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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Friday 19 January 2018

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Lyn Brown (West Ham) (Lab): May I wish you a very happy birthday, Mr Speaker?

I beg to move, That the House sit in private.

Question put forthwith (Standing Order No. 163), and negatived.

Homes (Fitness for Human Habitation and Liability for Housing Standards) Bill

[Relevant Documents: Written evidence to the Communities and Local Government Committee, on the private rented sector, reported to the House on 4 December, 11 December and 18 December 2017 and on 8 January and 15 January, HC 440; oral evidence taken before the Communities and Local Government Committee on 8 January, on the private rented sector, HC 440.]

Second Reading

9.34 am

Ms Karen Buck (Westminster North) (Lab): I beg to move, That the Bill be now read a Second time.

May I, too, extend my congratulations to you on your birthday, Mr Speaker? It is a pleasure to see you in the Chair.

Everyone deserves to live in a safe, warm and comfortable home, yet despite the undeniable progress made over many decades, millions of people—often the most vulnerable—still do not. Currently and extraordinarily, landlords have no obligation to their tenants to put or to keep the property in a condition fit for habitation. There is an obligation on the landlord to repair the structure of the property and to keep in repair features such as heating, gas, water and electricity, but that applies only when something is broken or damaged; it does not cover issues such as fire safety, inadequate heating or poor ventilation causing condensation and mould growth. There is a whole range of fitness issues that seriously affect the wellbeing and safety of tenants and about which tenants can do nothing.

We must await the results of the inquiry into the horror of Grenfell Tower before reaching any conclusions, but we know that residents were raising fire safety concerns in respect of the cladding long before the fire. This cladding was, as far as we know, in good repair but may have been unfit and hazardous—something certainly was—yet the residents had no legal route available to them to pursue their concerns.

The Bill will modernise the housing fitness standard, and it will extend to cover almost all tenancies—private, housing association and council. It will allow tenants to take action on their own behalf in the same way and on

the basis of the same standards as local authorities currently can and give them a remedy that so many of them lack.

Members of Parliament are all too familiar with bad housing. Most of us, at one time or another, have found ourselves responding to constituents living in the most appalling conditions that their landlords, public or private, cannot or will not act to resolve. As an inner London MP whose constituency includes areas that have been notorious for poor housing, dating back to the era of slum landlords such as Rachman and Hoogstraten, this issue has always been very dear to my heart.

When such cases come to me—I will mention them in a moment—my first port of call is often the environmental health department. While my council is of a different political complexion from me and we fight like ferrets in a sack on most issues, I can truthfully say that environmental health rises to the occasion again and again. I must have referred more than 1,000 cases to it over the years, and it has acted with vigour and professionalism, yet we know that that action is not sufficient.

I have seen a couple with small children living in two rooms of what was in effect the attic of a property in north Paddington. They lived and slept in one room; in the other, the tiny kitchen, toilet and shower were just cubicles built into the same space. I have seen a family who have had to close off two bedrooms—their only bedrooms—because of the cold and damp, and who all slept in the living room because they were unable to use the entire property. I have met a young mum who had to bring home her baby, who was born prematurely, to a flat that was so damp that even I, when I visited her, struggled to breathe. Only two weeks ago, I met a pensioner who was taken into hospital with hypothermia twice because of the cold in a flat from which the heat leaks through badly designed windows. Incidentally, she also fell and hurt her hip on steps that had been turned into a virtual river as water poured through a hole in the roof.

A good example of how fitness and disrepair are distinct and different elements of unfitness comes from an estate—a lovely and popular estate—in Bayswater in my constituency. Residents had long-standing complaints about extreme cold, damp and condensation, to the point that environmental health set up a dedicated project with the goal of protecting the health of residents. In 2011, its report found a range of deficiencies in the flats contributing to the health hazard of excess cold:

“Frequently associated with cold conditions within the flats was another hazard, that of ‘Damp & Mould Growth’ caused by condensation moisture forming on cold internal surfaces within the flats, including the window frames and the glazing. In some cases, the mould growth was chronic and severe”.

Despite environmental health’s survey of their flats, residents repeatedly requested that something be done; they had asked for the windows to be replaced as long ago as 2006. Why were those flats unfit, and how does that distinguish itself from disrepair?

As those flats were built in the 1950s, when building construction standards were poorer than today, their insulation standards were—and remain—very poor. The end walls of the flats are made of solid reinforced concrete, as are the floors, roofs, external stairways, lift shafts, walkways, balconies and possibly some of the internal walls. The cavity walling was unfilled and uninsulated. Consequently, there is constant heat loss

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throughout the structure of the building and instances of cold bridging in the flats on the estate caused by cold, uninsulated elements transforming heat energy and losing it externally. That causes condensation, dampness and mould growth. Those residents have been waiting for 12 years. A major estate programme has been under way for some years and still has to run until 2022, and the residents have no legal redress to deal with their concerns.

In case references to heat loss and cold bridging are a little technical, here is one example—one of many—from a resident who wrote to me from that estate:

“I have been suffering from the cold. We are always sick with flu and cold. I have my heating on 24 hours a day, with another electric heater and I am always ill, so is my son. My heating bill for this month alone was £400. My son and I have asthma. I have arthritis, fibromyalgia, diabetes, Kienbock’s disease in my hands, and I suffer panic attacks and anxiety. I am suicidal and had to go to St Mary’s hospital and see a psychiatrist, who said I must move to improve my health conditions. Please, please help.”

Teresa Pearce (Erith and Thamesmead) (Lab): I thank my hon. Friend for promoting this private Member’s Bill. Morally, we know that we must take up this issue, but is she surprised to know that that is also the case financially? This month, I received a letter from the Department of Health and Social Care, which stated that conditions of poor-quality housing cost the NHS—and this is a conservative estimate—an estimated £1.4 billion a year.

Ms Buck: My hon. Friend is a mind reader because I was coming to that very point. There is plenty of evidence to confirm that bad housing is a drain on the national health service and—as in so many other areas—if we were able to act more effectively to tackle the causes of bad housing, that would also benefit the NHS.

Mark Pawsey (Rugby) (Con): I congratulate the hon. Lady on introducing this Bill and I assure her of our support. She mentioned some disturbing cases, examples of which we will all have heard in our constituency casework. Does she accept that private sector landlords play a valuable role in the housing market and that the vast majority of them understand that, in addition to their right to receive rent, they also have obligations towards their tenants?

Ms Buck: I absolutely do. The vast majority of landlords act responsibly towards their tenants, and they have an interest in ensuring that the rogue minority do not get away with irresponsible behaviour.

This week, I was pleased to take part in Parliament’s digital engagement process, and our project on housing standards received the best response so far in that important experiment. That is pleasing, although it further served to confirm the extent of the problem. We were told that 57,000 people viewed the Facebook page on which we presented our questions about attitudes to housing fitness, and some of the case studies that came in as a response were truly horrifying. Those studies came from all over the country and reflected the scale of the problem.

We know anecdotally, and from Members of Parliament, councillors and other caseworkers, just how serious is the problem of substandard and unfit housing. The English housing survey shows that three quarters of a million private rented properties—about one in six of that sector—are unfit and that about a quarter of a million social rented homes contain a category one hazard under the housing, health and safety rating system. That could relate to damp, infestation, excess cold and a number of other risks, and it means that 3 million people, including many children, have their health and safety compromised every day by substandard housing.

Local council-led enforcement is simply insufficient for the task. I have already mentioned my very positive relationship with my local authority, although it still has constraints, particularly in respect of its own housing stock. Taken across the board, however, local authorities are not enforcing more than a tiny proportion of measures to deal with substandard properties. My most recent freedom of information research, which was prepared into a report by Stephen Battersby, indicates that enforcement action is taken at a level equivalent to only 1% of all the properties that are unfit according to the English housing survey. Research carried out by Shelter about a year ago found that enforcement action has fallen by 40% in recent years. Importantly, this is not a criticism of local authorities, but the fact is that the capacity simply is not there. Performance varies hugely between councils. There is a reliance on informal action in some areas, and although that has its place and can help to resolve some problems, it makes it hard to assess the overall effectiveness of what local authorities are doing.

Ellie Reeves (Lewisham West and Penge) (Lab): I welcome this Bill. Everyone should have the right to live in a home that is fit for habitation, and if that is not the case, tenants need the ability to challenge landlords in court. Does my hon. Friend agree that, in tandem with this Bill, we must consider reintroducing early legal advice in housing matters, so that problems can be resolved a lot quicker?

Ms Buck: My hon. Friend will not be surprised to know that, as chair of the all-party group on legal aid, I very much agree with her. Many issues relating to advice and legal aid and other aspects of housing need still need to be resolved if the Bill proceeds.

Andy Slaughter (Hammersmith) (Lab): All of us, and our constituents, owe a debt of gratitude to my hon. Friend for promoting this Bill and for her perseverance because it is not the first time she has done this. Legal aid is already severely restricted for disrepair. The Government notes to the Bill say that it contains no financial provision—that is probably why they support it—but should we not meet the remedy that the Bill provides with the funds to allow tenants to enforce it?

Ms Buck: We expect that tenants whose conditions meet the criteria equivalent to disrepair would be able to seek legal aid, and I will be making separate representations about legal aid overall. My hon. Friend and I, and many other Labour Members, feel very strongly about this issue.

Antoinette Sandbach (Eddisbury) (Con): Will the hon. Lady pay tribute to Citizens Advice for its role in assisting 144 families with housing repairs in my constituency? Does she agree that many tenants can get legal expenses insurance through their household insurance, and it is always worth checking insurance policies for that?

Ms Buck: I join the hon. Lady unequivocally in paying tribute to Citizens Advice. It supports the Bill and has written a good briefing about it. I do not want to stray too far from the Bill, but there is a real concern about advice services across the piece, and we must continue to discuss and make representations on that.

One concern that underpins my motivation for the Bill is that it is often the poorest and most vulnerable people—those with the highest likelihood of having disabilities and sickness—who are trapped in the worst housing, and in my experience, very few people have adequate insurance. That is a much larger problem that we must seek to resolve. A number of different remedies may be available to some people, but the minority of people who are concentrated in very bad housing often do not have access to the remedies that are available to those who are better off.

Sir Edward Davey (Kingston and Surbiton) (LD): The hon. Lady is being generous in giving way. I strongly support the Bill. She made an important point about enforcement. The House is good at making regulations, but often they are not enforced properly to help the most vulnerable people, and I believe that enforcement agencies and local authorities need more support. She made a point about retaliatory evictions when local authorities take action, and in my experience local authorities that take action often do not also help the tenant to ensure that the landlord does not behave badly. I would welcome the hon. Lady's comments on that.

Ms Buck: There are a number of issues in respect of supporting tenants that are outwith the scope of the Bill and on which I will continue to make representations, including retaliatory eviction. The reality is that local authorities are increasingly cash-strapped. That is one of the reasons that environmental health departments are not able to enforce. In an ideal world, local authorities would be able to fund advice services and tenancy liaison officers. I have seen some very good practice by tenancy liaison workers, including in Westminster, across the parties—when work is good, I am happy to acknowledge that. I am in absolute agreement with the right hon. Gentleman, however, that it is inadequate and patchy, which is exactly why we need to make sure that individual tenants can exercise a direct remedy in law when the other services we would all like to be in place are not up to the job.

Stephen Timms (East Ham) (Lab): I congratulate my hon. Friend on her Bill. On the role of local authorities, does she welcome, as I do, the Government's recent decision to reauthorise Newham Council's selective licensing scheme? She has rightly pointed out that it is a small minority of landlords who are the problem. Does she believe that local authorities more generally should have those selective licensing powers?

Ms Buck: I do, although that issue is also outwith the scope of the Bill. The Bill proposes one important tool for tenants, but there are many others, some of which are being introduced. We will continue to lobby for others in the future. I certainly congratulate Newham Council on its active work in respect of its rogue landlord sector.

Rebecca Pow (Taunton Deane) (Con): I thank the hon. Lady for making a strong case on an issue about which she is very passionate. Is it not key to the Bill that social tenants currently have no effective means of redress over poor conditions, as local authorities cannot enforce the housing health and safety rating system against themselves? The Bill will give them a tool to compel local authorities to carry out the repairs.

Ms Buck: The hon. Lady is absolutely right. That is one of the purposes of the Bill. Social council tenants do not have the same right as private and housing association tenants, who can go to the local authority, which may or may not enforce. Council tenants cannot do that, and the Bill will extend to them the right to seek remedy.

As we know, the law in this area is generally outdated and restrictive. I started by saying that there is currently no obligation to ensure that the property is fit, as opposed to the obligation to deal with disrepair, and that there are therefore a range of fitness issues about which tenants can do nothing at all. That used not to be the case. The fitness obligation was set in law, but that has ceased to have effect as the law has developed over many decades.

The concept of housing fitness—of homes being fit for human habitation—stems all the way back to the Victorian era and the work leading up to the Housing of the Working Classes Act 1885. Lord Salisbury, the then Conservative Leader of the Opposition, made the case that the shocking condition of housing was injurious to both health and morals and was promptly attacked, even by *The Guardian*, for propagating state socialism.

The royal commission established prior to the passage of the 1885 Act proposed that there should be a simple power by civil procedure for the recovery of damages against owners or holders of property by those who have suffered injury or loss by their neglect or default in sanitary matters. That is exactly what happened. The remedy was granted to tenants, subject to what was then a relatively generous rent limit, but as time passed and laws changed, overlapped and melded together, the rent limits ceased to be updated and the ability of tenants to seek a remedy when their homes were unfit lapsed.

Eventually, the impact of that led to a 1996 report by the Law Commission, "Landlord and Tenant: Responsibility for State and Condition of Property". The commission criticised the fact that the right of civil remedy for tenants against their landlords in cases of unfitness had been allowed to "wither on the vine", as the rent limits had remained unchanged for 40 years. It concluded that removing the rent limits would be the preferred way to give tenants a civil remedy. Two Court of Appeal judgments supported the same conclusion.

More broadly, "Closing the Gaps", a joint report commissioned by Shelter from the Universities of Bristol and Kent last year, concluded:

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“The law relating to health and safety in people’s homes is piecemeal, out-dated, complex, dependent upon tenure, and patchily enforced. It makes obscure distinctions, which have little relationship with everyday experiences of poor conditions.”

Apart from that, I am sure it is fine.

Bambos Charalambous (Enfield, Southgate) (Lab): Many tenants who are in temporary accommodation with private landlords have been placed there by local authorities. Does my hon. Friend agree that many tenants have difficulty dealing with that dilemma?

Ms Buck: My experience of temporary accommodation is that it includes some of the worst conditions that I have ever seen. Tenants who are often increasingly placed away from their own local authority have a lot of difficulty in seeking remedy, which I strongly believe that they should be able to do.

What will the Bill actually do? The old obligations on landlords to ensure that a property is fit and not just in a state of repair have become obsolete. The Bill will therefore have the effect of reviving the fitness requirements and updating them by reference to a definition of hazards, the presence of which will determine whether a property is unfit. That list of 29 categories of hazard is set out in the housing health and safety rating system introduced in the Housing Act 2004. It will have the effect of ensuring that unfitness is covered as well as disrepair, so structural and design faults are included where they risk causing serious harm. That includes cases where poor ventilation causes severe damp or infestation, fire safety, dangerously steep stairs without protection from falls and so on. The tenant could take action against the landlord to make them put right any problems or hazards that make the property unfit and seek compensation when the landlord has not done so. The Bill makes it clear that the landlord would not be liable for any issues arising from the behaviour of the tenant or issues that would bring them into conflict with other legal duties.

Neil O’Brien (Harborough) (Con): I welcome this important Bill and the hon. Lady’s tenacious work on the issue. When I was a private renter, I was offered houses with wires hanging out of the walls, electric cookers hanging off the walls and even, in one case, dog mess on the carpet. This is a superb Bill. May I welcome her comments on the excellent balance it achieves between new rights for tenants, which my constituents will welcome, and sensible safeguards for landlords?

Ms Buck: How do I answer that? I thank the hon. Gentleman for his and the Government’s support.

May I acknowledge those people who have got us to this stage and who support the Bill? There has been broad support for the proposals, for which I am very grateful. Shelter has campaigned strongly, as has Generation Rent. The Chartered Institute of Environmental Health has lent considerable expertise. The National Housing Federation has given its backing, and excellent briefings have come from Citizens Advice, Mind, the Law Society and, of course, the Library, among others.

Very importantly, the Bill is backed by the Residential Landlords Association, the National Landlords Association and the Association of Residential Letting Agents.

Alan Ward, the chair of the Residential Landlords Association, possibly summed up the situation for all three organisations when he recently wrote that

“the Bill seeks to achieve what all good landlords want; better enforcement against the crooks that bring the sector into disrepute.”

Sam Lister from the Chartered Institute of Housing researched the history of attempts to improve housing fitness, dating back to Lord Salisbury, and he should get the research published because it is fascinating. Stephen Battersby, the former president of the Institution of Environmental Health Officers, has diligently prepared reports on enforcement and housing fitness over several years, and has provided invaluable advice. I also thank colleagues who have given up a precious Friday to be here.

I am genuinely thrilled to have Government support for the Bill this time around, and I hope that we can, continuing in the positive spirit of recent weeks, make good progress in passing it into law. I give thanks to the officials who have been exceptionally helpful during the preparation stage.

I want to place on the record my appreciation for Giles Peaker and Justin Bates, the housing lawyers who took the Law Commission recommendations and not only drafted the Bill but supported me through every twist and turn of it over the past two years. They are great lawyers, obviously, but they are also driven by a passion to champion people in housing need, and I owe them a debt of gratitude.

