but she should do it in a way that engages the relationship that we have enjoyed in the past; she should be seeking to build on that. If, and only if, she is successful in that should an offer such as the one that she has made be extended. That presumes, of course, that President Trump will be influenced. I see little evidence to support that contention. Even those few benign influences that are around him do not seem able to do that.

I start from the position of somebody who values the special relationship, but I understand that that special relationship is not between a Government and an Administration; it is between our two peoples. It is our shared history and our shared values that make it special and enduring, and that is what the Prime Minister risks doing severe damage to today.

6.37 pm

**Mr Gregory Campbell** (East Londonderry) (DUP): I would hope that this debate—not just the debate in Westminster Hall, but the wider debate—would be conducted in a calm and rational fashion, but the past hour and 40 minutes indicate that that may indeed be a hope rather than an expectation. None the less, this matter has been debated widely outside the House, and there are many outside who do not share my view. My view is that Candidate Trump and Mr Trump made some deplorable and vile comments, which are indefensible—they cannot be defended morally, politically or in any other way—but he is the democratically elected President of the United States of America. As far as I am aware, 62.9 million people voted for the now President Trump, and the electoral college system delivered the presidency to him.

In the few minutes that I have, I wish to labour the following point. Eight years ago we had the election of President Barack Obama. We were told at the time that here was a new man. Here was a man whose slogan was “Yes, we can”, who would introduce a radical wave of liberal ideas that would bring the United States of America well into the 21st century and would liberate and emancipate that nation state, with the great liberty that it has had for more than 200 years. According to some, more than 60 million Americans, after having eight years of Obama's presidency, elected a bigoted, misogynistic, racist, paranoid xenophobe and Islamophobe. How did they do that after eight years of the great liberal being in charge of the United States of America? How can otherwise rational, peaceful democrats vote for such a xenophobe?

That question is in part what the hon. Member for Ribbles Valley (Mr Evans) alluded to. Across the free world there is an isolation—not the isolationism of President Trump, but an isolation of peoples. Whether in the United Kingdom or the USA, and as we will probably see in the Netherlands, France and Germany, there is a rising up of people who have had enough of the establishment because they blame the establishment for their plight. It does not do for people to patronise them and say, “We will take account of your fears and concerns. You have perceptions—they are not really accurate, but we understand that they are your perceptions.” That will not wash. It did not wash in America, it did not wash with the Brexit vote and we will wait and see whether it washes in much of continental Europe. It is time the establishment—the bubble—whether in Westminster, Brussels or Washington woke up to the reality that people want to see and hear their Government and elected representatives representing them rather than simply going through the motions of establishing further bubbles and retreating into their bubble even more.

I do not endorse some of the things President Trump has said, but he has been invited. We should ensure that that invite goes ahead and we should also say to Mr Trump, “Some of the things you have said are unacceptable.

[Mr Gregory Campbell]

If you think that the pendulum has swung too far to the left, Mr Trump, please be sure that you do not allow it to swing too far to the right.”

6.41 pm

**Dawn Butler** (Brent Central) (Lab): I congratulate the Petitions Committee on holding this debate. My constituency is the most diverse in Europe, and I am very proud of that. Almost everybody there has something to say about Trump and America.

The UK has, and always has had, a close working relationship with the United States, and it is important to continue that special relationship, but it comes with responsibilities. Today we speak in our Parliament, which is older than the United States itself, and we have a responsibility—as the elder, if you like—to guide that special relationship. It is often said that when America sneezes, the UK catches a cold. Well, right now America has a pretty nasty virus, and it is important that that virus does not spread. We have to stop the spread of that virus, because the closeness of our special relationship and the open wound we have, which was created by Brexit, leaves us quite vulnerable. We need to stop this contagion becoming an epidemic that leads to a pandemic from which the free world may never recover.

There is a lot of talk about the negotiations the Prime Minister delivered to continue our close working relationship. I say that we cannot sell our souls and what we believe in in order to sell our goods and services. That price is way too high to pay. The antidote to the virus is building bridges, not walls. It is listening to the thousands of people who have spoken, who have signed the petition and who are outside Parliament right now—we can hear them cheering and chanting. We hear people who have come out to march. People who have never marched before are outside Parliament right now because they believe in something. They believe in hope, not hate.

Edmund Burke said,

“All that is necessary for the triumph of evil is for good men to do nothing.”

I am sure that he wanted to mention women in his speech and his wise statement. It was women who were the first to mobilise against Trump’s extremism; hundreds of thousands took to the streets, and they were rightly joined by men, boys, girls, those who are gay, straight, people of all religions and those of none. It is time that the United Kingdom united its voice against racism, bigotry, misogyny, Islamophobia, anti-Semitism and all the tools of division that have given Trump the White House. People have said today, “He is not racist, because—”. To me, that is the same as saying, “How can someone be a murderer?” It is the same way as a murderer can be a murderer and still have friends who are alive. It does not matter—he is still a racist and misogynistic.

We affect each other. I think Martin Luther King put it well. He said:

“I can never be what I ought to be until you are what you ought to be... this is the interrelated structure of reality.”

We are bound together in a “single garment of destiny” and we need each other in order to move forward. There is no way around it; we have to work with other people.