There is a great deal more to be done to turn the tide on insecurity, affordability, homelessness and housing need, and none of us will stop pressing the Minister to make progress on other fronts. But today we have the chance to progress a Bill that will give tenants new powers to hold the worst landlords to account. I hope that we will take that opportunity, and I commend the Bill to the House.

9.58 am

Lucy Allan (Telford) (Con): I too would like to congratulate the hon. Member for Westminster North (Ms Buck) on introducing this important Bill and on securing Government support for it, which is an excellent example of cross-party working. Like all Members, I want to see this Bill deliver on its objectives to ensure that everyone can live in a decent home.

I am the chair of the all-party parliamentary group on new towns. Many new towns, including my own constituency of Telford, have a private rental sector with homes that are substandard and have long been neglected. Both the design and the materials of estates that were built at the same time—in a hurry, 50 years ago—have not stood the test of time and they are now past their useful life. Those estates are decaying simultaneously, which makes renewal and renovation challenging.

Housing estates in many new towns were often constructed to the Radburn design, which was innovative and experimental in its day. Cars were separated from housing, and the front was accessible only by a footpath, with back yards facing each other on to vehicle access alleyways. Over time, however, that has “designed in” crime and antisocial behaviour, and confusing layouts have rendered estates inaccessible. Wooden construction materials are rotting, and flat roofs are prone to leaking.

There are houses in multiple occupation and empty properties, and now we have the worst of the rogue landlords. Over the years, the dream of a new start in a new town on a new estate has become a nightmare for some.

Although some of those ex-local authority homes are owner-occupied, most are privately rented and owned by multiple landlords who are very hard to trace. As has already been pointed out today, there are many good landlords who take good care of their properties, and there are long-term owner-occupiers who take pride in their areas, but the simple fact remains that some tenants—my constituents—are living in conditions that are totally unacceptable today. Those privately rented properties are a catalyst for a spiral of decline on their estates, and they cause untold misery not just to the tenants but to the owner-occupiers living alongside them.

Tenants are in those substandard properties because they have been unable to secure housing association properties. Our housing association properties in Telford are very well maintained by our innovative and aspirational housing association, the Wrekin Housing Trust, but they are hard to come by. Nor are those tenants able to secure any other rental property of an adequate standard, because they have complex vulnerabilities. They may have a history of evictions and debt, addiction, or mental health problems. They are at the mercy of rogue landlords, because other landlords are not willing to give them a tenancy. The rogue landlords charge the full amount of housing benefit, and provide nothing but a run-down, neglected property in return, just because they can.

Much as I welcome this Bill, I must sound a note of caution. Tenants who are affected by the worst conditions in the private rental sector are unlikely to be able to complain effectively, let alone take enforcement action against their landlords. Local authorities have an important role to play in that regard. It is not good enough for them to say, “This is an arm’s-length commercial relationship between tenant and landlord, and it has nothing to do with us.” These tenants are our most vulnerable residents, and they are being exploited. We have an obligation to help them to enforce the powers that the Bill will give them, as well as ensuring that local authorities use the powers that they already have.

Alex Chalk (Cheltenham) (Con): My hon. Friend is making a powerful point. Does she agree that if these excellent new measures are not to be a dead letter, we must ensure that some of our most vulnerable constituents—including some of mine in Cheltenham—have the tools that they need, through the legal process and through early advice and assistance, to prosecute the rights that the Bill will give them?

Lucy Allan: My hon. Friend is right. We must help to empower those vulnerable tenants, because legislation will not be a remedy if people are not helped to exercise it.

Sir Edward Davey: May I ask the hon. Lady a question that I asked the hon. Member for Westminster North (Ms Buck)? Does she agree that we need to ensure that local authorities are enforcing these and other rules in order to protect our most vulnerable citizens, and that the Government should monitor and compare authorities

to establish which of them are going after the rogue landlords, and should name and shame those that are not?

Lucy Allan: Indeed. Much more can be done to persuade and encourage local authorities to enforce their role. As I have said, they have an important part to play, and they have existing powers to bring about a remedy.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Is it not important for the Secretary of State for Housing, Communities and Local Government and his Department to approve compulsory licensing schemes in a timely manner? A number of Labour councils in London, and my local council in Brighton and Hove, have put in requests for the Secretary of State to approve, which will give them those enforcement powers.

Lucy Allan: I do not agree with the hon. Gentleman, and I will explain why shortly.

Local authorities have been given funds with which to identify and prosecute rogue landlords. They need to step up to the mark and use their powers to prosecute when properties are unsafe or substandard. There is evidence that they do not make enough use of the powers that they already have.

Let me now deal with the point made by the hon. Member for Brighton, Kemptown (Lloyd Russell-Moyle). In my area, selective licensing has been proposed as a solution to these problems, but it penalises all landlords on an estate, including good, responsible landlords. It hits them with an extra levy to prove that they are fit and proper people. It fails to distinguish between good landlords and those who make their money letting substandard properties to the most vulnerable people, to whom not one else will let.

I am pleased by the Government’s strong record of action on improving the experience of tenants and by the action already taken on substandard private rentals. Local authorities now have the power to impose civil penalties amounting to up to £30,000, and rent repayment orders have been introduced.

Matt Western (Warwick and Leamington) (Lab): I understand the point that the hon. Lady is making about local authorities’ powers. However, as is so often the case, the powers may exist, but the first cuts that are made in local authority budgets are those that prevent them from enforcing their existing powers.

Lucy Allan: The hon. Gentleman is right: local authorities’ powers are not being enforced, and there is a reason for that. We need to do much more to ensure that local authorities do enforce them.

Kevin Foster (Torbay) (Con): The hon. Member for Warwick and Leamington (Matt Western) said that authorities needed more resources with which to enforce legislation. Torbay Council has used the powers that the Government have given it to levy fines of up to £30,000 in order to increase its housing enforcement team using money from those who abuse their tenants.

Lucy Allan: I am delighted to hear that Torbay is using these powers, and I urge my local authority, Telford and Wrekin, to follow its example.

Lyn Brown (West Ham) (Lab): I am grateful to the hon. Lady for being so generous in giving way. May I gently say to her that Newham Council has a licensing scheme because it provides money with which it can use its enforcement powers? All landlords would benefit from such a scheme, because it would ensure that they all adhered to proper standards, which could only be good for the whole sector.

Lucy Allan: The hon. Lady is right. The objective of selective licensing is to bring in more funds. However, there is a raft of bureaucracy surrounding it, and some landlords will pass the cost on to their tenants.

Sir Edward Davey: Will the hon. Lady give way?

Lucy Allan: I want to make one more point, but I may give way to the right hon. Gentleman later.

Lyn Brown: Will the hon. Lady give way?

Lucy Allan: No. The hon. Lady has already had her intervention.

More powers will come into effect in April 2018, with the introduction of banning orders and a database of rogue landlords to help local authorities to tackle this problem. Authorities have powers to remove the worst offenders, and I urge them to do so. Much as I welcome the Bill's empowerment of tenants, I fear that tenants in the most substandard properties, who do not currently complain for many different reasons, will not be able to take legal action. The needs and concerns of tenants are the responsibility of local authorities, and they must not wash their hands of tenants living in these conditions in their properties.

Let me again congratulate the hon. Member for Westminster North on highlighting this important problem, and thank her for drawing attention to the conditions in which many people are living in my constituency, in other new towns and, indeed, throughout the country. She has spoken up for people who cannot speak for themselves, and on that she is to be congratulated.

Several hon. Members *rose*—

Mr Speaker: Order. Has the hon. Lady completed her speech?

Lucy Allan: I have, Mr Speaker.

Mr Speaker: We are immensely grateful to the hon. Lady.

Is the hon. Member for Sheffield South East (Mr Betts) ready, or has he been detained by other matters? No; he is ready. Let us hear from the fellow.

10.8 pm

Mr Clive Betts (Sheffield South East) (Lab): I congratulate my hon. Friend the Member for Westminster North (Ms Buck). I know that she has long been interested in housing policy and legislation, but what has been clear today—and has been clear for many years to those who have known her that long—is her passionate commitment to housing as it relates to individual tenants and their struggle to secure decent housing conditions. She was

driven to introduce the Bill by her experience in her own constituency—which she has spelled out this morning—of the awful circumstances in which people have to live, and her wish to do something to help them.

There are three reasons why I have a particular interest in this issue, and want the Bill to be passed. First, most members of the public, if they were asked, “Should landlords be able to let properties that are unfit for tenants to live in?”, would say, “Of course they should not, but the law prevents that, doesn't it?” Most people would assume that the law already does what this Bill is attempting to do; they would assume that Parliament has already taken steps to ensure that any house that is let is fit for the tenant to live in. The fact that that is not the case is a condemnation of all of us for having allowed that situation to exist for far too long. I think most of the public would therefore say that of course we should put that basic problem right, and everyone in this House this morning should be here to support this very basic measure.

Sir Edward Davey: It is important that the House understands that our predecessors have tried to act on this: this Bill rightly links back to the Landlord and Tenant Act 1985, and I served on the Housing Bill Committee of 2003-04 with the hon. Member for Westminster North (Ms Buck) when we reformed some of these laws and introduced the housing health and safety rating system, which has proved rather complicated. The experience of that attempt to regulate rogue landlords is the reason we have gone back to some of the laws of the past which the hon. Lady is rightly bringing to the attention of the House today. There is a history here, and we need to understand that.

Mr Betts: Yes, there is a history; the history is that we have not got it right, and that is what we are trying to do this morning. I take the point about the housing health and safety rating system. There have been various efforts in that regard, but in the end the position is still that housing that is unfit can be let to tenants, and that is what this Bill is putting right. In some ways it is going back to the 1985 legislation, which unfortunately has been overtaken by inflation as the rental figures in it are now so far out of date that in effect the legislation cannot be used at all. The Bill is turning the clock back to a previous situation and doing so in a very appropriate way.

In terms of the 1985 legislation, the Bill is updating the fitness standards, because it is taking the standards from that legislation but adding to them the fitness standards from the 2004 legislation and making a more comprehensive definition of what fitness should be. It is bringing the two together in a more comprehensive way: it is turning the clock back to 1985 and then modernising and updating the legislation, incorporating the 2004 standards as well, making a more comprehensive definition of fitness to ensure that the homes that are let truly are fit for people to live in.

Giving the powers to the tenant as part of their contract with the landlord means that tenants in local authority housing have the same rights and powers as those in the private sector or a housing association property. It means that any tenant in any rented property has these rights to take enforcement action against their landlord to ensure that their home is brought up to a

certain fitness level. The Bill therefore does three things: it ensures that any home has to be fit for the tenant to live in; it updates the fitness standards; and it applies the legislation to local authority housing as well as other forms of rented housing. For those three reasons, the Bill should be supported.

The right hon. Member for Kingston and Surbiton (Sir Edward Davey) referred to the housing health and safety rating system. When the Select Committee looked at issues to do with the private rented sector in 2013, we called for a review and an update. The guidance on that system has not been changed since 2006 and is now out of date.

There are also questions as to whether the risk-based system is understood by many people. It is complicated and difficult to understand. Most of the professionals might understand it, but the fact that there is not an absolute definition of what is fit and what is not is a problem. Many landlords do not understand it, and if landlords do not understand it, the chance of tenants understanding it are very small indeed. Another look should be taken at whether there should be some basic standards as opposed to simply a risk-based system.

There is something strange about a system under which a house let to one tenant can be deemed unfit with that tenant in it, but if the tenant changes and a new tenant moves in, the house can then become fit, despite no work having been done to it, because the second tenant might be deemed to be less of a risk than the first tenant—under a risk-based system, the level of fitness changes with the change of tenant. That is difficult for most people to understand and we will have to revisit it.

There are also questions about local authorities' ability to take enforcement action in a range of areas. The Select Committee is currently conducting an inquiry into the powers and resources that local authorities have to carry out enforcement in the private sector.

Siobhain McDonagh (Mitcham and Morden) (Lab): I recently submitted a freedom of information request to local authorities in London to see how many people had pots of capital to do works if landlords did not do so. The stunning answer was just two, so our laws cannot be enforced at the moment.

Mr Betts: This is a problem: we are certainly getting a lot of evidence to that effect, and we are having our second evidence session next Monday.

The Government are bringing in more powers for local authorities to act, and they are welcome. They include, for example, the banning orders that will come into effect in April, which will affect the worst landlords—whose names ought to be up there in lights so everyone can see what they are up to. The Government's decision to extend the HMO—houses in multiple occupation—definition of properties that need licences to properties with two storeys is right as well. I argued under the Labour Government for that definition, but unfortunately at the time we could not persuade Ministers to include properties of two storeys, so I am pleased this Government are doing that. It will mean more work for local authorities, however, as well as more powers. I hope the Government bring in the requirement that all private rented homes should have their electrical systems checked every five years, too. This consultation has been a long time coming, but I hope that that comes in as well. Again, however, it will mean more work for local authorities.

The Bill essentially gives tenants powers to act, but in reality tenants are going to need support and assistance. They might contact the excellent Shelter telephone helpline, which is based in Sheffield, or Citizens Advice or other advice agencies, or they might go to their MP or local councillors, but very often they will go to their council to seek help and assistance. Although the primary requirement of this Bill is to give powers to tenants, in the end they might well go to the local authority, so with all the other—very good—measures that the Government are introducing, the extra powers for local authorities to take enforcement action and this Bill might put extra demand on local authority officers. The issue of resources is still fundamental to getting this problem sorted out. That will be raised as part of our Select Committee inquiry, and Ministers ought to be listening: without the resources, local authorities will not be able to offer tenants the assistance they need which would make this legislation effective.

10.17 am

Bob Blackman (Harrow East) (Con): I join others in wishing you, Mr Speaker, a very happy birthday and in thanking you for sitting in the Chair on your birthday when you could be off enjoying yourself in another way. [*Interruption.*] I am sure you are going to enjoy our debate.

First, I draw the House's attention to my entry in the Register of Members' Financial Interests; I am a vice-president of the Local Government Association and have a small property portfolio.

I congratulate the hon. Member for Westminster North (Ms Buck) on bringing this much-needed Bill to the House to ensure that all tenants, whether in social or private rented housing, will have the right to make sure that they are living in a decent home. I think it is a fundamental right of everyone in this country to be able to live in a decent home. This measure has been needed for a long time.

It is a pleasure to follow the hon. Member for Sheffield South East (Mr Betts), the distinguished Chair of the Select Committee on Communities and Local Government. I am not sure whether we have got around to changing the name yet—the name of the Ministry has changed. He has a long history of service in local government and in this House in holding the Government to account through our work on the Select Committee. I have had the pleasure of serving on the Committee for the last seven and a half years. During that time, we have looked at all aspects of the private rented sector and the socially rented sector. This measure is welcome and needed.

I pay tribute to my hon. Friend the Member for Reading West (Alok Sharma), who was the Minister responsible for negotiating with the hon. Member for Westminster North to get the Bill into a form that the Government could support. I hope that Members will unanimously support Second Reading later today. I welcome the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for South Derbyshire (Mrs Wheeler), to her place. I have one or two questions that I hope she will answer when she speaks later. I want to thank the myriad organisations that have sent us briefing notes, all of which praise and support the Bill, I am delighted to say. That means that it is likely to receive a smooth passage through the House.

[*Bob Blackman*]

There are many different types of landlord in the private and social rented sectors. There are accidental landlords who inherit a property and rent it out. Most of those individuals want to do the right thing, but they are often ignorant of their responsibilities under the law. The Government have a duty to ensure that those landlords are educated about their responsibilities to their tenants. There are also small investors who have chosen to use property as a means of creating a pot of money for their retirement or for other purposes, and there are commercial landlords. Most commercial landlords in the private sector are really good landlords, but some are rogues. This Bill and many others aim to spot those rogue landlords and put them out of business. It is right that we should ramp up our activities to ensure that those individuals do not exploit vulnerable tenants.

Helen Hayes (Dulwich and West Norwood) (Lab): I want to draw the hon. Gentleman's attention to the evidence that the Select Committee heard last Monday from Shelter, which said that, although the focus on rogue landlords was important, it was misleading to focus on them alone because the tenants experiencing poor-quality accommodation in the private rented sector were not limited to the relatively small number whose landlords could be described as rogues. Some landlords are inexperienced, lazy or negligent in carrying out their responsibilities but fall short of being rogues. These practices are nevertheless unacceptable.

Bob Blackman: I thank the hon. Lady for her intervention. When we look at the percentages of properties that are non-decent, it becomes clear that these practices are not limited to the small number of rogue landlords. I will say more about that later.

I note that the hon. Member for Brent North (Barry Gardiner) is in his place today. He and I share the challenge of trying to deal with the many individuals who bought a property many years ago and who, when their lifestyle changed, moved out and chose not to sell their property but to rent it out. Unfortunately, some of those individuals are now exploiting vulnerable people, and they need to be called to account.

In north-west London, we also have a huge number of what are termed "beds in sheds". These are small developments in back gardens and alongside properties where unscrupulous landlords force people to sleep in absolutely unacceptable conditions. The local authorities attempt to enforce the rules but their resources are limited. As a constituency Member, I routinely draw local authorities' attention to these landlords, but resources are limited. As the hon. Member for Sheffield South East said, local authorities need resources if they are to enforce the existing laws. I am concerned that, without those resources, the good intentions behind the Bill to give tenants rights and to ensure decent homes may not come to fruition.

Nigel Huddleston (Mid Worcestershire) (Con): My hon. Friend is making a really important point about where the onus of responsibility lies. Does he agree that one of the attractive features of the Bill is that it puts a proactive responsibility on landlords to address issues and concerns, as opposed to the historical norm of their reacting with varying degrees of enthusiasm to issues when they are raised by tenants?

Bob Blackman: I thank my hon. Friend for his intervention. One of the concerns has to be that, when we empower tenants, we have to ensure that they understand their rights and also draw to landlords' attention their duty to keep their homes safe.

When the Select Committee conducted inquiries into these issues, we looked into the duties relating to electrical safety. The hon. Member for Sheffield South East will remember some of the reviews that took place. He will also remember our astonishment at the duties on homeowners, let alone landlords, to ensure that their places are safe for electrical purposes. Electrical problems are often invisible to tenants and to landlords, which can create hazards and risks for many tenants.

In one ward of my constituency alone, more than 20% of the properties are rented out in the private sector. Most are rented out to people from the European Union, mainly Romania and Poland, many of whom are being exploited. They are being herded into cramped accommodation in houses in multiple occupation that are not licensed. The local authority is taking action to try to combat that, but it is a real problem that individuals who are coming to this country to work hard, earn a living and contribute to this country are being ruthlessly exploited by a small number of landlords. I condemn those landlords for that.

Matt Western: We see the accommodation that the hon. Gentleman describes in back gardens alongside the train lines coming out of London, but does he accept that that exploitation affects not only migrant labour? With student accommodation, there is a high level of churn within that community, with students staying in a property for a year or less. They are hugely exploited, just as migrant workers are.

Bob Blackman: I thank the hon. Gentleman for that intervention. He reminds me of when I was at university in Liverpool. We all suffered appalling conditions in the private rented sector at that time. There are now many more students, all of whom need private rented accommodation for a time during their studies, and as he says, many of them are being exploited. However, they will often put up with conditions that others would not tolerate, in order to pay a lower rent. For that reason, they often do not draw problems to the landlord's attention. That is clearly a problem.

We need to make it clear that this is a problem not only in the private sector. There are local authorities that do not maintain their properties to a decent standard. There are pockets of poor housing in that sector as well. I remember, as a local authority leader, applauding the then Labour Government for providing funds to bring local authority housing stock up to a decent home standard. That was a great thing, but large numbers of properties owned by councils are still not being maintained at a decent standard. We also have housing associations. About 28% of accommodation in the private rented sector is non-decent, but 14.8% of local authority housing is non-decent and 11.8% of housing association properties is non-decent. That shows that the problem is not limited to the private rented sector; it extends into the social rented sector. That is one of the reasons that I strongly support the Bill. It looks at these issues in a comprehensive manner, rather than a narrow one.

Lloyd Russell-Moyle: Does the hon. Gentleman agree that there are problems in local authority housing stock

when local authorities subcontract out the maintenance of their properties, often for very long periods, with inadequate scrutiny? Tenants who are responsible to the local authority are unable to do anything, and the local authority is often unable to reel in the contract. The Bill could help to provide more leverage for the local authority to step in.

Bob Blackman: I thank the hon. Gentleman for that intervention. Clearly, local authorities that choose to outsource their responsibilities should not abdicate their responsibility to their tenants. One problem is that when tenants come to complain about that sort of issue, local authorities can wash their hands of it and say, “That is nothing to do with us. You have to go to the service company.” Tenants then find it difficult to identify who is actually responsible, and there are many examples in my constituency of where individual tenants have complained but have not been able to get the service that they should get from their landlord, be it a housing association or the local authority.

Matt Western: I thank the hon. Gentleman for being so generous in giving way again. In my local authority, I understand that the budget for maintenance and repairs to local authority-owned properties in this financial year ran out before Christmas, so the authority is unable to make those repairs.

Bob Blackman: I thank the hon. Gentleman for that intervention. We all recognise the clear pressures on local authority budgets, but the key issue is that it is the local authority’s responsibility to find the money to honour its obligations. I cannot talk about an individual council’s budget, but the reality is that councils have legal obligations to provide tenants with decent quality homes, and they should not ration the service they provide.

Almost a year ago today, I was standing up and speaking on my Homelessness Reduction Bill—now the Homelessness Reduction Act 2017—on Report. I remind the hon. Member for Westminster North that the only amendment accepted by the Government when the Bill was in Committee was her amendment, which means that local authorities, when placing vulnerable people in accommodation, have to inspect the premises and ensure that they are fit for human habitation and safe. That was a dramatic change to the law, but it is a narrow requirement relating only to when vulnerable people are placed in accommodation by local authorities. I am therefore delighted that this Bill will force all landlords to bring their homes up to a decent standard in an acceptable fashion.

However, I just want to raise one or two concerns, because I think the Bill can be improved still further. Tenants need to understand their rights and those rights need to be enforced. I want protection for people who complain about their landlords, so that we do not see retaliatory evictions, as mentioned by the right hon. Member for Kingston and Surbiton (Sir Edward Davey). We do not want people who take action suddenly to find themselves homeless because the landlord has said, “You can take me to court if you want, but if you do, I am going to evict you as a result.” That would be reprehensible and we have to find a way of combating it.

The Bill gives tenants the right to challenge bad landlords, but the primary responsibility for inspecting and ensuring that properties are safe should reside with local authorities. I am concerned that local authorities are now unable to carry out that function due to a lack of funding. The Bill’s explanatory notes state that a money resolution is not needed, but local authorities should be provided with more funds to enable them to enforce the rules that should apply. I ask the Minister to look at that, because the Department needs to consider the matter in the round to ensure that local authorities are given the necessary resources to ensure that people can live in decent accommodation.

Rebecca Pow: I commend my hon. Friend for introducing the 2017 Act, under which money has been made available to local authorities to carry out some of their new duties. Therefore, does my hon. Friend agree that there needs to be some support for local authorities in order to make this Bill work?

Bob Blackman: When I got my Act through, the Government were generous and produced some £83 million to support the first two years of the legislation, £17 million of which came as a result of the amendment of the hon. Member for Westminster North to ensure that homes are inspected and made fit for habitation before anyone is moved in. That was much narrower than the broader requirement in this Bill, so there is the need for a substantial injection of cash into local authorities.

Lloyd Russell-Moyle: Does the hon. Gentleman agree that the 2017 Act is still not being enforced in many cases? At Christmas, a mother from my constituency was moved into temporary accommodation where the toilet was overflowing, and that situation stayed the same until I intervened; the local authority only took action after that intervention. That shows that the 2017 Act is too weak and that without resourcing for local authorities, without increasing the cap on housing investment and without proper enforcement, these are nice words, but they are unenforceable.

Bob Blackman: The hon. Gentleman and I would agree that we clearly need to ramp up activity and funding and give local authorities the powers and resources that they need to carry out their duties under both this and other pieces of legislation.

I ask the Minister to consider the sentencing guidelines for rogue landlords. A maximum fine of £30,000 may be possible, but it is rare for the courts to issue such fines. Not only should fines be reinvested into the inspection and enforcement process, but we need clear sentencing guidelines so that magistrates courts can maximise fines, particularly in the worst-case scenarios.

Clive Lewis (Norwich South) (Lab): On a point of order, Madam Deputy Speaker. May I just confirm something? We only have 23 minutes until the statement, and is it correct that this very important debate must conclude then?

Madam Deputy Speaker (Dame Rosie Winterton): There will be a statement at 11 o’clock, but the debate will not conclude then.

Bob Blackman: For the hon. Gentleman’s information, I am coming to the end of my speech. I am very supportive of the Bill, and the debate will be interrupted

[Bob Blackman]

while we have the statement, but it will continue to its conclusion thereafter, so he does not have to worry about that.

I have another concern about the legislation's implementation period. The explanatory notes state that the provisions will come into force three months after the Bill becomes an Act, but will the Minister consider whether there is any need for secondary legislation—for any regulations—when the Bill becomes law? The Government are introducing myriad secondary legislation next month in relation to my Homelessness Reduction Act, and we do not want to reach a situation where much-needed secondary legislation is not ready in time for this legislation's commencement, which could lead to problems later on.

In summary, I strongly support this Bill and trust that it will receive the House's unanimous support. If the hon. Member for Westminster North wants me to serve on the Bill Committee, I will be delighted to do so to help her get the Bill through Parliament.

10.39 am

Dr Rupa Huq (Ealing Central and Acton) (Lab): It is a pleasure to follow my near north-west London neighbour in one direction, the hon. Member for Harrow East (Bob Blackman), and to support a Bill introduced by a north-west London neighbour in another direction, my hon. Friend the Member for Westminster North (Ms Buck).

When we consider legislation, there is usually a sophisticated lobbying operation through Change.org and 38 Degrees spamming us with lots of emails, but on this Bill I have been contacted by a far wider range of people. In fact, every Friday at my surgery—I will hold my surgery after I finish here today—people come before me to ask, knowingly or unknowingly, for this legislation.

In September 2017 my office went over the 20,000 mark of individual cases processed since 2015, and a large number of those cases are housing issues. People come and show me on their phone pictures of damp problems that are too big to be dealt with by buying a spray, and “Bang! And the dirt is gone.” It is a bigger problem when the ceiling is caving in. There are people living in properties with rodent infestations, and their children cannot sleep at night because of the gnawing.

There are a multitude of cases, and I am getting a strange sense of déjà vu because in 2015 one of the first debates I spoke in was on my hon. Friend's Homes (Fitness for Human Habitation) Bill. That Bill was talked out by Conservative Members, which is why some Opposition Members were getting jittery when the hon. Member for Harrow East was being a bit loquacious. We are relieved to hear that he was not trying to talk out the Bill. It is not a good look for a modern Conservative party to oppose homes fit for human habitation, and I am glad it has seen the error of its ways and will be supporting the Bill today.

I will be brief because I do not want to play the same game and talk out the Bill. The gaps that have led to this Bill, such as the difficulty of enforcement, have already been mentioned, but I draw attention to fire safety, which is not addressed in existing legislation. My hon. Friend the Member for Westminster North and I have the A40 between our constituencies, and at the side of

the A40 is Grenfell Tower, which I went past yesterday. Anyone living in Ealing who goes to central London by road passes Grenfell Tower, which is a burned carcass on the skyline of one of our nation's richest boroughs.

Our nation used to be the world's fifth largest economy—post-Brexit, I think it is now the sixth largest, which is another story that I will not go into now—and the fact is that people were burned alive in their homes because people pooh-pooled the idea of regulation and batted away the idea of health and safety as meddling and troubling. What happened is the logical extension of that, and it is something that shames our nation.

My hon. Friend mentioned the powerful groups that are backing her Bill, including the Law Society, the National Housing Federation, the Chartered Institute of Environmental Health, and Shelter. Fifty-one years ago, Shelter's film “Cathy Come Home” shocked the nation, and Grenfell has shocked the nation a second time.

As an Opposition Member, I am into holding the Government to account, and this Bill holds landlords to account where standards are not met. As the chair of the new all-party parliamentary group on single-parent families—Members do not have to be a single parent to be in our group, so a quick plug—I am duty-bound to point out that the Joseph Rowntree Foundation's figures show that single parents are more likely to live in substandard accommodation and poverty than any other type of family, a rate of 20% compared with a national average of 7%. The English housing survey shows that people in poverty are far more likely to live in hazardous homes than those who are not in poverty, which is why this Bill is needed.

I am pleased to see the Government's change of heart. Last time such a proposal came before the House, the hon. Member for Nuneaton (Mr Jones), who is now a Conservative party vice-chair and is no longer a Minister in the Department, scandalously said that the proposals of my hon. Friend the Member for Westminster North, and in fact all the Labour party's proposals on things such as landlord licensing—I am pleased my council, the London Borough of Ealing, has a register of landlords—will

“result in unnecessary regulation and cost to landlords, which will deter further investment and push up rents for tenants.”—[*Official Report*, 12 January 2016; Vol. 604, c. 785.]

The new Prime Minister talked on the steps of Downing Street about burning injustices, and I am glad the Government will put their money where their mouth is and back this Bill, which I hope will be a staging post for a Government after the next general election that is for the many, not the few.

10.44 am

Luke Hall (Thornbury and Yate) (Con): It is a pleasure to speak in this debate and to follow some fantastic and informative contributions from both sides of the House. I too will be brief, because I know a number of Members wish to contribute. I start by welcoming the Minister to her place and by congratulating my hon. Friend the Member for Harrow East (Bob Blackman) on all his work on his Homelessness Reduction Act 2017. I congratulate the hon. Member for Westminster North (Ms Buck) on her cross-party work over a number of years to ensure the Bill can be supported. I rise with the intention of supporting the Bill today.

The Bill will grant tenants the right to take action in the courts against landlords who fail to ensure that their property is fit for human habitation, and a number of colleagues in the House today will identify with and recognise some of the stories and examples that have already been raised, especially by the hon. Lady. We have all seen the damp and the lack of proper drainage and water in some properties, and I thank her on behalf of a number of constituents in Thornbury and Yate for raising this matter.

I also pay tribute to the citizens advice bureau in south Gloucestershire and South Gloucestershire Council for all their work and for the thoughts they provided ahead of this debate. It is clear that the current system needs updating. If a tenant is living in an unfit property, the housing health and safety rating system allows local authorities to assess whether the property contains serious risks to the individuals living there, and where it does, the local authority requires the landlord to reduce or, ideally, remove the risk.

The upshot is that an offence is committed only when a landlord fails to comply with the enforcement notice, and the upshot of that is that tenants have to rely on the local authority to take action on hazardous properties, and are unable to do so themselves. I welcome that the Bill is righting that wrong across all sectors by putting an obligation on landlords to keep their property in good condition.

As has been pointed out, there are already statutory obligations on most landlords to keep in repair the structure and exterior of their properties, and a number of other factors. However, provisions requiring landlords to ensure their properties are fit for habitation have realistically ceased to have any effect—that has been explained much better than I could by the hon. Member for Sheffield South East (Mr Betts).

Where a landlord fails to maintain a property so it is fit for habitation—the Bill’s definition of which will include freedom from damp, proper ventilation, proper water supply and drainage, and a number of other factors that everyone here would take for granted in our own lives—the Bill empowers tenants to take action themselves in the courts, giving tenants the ability to hold landlords to account where there has been a failing and allowing tenants to apply for an injunction.

Antoinette Sandbach: Does my hon. Friend agree that the fact tenants will be able to receive damages is a huge improvement, particularly because living in substandard accommodation, such as accommodation with mould or damp, can be incredibly depressing and can have an effect on people’s mental health? The punitive element of damages will make a real difference to enforcement, and hopefully lawyers will enforce tenants’ rights through no win, no fee cases.

Luke Hall: My hon. Friend is absolutely right. This Bill not only gives the power to hold landlords to account by making them carry out the works; it also gives the power to instruct compensation, which is a real strength.

The Bill achieves all that while still being proportionate. It is not overly burdensome on landlords because of the simple principle that it should not increase costs or create cumbersome work for the vast majority of landlords who are already providing a good service and safe,

good-quality accommodation to their tenants. The Bill will push landlords to act proactively, and I hope it will create a ripple effect to create more of a safety and people-first culture in the industry.

The Bill also seeks to protect landlords from potentially spurious claims by ensuring that landlords are not liable if the property is not being used for the purpose for which it has been let. Landlords will not be responsible for repairing items that the tenant may remove from the property—essentially the tenant’s own property. Just this morning, I was contacted by a landlord in my constituency, who welcomes this Bill because it is not seen as a threat; it is actually supporting the industry by enhancing the reputation of the vast majority of landlords.

I will conclude, as I know a number of Members wish to speak. This Bill empowers tenants, protects landlords and will drive up standards across both sectors. I pay tribute to the hon. Member for Westminster North for bringing it forward and look forward to supporting it today.

10.50 am

Sandy Martin (Ipswich) (Lab): I wish to pay tribute to my hon. Friend the Member for Westminster North (Ms Buck) for introducing this Bill and to my hon. Friend the Member for Sheffield South East (Mr Betts) for the debate we had in Westminster Hall yesterday afternoon on supported housing. Although that was clearly not on exactly the same issue, many of the tenants we are talking about in this Bill are very vulnerable people and clearly there is a benefit to society in enabling the maximum number of people possible to lead independent lives. Some of the people who are not currently able to gain redress for inadequate housing run the risk of ending up either in supported housing or in hospital.

Just last weekend, I called on a couple who invited me into their flat to show me the mould that had grown all around their bathroom, under the window in their sitting room and even in the bedroom. This couple live in a council flat in Ipswich, so I was able to pass on their details to the local councillors in the strong expectation that something will be done to rectify the situation. Of course, the council does not always get things right. I believe Ipswich Borough housing is an exemplar of good practice, but even good landlords get things wrong sometimes. That is why it is so important that this Bill will apply to local authority housing properties, in the same way it does to private rented accommodation. Indeed, in some ways, it impacts more on those public sector tenants who need its help than it does on private sector tenants, because whereas a private sector tenant might hold out some hope that they could persuade the local council to act legally on their behalf, a council is not going to take out a legal case against itself.

One would hope that accountable local authorities would take their responsibilities to their tenants seriously enough to rectify any unfitness without the need for legal recourse, but unfortunately that is not always the case; in such cases, council tenants have no recourse to the law at all. This Bill will enable council tenants to take legal action against their landlord if no action is taken to put right any unfitness, just as it will for private sector tenants. I know that Conservative Members would not be willing to accept a Bill that unfairly favoured

[Sandy Martin]

public sector housing over private sector housing, and rightly so, and this Bill does not do that. I could wish that, in the interests of fairness and a level playing field, Conservative Members might consider other measures for the private sector, and changes to the law and regulations for the local authority sector, but I think that is for another day.