President Trump is the President. He can come and visit, but not on a state visit—that is taking it a little

step too far. Trump’s message is not about togetherness; it is all about building walls and imposing bans. It is not about the truth; when he speaks and someone criticises or questions what he has said, he cries that it is fake news. There is a real issue and a problem that we have to address.

**Nigel Adams** (Selby and Ainsty) (Con): Will the hon. Lady give way?

**Mr Andrew Turner (in the Chair)**: Order. We have reached 6.45 pm, so we must move on to Liam Byrne.

**Dawn Butler**: I will conclude to give my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) time to speak. I just want to say that the whole world is watching the decision that we make in Parliament, and we cannot be on the wrong side of history.

6.46 pm

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): It is a privilege to serve under your chairmanship, Mr Turner.

I want to start in the same place as my right hon. Friend the Member for Tottenham (Mr Lammy), which is as someone who loves America very dearly. I am proud to be one of the Fulbright scholars in this place. I spent two happy years living in America. I criss-crossed the country in that time, and it was there where I learnt about America’s warmth, beauty, enterprise, energy, creativity, generosity and resolution in the face of adversity. Those are all the values we expect a President of the United States to epitomise. Those were the values of President Washington, whose birthday we mark today on Presidents’ day. It was once said that President Washington could not tell a lie; this President appears to find it difficult telling the truth.

What we need right now, in this world of division and discord, is a shared defence of the values we have in common. We need a shared stand against disunity, a shared stand against intolerance and a shared stand against hatred. That is what we should be celebrating with a presidential state visit to the United Kingdom and that, I am afraid, is what we are not going to get. My fear is that this visit will not be a showcase for those shared values. Actually, it will be a showcase for the divisions between us. We have to ask ourselves what will greet President Trump when he gets here. I argue that, frankly, we are going to get the kind of protest that we see outside now. In fact, what will greet the President will make the protest outside look like a tea party. What we hope to be a special relationship will emerge as a strained relationship.

If I thought, similar to my hon. Friend the Member for Bradford West (Naz Shah), that we could take the President for a non-alcoholic pint, sit him down for a cup of tea or take him out for a curry in the balti triangle of Birmingham, and send him away a better man, I would be all for rolling out the red carpet. But what the President has shown us by his conduct is that he is not a man who treasures two-way conversations; he is a man who treasures one-way conversations, ideally composed of 140 characters.

Some hon. Members have said that we have entertained all sorts. That is true. Diplomacy is not a business in which we can conduct conversations only with our friends. As my hon. Friend the Member for Cambridge (Daniel Zeichner) said, however, we hold America to a

higher standard because it is our friend. Our shared values were pioneered in this Parliament in the years before the civil war. We gave those shared values to the pilgrim fathers, who took them and wrote the Mayflower compact, which became the American constitution. Those are values that we should be celebrating.

**Nigel Adams:** Will the right hon. Gentleman give way?

**Liam Byrne:** I will not give way, because time is now very short.

My fear is that nothing would be left unsaid in this visit. That is a problem, because sometimes in diplomacy things are better left unsaid. In this visit we would hear the sirens and the protests, and my fear is that in parts of America that would be misinterpreted not as antipathy to Donald Trump but as antipathy to America. That is not something we want if we are to strengthen and reinforce the American special relationship.

The truth is that the history of British diplomacy and politics is littered with British Prime Ministers who overestimated their influence on American Presidents. I fear that our Prime Minister is about to add her name to that cast list. The state visit will be a mistake, but it is hard to withdraw the offer now. Frankly, our best hope is to keep it short, because my fear is that it will not be sweet.

6.49 pm

**Ms Tasmina Ahmed-Sheikh** (Ochil and South Perthshire) (SNP): It is a pleasure to serve under your chairpersonship, Mr Turner.

I ask the Members who are still here this evening to close their eyes and think about something for a minute: if we were talking about any other person—any other leader—in the world, wherever they might come from, would we be standing in such astute defence of him? I think perhaps not, and we should all think about what that says about us. Does it say that it does not matter what the President of the United States says, because he is a rich white man? I fear that that is exactly what it says.

Some have talked of others who have been invited on state visits to this country. I ask hon. Members who raised that issue this: which other head of state who has been invited on a state visit has posed a threat to our national security and has insulted a member of the royal family? I think the answer to that is none.

**Nigel Adams:** Will the hon. Lady give way?

**Ms Ahmed-Sheikh:** I will not, because it would not be fair to everybody else.

The right hon. Member for New Forest East (Dr Lewis) spoke of the path of righteousness—a very noble path indeed—but I fear that we have been here before. Many of us in the Chamber today were at the previous debate, including the hon. Member for Bradford West (Naz Shah), who spoke about inviting President Trump over—he was not then even the candidate for the Republican party—to see how we live in this country and to see our tolerant society, of which we are extremely

proud. If anyone really thinks that would make much of a difference, I would comment on their innocence in this matter.

A comment was made about Trump being “refreshing”. I can understand why Government Members find it refreshing when an elected leader actually does what they said they were going to do during their election campaign—they are certainly unfamiliar with that concept—but I find the use of the word “refreshing” in this case rather abhorrent.

That takes me on to the comment made by the hon. Member for Gainsborough (Sir Edward Leigh). He asked, “Which one of us hasn’t made a ridiculous sexual comment in the past?” It is unacceptable that he thinks that is the right point to bring to this forum. It is never, ever okay to make comments of a sexual nature to anybody. I know I speak for all the women in this House—if not some of the men too—when I say that we have had enough of it and we are certainly not going to put up with any more of it.