Of course, although this Bill does afford a very important and necessary protection to council and housing association tenants, the majority of the problem exists in the private sector. In the east of England, 20% of private sector rented stock is in a state that poses a serious risk to its tenants' health, as compared with just 8% of the council and housing association stock. In my 20 years as a local councillor I was constantly being contacted by distraught residents who showed me mouldy walls, dodgy banisters, awkward and cramped entrance halls, and rickety windows. I would raise these issues with council officers but in almost every case I was told there was no action the council could take with the private sector landlord on these matters. This Bill will empower the tenants themselves to demand safe and healthy homes from their landlords.

I do not believe that there will be any rash of prosecutions as a result of this Bill. I believe it will focus the minds of those landlords, both private and public, who do not currently pay quite enough attention to the welfare of their tenants and encourage them to provide the level of service that 75% of landlords are already providing. All good landlords should welcome this Bill. Why should the 75% who provide fit and proper housing be undercut by rogue operators or see their sector tarred with the brush of inadequate maintenance or shoddy flat conversions? I am delighted that this Bill is receiving support from across the House, and I look forward to it becoming law.

10.54 am

James Heapey (Wells) (Con): I join colleagues from across the House in congratulating the hon. Member for Westminster North (Ms Buck) on introducing the Bill and on her opening speech, which set out well why the Bill is so important. It addresses an important issue for not only some of my constituents, but constituents from across the country. I join colleagues from both sides of the House in recognising that the vast majority of private landlords are not rogue landlords and act responsibly, providing their tenants with excellent accommodation and service. However, the reality is that a small minority exploit some of the most vulnerable in our society and this Bill is hugely important in addressing that. I am therefore pleased the Government have decided to support the Bill today, and I add my support to that.

The Government have already made good progress. Since 2010, we have introduced powers for local authorities and, with those, provided £12 million to help authorities to identify and prosecute some of the worst offenders. I understand that 70,000 properties have been inspected, and that 5,000 landlords have had further action taken or even had a prosecution brought thereafter. The Government have also brought in measures to protect tenants against retaliatory evictions, and last year further measures were introduced to clamp down on rogue

landlords, which could lead to penalties of up to £30,000. That is very welcome indeed. But clearly those measures alone, as the Government recognise, are not enough, and there is more—

Sir Edward Davey: The hon. Gentleman missed out one regulation from his list—the one on minimum energy efficiency standards in the private rented sector, which I brought to this House and which it passed, and which can be a huge attack on fuel poverty. Will he join me to ensure the Government go ahead and implement those from April this year, so that we can tackle fuel poverty and the worst examples of uninsulated homes in the private rented sector?

James Heapey: The right hon. Gentleman knows that he and I are fellow travellers in our enthusiasm for home energy efficiency, and indeed that was exactly what I was moving on to in my speech. I fear, however that he may need to stay for a little while during the statement in order to hear both parts of my thoughts on home energy efficiency, as I suspect an interruption may be imminent.

The Government have introduced some excellent measures thus far. There is much more to do, as they have recognised, and of course this Bill is therefore hugely important in addressing what remains to be done. As the right hon. Gentleman said, one key part in ensuring that homes are fit for habitation is how well insulated they are and how energy-efficient they are. Too many people live in fuel poverty, not necessarily because they have not got the money to heat their property, but because their property is so poorly insulated and the appliance within it so inefficient that the costs of heating that property are disproportionate to what they should be if all of those measures were adequately in place. We have to start to move on from an argument that all that matters in housing is providing it at the most affordable cost to rent and buy—equally important, surely, is what it costs to live in the property each month thereafter. In talking today about homes that are fit for human habitation, we should be very much focused on making sure that the houses people are living in are not only affordable to rent, but affordable to live in each month. That requires much higher expectations of landlords on the home energy efficiency measures and the insulation in their properties.

One Opposition Member, either in the second speech from that side of the House or in an intervention on the opening speech, gave a startling statistic about the cost each year to the NHS of people living in poorly insulated homes. I think the figure was £1.4 billion, which seems to me to be a good reason why we should make better-insulated and more energy-efficient homes a higher priority, so that people can not only live in comfort but afford to live in their home.

I see that you are on the edge of your seat, Mr Speaker, so I shall draw my remarks to a close and let other business proceed.

Mr Speaker: That is extraordinarily considerate, and characteristically so of the hon. Gentleman, in time for the statement by the Lord Chancellor and Secretary of State for Justice.

Proceedings interrupted (Standing Order No. 11(4)).

Parole Board: Transparency and Victim Support

11 am

The Secretary of State for Justice and Lord Chancellor (Mr David Gauke): With permission, Mr Speaker, I should like to make a further statement on the Parole Board's decision to release John Worboys and the Government's response to the issues raised by this case.

I know that the victims of these horrific crimes have suffered significant emotional trauma. The prospect of the release of this man is deeply concerning to them, to many Members and to the wider public. I owe it to those victims and to the public to consider all the options open to me as Lord Chancellor and Secretary of State for Justice. I therefore took the step of seeking legal advice from specialist leading counsel to establish whether there were grounds to challenge the decision in the courts and therefore to ask the court to stop the release of Worboys before the decision was reconsidered.

Let me set out my approach to judicial review in general. Whatever one's personal feelings about a case, Ministers should not choose to bring a legal challenge that has no reasonable prospect of success, but it is right that public bodies can be held to account for their actions through due process of law and, specifically, judicial review. There has been significant public debate about the possible basis for a legal challenge in such a case. It has been speculated that there are two grounds open to me to challenge such a decision: that the decision was one that no board could reasonably have taken, or that there were significant procedural failings in the way that the decision was taken.

The bar for a judicial review to succeed is very high. The test for deciding whether a decision is unreasonable is not simply that the decision maker—in this case, the Parole Board—could have made an alternative decision, but that no reasonable person would have come to the same conclusion on the facts of the case. Similarly, on procedure, it would be necessary to identify a failure by the Parole Board to follow the process that would have had a material impact on the decision.

Having taken considered and expert legal advice, I have decided that it would not be appropriate for me, as Secretary of State, to proceed with such a case. Members will appreciate that I cannot go further and expose detail of the legal advice that I have been given. I know that will disappoint the victims in this case and Members. Given the crimes for which Worboys has been convicted, on a personal level, candidly, I share those concerns.

I have taken a close personal interest in this case since I assumed office as the Secretary of State for Justice. It is important that all the victims have clarity as soon as possible, which is why I am before the House today. I can reassure the House and the public that Worboys will not be released until his licence conditions have been finalised. I understand that contact and meetings with victims who have chosen to receive the services of the probation victim contact scheme have taken place this week, and further meetings in respect of his release will take place next week. That will give those victims the opportunity to make representations to the Parole Board on the conditions to which Worboys should be subject on release.

Let me be absolutely clear: Worboys will not be released until the victims' representations have been properly considered and his licence conditions are in place. Indeed, last week, I asked for assurances that the views of victims were being taken into account and that robust licensing conditions would be put in place to manage his risk.

I am aware that some third parties have indicated that they are seeking to bring legal proceedings themselves and that correspondence has been served on me, as Secretary of State, as a potential interested party to any litigation. I fully support the right of victims to take their own legal advice and to challenge the decision. The approach I am taking does not mean that others, who may have significant interest in the case, are precluded from taking action. Each case depends on the circumstances of each individual bringing a claim. That is one of the reasons why I do not intend to say more on this matter. I would not want to prejudice any legal challenges by commenting further on the facts of this case or the legal advice I have received. I will be taking advice on how my Department should consequently engage in any proceedings, but it would not be appropriate to comment further at this stage.

It is vital that the public and victims have confidence in the justice system, which is there to serve them. This case has exposed some issues with the parole process as a whole. I have already indicated that aspects of the parole process more generally should be examined. In my statement on 9 January, I said that my Department would review the case for transparency in the parole-decision process, how victims are communicated with and how they are appropriately engaged in that process. I now believe that that review should go further, so I have expanded its terms of reference to include consideration of the law, policy, guidance and practice relating to challenges to Parole Board decision making. I have published them today and placed a copy in the Library.

In particular, I have expanded the review to include consideration of whether there should be a mechanism to allow parole decisions to be reconsidered and how that might be best achieved, while retaining the independence of the decision-making process. The review remains a priority for me and for the Government, and despite the significant expansion of the terms of reference, I intend to complete it before Easter.

I acknowledge the concerns that the victim contact scheme, which is operated by the National Probation Service, may not have worked as well as it should have in this case. It is right that, as well as looking at the process around parole decisions for all cases, we consider whether existing processes were followed in this instance. I have therefore asked Dame Glenys Stacey, Her Majesty's chief inspector of probation, to conduct a rapid fact-finding exercise to confirm whether the legislative provisions, existing policy and processes relating to victims were adequately followed by the National Probation Service in this case. Her findings will inform the wider review.

As I have said, I know that Members are concerned about this case and about how we deal with the release of offenders. I hope that this statement has reassured them of the thorough and careful consideration that I have given to this difficult case and that we are now giving serious and urgent consideration to ways in which the process can be improved to reassure not only victims of these terrible crimes but the wider public.

11.7 am

Imran Hussain (Bradford East) (Lab): I thank the Secretary of State for prior sight of his statement.

Two weeks ago, it was announced that John Worboys would be released from prison. In those two weeks, it has been absolutely clear that the victims of his vile crimes feel that our criminal justice system has let them down. The criminal justice system must ensure that it has the victims of crime at its core. When it fails in that, it not only affects the direct victims themselves but risks undermining wider public trust in our justice system.

As Labour has reiterated since John Worboys's release was announced, it is important that the Secretary of State does everything in his power to ensure that the victims of Worboys's crimes, as well as the wider public, have faith in our justice system. Many will be disappointed by today's news. It is understood that legal advice cannot be shared and that the Secretary of State does not want to prejudice other cases, but today's news makes the need for changes in the Parole Board even more pressing.

The existing rules permit either the Secretary of State or victims to seek judicial review. Many will have seen that some victims are doing just that, and they have attracted much public support for their fundraising efforts. Judicial review is a key tool for every citizen to be able to challenge unjust or unlawful decisions by the state or other public bodies. Deep cuts to legal aid have undermined the ability of many to pursue judicial review. Will the Government commit today to using their review of legal aid to look again at how it can support judicial reviews?

Any judicial review would look at whether the Parole Board's decision was taken properly. If it was not, the case would go back to the Parole Board for it to look at again. As it stands, though, the existing rules mean that we still would not know the reasons for any subsequent Parole Board decision.

As the Opposition have said repeatedly both here and elsewhere, there is no need for the review of Parole Board transparency to debate the case for greater transparency. It should be a practical review of how to ensure the public are informed of the reasons behind decisions. Just as the public are clear about court judgments, they must be clear about Parole Board decisions. Greater transparency has widespread support. We therefore welcome the widening of the review announced today, especially the idea of a mechanism to allow Parole Board decisions to be reconsidered, while retaining its independence. People were shocked that some victims found out about the decision to release Mr Worboys through the media.

Labour has said from the outset that it is totally unacceptable and very concerning that some were not given the opportunity to participate in the Parole Board hearing, as was their right. The victim contact scheme is responsible for informing victims of significant changes in a case, including Parole Board hearings. This service is managed by the National Probation Service, which has experienced significant difficulties, especially case overload, since the Government's reforms to probation services in 2014. Labour has called in the House on the Government to look into the failings in the NPS and victim contact scheme, so it is a step forward that the Secretary of State has now asked Dame Glenys Stacey to conduct a rapid fact-finding exercise into the role of

the NPS. He needs to ensure that this answers the question whether his Government's wholly negative changes to the probation service contributed to any failings in this case and how he plans to address them.

I have listened to the statements of Mr Worboys's victims in recent weeks, and it is clear that their concerns are not limited to the decisions or functioning of the Parole Board. Labour has repeatedly stated that the Worboys case raises so many serious questions that anything less than an independent end-to-end review into the handling of the case, from the first report to the police of an attack through to the Parole Board hearing, would let down the victims and wider public. Labour has repeatedly called for this wider inquiry, but it is not clear why the Secretary of State has repeatedly refused it. It is a reasonable and rational request and would help to rebuild public trust. I hope that he will take this opportunity to reassure the House that he will undertake this end-to-end review.

Mr Gauke: I thank the hon. Gentleman for his questions. In the context of wanting to support the victims, he was right to focus on the areas that he did, and I am grateful to him for not pressing me further on either the facts or the legal advice.

It is right that the victims be treated with concern and sympathy and that all due processes be followed. We need to understand precisely what happened in this case and whether support was provided as it should have been, which is why I am pleased that Dame Glenys Stacey is undertaking that role. I share the hon. Gentleman's instincts for greater transparency in Parole Board decisions. It frustrates victims that they do not get to know what is happening or the reasons for a decision. Equally, it can be frustrating for the Parole Board, too, if it cannot articulate its reasons. We need to look carefully at this, but we also need to move swiftly, which is exactly what I intend to do.

On an end-to-end review, my focus has been on transparency and victim support, which are the immediate issues in front of us. I recognise that there is a debate about the original investigation and how these indeterminate sentences for public protection, which we have now abolished, operated, but it is right at this point that our reviews focus on transparency and the victims and that they continue as a priority to look at how these matters are dealt with.

Robert Neill (Bromley and Chislehurst) (Con): Happy birthday, Mr Speaker.

It is clear that my right hon. Friend the Lord Chancellor has applied himself to what is a very serious and troubling case with the greatest scrupulousness and care. He is to be commended for having applied a difficult legal test to what is ultimately a legal decision, and I welcome his extension of the review into the operation of these matters. Does he agree that one political and policy decision we could make as soon as possible would be to change the Parole Board rules to permit Parole Board panels to give reasons for their decisions. It would likely command support across the House and, as he rightly observes, have the support of the Parole Board itself. It would also be of great reassurance to the public.

Mr Gauke: My hon. Friend makes a good point. We understand the full implications of greater transparency in Parole Board decisions and what those implications might involve. It is not my desire that as a matter of

course offenders should take cases where, for example, Parole Board panels have taken the firm line, based on the evidence in front of them, that they should not be released. We need to understand the full implications, but there is clearly a case for much greater transparency.

Sir Edward Davey (Kingston and Surbiton) (LD): I welcome the statement and the Lord Chancellor's decision to widen the review's remit. That will command support on both sides of the House. Has he been informed whether the Crown Prosecution Service and police are reviewing the many other serious allegations against Worboys and whether there is any chance of further charges being brought against him before he is released? This is the question that many of the victims really want answered.

Mr Gauke: I can well understand why the right hon. Gentleman raises this issue. It is a matter for the CPS and Metropolitan police, however, and there is nothing I can say to inform the House this morning on that point.

Victoria Prentis (Banbury) (Con): I should declare that during my 17 years in the Treasury solicitors department I frequently acted for both the Secretary of State and the Parole Board and sometimes for both together.

I commend the Secretary of State for his detailed work on this case. Can he reassure us that the views not only of the statutory victims but of the wider group of victims known to the authorities will be taken into account?

Mr Gauke: My hon. Friend raises an important point. There are different systems in place for the statutory victims versus others, but sometimes, as in this case, there will be many people who essentially are victims but not in respect of any convictions—in this case, Worboys's convictions—and we need to ensure that the system works for them as well.

Ellie Reeves (Lewisham West and Penge) (Lab): Following the Secretary of State's previous statement earlier this month, I raised the importance of confidence in our justice system, and my fear is that the decision not to judicially review the Worboys decision will not reassure the public. He has talked about greater transparency, but I want to press him on the point that the hon. Member for Bromley and Chislehurst (Robert Neill) made. Will the Secretary of State commit to changing the statutory rules, so that Parole Board decisions are open not just in the Worboys case but in future cases as well?

Mr Gauke: The intention is to look at what can be done to increase transparency, and I will, of course, come back to the House with more detailed proposals once the review has been completed.

Antoinette Sandbach (Eddisbury) (Con): May I urge the Lord Chancellor to write to the CPS and ask it to undertake a review? It might well be that the public interest test was not satisfied because an indeterminate sentence had been given, and the change in circumstances may mean that that test is now satisfied in respect of victims whose cases were not prosecuted. Will he give that undertaking to the House today?

Mr Gauke: As my hon. Friend will be aware, accountability for decisions on prosecutions is not an area that falls within my responsibilities. However, I very much understand and sympathise with her point, and I know that this is an issue on which the Attorney General is very focused.

Bambos Charalambous (Enfield, Southgate) (Lab): Following on from the comments of the hon. Member for Eddisbury (Antoinette Sandbach), will the Minister be looking at how the CPS and the police deal with cases where it comes to light that, in cases of serious offences such as this, there are further victims? John Worboys was convicted of the rape of and sexual assault against 12 women, but more than 85 others came forward after the event, and that needs to be looked at in case similar such events occur.

Mr Gauke: The hon. Gentleman has put his point, which is a very fair one, on the record. To some extent, I refer to my earlier answer, but clearly with regard to whether there is a public interest case in bringing further prosecutions, that is no doubt something that both the Metropolitan police and the Crown Prosecution Service will want to consider.

Will Quince (Colchester) (Con): It is essential that we not only recognise and respect the independence of our legal system, but recognise that the public are disappointed and angry with the Parole Board's decision. Does my right hon. Friend agree that, by opening up the Parole Board's decisions and making them more transparent, the public may still disagree with the decision, but they will have an understanding of how that decision was reached?