State visits have been an honour bestowed by our monarchy on the heads of states of other nations. This debate is not about how the USA voted—of course it is not. We know there were democratic elections, although President Trump has cast aspersions upon whether some of the people who voted had the right to do so. What this debate is about is who we are as a country made up of four nations. I have to say that I think the voices we can hear outside are perhaps more demonstrative of who we are as a country of many nations than some of the voices we have heard in here today.

**Natalie McGarry** (Glasgow East) (Ind): My hon. Friend is making an important point. We respect the right of the Americans to decide their President, but that is not what this debate is about; it is about our values, our constituents and what the situation means to us. If this Parliament is an embodiment of our country’s values, to paraphrase Jane Austen, are the shades of Parliament to be thus polluted?

**Ms Ahmed-Sheikh:** I agree very much with my hon. Friend. There were sighs from Members at the back of the Chamber because I allowed an intervention from her, but I did so because she has not yet spoken in the debate, and it is important that everybody’s voice is heard, not just those of the majority made up by men.

**Mr Nigel Evans:** My hon. Friend the Member for Selby and Ainsty (Nigel Adams) has not spoken either.

**Ms Ahmed-Sheikh:** Well, I will take his intervention then. I did not realise.

**Nigel Adams:** I am extremely grateful. The hon. Lady is sending a powerful message, but I want to take her back to her points about other heads of states who have come, because I am a bit confused. Many Members have mentioned some rather unsavoury figures who have been afforded state visits. Not so long ago we rolled out the red carpet for the Emir of Kuwait, which is a place where, if someone is gay, there is a pretty good chance they will be slung in prison. I wonder whether the hon. Lady thinks we are perhaps traipsing into an area of double standards.

**Ms Ahmed-Sheikh:** I thank the hon. Gentleman for his intervention—I see that I do not get any extra speaking time for taking it. I believe that when it is in our national interest, the Governments of Scotland and the UK should seek to work constructively with Governments and world leaders with whom we agree and disagree. However, I refer him to the points I made about what is in the interests of our national security and the insults that have been made to the royal family, which I will come to.

We must demonstrate leadership. The point of all that we do is to encourage others who visit this country to raise their game, but the current President of the United States is not someone who is demonstrating positive leadership on the world stage, someone who would benefit from a first-hand examination of democracy, or someone who is acting in a way that is in our national interest.

Up to now, Presidents of the United States have been almost universally considered to be leaders of the free world. There have been some good and some not-so-good Presidents, but although we may agree with some of their philosophies or policies, each has been committed to upholding the constitution of the United States and promoting and protecting freedom and justice across the world. I consider myself a friend of the United States and like many Scots, I am pleased about our countries' strong links. As an alumna of the US State Department's international visitor leadership programme, I have seen at first hand the professionalism and care with which US Administrations deal with their friends from across the world when they visit, but President Trump does not follow in the footsteps of the giants of American history. His actions to date have not upheld US values and those of the US constitution, but have undermined them to every extent.

It is not just by inviting him here on a state visit that we are setting aside his outrageous and deplorable personal conduct. As we have heard, this is a man who jokes about grabbing women "by the pussy". This is a man who—[*Interruption.*] I hear groans from Members at the back of the Chamber, but it is just not on. This is a man who said of the Duchess of Cambridge in 2012:

"Who wouldn't take Kate's picture and make lots of money if she does the nude sunbathing thing. Come on Kate!"

How humiliating it would be for any family to welcome somebody like that in their home, and we are asking that the royal family do precisely that.

I object to this proposed state visit not just because of President Trump's vile behaviour, but because of his actions as President. He signed illegal and unconstitutional Executive orders that contravened the USA's obligations under the Geneva convention. His subsequent public statements have systematically undermined the independence of the judiciary. He set the groundwork for rolling back the Voting Rights Act and placing new restrictions on Americans' rights to vote by falsely claiming that voting fraud is taking place on a massive scale, without a single shred of evidence to substantiate it. He has undermined the free press. He has called any poll that shows the US public at odds with his policy position "fake news"—in fact, he has now extended that to "very fake news". He speaks of the press being the enemy of the American people and has publicly endorsed the use of war crimes by US forces abroad. He would deliberately target innocent civilians, in direct

contravention of international law. His actions are morally and legally wrong and in conflict with our international interests.

But do not just take my word for it. Following the issue of the Executive order banning entry to the US by those born in a number of predominantly Muslim countries, the Home Secretary said during questioning that

"the sources of terrorism are not to be found in the sources where the president is necessarily looking for them."

Trump is not combating terrorism; he is bolstering it. He is adopting a warped world view that will in itself give aid to terrorists. He says that it is Islam against the west, and that feeds into the narrative of Daesh, which says that it is the west against Islam. What a dangerous path to take us down.

As we saw during last week's press conference—it could only be described as extraordinary—which achieved its main aim of deflecting immediate attention from the mounting evidence of links with Putin's Russia, President Trump is either a complete idiot who believes everything he reads on the internet, or an enormous liar. I do not think he is actually an idiot; he has been phenomenally successful in achieving his goals. He has a plan and a means to carry it out.

I want to join my friends in the US in defending their constitution. Have we spared that a thought? This is about not just Government-to-Government action, but the people of the United States of America who have protested against the actions of their President. Men, women and children alike stood beside refugees when the Muslim ban was put in place. Who is going to speak for them? I think we should.

If we fete and accommodate Trump on an official visit, lending him our cloak of respectability, and hope that that acquiescence will change his dangerous policies or vile behaviour, we will be carrying on the tradition of the spectacularly unsuccessful tactics used by Tory MPs in this Chamber who attended the debate a year ago and dismissed him as a "wazzock"—I think that was the word that was used. Those who chose to ridicule him then must be wondering why they did. We have now heard from the Prime Minister, as we have heard so often, that we are supposed to be demonstrating global leadership. In our actions, we have demonstrated only that we have failed in our duty to do so. We are following in Trump's footsteps, and I do not intend to go in that direction.

7 pm

**Catherine West** (Hornsey and Wood Green) (Lab): It is a pleasure to serve under your chairmanship, Mr Turner. I am grateful for the opportunity to speak in this debate, not least because my constituency has the third highest number of signatories to the petition. It is a happy coincidence that I have the opportunity to respond on behalf of the Opposition.

The petition is approaching the 2 million-signature mark, and we know from the hundreds of letters that we have received in our offices and the thousands of people who joined my hon. Friend the Member for Brent Central (Dawn Butler) and me at the protests earlier this month that public concern is immense, not only about the President's behaviour and confrontational approach but about the position that our Government have taken in relation to his visit.

My hon. Friend the Member for Newport West (Paul Flynn) gave some excellent examples in his contribution, and many Members have made passionate speeches. As my right hon. Friend the Member for Tottenham (Mr Lammy) said, the United States is one of our closest allies and strongest trading partners, although I hasten to add that they were not our only partner in the world wars—there were other important partners among the Commonwealth countries and we must not forget our history. However, as he pointed out, what is important is the relationship. It was great to hear my right hon. Friend the Member for Birmingham, Hodge Hill (Liam Byrne) speak about his experience of studying in the US. There is nothing like an experience at university to hammer home that sense of friendship.

**Hannah Bardell:** On that point, does the hon. Lady agree with the staff who work at places such as the US State Department, consulates and embassies? I spent 18 months working for the American consulate in Edinburgh, and I was with staff there on the evening of the election. They were devastated at the thought that Trump had been elected President. They are now at the forefront, having to face down and work with the public while he makes abhorrent statements.

**Catherine West:** I did feel a sense of sympathy for the woman who was unceremoniously sacked following the imposition of the ban. Having run a local authority, I know how heated elected members can get. They run into the Chamber or the White House and suddenly decide, “This is the policy of the day,” and the poor old staff have to respond and think up how that policy can actually come into effect. That is why certain states have questioned the legal basis for the famous so-called Muslim ban.

I will comment briefly on the issues that we should be talking about: tackling international crime and terrorism, working together to address the mass movement of people around the globe and reinforcing international policies to combat climate change. Sadly, instead, we are falling into the trap of responding confrontationally to policy pronouncements made via Twitter. I hope we can right the ship again and get back to our more measured way of discussing, debating and taking a little more time to consider the importance of our foreign policy.

One concern outlined in the text of the petition is the potential embarrassment that a state visit might cause to Her Majesty. However, I fear that there is a greater concern. Proceeding with the organisation of a state visit while President Trump remains intent on enforcing his travel ban on nationals from Iraq, Syria, Iran, Somalia, Sudan and Yemen, and while we are trying to establish a relationship of equals, would send the wrong message to the White House, the international community and the sizable diasporas from those countries resident here in our constituencies. Let us be in no doubt: it is not about the fact that that one group is being singled out, but the fact that any group at all is being singled out. It is that random nature of discrimination that strikes fear into the hearts of many.

We know that the German Chancellor, Angela Merkel, took the President to task for how the travel ban amounted to a breach of the refugee convention. Many expect the same of the Prime Minister of the United Kingdom.

I share the disappointment of the hundreds of thousands of citizens who felt totally let down by the lack of robust leadership, not least because it sends a worrying message that our foreign policy is overwhelmingly focused on and determined by trade. I would welcome a commitment from the Minister to a more rounded foreign policy that considers not just trade but the importance of human rights and national security.

As many have already mentioned, Presidents of the United States have often made official visits to the UK for summit meetings or other events within months of their inauguration. However, state visits, which require an invitation, have historically taken place after a considerably longer period following inauguration than the one currently proposed for President Trump. My hon. Friend the Member for Rhondda (Chris Bryant) made the important point that a more considered approach might involve asking one of our Committees to review our procedures for state visits. That would also protect a Prime Minister caught on the hop abroad, who could say that Parliament had a system rather than setting out, as ours did, on a rather unfortunate and risky endeavour. She was barely in the air before the ban was suddenly announced, and she was caught in the position of having to respond quickly. Had she been able to say, “We have a due process for deciding these things, and we will let you know,” it would have been much more diplomatic, considered and sensible. I hope the Minister will comment on that suggestion.