Mr Gauke: Yes, my hon. Friend makes a very good point. As a society, the direction that we have gone in more generally has been towards greater transparency. As Professor Nick Hardwick was one of the first to make that point, there is clearly a case in this context for the Parole Board as well.

Stella Creasy (Walthamstow) (Lab/Co-op): Although all of us understand the desire not to prejudice any possible action by the victims, a letter from the Secretary of State's predecessor on 8 January—it is a public letter open to MPs—states that the victims were not contacted until October, having last had contact in 2009. He knows the concern that it is not just about updating victims, but about involving them in Parole Board decisions. Can he give an assurance that the involvement and participation of victims will be looked at and that he will publish the date in October when contact was made with the Worboys's victims so that we can understand the process used?

Mr Gauke: With regard to the facts of a particular case, that is exactly what Dame Glenys Stacey will be investigating. I have no doubt that she will make public her conclusions. It is very important that victims are involved. I know that in this case they are involved, as I said earlier, in making representations in terms of licensing conditions. It is right that due and appropriate weight is given to those representations when it comes to determining the licensing conditions.

Mr Philip Hollobone (Kettering) (Con): My constituents in Kettering believe that the best way to protect the public is for violent offenders to be kept behind bars, and they take the straightforward and honourable view that if an offender is sentenced to a term of imprisonment, the offender should serve that sentence in prison in full before being released. Given that this is a statement about the transparency of Parole Board decisions, who is held to account in the Parole Board, and how, if those released early reoffend?

Mr Gauke: The numbers of reoffences are put into the public domain. Clearly, that is one of the tests of the effectiveness of the Parole Board. It is clearly a matter of priority for all of us that people who are dangerous are not released. The test for a Parole Board panel in the context of one of these IPP prisoners is an assessment of their risk to the public, and that is what the Parole Board must determine in these circumstances.

Louise Haigh (Sheffield, Heeley) (Lab): My hon. Friend the shadow Minister is absolutely right that this case raises wider issues about the rights of victims in our criminal justice system, right through from the offence being committed, through the process and to parole. Will the Secretary of State tell us when he will bring forward the victims' Bill that was promised in 2015?

Mr Gauke: All I can say is that since being newly appointed, I am receiving advice on what we can do to make progress on this matter. I hope to be able to update the House in due course, but I do agree with the hon. Lady that the victims are vital in the system.

Michael Tomlinson (Mid Dorset and North Poole) (Con): I thank the Lord Chancellor for the detailed explanation for his decision, and I welcome his comments on further transparency, which will of course increase public confidence and, importantly, victims' confidence in the system. He says that he wants these changes to happen quickly—how soon does he anticipate that changes can be made to the system?

Mr Gauke: Well, even though the review has been broadened, and even though we are looking more widely not just at transparency but at whether there should be an opportunity for the Parole Board to look again at decisions, that review will report by Easter. Obviously, the timing will depend on precisely what it recommends, but I am keen to make progress as quickly as possible.

Diana Johnson (Kingston upon Hull North) (Lab): May I too welcome the extension of the review that has been announced today? However, there are serious questions to be answered about the way that the police and the CPS operated in this case. I do not think that it is satisfactory just to leave it to the Metropolitan police and the CPS. I want to know what the Home Office—the Under-Secretary of State for the Home Department, the hon. Member for Louth and Horncastle (Victoria Atkins), is sitting next to the Secretary of State—and the Attorney General's Office are doing to look at what happened in those early stages and whether this man should have been charged with further offences.

Mr Gauke: I know that both the Home Secretary and the Attorney General have been very focused on this case. I hope that the hon. Lady will understand that my focus has been on the immediate issues, which relate not

only to the consideration of judicial review but to the issues of transparency and support for victims. Of course there are questions that probably do need to be asked about how the IPP system, which this Government have abolished, operated in terms of whether it met the test of honesty in sentencing, but perhaps that is a debate for another day.

Helen Whately (Faversham and Mid Kent) (Con): Recognising the importance of the independence of the judiciary, but considering in this case the crimes, the victims and the level of public concern, can my right hon. Friend assure me that he has sincerely looked into all the options in this case?

Mr Gauke: Yes, I can give my hon. Friend that assurance. Without dwelling on the details of the reasons that I have already set out, I have given very long, close and serious consideration to my options.

Jo Stevens (Cardiff Central) (Lab): The Secretary of State has quite rightly concentrated on the victims and the issue of transparency in his remarks, but he also referred to the fact that there are some victims who are crowdfunding to bring potential legal proceedings. That is because civil legal aid has been severely restricted for judicial review cases by the previous coalition Government. Will he please look again at the availability of civil legal aid for judicial review?

Mr Gauke: In the context of legal aid generally, the hon. Lady will be aware that there is currently a review of that. I do not intend to say any more on that until that review has been completed.

Huw Merriman (Bexhill and Battle) (Con): It is very reassuring that despite having been in post for only a short time, the Lord Chancellor has sought to get behind the victims of this terrible, terrible case. May I press him on the point that has just been made about legal aid? He has mentioned that he supports the rights of the victims potentially to pursue their own cases. Will there be discretion from the Legal Aid Agency perhaps to provide funding for those victims to do so?

Mr Gauke: In terms of the action that may be brought by victims on this, I do want to be very careful in my remarks. As I have said, just because I am not taking action does not mean that others cannot, because these legal cases can depend precisely on the position that they are in. It is the case that legal aid generally remains available for advice, assistance and representation in relation to judicial review of an enactment decision, act or omission, and that would include decisions of the Parole Board where there is sufficient benefit to the individuals in bringing judicial review.

Kevin Foster (Torbay) (Con): All of us in this House respect the independence of the judiciary, but transparency needs to come with that independence—hence sentences are given in open court and judgments are available for all to read. Does the Secretary of State therefore agree that the outcome of this review must be greater transparency in Parole Board decisions, which are such a key part of our criminal justice system?

Mr Gauke: Yes, clearly the direction we are moving in is towards greater transparency. There are some details that we need to master and fully understand, but the direction of travel is clear.

Chris Philp (Croydon South) (Con): I welcome the extended review that the Justice Secretary announced. Will he confirm to the House that it will include a very detailed assessment of the decision-making processes that the Parole Board goes through, particularly in reference to expert reports from, for example, Dr Jackie Craissati in this case, that are at the heart of such decisions, in order to ensure that those experts are suitable to give the expert advice that they provide?

Mr Gauke: This is clearly going to be a broad review of how the Parole Board works, and the importance of particular expert evidence will be part of the process of considering how it operates.

Lucy Allan (Telford) (Con): I too welcome the Lord Chancellor's statement and the decision to expand the review. However, he will be aware that this is not the first such case. Mubarek Ali, a serial child sex exploitation offender, was released only five years after his trial, having been given a 20-year sentence. His victims felt that the victim contact scheme let them down. Will the Secretary of State consider this case as part of his expanded review?

Mr Gauke: I would certainly be interested to receive more information from my hon. Friend when looking at how the victim contact scheme works. If there are other examples where questions have been raised, the review will clearly need to take them into account.

Rebecca Pow (Taunton Deane) (Con): I welcome the Secretary of State's measured approach to this sensitive and emotive issue. The matter highlights the importance of care and support for victims, and the need to listen to

them. It also brings into focus the victim contact scheme. Will the Secretary of State give assurances that it will be looked into? Is it fit for purpose, and was the process adequately followed by the Parole Board?

Mr Gauke: Frankly, different views have been put to me on how the victim contact scheme worked in this particular case. There is conflicting evidence. It is absolutely right that we have the review by Dame Glenys Stacey so that we can properly understand what happened and what lessons can be learned.

Nigel Huddleston (Mid Worcestershire) (Con): I welcome the Justice Secretary's commitment to a broader review and appreciate that he has set himself a pretty aggressive timeline. If the end result is generally going to be a better reflection of victims' views, can he assure me that the review will engage the victims?

Mr Gauke: Yes, it is essential that victims are engaged in the process.

Tom Pursglove (Corby) (Con): I think that all hon. Members across the House recognise and appreciate my right hon. Friend's candidness with the House. But, for the sake of all victims, will he ensure that all appropriate and measured steps are taken to ensure that he is never put in this position again?

Mr Gauke: The most important thing is not my position, but the position of victims. We clearly need to ensure that victims have a system in which they have faith. When there are large numbers of victims in particular, it can sometimes be a difficult challenge to make sure that their voices are properly heard. Victims are entitled to have their voices heard and we need to ensure that we have a system that works for them.

Mr Speaker: I am most grateful to the Secretary of State and colleagues for the statement and the exchanges on it.

Homes (Fitness for Human Habitation and Liability for Housing Standards) Bill

Proceedings resumed.

11.34 am

John Healey (Wentworth and Dearne) (Lab): It is good to be back debating the Bill again and to speak after the hon. Member for Wells (James Heappey) and the six other very good contributions from Members on both sides of the House who followed the introduction of the Bill by my hon. Friend the Member for Westminster North (Ms Buck). I welcome the Minister for Housing, Communities and Local Government to her new post and to the Dispatch Box for the first time. I am glad that her first outing is on this important Bill. She came to this post from the Whips Office, so if any of her colleagues at the back start to play up, she is the ideal woman to sort them out.

I give the warmest welcome and strongest congratulations to my hon. Friend the Member for Westminster North, whose speech showed just how and why she is one of the best experts and strongest voices on housing in the House. This is her Bill. It is not a handout Bill from the Government, nor one from outside organisations. Over a long period, she has put together the case and the content for this Bill, and she has built the coalition of support behind it, which includes the Residential Landlords Association, Citizens Advice and the Chartered Institute of Environmental Health. I should also make special mention of Shelter, which made the call for this exact change four years ago in its report, “Safe and Decent Homes”.

I welcome the Government’s declared backing for the Bill. I trust that means that Ministers will do all they can to advance its progress to and through Public Bill Committee and the Lords, and on to the statute books. However, this is something of a groundhog day for the Labour party, especially for my hon. Friend the Member for Westminster North. Three years ago, she brought a similar Bill to the House, which the Government blocked. Two years ago, Labour’s Front-Bench team—led by my hon. Friend the Member for Erith and Thamesmead (Teresa Pearce)—proposed the same legal changes via the Housing and Planning Bill, but the Government voted those changes down. The Minister, the Secretary of State and the Prime Minister all voted against the change that day, so today’s Conservative party change of mind is important and significant; and it is important because this Bill is important.

The Bill gives all private, council and housing association tenants the right to take action in the courts if their landlord fails to let and keep a property that is fit for human habitation—fit for people to live in. That will mean homes that are safe from fire, homes with adequate heating, and homes that are free of vermin, constant condensation or mould. This is so basic. In this day and age, it is extraordinary that landlords currently have no such obligation to their tenants. In practice, tenants can often do nothing about such serious hazards that affect their health and safety.

The Bill is important because it deals with a really big problem. Desperately bad, indefensible standards are widespread. More than 1 million rented properties, which are home to 2.5 million people, have these downright dangerous category 1 hazards. Nearly 800,000 households

are private renters. A further 244,000 live in council and housing association properties. New Labour analysis from the official data in the English housing survey that we released yesterday shows that almost 700,000 children are growing up in homes plagued by damp, mould, dangerous electrics or extreme cold, with all the costs to their health and welfare that my hon. Friend the Member for Westminster North and other hon. Members on both sides of the Chamber have spelt out to the House.

Councils can of course act to help private or housing association tenants, but last year half of all councils served just one or no enforcement notices. One especially active London council served almost half of all the notices nationally last year. That council was not identified in Stephen Battersby’s report, but I suspect that it is not unconnected with my hon. Friend the Member for Westminster North. Over the past year, my own council in Rotherham has trebled the number of inspections it carries out under the housing health and safety ratings system to 721, and half the properties have been found to be a category 1 hazard. The council prosecuted six, but only six, of the landlords.

May I offer the Minister four questions to work on alongside the passage of this Bill? First, will she make a commitment to increase funding for local council enforcement, as Members on both sides of the House have called for, to help to reverse the deep Government cuts to councils since 2010? Secondly, will she confirm that legal aid will be available for tenants taking action to get their landlord to do the work needed? Thirdly, will she extend legal aid to help tenants to claim damages? Fourthly, during the passage of the Housing and Planning Bill, Labour Front Benchers forced the Government to change the provisions to make regular electrical safety checks mandatory. That has been law for two years. When will it be implemented?

The breadth of support for this Bill is a tribute to my hon. Friend but also telling, especially that from the Residential Landlords Association and the National Landlords Association. The large majority of landlords take their responsibilities seriously and make sure that their tenants’ problems are sorted out promptly. The Bill reinforces what landlords should already be doing. I am glad to say that it follows similar legislation already in place in Wales: the Welsh Government’s Renting Homes (Wales) Act 2016.

As I said, this Bill is important and significant. It is a policy and political landmark to have Conservative Ministers back a Labour Bill to tighten regulation to help renters. The former Housing Minister and now party vice-chairman, the hon. Member for Nuneaton (Mr Jones), stated Tory policy and philosophy in January 2016 when he opposed this change, saying that it “will result in unnecessary regulation and cost to landlords”.—[*Official Report*, 12 January 2016; Vol. 604, c. 785.]

This was part of the prevailing Conservative approach to market regulation based on the infamous “two out, one in” rule. The Secretary of State this weekend confirming Conservative backing for this Bill was welcome and a significant shift.

Dr Roberta Blackman-Woods (City of Durham) (Lab): My right hon. Friend is making a really powerful speech. Does he agree that the Government should be very grateful to my hon. Friend the Member for Westminster North (Ms Buck) for bringing forward this legislation

again and giving them an opportunity to overturn their previous opposition to the measures that he has outlined, including during the passage of the Housing and Planning Bill? Will he join me in pressing the Government to implement the measures in this Bill very quickly, because their resistance to them previously has meant that there has been a delay for tenants in getting the protection they very much need?

John Healey: My hon. Friend is right. I hope that the Minister will acknowledge the opportunity that this Bill gives the Government. I would rather that it were a Government Bill that also went further to make the private rented market fairer. She is also right that there is too long a history of legislation being passed but implementation lagging. She makes a really important point for the Minister to respond to.

This is a welcome and significant shift that shows that Labour is winning the arguments and forcing Government to change policy. It shows that Ministers are coming to terms with the hard reality of our first minority UK Government in 38 years, with no domestic policy programme. That is because it is not covered by their deal with the Democratic Unionist party. If the Government want to act beyond Brexit, only policies that can command some support from beyond their own ranks will stick.

This Bill is an important first step to deal with the failures in a market that the Prime Minister herself describes as “broken”, but more is needed. Alongside the Government’s backing for the Bill, I therefore urge them to rethink their refusal to help renters in other ways. I also urge them to consider backing the Labour plans for longer tenancies, for controls on rents, and for more freedom for councils to license private landlords.

My hon. Friend the Member for Westminster North said that everyone should have a right to a safe, warm, comfortable home. She is so right. We will give this Bill our strongest possible support.

11.45 am

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): It is a pleasure to follow the right hon. Member for Wentworth and Dearne (John Healey). I congratulate the hon. Member for Westminster North (Ms Buck), who has worked closely with Government to be able to bring this Bill to a really strong position of cross-party support so that we can all really stand up for what it does.

I refer the House to my entry in the Register of Members’ Financial Interests as a private landlord. As a landlord myself, this Bill has my wholehearted support because it changes the status quo by empowering tenants to take action with legal backbone if their landlord is failing them and their family. The Bill empowers those living in social housing and private rented accommodation to take charge of taking on their landlord to enforce housing standards for their home that has fallen below standard, making it unfit to live in due to serious and immediate risks to their health and safety.

The Bill is an excellent example of something that we should try to use more often than we do—the philosophy of “nudge” politics. I am genuinely hopeful that, because it means that a tenant can compel a landlord to fix these housing failures, the vast majority of landlords will

start to discover the satisfaction of proactive property maintenance. Everyone deserves a decent and safe home to live in. Every child should be able to grow up in a home free from damp. Properties both old and new can fail to be properly ventilated, thereby leaving children in conditions that aggravate or indeed create skin and breathing health difficulties.

My constituency extends over a vast area of north Northumberland. It is the most beautiful and rural of constituencies. It consists of over 150 villages, many of which have old, stone-built cottages as the backbone of the housing stock. These bring their own challenges to meet modern heating standards. However, many local landlords have shown creativity by investing in sustainable and renewable heating methods that have given their tenants a greatly improved day-to-day living experience. As my hon. Friend the Member for Rugby (Mark Pawsey) mentioned, a good landlord knows and acts on their responsibilities to provide and maintain a good standard alongside their right to collect rents. Sadly, some private landlords have not been as speedy in making long-term improvements in such old properties, leaving tenants with rotten window frames, which ensure that no amount of heating will keep their home warm, or with poor and degraded provision, which means that entirely avoidable health risks are still in the mix.

One of my frustrations is that the recently built or refurbished social housing for my constituents, mostly in Berwick and in Alnwick, still fails to meet the standard, despite investment for improvements. A family living in Berwick have a daughter with respiratory problems who cannot live with her mother and sisters in their council property. So-called ventilation improvements simply sealed up the property and created such dampness and health problems that the child cannot spend more than an hour in the house before suffering an asthma attack. In fact, I have sat in the living room several times, and each time I have felt a constriction in my breathing airways caused by the damp air.

The so-called improvements have completely failed to do what the family asked for, but we are continuing to battle on, and the housing association wants to fix this problem. It is an example of poor installation—the builders who did the work failed to meet the requirements they were given—that needs to be sorted out. This is a huge frustration to all those involved, but we have to find a way to fix the problem. If we cannot find a different house to which to move them, the Bill will empower my Berwick family—with an amazing mum, who has been fighting for her daughter’s health and for her right to live with her mum—to enforce the improvements. My local authority cannot do so, because it cannot take enforcement action against itself.