My hon. Friend the Member for Hampstead and Kilburn (Tulip Siddiq) pointed out that the Prime Minister announced the invitation just a week after the President took office. A little more thought about the timing would have been much more helpful, and would perhaps have led to less concern among our own citizens, whom we can hear outside this Chamber. My hon. Friends the Members for Bethnal Green and Bow (Rushanara Ali) and for Dewsbury (Paula Sherriff) also pointed out eloquently the importance of our values on women’s rights, and my hon. Friend the Member for Bradford West (Naz Shah) discussed her constituency, where misogynistic and racist messages are clearly unwelcome.

To sum up, we share the concern of many parliamentary colleagues and millions of people across the UK about both the timing and the context of the invitation for a state visit. I am keen to know whether the Minister, who we know is an honourable man, had any personal discussions with the Foreign Secretary or indeed the Prime Minister about the timing of the invitation and the designation of the visit as a state visit, given that the Minister himself believes the rhetoric around the travel ban to be “unacceptably anti-Muslim”. I would also like to give the Minister the opportunity to admit that extending the honour of a state visit in the current context was essentially an error of judgment.

The position is clear: we are opposed to honouring Mr Trump with a state visit so early in his presidency, and certainly while he remains intent on enforcing this discriminatory travel ban. Should it proceed, I am strongly opposed to offering him the honour of addressing both Houses of Parliament in Westminster Hall so early. I associate myself with the remarks of the Speaker of the House of Commons and the sentiments expressed in early-day motion 890, tabled by my excellent hon. Friend the Member for Cardiff South and Penarth (Stephen Doughty).

[Catherine West]

I am immensely proud that Members speaking in this debate have reaffirmed Parliament's strong role and commitment to the principles of the rule of law and the independence of the judiciary, as well as our opposition to racism and sexism.

7.9 pm

**The Minister for Europe and the Americas (Sir Alan Duncan):** It is a pleasure to serve under your chairmanship, Mr Turner. In response to the two petitions that have triggered this debate, and having listened to the arguments of both sides, I would like to set out the position of Her Majesty's Government and explain the thinking behind it.

As other hon. Members have said, the state visit is a uniquely British construct. No other country is able to offer one in quite the same way—it is distinctively British. Her Majesty has hosted more than 100 state visits during her reign. All such visits are a rare and prestigious occasion, but they are also our most important diplomatic tool. They enable us to strengthen and influence the international relationships that are of the greatest strategic importance to this country and to other parts of the world.

To answer a question asked by the Opposition spokesperson, the hon. Member for Hornsey and Wood Green (Catherine West), recommendations for state visits are made on the advice of the Government through the Royal Visits Committee, not by Parliament. The committee is attended by representatives of the royal household, Downing Street, the Cabinet Office and the Department for International Trade, and is chaired by the Foreign and Commonwealth Office.

**Alex Salmond:** Will the Minister give way?

**Sir Alan Duncan:** No, I am going to make progress.

In an uncertain and increasingly dangerous world, the ability to work closely with key countries is critical. Strong alliances and close relationships are a central stabilising pillar for world security. This is an increasingly unstable world, but throughout modern history, the United States and the United Kingdom have worked together side by side to bring peace and security during times of danger and uncertainty. Put simply, a state visit matters so much because diplomacy matters, especially with the world as it is today.

The relationship between the United Kingdom and the United States is built around a common language, the common principles of freedom and democracy, and common interests in so many other areas. Our relationship is undoubtedly special. On security, defence, trade, investment and all such issues, the United Kingdom and the United States are and will remain the closest of partners. The United States is the world's greatest power. In the light of America's pivotal role, it is entirely right that we should use all the tools at our disposal to build common ground with President Trump.

As the baton of office passed seamlessly and constitutionally from one President to another, we were already well placed to have a productive and meaningful engagement with the new Administration. The British embassy in Washington has been working with key figures in the US Administration over many months.

British Secretaries of State have built relationships with their opposite numbers after their congressional confirmation. The Prime Minister's visit last month was of enormous significance. Only last week, the Foreign Secretary and the Defence Secretary met their opposite numbers. On Friday, I met the US Secretary of Homeland Security, John Kelly.

The Government place our national interest at the heart of our decision making, and the special relationship is a central part of that national interest.

**Stephen Doughty:** Will the Minister give way?

**Sir Alan Duncan:** No, I am going to keep going.

The special relationship transcends political parties on both sides of the Atlantic, and it is bigger than individual personalities. It is about the security and prosperity of our two nations. The Prime Minister's meeting with President Trump in Washington last month identified many areas of common interest on which we will work with the new Administration. A state visit will provide the opportunity to further advance those common interests.

Hon. Members have mentioned timing. State visits are not necessarily the sole preserve of long-serving heads of state. In the past, a state visit has been extended to the Presidents of South Africa, France, South Korea, Finland and Poland, among others, each within their first year of office.

**Seema Malhotra (Feltham and Heston) (Lab/Co-op):** Will the Minister give way?

**Sir Alan Duncan:** Yes, but just this once, or I will not be able to answer all the points that have been raised.

**Seema Malhotra:** Does the Minister agree at least that extending a state visit in this way and at this time could effectively be seen as a validation of the views and statements of President Trump? It has been seen in that way by many of my constituents, who feel very concerned about the message that it sends.

**Sir Alan Duncan:** I understand the hon. Lady's point exactly. I accept that that is a powerful counter-argument to the case that I am making, but I do not accept that the process of a state visit will be seen as such validation. Let me explain further what I think the value of the state visit will be.