The Bill will give thousands of tenants in my constituency a new empowerment to get the home they deserve—from repairs that landlords refuse to complete to a properly ventilated home, free of dampness, with a good and reliable water supply, effective drainage and sanitary systems, facilities for cooking and waste disposal, and good internal arrangements that mitigate and eliminate fire risks. For colleagues with high-rise blocks, the Bill will help with the absolutely key issue of fire risk. We have the chance to support our constituents, who are newly empowered to get homes to live in of which we can all be proud.

11.50 am

Lyn Brown (West Ham) (Lab): I draw attention to my entry in the Register of Members' Financial Interests.

I welcome the hon. Member for South Derbyshire (Mrs Wheeler) to her place on the Front Bench—a promotion richly deserved. May I say that I am looking forward to knocking on her door and having a conversation about the contents of my speech?

I fully support the Bill, and I thank my hon. Friend the Member for Westminster North (Ms Buck) for her absolute persistence in trying to see these changes put in place. It is a testament to her dedication and the dogged support of so many people and organisations across the country that the Government are, I understand, content to allow the Bill to proceed this afternoon.

I want to address quickly the development of the regulation of standards in the private rented sector that affects my constituency of West Ham. I know that hon. Members have noticed that my borough of Newham has been largely successful in its application for permission to renew its licensing scheme for private sector landlords. I am very grateful to the previous Minister, the hon. Member for Reading West (Alok Sharma), who took the time to listen properly to our case and acted positively on it. In fact, he was in his place earlier, and I had hoped he might stay so that I could thank him formally and publicly from the Labour Benches.

However, the permission excludes one area of my constituency—the E20 postcode, which includes much of Stratford. I think I understand why the previous Minister did that, but I believe it to be a mistake. Poor-quality housing and abuses by private sector landlords exist in E20, just as they do in every part of my constituency and, indeed, of our country. The exclusion of E20 will make it far easier for these abuses to continue, and I am worried that it may make E20 more of a draw for rogue landlords if it is the only place in which they can take advantage of Newham's high housing demand while avoiding enhanced enforcement by the council. I will get in touch with the Minister at a later date to offer her a cup of tea and a bun, should she like it—or even something a little stronger, after dry January has finished—so that we can talk this through.

While I am talking to Members on the Conservative Benches, may I say to the hon. Member for Telford (Lucy Allan) that I would really like to invite her to come to West Ham? If she has a look at one of our enforcement visits and sees what a difference it makes, I may be able to persuade her, too, that this is a journey she might like to take with her Front Benchers and she might start to accept that this is possibly the way forward. We have decent cafés in West Ham, and I am happy to take her for a latte or a cappuccino, or whatever she might desire, in order to win her support.

Lucy Allan: It is excellent that we have this cross-party debate and that we are all working together, and I thank the hon. Lady for her invitation.

Lyn Brown: Excellent. My office will be in touch with the hon. Lady's to see if we can get a date.

Enabling local authorities to take tough action against rogue landlords is very important and can be a real help in driving up standards. The Bill would tackle the problem at the root by clarifying, updating and

strengthening the right of tenants to live in a rental property that is fit to be called a home. As we have heard, a minority of landlords make huge profits from their tenants, who sometimes live in appalling conditions.

Before Christmas, I mentioned the case of a man who was found living in a 1 metre by 2 metres space under some stairs, in a property with 11 other people and with electrical and fire hazards to boot. On the same day, that Newham enforcement team also found three people who were paying £200 a month for a space in an outside shed, and four other separate families who had been crammed into the main house. I believe that it will begin to solve the problem of abused tenants if all landlords, from the beginning of a tenancy, have a clear duty to provide those tenants with basic liveable conditions, and that should be enforced not just by our councils, but by the courts.

Catherine West (Hornsey and Wood Green) (Lab): Will my hon. Friend join me in praising her local authority for leading the way? Other boroughs such as Haringey are now coming on board, with exciting new schemes to crack down on poor landlord practices.

Lyn Brown: Newham Council was absolutely right to take the action it did, and the Government were right to support it further. Only through such schemes, which are paid for by landlords, can we ensure that there is money for enforcement activity and that tenants can live in homes that are fit for them.

All our constituents deserve to have workable and realistic legal redress against landlords whose properties are dangerous, cold or damp. Giving tenants that help will ensure that the horrifying conditions we have heard about today will not be allowed to continue. I am delighted to support this Bill. It is about time that it progressed through the House, and I hope that will happen this afternoon.

11.56 am

Tom Pursglove (Corby) (Con): It is always a pleasure to follow the hon. Member for West Ham (Lyn Brown), and I pay tribute to the hon. Member for Westminster North (Ms Buck). She is no doubt a doughty campaigner on behalf of her constituents, and I have regularly heard her raise housing matters in the Chamber. I also congratulate the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for South Derbyshire (Mrs Wheeler), on her promotion. She is a good friend of mine and a colleague who I respect enormously, and she will be very effective in her new role.

Just as in the constituencies of other hon. Members, housing is a key issue in Corby and East Northamptonshire. We are right of the forefront of the housing growth agenda and entirely supportive of the Government's aims. There are obviously some reservations, and we keep arguing the case about the need for infrastructure to keep up with the new homes, but that presents a slightly misleading picture of the local situation. Thousands of new homes are being built, but like Telford, Corby is a new town and a lot of our housing stock—both in the private sector, and homes under housing association and local authority control—is of a similar age, which obviously brings with it considerable challenges. Despite the perception, the East Northamptonshire part of my

constituency contains pockets of deprivation—there are housing challenges there too, despite the fact that on the face of it some of those areas look very affluent.

I am pleased that there is currently a particular effort in my constituency to try to deliver improvements to the housing stock. I recently had a productive meeting with Corby Borough Council and its housing staff, and we went through a plan that the council has just produced to deliver a programme of works to help upgrade quite a chunk of the town's housing stock. Those are very welcome steps, but I accept that performance can be patchy, and in some areas and local authorities the situation is better than in others.

Back in the day when I was a councillor in Wellingborough we were always careful to manage our resources. A lot has been said today about local authority resources, but we always made sure that a comprehensive capital programme was in place, and that housing was regularly placed at the front of that. We were also prudent with our reserves, to ensure that if issues arose that needed addressing, we were able to take the required action.

As I said, there are challenges, but I am pleased that this Bill builds on steps that have already been taken. I am also pleased that it commands cross-party support, because on such fundamental issues it does not matter whether our constituents vote Conservative, Labour, Liberal Democrat or UK Independence party. All of us and all of our constituents—I do not think that any Member could deny this—have concerns about the issue of housing.

The Bill strikes the right balance. It adds an extra tool to the box to tackle the challenges. Constituents visit all of us in our surgeries every week to raise issues about the quality of the housing stock in which they live. However, we must not lose sight of the fact that there are also many excellent private rented landlords who provide a quality, well-managed service that meets the needs of people in our communities. I am pleased that the Bill's provisions will not adversely affect them through increased costs. It is important that we do not make them feel vilified by the steps we take.

This Bill is an opportunity to congratulate landlords who do it right, provide an excellent service and are mindful of the needs of their tenants. At the same time, however, it offers an opportunity to level up and to make sure that those who are not providing the sort of service and quality of stock we would expect put that right by taking the necessary steps. It adds an extra tool to the battle to achieve that.

I have huge respect for the shadow Minister, the right hon. Member for Wentworth and Dearne (John Healey), but I was slightly disappointed by the tone of his remarks. A lot of steps have been taken in the past few years under this Government to help progress the housing agenda, particularly in getting to grips with the issues under discussion. Let me allude to some of them. The extra £12 million for local authorities to identify and prosecute rogue landlords has led to 70,000 homes being inspected and 5,000 landlords facing action or prosecution. Steps have been taken to address retaliatory action when legitimate complaints are made—surely we can all welcome that as a step forward. It is no longer possible to serve open-ended eviction notices at the start of a tenancy; again, I would like to think that that is a common-sense step on which we can all agree and

which we all welcome. There was further legislation in 2015 to improve safety, which we should also all welcome, and the Housing and Planning Act 2016 allows local authorities to impose civil penalties of up to £30,000 as an alternative to prosecution, which is another step forward. As the Chairman of the Communities and Local Government Committee has noted, banning orders will come into force as of April and a database of rogue landlords will also be introduced. Those are positive, concrete steps forward, and I would like to think that every Member welcomes them.

We must not, however, be complacent, which is why this Bill is so important. It continues the journey on which we have already embarked. I think that all of our constituents would like to see improved and better cross-party working on such fundamental challenges, which affect each and every one of us. I am pleased that we are in the position in which we find ourselves as a result of this Bill and the spirit in which the debate is being conducted.

As has been said, it is important that tenants have the confidence and support to enact the Bill's provisions, should they need to do so. I hope the Minister will say something about that when she sums up. I would be particularly interested to hear about our engagement with Shelter, Citizens Advice and local authorities on how they can help support tenants to make best use of the provisions, should they come into force. I very much hope that they will come into force, and I am keen to do everything I can to help bring the Bill into law.

Finally, I want to make a couple of wider but related points. First, all of us see examples of best practice in our constituencies. It was interesting that the shadow Minister alluded to best practice in London, but how do we best share that best practice? There is no point having isolated best practice. If local authorities are doing it well, I do not really care about the political persuasion of any given council. Corby Borough Council in my constituency is a Labour council and we have a productive and sensible working relationship. I think my constituents expect that, but it also helps to get things done. I want us to better use the best practice identified around the country to help improve outcomes across the country. I think that when that can be achieved we should go after it, in all policy areas, and I should like to think that Ministers and the Local Government Association would help to disseminate that information.

Lyn Brown: May I extend an invitation to the hon. Gentleman to West Ham for coffee and cake, and to see the enforcement team in action?

Tom Purslove: The hon. Lady is incredibly generous. It would be remiss of me not to accept such a kind invitation. It seems that we are to have quite the outing and quite the afternoon in West Ham, given that the Minister and my hon. Friend the Member for Telford (Lucy Allan) are lined up as well. I look forward to having a date in the diary; and I will definitely hold the hon. Lady to the “cake” part of the offer.

Most housing stock, especially in new towns, is of a similar age, whether it is in the private or the public rental sector, and that poses specific challenges. I think that we should develop a cross-party strategy that will make a fundamental replenishment of that stock possible

[Tom Pursglove]

in due course, because all the problems are likely to come to a head at the same time—but that is one for another day.

12.6 pm

Emma Dent Coad (Kensington) (Lab): From behind the crisp white façades of Kensington, and from neighbouring Chelsea, come tales of the most unimaginable squalor.

Some Members may know that my move into active local politics 12 years ago was propelled by a five-year legal battle with my housing association after a plaster ceiling collapsed—following many, many complaints—and missed my young daughter’s head by inches.

How can there be about 70 excess winter deaths a year in the “richest borough” when cold is a category 1 hazard? My office is currently asking constituents who report damp and mould about their health. So far—and this will come as no surprise to many Members—every one of them has reported asthma and other breathing problems. Two constituents whom I visited recently—one council and one housing association tenant—had to walk around nebulisers dispensing oxygen to show us the black mould. Their homes were 100% in danger.

Kensington and Chelsea Council is proud of its enforcement record, but, as we know, its work on housing is constrained by funding, staffing and legal restrictions. Since 2015, just 11 successful prosecutions for disrepair, poor management and lack of fire precautions have been reported. We should give credit where it is due, but that is the tip of the iceberg. It has been widely reported that some of the prosecutions have improved the external appearance of properties. Action taken against landlords who have not maintained their façades has improved visual aspects rather than living conditions: that is a theme.

In Kensington it is difficult to identify and pursue many negligent offshore landlords. We do not even know who they are, and they are the bane of our property market. As we have heard, the current legal framework is unwieldy, bureaucratic and time-consuming, and has no power over local authority landlords. My hon. Friend the Member for Westminster North (Ms Buck) has hit the proverbial nail on the head, which is a far better standard of workmanship than much that I have seen.

Kensington and Chelsea Council is better at keeping up appearances and sanitising poverty and squalor than it is at addressing it. As we know, the prime motivation behind the rainscreen cladding at Grenfell Tower was to improve visual appearance for the benefit of the conservation areas nearby. That was detailed in the planning application, and mentioned several times. We know what happens when bad landlords, including local authorities, get away with ignoring complaints. Grenfell is a stark reminder of what the current legal provisions can lead to: complaints are sidelined, ignored, ridiculed and, in the end, subject to “cease and desist” letters.

Time is up for bad landlords. Our homes are making our residents ill. They are responsible for early deaths, and sometimes even kill. My daughter survived her very frightening experience, but many do not. Some of my

neighbours’ daughters did not survive. As a legacy—for the 71 victims of the Grenfell Tower fire, for the countless survivors and frightened neighbours, and for all those living in unhealthy homes—I support the Bill unreservedly.

12.9 pm

Will Quince (Colchester) (Con): It is a pleasure to follow the hon. Member for Kensington (Emma Dent Coad). I, too, support the Bill and commend the hon. Member for Westminster North (Ms Buck) for introducing it; I worked with her on the Homelessness Reduction Act 2017, alongside my hon. Friend the Member for Harrow East (Bob Blackman).

I pay tribute to Shelter. It has done a fantastic job campaigning on many of the issues we are talking about today, and the Bill receiving its Second Reading would be a testament to all its hard work in this area.

We have already seen action to help people get into properties—Help to Buy for those looking to own, and the Budget included help to rent—and this must now be extended to ensuring that people live in properties that are fit for purpose. The 2015-16 English housing survey found that almost 795,000 homes in the private rented sector and almost 245,000 in the social rented sector have a category 1 hazard. A category 1 hazard is defined in the housing health and safety rating system as:

“a serious and immediate risk to a person’s health and safety.”

The phrase “health and safety” might cause a few eyes to roll, but we are talking here about some very serious things: asbestos, mould and damp, carbon monoxide and the products of fuel combustion. What if I said this represents 6% of properties in the social rented sector, or that it represents 17% of properties in the private rented sector? Let us just think about that for a moment. There is nearly a one in five chance that a property one of our constituents goes out and rents has a hazard considered a “serious and immediate risk”; this has to change.

The Bill’s key function is to provide a meaningful route for those living in properties that are not fit for purpose to get necessary repairs done. We are not seeking to be disparaging about landlords; the overwhelming majority of them always try to do the right thing by their tenants and take swift action to resolve any faults or problems with their properties. If anything, the majority of them, who are tired and fed up with having their reputation trashed and tarnished by others in this sector who simply—excuse my language, Madam Deputy Speaker—don’t give a damn, want this Bill to pass.

At present, tenants are dependent on their local authority for action to be taken regarding property standards. This can be difficult enough when someone is renting accommodation from a private landlord, but what about when their landlord is their local authority? It is important to have a route open to tenants that ensures that local authorities do not have conflicting interests.

The Bill will give tenants the right to take their landlords to court where the property they inhabit is not fit for purpose. They will be able to apply for an injunction directly that will compel their landlords to carry out the necessary repairs or for compensation from their landlords for their failure to maintain the property. In the worst cases, tenants will be able to provide their own evidence to the judge, rather than, as

at present, having to rely on an environmental health officer or independent surveyor's report. Local authorities can focus their resources on the very worst landlords.

There is always a reluctance about legislating in this area—a belief that this is a matter best left to be resolved between individual landlords and tenants—but let us be clear: this is not about the Government telling landlords what to do; it is about levelling the playing field. Nor does it introduce anything new. No new property standards are defined in the Bill. There is no additional regulation. We are simply making sure that existing standards are enforced.

The final point I want to make is to do with the tragedy at Grenfell Tower, which the hon. Member for Kensington rightly referenced. An inquiry is taking place, and I do not want to speculate about what it will find or who is to blame, but we have all heard the harrowing stories about the unsafe conditions, including fire doors that did not work, insufficient emergency lighting in stairwells and inadequate smoke ventilation. A number of those concerns had previously been raised by tenants, who felt that they were being ignored. We must never again have a situation in which genuine issues, particularly those relating to safety, are not tackled by landlords. When tenants feel unsafe, landlords have to take action. They must listen; no ifs, no buts.

That is what the Bill will do. It will empower tenants so that when they tell a landlord that the condition of their property is simply not good enough, the landlord must take notice and resolve the problem. This is not some kind of top-down diktat; it is bottom-up accountability. That is why I am pleased to support the hon. Member for Westminster North and her Bill on Second Reading. It is a welcome and necessary step towards ensuring that every tenant is given the basic right to live in a home that is fit for purpose. Our constituents deserve nothing less.

12.15 pm

Rosie Duffield (Canterbury) (Lab): This is such an important issue, and I congratulate my hon. Friend the Member for Westminster North (Ms Buck) on securing the debate and on all her tireless work on this issue over the past two years. I wish I could say that all homes in my constituency were fit for human habitation. I would love to be able to say that, but unfortunately I cannot. Sometimes, social housing provided for and on behalf of our local authority has the highest proliferation of category 1 hazards and other factors that put at risk people's health and safety.

One example in Canterbury involves a lovely family who came to see me. They have three children and they found themselves homeless in November after their private landlord sold the property. Since then, they have been moved from pillar to post, from one unsuitable unhealthy property to the next. They have been moved five times in two months. How, in supposedly affluent Canterbury, in the supposedly affluent south-east, can there be so many places that are unfit for human habitation? One house provided to the family by the council was riddled with bedbugs crawling everywhere, and there was also a serious leak. The family's mattresses and other belongings are now ruined, but they have yet to be compensated.