The Government strongly believe that it is a perfectly legitimate decision to use the full impact of an invitation to maximise the diplomatic significance of a state visit at the start of President Trump's term of office. President Obama and President George W. Bush both visited the UK on a state visit during their first term in office, so it is entirely appropriate that President Trump, too, should be invited in his first term. However, since timing has been raised today, let me be absolutely clear that neither the precise timing nor the content of the proposed visit has yet been agreed.

Mention has been made of the prospect of the President addressing Parliament in some manner or other. In fact, only three guests in the past hundred years have addressed both Houses of Parliament as part of a state visit: President de Gaulle in 1960, President Mandela in 1996

and President Obama in 2011. In any event, as the House is aware, whether that ever happens is solely for the relevant parliamentary authorities to determine.

**Alex Salmond:** On a point of order, Mr Turner. Tens of thousands of people are demonstrating outside and I am having difficulty in hearing the Minister.

**Sir Alan Duncan:** No, you're not!

**Alex Salmond:** But did the Minister just tell us that, if he had been asked, he would have advised a visit—

**Sir Alan Duncan:** That is a fake point of order.

**Alex Salmond:** That is not for the Minister to decide. Mr Turner, you are in the Chair, not the Minister.

**Mr Andrew Turner (in the Chair):** Order. That is not eligible as a point of order. Sit down, Mr Salmond. Go on, Minister.

**Sir Alan Duncan:** Thank you, Mr Turner.

I was talking about the prospect of the President addressing both Houses of Parliament. Comment on whether that might happen has run completely ahead of itself. The simple fact is that no request for any parliamentary event to take place has been received from Washington. The question of addressing a meeting of Parliament has never even been mentioned. Any discussion or judgment of that possibility is therefore purely speculative.

Within the views that have been expressed about the appropriateness of a state visit from the President, there lurks a fundamental principle that Members of this House should consider very seriously—the principle of freedom of speech. President Trump was democratically elected by the American people under their own constitutional system. To have strong views about him is one matter, but to translate a difference of opinion into a demand to ban him is quite another.

Given the understandable questions on certain policy stances that arise on any change of Government, it is prudent for us to work closely alongside the United States as the new Administration chart their course. We have already seen the importance of that engagement: the Prime Minister's early meeting with the President has elicited key commitments on NATO, which were echoed by the vice-president in Munich on Saturday, and has laid the groundwork to establish a swift post-Brexit free trade agreement. Further constructive engagement will be helped by a state visit.

In February 1917, a century ago, *The Spectator* published its view on the US and the UK:

“It would be easy to write down a hundred reasons why unclouded friendship and moral co-operation between the United States and Britain are a benefit to the world, and why an interruption of such relations is a detriment to progress and a disease world-wide in its effects.”

**Liam Byrne:** Will the Minister give way?

**Sir Alan Duncan:** No; I am in the middle of a quotation. It continues:

“But when we had written down all those reasons we should not have expressed the instinctive sentiments which go below and beyond them all. To our way of feeling, quarrelling and misunderstanding between the British and American peoples are like a thing contrary to Nature. They are so contrary to Nature that the times of misunderstanding have always seemed to us abnormal, and a return to friendship not an achievement of wise diplomacy...but merely a resumption of the normal.”

It is that historic normality that is reflected in this invitation.

This is a special moment for the special relationship. The visit should happen, the visit will happen, and when it does I trust that the United Kingdom will extend a polite and generous welcome to President Donald Trump.

7.19 pm

**Paul Flynn:** This has been an extraordinary event, and the Petitions Committee and the system for petitions have come of age in this debate. How can we have such a situation, where the Minister has given his carefully manicured press/civil servant briefing while outside we have a Greek chorus of—in his case—disapproval? We are expressing the voice of the people and a thunderous voice it has been.

I will make just one more point. I believe that the debate went off the rails when some hon. Members suggested that the petitioners were asking for a ban on President Trump. Not one of the 2 million people is asking for a ban. In the largest petition, people are asking for the visit to be downgraded from a state visit. That is the whole point, namely that by giving this rare accolade of a state visit to President Trump the implication is that we approve of him and his policies. It is fine to have the President here and it is fine to have a visit on business—there is no objection to that—but this marvellous debate that we have had shows that we are reacting to the voice of the people, and to the anger and fear outside. It is a good day for Parliament.

*Question put and negatived.*

7.21 pm

*Sitting adjourned.*



# Written Statements

Monday 20 February 2017

## COMMUNITIES AND LOCAL GOVERNMENT

### Local Government Finance

**The Secretary of State for Communities and Local Government (Sajid Javid):** I have today laid before the House, the report on Local Government Finance (England) 2017-18, which represents the annual local government finance settlement for local authorities in England.

I would like to thank all colleagues in the House, and council leaders and officials, who contributed to the consultation after the provisional settlement was published before Christmas. Representations from nearly 200 organisations or individuals have been carefully considered before finalising the settlement.

In 2010 we inherited the largest deficit in our peacetime history. As we continue to bring that down, local government, which still accounts for nearly a quarter of public spending despite the savings delivered since 2010, must continue to play its part.

At the same time, local residents rightly continue to expect excellent public services. I commend all councils for how they are getting on with the job. Public satisfaction with local services has been maintained, and councils are engaged in substantial efforts to modernise, transform local services, and reduce waste so that frontline services can be protected.