The family were then moved to a house that had been freshly painted to disguise a serious mould problem. Now, their children are exposed to mould and fungus growing inside their home. It is around their beds, their clothes and their toys. We all know that damp and mould can worsen conditions such as asthma, eczema and chest infections, and articles published in *The BMJ* show that adults living in mouldy homes are also more likely to have symptoms such as fainting, headaches, fevers and even raised anxiety. I wanted to tell the House about that family this morning because I am disgusted by the way they have been treated and housed. I have put a video of their accommodation on my social media. Please go and see it; I promise you will be horrified. Any council that places people in accommodation such as that should be ashamed.

Clive Lewis: I am saddened to hear about the way in which my hon. Friend's constituents have been treated by the local authority in Kent, but would she acknowledge that not all local authorities are the same? My own Labour-led Norwich City Council has 15,000 properties, and not one of them has a category 1 hazard. In the private sector, however, nearly 3,000 of the 14,000 homes have a category 1 hazard, and they charge two to three times as much rent.

Rosie Duffield: I absolutely acknowledge that. That is disgraceful.

Some of the providers in Kent are failing the public, but this is bigger than Kent; this is a national shame. As we have heard from the hon. Member for Taunton Deane (Rebecca Pow), local authorities cannot enforce the housing health and safety rating system—the HHSRS—against themselves, and social tenants can often do very little about poor, unhealthy accommodation.

This Bill is important. It will prevent cases like the one I have described today and compel local authorities to carry out repairs, and I support it wholeheartedly. All social tenants and renters deserve accommodation that is safe. The old saying is that there is no place like home, but for many families in Britain that is true for all the wrong reasons. Let us change that today and make sure that all homes are fit for human habitation.

12.19 pm

Rebecca Pow (Taunton Deane) (Con): I commend the hon. Member for Westminster North (Ms Buck) for bringing in this important legislation for debate, and I know how much work she has done on this issue. I welcome the Minister—a former Whip—to her new position. I am a private landlord, so I refer the House to my entry in the register.

As we have heard today, everyone is entitled to a clean, safe and comfortable home. Indeed, one would have thought that that was a given, but the fact that we are discussing this legislation today illustrates that it clearly is not. Home really should be where the heart is, but there are long-standing concerns about property standards in both the social and private rented sectors. I have been made particularly aware of the issue not just through my work as an MP and my involvement in the Bill that became the Homelessness Reduction Act 2017, which was guided so well through the House by my hon. Friend the Member for Harrow East (Bob Blackman), but through supporting so many Adjournment debates,

[Rebecca Pow]

which you probably sat through, Madam Deputy Speaker, with a former Housing Minister, the previous Member for Croydon Central, in which I heard so many harrowing cases of rogue landlords forcing people to live in squalor and making their lives hell. I am therefore pleased that the Bill will address some of those issues.

Catherine West: Given that the private rented sector is composed of a plethora of small landlords or landladies, such as the hon. Lady, does she accept that people can be good landlords? We need good landlords and landladies, but we need good legislation and good enforcement.

Rebecca Pow: I thank the hon. Lady. I will be touching on that later. It is important that we do not make private landlords—the good ones—feel that we are outlawing them. We need to help them, but we also need everyone to have good standards.

In England, the private rented sector currently houses more people than the social rented sector, and that is borne out in Taunton Deane. Last year, the English housing survey found that 40% of homes in the private rented sector had at least one indicator of poor housing.

Chris Ruane (Vale of Clwyd) (Lab): Will the hon. Lady give way?

Rebecca Pow: I am going to plough on, because I know that many colleagues want to speak.

The survey results show a pretty poor record and clearly demonstrate why the Bill is so necessary, and I am pleased to give it my support today. I am also pleased by the amount of cross-party work. When I talk to people back in my constituency, they ask, “Do you work with other parties? Are you always arguing?”, but we clearly do not argue about the many issues on which we can work together effectively, as we did on the 2017 Act. I have mentioned the private sector, but the problems are not confined to it. The social sector is important, too, and I do not need to remind people of the terrible Grenfell Tower fire, which brought the situation starkly under the microscope.

To give a few statistics about the scale of the problem, according to the 2015-16 English housing survey the number of properties with a category 1 hazard—things that pose a serious health risk, as my hon. Friend the Member for Colchester (Will Quince) so ably pointed out—is just over 200,000 in the social rented sector, but over 800,000 in the private rented sector. I reiterate that social tenants currently have no effective means of redress over poor conditions because local authorities cannot enforce the housing health and safety rating system against themselves. This Bill will provide social tenants with a much-needed tool to compel the local authority to carry out repairs.

In my time as the MP for Taunton Deane, I have dealt with quite a number of issues relating to rogue landlords, some of which were very serious. One person had no proper back door that they could close, because it had not been mended, so they felt unsafe. Other people had windows that they could not shut or heating that did not work. I am pleased to say that we have worked hard to solve lots of these issues.

Chris Ruane: Will the hon. Lady give way?

Rebecca Pow: If the hon. Gentleman does not mind, I am going to plough on.

I am in regular contact with Citizens Advice, which is quite easy because the citizens advice bureau is just two doors down from my office. There is me, a pub and then the CAB, and the church is opposite, so I like to think that we cater for all needs. The CAB has dealt with 530 housing-related issues in the past year, almost a fifth of which relate to accommodation that is not fit for purpose. Those tenants, who are facing very serious issues, will be able to take some action because of the Bill.

I make it clear, as the hon. Member for Hornsey and Wood Green (Catherine West) said just now, that the vast majority of landlords offer good accommodation. Private landlords are an important part of the mix, and we need to make sure they are not jeopardised in any way and that they offer good standards. I am reassured that the Bill will in no way seek to penalise those landlords—perhaps the Minister will clarify that—but simply aims to build on this Government’s strong record of introducing measures, in whatever way, that set clear, simple and enforceable standards.

Some of my constituents, not surprisingly, have found the current law rather complex. It is not always clear what their rights are, and a common issue such as dealing with damp does not always fall under the landlord’s legal responsibilities, even if it makes the home uninhabitable. The Bill should clarify such matters. It will introduce a wide range of additional health standards, such as on fire safety, through the housing health and safety rating system, which will all help to keep landlords up to the mark.

Stamping out bad practice is essential, and the Bill sets improved standards by giving clear indicators to landlords. Above all, the Bill will empower tenants who, in the worst cases, will be able to provide their own evidence to a judge, such as photographs of the awful things that are happening in their property, without relying on an environmental health officer or an independent service, which can add extra expense and can be time-consuming. That will be a helpful element of the Bill.

The Bill will bring greater protections for the residents of Taunton Deane and for wider society, and it will make residents’ lives happier and, I hope, more comfortable. I strongly support the measures in the Bill, and I wish the hon. Member for Westminster North all the best in progressing it on its journey.

12.27 pm

Andy Slaughter (Hammersmith) (Lab): I am delighted to support a Bill that will make a real difference to serious problems affecting millions of people who rent in the public and private sectors. Housing is 45% of my casework, and the largest proportion relates to house conditions. Unfitness beats disrepair as the major concern. Put simply, this is the biggest single issue for many Members whose constituencies have a large private rented sector.

I see damp, mouldy, draughty, infested and unsafe properties every week when I knock on doors in my constituency. It is utterly appalling and it affects the health, wellbeing and life chances of many of my constituents, and it has been getting steadily worse over the past few years, which is highly regrettable.

I am delighted that, at last, there is a likelihood of getting this Bill on the statute book. As the shadow Secretary of State said, this is not the first time such a Bill has been before the House. The predecessor Homes (Fitness for Human Habitation) Bill, which was also introduced by my hon. Friend the Member for Westminster North (Ms Buck), was talked out in 2015. I suppose we should thank the usual suspects for staying away today to allow this Bill a fair wind.

Two years ago, in January 2016, my hon. Friend the Member for Erith and Thamesmead (Teresa Pearce) moved a new clause to the Housing and Planning Bill with similar terms to create a duty on landlords to ensure that properties are fit for habitation when let, and remain fit for habitation during the tenancy. En passant, I note that all but one of the Conservative Members who have spoken today voted against that new clause, so we welcome their contributions today. The hon. Members for Telford (Lucy Allan), for Harrow East (Bob Blackman), for Thornbury and Yate (Luke Hall), for Berwick-upon-Tweed (Mrs Trevelyan), for Corby (Tom Pursglove), for Colchester (Will Quince) and for Taunton Deane (Rebecca Pow), and indeed the Minister, have all seen the light in the past two years.

Stephen Pound (Ealing North) (Lab): Like a sinner who repenteth.

Andy Slaughter: Indeed. I would hate ever to be churlish in the Chamber, and I raise these matters only to rejoice at lost sheep who have been found. They have spoken so well today.

I do not wish in any way to delay the passage of this Bill today, but I want to make one serious point. Paragraph 32 of the explanatory notes states:

“The Bill will not entail additional public expenditure, local authorities already have strong enforcement powers to tackle poor property. The aim of this bill is to enable tenants to pursue their landlord without recourse to their local authority.”

Many people have made the point that local authorities now lack the resources to do that, and that is part of the reason why we need to enable tenants themselves to do this, but these are often complex matters, legally and procedurally, to pursue. I ask the Minister to address that point specifically when she comes to speak.

In only two or three months’ time, we are due to have the long-awaited review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, and I hope that part of it will look at whether legal aid can be extended to cover the provisions of this Bill. Indeed, I hope that we can go further than that, because, as has been established in review after review—in the Bach commission and the Low commission, and in what the Law Society, Shelter and Citizens Advice have said—the cuts in housing legal aid have been some of the most damaging. That applies to disrepair cases, where only “serious” disrepair is now eligible for legal aid. In fact, because the cuts are so substantial we often now have legal aid deserts as far as housing is concerned, and it simply is not possible, given how little is in scope, for private practitioners or law centres to offer the same degree of advice. That has to be looked at, and as part of that process we need to bring in the provisions of this Bill.

I always watch the Conservative party conference with great enthusiasm, so I noted that the Secretary of State said in his speech there that he was thinking of

introducing a housing court as part of a simplification of the process for resolving housing issues. I do not know whether the Minister has any more to say about that, but we need a simple and straightforward process.

Chris Ruane: Is my hon. Friend aware that £22 billion is spent each year on housing benefit, with much of it going to slum landlords, who own houses in multiple occupation. A better solution would be to give part of the housing benefit bill to local councils to build properties on land that they own, so that—I hope hon. Members pardon the pun—we will have more bangs for our buck.

Andy Slaughter: I could not agree more, although I do not want to be tempted too far away from today’s subject. Clearly the switch from investing capital sums in building decent properties, which happened under parties of all colours for many years, towards subsidising landlords—in many cases, bad landlords—has to be reversed at some point; that was a deliberate ideological step taken by Conservative Governments and it has served us very badly. That is a more endemic and chronic problem. This Bill resolves the immediate crisis that we have, particularly in the private rented sector. I look forward to the Minister at least saying what the Government are intending to do to enable tenants to pursue their remedy properly.

Let me end, as so many other Members have, by saying that we would not be here at this point were it not for my hon. Friend the Member for Westminster North. She has championed this cause and this Bill over many, many years, and it is right that Members from both sides of the House have paid tribute to her today. I hope that we can now proceed to see this Bill become law.

12.33 pm

Eddie Hughes (Walsall North) (Con): It is a pleasure to follow the hon. Member for Hammersmith (Andy Slaughter), although I am not one of the lost sheep that he referred to, having been an MP for only seven months; I am just a keen, enthusiastic advocate for the Bill in its present form.

Before I turn to the Bill, I would be grateful, Madam Deputy Speaker, if you would convey to Mr Speaker my best wishes for his birthday. The Moonpig card, personally designed by me, that I ordered earlier this week has not arrived, so he will have to settle for just my verbal congratulations.

Stephen Pound: The hon. Gentleman clearly has an encyclopaedic knowledge of people’s birthdays, so it will not have escaped him that today it is also the birthday of the Speaker’s Chaplain, Rose Hudson-Wilkin. Will he join those from all parts of the House in wishing her the happiest of birthdays?

Eddie Hughes: I thank the hon. Gentleman for his wisdom—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Let us take this moment to wish the Speaker’s Chaplain and Mr Speaker a happy birthday.

Stephen Pound: Could we divide on that?

Madam Deputy Speaker: No, we will not divide. I shall assume that the entire House wishes to send best wishes to Mr Speaker and to Rose. The matter has now been dealt with.

Eddie Hughes: Let me return to the Bill—or nearly, at least. I thank the hon. Member for Westminster North (Ms Buck) for introducing it. In the near future, I shall seek her advice because I have a private Member’s Bill on carbon monoxide safety. I am grateful to Project Shout for helping me to publicise the Bill earlier in the week, and I am grateful for the support of many Government and Opposition Members, particularly the hon. Members for Ipswich (Sandy Martin), for Swansea East (Carolyn Harris) and for Wolverhampton South West (Eleanor Smith), to name but a few. I shall seek some advice on how to take my Bill forward. Thanks to the support of the Members I have mentioned and Project Shout, I secured a meeting yesterday with the new Minister for Housing, who convinced me that the Government will consider my Bill. I shall return to that topic on another day.

Were this speech an essay, I guess it would be entitled “It’s not always easy being a landlord”. I have three separate perspectives: first, I am an accidental landlord; secondly, immediately before I was elected to the House, I was the assistant chief executive of YMCA Birmingham, which is a small housing association; and thirdly, I am currently the chair of the board of Walsall Housing Group, a housing association with 20,000 homes, mostly in Walsall, although the group operates across 18 local authorities.

My personal perspective is that of an accidental landlord. When I married my wife and we bought a house together, she already had a house. She obviously did not have complete faith in the longevity of our relationship, so decided that it was appropriate for her to hang on to her house, just in case things did not turn out for the best, so we have a property that we rent out.

People often inherit a property, but they do not inherit with it any understanding of building or safety regulations, or the knowledge to enable them to keep the property in good condition while they rent it out. Indeed, I think the ridiculous statistic is that something like 95% of landlords in this country have only one property. How do they get the knowledge they need to ensure that they maintain their property appropriately? As the chair of the board of a housing association with some professional experience, I feel that I personally have the knowledge, but there are many other landlords who do not. It is not the tenants’ fault if their landlord does not have sufficient experience to know how to maintain the property, and they should have some means of redress through the law. That is why, as a landlord myself, I am delighted that the Bill will afford tenants the ability to seek redress, should it be necessary.

As I said, immediately before I was elected, I was the assistant chief executive of YMCA Birmingham, which has 300 accommodation units for previously homeless young people, some of whom lead chaotic lives, to say the least. We had a 72-bed direct-access hostel in Northfield that was definitely the ugly sister of our portfolio. I was delighted that, just before I left the YMCA, the Homes and Communities Agency awarded us £800,000 to install some en-suite accommodation, training facilities and better cooking facilities on the ground floor of the

hostel. The existing accommodation was passable and clearly legally compliant, but for someone coming straight out of prison or off the street—

Martin Whitfield (East Lothian) (Lab): Is it not right that the Bill will greatly improve safety for the large number of children who reside in unfit habitation, and help to narrow the educational and health gaps—a priority for any good life?

Eddie Hughes: I completely endorse the hon. Gentleman’s comments. The YMCA took people from 16 years of age—sometimes previously looked-after children—and it was incredibly important that the accommodation was of the highest standard. I am grateful to the HCA for giving the YMCA the money to do that.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Will the hon. Gentleman also accept that a safe and secure environment should mean having carbon monoxide detectors in accommodation, for which he and I have campaigned for many months? It is a high priority that people not die from that silent killer.

Eddie Hughes: I completely endorse those comments. As the hon. Gentleman says, carbon monoxide is a silent killer—you cannot see it, smell it or taste it—so the best protection is to install an audible carbon monoxide detector. I thank him for his endorsement—I think that is what it was—of my Bill.

The HCA has given the YMCA £1 million to build new-build accommodation at the site in Erdington. When I was working on that project, I was approached by one of our tenants, who asked that I try to find him employment on the building site, which I did. I offered my support, and the company arranging the construction offered considerable support as well, and then all of a sudden that tenant disappeared. He did not turn up for work for a few days, and when I went to see him in his room, I found he had had some mental health problems and had smashed up his room completely, causing considerable damage. That brings me to one of the exemptions in the Bill. Clearly, in such a situation, the circumstances of the case are different: it is not that the landlord has not maintained the property appropriately, but that the tenant has not lived in the property appropriately. It is not necessarily the case that the landlord is not maintaining the property properly; sometimes it is that the tenant has not treated the property appropriately.

Finally, I would like to move on to my tenure as chair of the board of Walsall Housing Group. It is a housing association with 20,000 homes, so clearly it has the facilities and money to maintain its stock properly, but at any given time up to 10 of those properties might not have a current gas certificate. That is not because we have not been diligent in ensuring there is a certificate for the property, but because we have not been able to get access to that property. Sometimes, the only way is to seek legal access, which can take many months and costs thousands and thousands of pounds. I heard of a case this morning: the tenant is in prison, yet we still cannot gain access to the property to service the boiler because the courts are saying we need to consider

further action. It is possible to be a completely diligent landlord, and still be unable to maintain a property to the expected standard.