The 2017-18 local government finance settlement supports councils to continue in that regard, and progresses funding reforms to make councils more self-sufficient.

We remain committed to increasing funding certainty for local government. In total, local government spends more than £120 billion a year and the 2015 Spending Review and 2016-17 settlement delivered a flat-cash settlement for local government, providing four year funding allocations for the first time. The settlement being published today is the second year of the four year offer which was accepted by 97% of councils. To enshrine this commitment to stability in law the Local Government Finance Bill establishes a legal framework for multi-year settlements.

Councils are able to use this increased funding certainty to continue reforming the way they work and become more efficient, both in back-office functions and front line service delivery. Building on the £508 million savings already delivered from shared service arrangements, councils are using improved digital technology, new delivery models and innovative partnerships to deliver savings across local government.

We listened to the unanimous view that we must prioritise spending on adult social care services that councils provide to our elderly and vulnerable citizens. The Spending Review put in place up to £3.5 billion of additional funding for adult social care by 2019-20. Recognising the immediate challenges in the care market facing many councils next year, this settlement repurposes £240 million of money which was previously directed to

local authorities via the New Homes Bonus to create a new adult social care support grant next year. It also grants councils extra flexibility to raise the adult social care precept by up to 3% next year and the year after.

These measures make available almost £900 million of additional funding for adult social care over the next two years, bringing the total dedicated funding available for adult social care to £7.6 billion over the four-year settlement period.

But more money is not the only answer. We will bring forward reforms to provide a sustainable market that works for everyone who needs social care. And I welcome the consensus across both sides of the House that every area should move towards the integration of health and social care services by 2020, so that it feels like one service.

#### *Council tax referendum principles*

We are committed to keeping council tax down, and will maintain referendum principles to protect hard-working taxpayers from rising bills. Council tax in England has fallen by 9% in real terms from the levels left behind by Labour in 2010, and is expected to be lower in real terms in 2019-20 than it was in 2010-11.

This year, in addition to the further flexibility on the Adult Social Care Precept, we are proposing a core council tax principle of 2% for principal authorities, or £5—whichever is greater—for all shire district councils, and for Police and Crime Commissioners in the lowest quartile.

#### *100% business rates retention*

To reduce local government's dependence on Central Government for funding—long campaigned for by councils—we have announced that by the end of this Parliament, local government will keep 100% of the income raised locally through business rates. Councils will take on new responsibilities to be funded from this additional income—estimated to be around £12.5 billion—as Central Government grants are phased out, and to ensure councils with less business rates do not lose out, there will continue to be redistributions between authorities.

The Local Government Finance Bill, currently before Parliament, provides the legislative framework for these reforms. This will allow us to continue to work closely with interested parties over the coming months on the more detailed aspects of reforms.

A consultation has already been conducted. The Government response to that announced that, in the reformed system, Revenue Support Grant, Rural Services Delivery Grant, the Public Health Grant and the Greater London Authority Transport Grant will be funded through retained business rates. Taken together these account for around half of the additional retained business rates that we estimate will be available to councils. We will continue to engage with local government on the remaining responsibilities to be devolved as part of these reforms but it has already been confirmed that the devolution of Attendance Allowance funding is no longer being considered as part of the Business Rates Retention reforms.

A further consultation has been published seeking views on many of the important aspects of the new system—for example, how growth in business rates can best be rewarded, and how the system can help authorities to manage and share risk. Responses to that consultation are invited by 3 May.

Pilots of these reforms will take place from April 2017 in Liverpool, Greater Manchester, West Midlands, West of England, Cornwall and Greater London. We have also confirmed that we are interested in building on the existing pilot scheme and will be inviting all councils to apply to participate in piloting aspects of 100% Business Rates Retention from April 2018. We will be publishing more information about this process shortly.

#### *Conclusion*

Reforms to Local Government Finance, based around 100% business rates retention offer a bold and innovative response to the twin challenges of promoting economic growth and securing more self-sufficient and sustainable local government. They will help determine the role, purpose and means of delivery for local government in the years ahead. The 2017-18 Local Government Finance Settlement provides the financial stability authorities need as they transition towards the reformed system in 2019-20; these longer-term reforms will ensure the councils people rely on for their local services are both sustainable, and more self-sufficient.

The consultation outcome can be found at: <https://www.gov.uk/government/consultations/self-sufficient-local-government-100-business-rates-retention>.

The further open consultation can be found at: <https://www.gov.uk/government/consultations/100-business-rates-retention-further-consultation-on-the-design-of-the-reformed-system>

[HCWS482]

## FOREIGN AND COMMONWEALTH OFFICE

### Foreign Affairs Council: 6 February 2017

#### **The Minister for Europe and the Americas (Sir Alan Duncan):**

My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the Foreign Affairs Council on 6 February. The Foreign Affairs Council was chaired by the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini. The meeting was held in Brussels.

#### *Foreign Affairs Council*

A provisional report of the meeting and conclusions adopted can be found at:

<http://www.consilium.europa.eu/en/meetings/fac/2017/02/06/>

Agenda items included Libya, Ukraine, Egypt and the Middle East Peace Process. Ms Mogherini briefed Foreign Ministers on the Serbia/Kosovo dialogue and on planning for a conference on Syria to be held in Brussels in the spring.

#### *Libya*

The Council discussed the situation in Libya and adopted conclusions. The EU remains committed to an inclusive political settlement under the framework of the Libyan political agreement, with Libyan ownership of the political process and encouragement to all Libyan actors to engage constructively. There can be no military solution to the conflict. The EU reaffirmed its continued support for the UN Support Mission in Libya and

welcomed engagement by Libya's neighbours and regional organisations. Ministers also discussed the need to stem irregular migration along the central Mediterranean route.

#### *Ukraine*

Foreign Ministers discussed the recent escalation in violence in eastern Ukraine and the resulting humanitarian situation around the town of Avdiivka. They also discussed how the EU could increase support for the full implementation of the Minsk agreements. Ministers agreed on the need for continued strong support for Ukraine's reform agenda, which is crucial to strengthen Ukraine's resilience, and welcomed the progress Ukraine has made on reform to date.

#### *Egypt*

Foreign Ministers discussed the economic and political challenges facing Egypt, including the human rights situation, and agreed on the need for closer co-operation on these issues. Ministers also agreed that working more closely with Egypt on regional issues is a priority, given Egypt's status as a strategic partner in countering terrorism and tackling illegal migration.

#### *MEPP*

Foreign Ministers discussed issues relating to the middle east peace process. The Council discussed possible timing for the next EU-Israel Association Council and agreed to revert to the issue. Member states expressed concern about the increase in Israel's settlement building and the new settlement legislation passed by the Israeli Knesset.

Ministers agreed without discussion a number of measures:

The Council updated the information related to 21 persons and one entity subject to restrictive measures against the Democratic Republic of the Congo.

The Council took note of the annual progress report on the implementation of the European

Union strategy against the proliferation of weapons of mass destruction (WMD).

The Council took note of the annual report on the implementation of the European Union strategy to combat the illicit accumulation and trafficking of small arms and light weapons and their ammunition —actions in 2015.

The Council approved the conclusion of an agreement aimed at continuing the International Science and Technology Centre (ISTC).

[HCWS481]

## HOME DEPARTMENT

### Independent Reviewer of Terrorism Legislation

**The Secretary of State for the Home Department (Amber Rudd):** I am pleased to announce that I am appointing Max Hill QC as the new Independent Reviewer of Terrorism Legislation.

Mr Hill has been a QC for nine years and has extensive experience both defending and prosecuting complex cases involving terrorism, homicide, violent crime, high value fraud and corporate crime. He successfully prosecuted the 21/7 bombers, and he appeared in the inquest into the 7/7 bombings. He also sits as a Recorder at the Old Bailey.

Mr Hill will take up this role from 1 March 2017. He takes over from David Anderson QC, who has served as Independent Reviewer with great distinction since 2011, and to whom I am extremely grateful for the significant contribution he has made.

[HCWS480]

## WORK AND PENSIONS

### Defined Benefit Occupational Pension Schemes

**The Parliamentary Under-Secretary of State for Pensions (Richard Harrington):** Today the Government are publishing a Green Paper “Security and Sustainability in Defined Benefit Pension Schemes”. This paper also forms part of the Government response to the Work and Pensions Select Committee report into defined benefit pension schemes. I would like to thank the Committee for its report.

Defined benefit schemes are an important pillar of the UK economy and our pensions system. In order to generate the funds needed to pay the pensions of retired workers, around £1.5 trillion is invested by nearly

6,000 schemes. The Government are committed to a system that works for employers, schemes and the 11 million people who are in a defined benefit scheme.

While the Government do not believe that there is any systemic issues within the sector, it is clear that experiences differ from scheme to scheme. The Government recognise that recent years have been particularly challenging for some employers providing defined benefit pensions and the trustees responsible for running these schemes.

The Green Paper looks at a range of issues that have been raised by various stakeholders, for example, whether the Pensions Regulator’s powers should be extended to improve member protection. It focuses on four key areas—funding and investment, scheme affordability, member protection and consolidation, so that we can start to build consensus on whether we may want to reform the current system.

The paper relates only to private sector defined benefit schemes and is not concerned with other types of pension provision, such as public service pension schemes or defined contribution schemes.

The Government want to hear from all those with an interest in defined benefit schemes, in particular from scheme members themselves. The consultation will close on 14 May 2017.

[HCWS479]



## Petition

*Monday 20 February 2017*

### PRESENTED PETITION

*Petition presented to the House but not read on the Floor*

#### **Implementation of the 1995 and 2011 Pension Acts**

*The petition of Residents of Wells,*

Declares that as a result of the way in which the 1995 Pension Act and the 2011 Pension Act were implemented, women born in the 1950s (on or after 6 April 1951) have unfairly borne the burden of the increase to the State

Pension Age; further that hundreds of thousands of women have had significant changes imposed on them with little or no personal notice; further that implementation took place faster than promised; further that this gave no time to make alternative pension plans; and further that retirement plans have been shattered with devastating consequences.

The petitioners therefore request that the House of Commons urges the Government to make fair transitional arrangements for all women born in the 1950s (on or after 6 April 1951) who have unfairly borne the burden of the increase to the state pension age.

And the petitioners remain, etc.—[*Presented by James Heapey*]

[P002015]



# ORAL ANSWERS

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# PETITION

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**not later than  
Monday 27 February 2017**

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