I know, then, from my broad range of experience that landlords often do their best to maintain a property in a fit and proper state, but sometimes that is not the case, and when it is not the case, we need legislation that protects tenants. Tenant safety is a very high priority for this Government, as we have seen in the work carried out since Grenfell, and we will continue to deliver on that. For my part, in all the various guises of my landlord responsibilities, I will continue to discharge my duties as well.

12.43 pm

Matt Rodda (Reading East) (Lab): I wholeheartedly endorse and support the Bill. Along with the financial strains placed on my constituents by the ever-rising cost of living, coupled with the wage stagnation that many of them have suffered, Reading has some serious and substantial problems with poor-quality private accommodation.

Although the council has been robust in tackling rogue landlords, much more clearly needs to be done. I wish briefly to run through some of the issues that we have in our area. Reading Borough Council has on a number of occasions taken legal action against unscrupulous landlords who have allowed their properties to fall into such decline as to cause safety and environmental health concerns. Such action has resulted in considerable financial penalties and in conditions being imposed through the court system.

It is unfortunate that there are some landlords whose properties do not meet the standards that every tenant has the right to expect. Nobody should have to live in a property that has mouldy walls, faulty electrical sockets, holes in the ceiling, open drains or cockroach infestation, yet in recent years we have seen these issues in a relatively wealthy town in the south-east of England, which is something that I find deeply disturbing and, indeed, shocking.

There has also been a significant ramping up of the price of rented properties, while the standards for many renters have, sadly, declined at an alarming rate. The impact of living in such squalor is not only a financial one, as we have already heard from other Members. There have been instances in my area of local people having to visit their family doctor, or even go to A&E, with illnesses that are quite clearly born out of the unsavoury conditions in which they are having to live. I should point out that the scale of this issue is interesting given the relative wealth of the town that I represent. Currently, 28% of Reading's housing stock is privately rented—that indicates the size in many of our small to medium-sized towns across the country. The town's population has grown at a rapid rate, but the infrastructure is not able to support that. That includes the lack of supply of affordable housing. With demand outstripping supply, there has been a profusion of flats, bedsits and studios for rent appearing across the town, often at exorbitant prices. I should add that Reading Borough Council did have a plan to build 1,000 new council houses, but, sadly, in the summer 2015 Budget, the plan was stopped.

Ms Harriet Harman (Camberwell and Peckham) (Lab): My hon. Friend mentioned the issue of healthy accommodation. Does he agree that, actually, poor-quality rented, unhealthy accommodation is not only terrible for those living in it, but a drain on the NHS? I have heard of a number of cases where, perhaps, an elderly person is needing to be discharged from hospital, or a premature baby to be brought back home for the first time, but they are not able to be discharged from hospital because the home to which they are returning is not safe.

Matt Rodda: I thank my right hon. and learned Friend for her contribution. It is a very sad, but salient, point that this is indeed happening and putting unwanted pressure on our NHS at a time of great strain on the service and, indeed, when the Government have had to cancel many non-urgent operations during this winter crisis. In fact, she has brought up many points that I wished to make, so, for the sake of brevity and allowing other hon. Members to speak, I will conclude my remarks by thanking her and saying that I appreciate the all-party support for this Bill and the initiative and determination of my hon. Friend the Member for Westminster North (Ms Buck) in bringing it forward.

12.47 pm

Dr Caroline Johnson (Sleaford and North Hykeham) (Con): I rise briefly to welcome this Bill and to congratulate the hon. Member for Westminster North (Ms Buck) on bringing it forward. We all need a good home. It brings us stability and a place of family and of safety. As has been said today, we recognise that the vast majority of landlords are providing safe, secure and nice accommodation for people to live in, but it is unacceptable that, for some, that is not the case.

As a doctor, I wish briefly to highlight the medical and health implications of poor housing conditions. The hazards of having things such as faulty wiring or faulty boilers are very obvious, but living in a cold or damp home has significant effects on health, particularly for the elderly and young children. Things such as eczema, depression, asthma and all sorts of respiratory conditions are made significantly worse if someone lives in a home that is cold or damp.

As has been mentioned, this is costing the NHS around £1.4 billion a year, but it is not just costing the NHS—it is also costing those individuals who are suffering. We need to recognise the effect on the individual as well. Like me, many doctors have, over time, written to authorities to highlight the fact that people are not being discharged from hospital because their home conditions are not satisfactory. That is a particular issue for pre-term babies, who may be on oxygen. It is clear that we have an obligation to make this change. We must remember that children suffering from ill health do not sleep very well. When they do not sleep well, they attend school tired and perform less well, so they are less able to pull themselves out of the poverty trap in which they have found themselves. We have a clear moral obligation to ensure that people have safe homes that are healthy for them.

Mr Sheerman: Is the hon. Lady worried, as I am, that not only do we have homes that are not really fit for human habitation, especially for families with children,

[Mr Sheerman]

but that we often do not know where those children are? With the growth of home schooling—look at what happened in California, news of which has emerged in the past week—there are some very serious problems confronting society.

Dr Johnson: I agree with the hon. Gentleman that it is extremely important that we make sure that all children live in safe and secure homes. The Bill brings a welcome ability for people to have individual redress against their landlords, and takes away the conflict of interest from local authorities, which would effectively have been asked to enforce themselves. We are putting this provision into law to ensure that people have this ability and are empowered. It is important for the Government to ensure that people know that the Bill has been passed and that they have this right, and that they have access to the advice and legal representation they need to be able to enforce that right. I welcome the Bill.

12.51 pm

Kevin Foster (Torbay) (Con): It is a pleasure to be called to speak on this Bill. In fact, it is a pleasure to be able to speak on it; before the reshuffle, I would have had to sit where my hon. Friend the Member for Croydon South (Chris Philp) is currently sat. As the former Parliamentary Private Secretary to the former Housing Minister, my hon. Friend the Member for Reading West (Alok Sharma), I know how hard the hon. Member for Westminster North (Ms Buck) worked to reach agreement and come forward with a Bill that would genuinely make a difference. To be fair to her as an Opposition Member, she resisted the urge to make points because she actually wanted to make progress and to deliver for those she represents and serves well in this House.

I welcome my long-standing friend, the Minister, to her place. She probably remembers when we slogged our way across parts of Cheylesmore and Whitley together, delivering her election literature about 13 or 14 years ago. I think I first met her 18 years ago, when I was also helping to put out some literature for her. It was lovely to have her at my and Hazel's wedding last year. It is great to see her in her place, and to know that she will be following me to respond to the debate.

For those who know that I can speak for a while on a Friday, I have absolutely no intention of attempting to talk the Bill out. I will set out why the Bill is needed, its benefits, why it is a proportionate approach and what I hope its impact will be. Many hon. Members have made their points about why the Bill is needed. I was particularly struck by the figures from the 2015-17 English housing survey quoted in the Library briefing note. The research mentioned that the private rented sector had the highest proportion of properties with at least one indicator of poor housing standards, at 40%. In fairness, the level of non-decent homes in the private rental sector declined from 47% to 30% between 2006 and 2013, but the figures still indicate the need for this type of legislation.

The hon. Member for Sheffield South East (Mr Betts), who is sadly not currently in his place, referred to the housing health and safety rating system, which—I think it is safe to say—is far from perfect. The system is risk-based, and it is hard to see many tenants being able really to grasp what it means and what the balances are.

As was rightly pointed out by my hon. Friend the Member for Taunton Deane (Rebecca Pow) and the hon. Member for Ipswich (Sandy Martin), councils cannot enforce against themselves. If a tenant in a council house is concerned about their landlord, where do they go? They go and talk to their landlord about the poor condition of the property. Introducing this civil remedy makes it possible for a tenant to enforce a legal right against their landlord, which is welcome. It would be bizarre if we said that those looking for social care provided by the local authority could not challenge it legally because the care was provided by the local authority. It is right that we bring in this measure. I welcome the fact that it can sit alongside other areas.

With regard to the housing standards in parts of my constituency such as Melville Hill, Nick Burleigh is a gentleman I probably do not agree with a lot on politics, but in this case we have had similar concerns about the standards of rental accommodation. My hon. Friends the Members for Telford (Lucy Allan) and for Corby (Tom Pursglove) referred to the standards of a type of property in new towns that was innovative 60 years ago and now is anything but. In Paignton, we have Victorian properties that were once grand villas—big places that were used in the summer by aristocratic families—but have now been split into multiple units that are not of particularly good quality, may have a very high turnover of tenants, and are sometimes rented to those who can rent nowhere else. One or two of the photos that Nick has shared on his “We love Melville Hill” website look like something one would expect of the Dickensian era. That is why it is right that we provide this further ability to enforce standards. This is a modern piece of legislation that is grounded in the 21st-century housing market, not just an attempt to revive a piece of Victorian legislation passed in an era when housing standards were very different. It sets a clear standard, brings forward a clear remedy, and makes it possible for a tenant to take action.

Is the Bill proportionate to needs? Many Members have made very clear the problems that poor housing can bring. I certainly see that in some of my own advice surgeries. This should bring absolutely no fear to the vast majority of landlords who provide decent accommodation at reasonable prices. For anyone sitting at home thinking, “But I try to do a good job, and I keep my property in good condition”, this debate is completely irrelevant. The person who does need to be concerned is someone who never picks up the phone to their tenant when there is a complaint, who has just about avoided prosecution by the council a couple of times, and who knows, bluntly, that the property they rent out is not somewhere they would even think of living themselves. Those are the sorts of people who should be listening in.

It is right that this Bill makes progress alongside the inevitable review of the main regulations that we will be having following the incident at Grenfell. It was a pleasure to work on some of that in what was then the Department for Communities and Local Government. As we make progress with the remedy that the Bill gives, we can have a debate about the exact process we go through.

On selective licensing, I support that in some parts of my constituency, but it cannot be applied everywhere. It would not make sense to apply it in my coastal areas.

This Bill applying everywhere deals with properties that have an issue. I welcome the fact that licensing was approved to continue in Newham. It is right that local authorities are able to look at whether it is right for their areas and their communities. In parts of Torbay, it would be right to have it.

We need to make it very clear to local authorities—I hope that the Minister will be clear in her response—that this is not about replacing the system of prosecuting those who do not make repairs they have been required to make. It is not a replacement for the criminal law. It cannot be used as an excuse for not prosecuting people. It is an additional right and power on top of what local authorities should be doing. In my intervention on my hon. Friend the Member for Telford, I said that the increased level of civil penalty that councils can now apply has prompted Torbay to appoint someone extra to its housing standards team to be able to increase its enforcement, on the basis that, when it does so, it can apply appropriate penalties. This is, in effect, rogue landlords paying for enforcement against themselves—something I think we would all welcome.

I hope that the Minister will dwell slightly on how she sees the ability to bring this process to court. What discussions will she be having with the Secretary of State for Justice about how it can be taken through? Will it be on the small claims track? How can we make sure that the process is simple and easy to do? How will that be communicated? We do not want a right that sits on the statute book but is then very hard for people to implement.

Overall, the Bill is very welcome, and the tone of this debate has also been extremely welcome. This is exactly what a sitting Friday should be about: we are taking a problem that Members have identified from casework in their constituencies, and plugging a hole in the law and fixing the problem. The Bill will be of benefit to the residents of Torbay, and it will certainly be of benefit in areas that have more acute housing pressures and problems than, thankfully, is the case in Torbay.

The Bill is proportionate in what it sets out to do. As I have said, there will be those listening who will ask whether it is something that landlords should fear. No, it is not, as is made clear by the support of the main landlords associations. The only people who have anything to worry about are those who do not maintain their properties to the standards that tenants deserve.

1 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler): I, too, wish a happy birthday to Mr Speaker, and to Rose Hudson-Wilkin.

I congratulate the hon. Member for Westminster North (Ms Buck) on her success in the private Members' Bill ballot, on bringing attention to the important issue of property standards in the rented housing market and, indeed, on her huge amount of work and interest in this area. I refer hon. Members to my entry in the register of ministerial interests.

Everyone deserves a decent and safe place to live, regardless of their tenure. Most properties in the private and social rented sectors are of a good standard and do not contain potentially dangerous hazards. However, according to the English housing survey, 17% of private

rented properties and 6% of social rented properties contain at least one hazard that constitutes a serious risk of harm to the health and safety of an occupier. As we have heard from Members on both sides of the Chamber, these percentages equate to 795,000 homes in the private sector and 244,000 homes in the social sector. While there is a large range of potential hazards, in practice, as we know from English housing survey data, the vast majority of hazards that occur are associated with slips, trips and falls, as well as with excess cold and issues such as fire risk, damp and poor sanitation.

The Bill fits well with the work the Government have already done to improve standards in the private rented sector. That sector is an important part of our housing market, housing 4.3 million households in England. The quality of privately rented housing has improved rapidly over the past decade, with 82% of private renters satisfied with their accommodation and staying in their homes for an average of 4.3 years. The Government want to support good landlords who provide decent, well maintained homes, and to avoid putting further regulation on them that increases costs and red tape for landlords and also pushes up rents and reduces choice. However, a small number of rogue or criminal landlords knowingly rent out unsafe and substandard accommodation. We are determined to crack down on these landlords and to disrupt their business model.

There is a need to act now to require landlords proactively to ensure that properties are free from hazards and to empower all tenants to hold their landlord to account. The alternative of allowing these practices to go unchecked would not be fair on the large majority of good landlords and proactive, responsible local authorities, or on their tenants who suffer because of poor conditions or because of the inability or failure of local authorities to act.

Clive Efford (Eltham) (Lab): Will the Minister give way?

Mrs Wheeler: I will not give way, if the hon. Gentleman does not mind, because some very important business is coming up after this debate.

The Government are committed to providing tenants with alternative means of redress, strengthening tenants' rights and protecting renters against poor practice. The Bill aligns with and supports broader proposals to improve consumer experience across the housing sector. Furthermore, enabling tenants to take direct action themselves will help to free up local authorities' resources to tackle better the criminal landlords who rent out hazardous and unsafe dwellings.

Bob Blackman: Will the Minister give way?

Mrs Wheeler: I will not give way, if my hon. Friend does not mind, but I will refer to him in a moment.

We have already published guidance for tenants to help them to understand their rights and responsibilities and what to do if something goes wrong. This should satisfy my hon. Friend the Member for Harrow East (Bob Blackman), who has concerns about retaliatory action. That was perfect timing. We have also published guidance for tenants to help them to ensure that their home

[Mrs Wheeler]

is free of potentially dangerous hazards. Revised versions of these guidance documents will be published shortly, alongside guidance for landlords about their responsibilities.

To respond to Members' questions about legal aid, the procedure in the Bill is designed to be straightforward and tenants will frequently be able to represent themselves, but for more complex cases, legal aid will be available, subject to income criteria. We do not expect this to be necessary in the majority of cases, as most tenants will be able to identify an obvious hazard without the need for a solicitor. However, I repeat that legal aid will be available in cases where the tenant is eligible.

Other Members raised issues of local authority funding. We have given local authorities the power to impose civil penalties of up to £30,000 for housing offences. Councils will be able to keep that money and reuse it for housing enforcement purposes, exactly as we have heard. Very proactive councils are taking on staff to deal with that because they know—sadly—that the money will come in. My right hon. Friend the Secretary of State for Housing, Communities and Local Government has already announced the Government's support for this Bill, which is fully in line with the thoughts and desires of our Prime Minister.

Mr Betts: Will the Minister give way?

Mrs Wheeler: No. Sadly, I am about to finish because a very important Bill follows this one. I met the hon. Member for Westminster North yesterday, and she has also had productive meetings with the previous Housing Minister, my hon. Friend the Member for Reading West (Alok Sharma), and my officials. I thank them, and all stakeholders involved, for their work so far. I have every confidence that this Bill will continue into Committee.

We also heard a wonderful speech from my hon. Friend the Member for Walsall North (Eddie Hughes), and I thank him for raising awareness of the dangers of carbon monoxide poisoning. We share a common goal in wanting people to be safe in their homes. The Government and their agencies continue to work to reduce the risk of carbon monoxide poisoning, and that includes a role for regulation where it is sensible and proportionate to do so. We already have powers to extend further the requirements for carbon monoxide alarms, but we need an updated and stronger evidence base to inform properly the case for new regulation. I

was pleased to hear from my hon. Friend the Minister for Housing that we can agree to work together and take this matter forward.

This is an excellent Bill. Again, I congratulate the hon. Member for Westminster North on her huge amount of work. I congratulate all the 27 speakers. They include my hon. Friends the Members for Telford (Lucy Allan), for Cheltenham (Alex Chalk), for Eddisbury (Antoinette Sandbach), for Torbay (Kevin Foster), for Harrow East, for Mid Worcestershire (Nigel Huddleston), for Thornbury and Yate (Luke Hall), for Wells (James Heappey), for Corby (Tom Pursglove), for Colchester (Will Quince), for Taunton Deane (Rebecca Pow), for Berwick-upon-Tweed (Mrs Trevelyan), for Walsall North, for Sleaford and North Hykeham (Dr Johnson), the right hon. Members for Kingston and Surbiton (Sir Edward Davey) and for Wentworth and Dearne (John Healey), and the hon. Members for Hammersmith (Andy Slaughter), for Brighton, Kemptown (Lloyd Russell-Moyle), for West Ham (Lyn Brown), for Sheffield South East (Mr Betts), for Ealing Central and Acton (Dr Huq), for Warwick and Leamington (Matt Western), for Ipswich (Sandy Martin), for Kensington (Emma Dent Coad), for Canterbury (Rosie Duffield), and for Reading East (Matt Rodda).

This has been a superb debate on all sides, and it is what the Chamber does best on a Friday.

1.7 pm

Ms Buck: I rise only to thank the Minister on her first outing at the Dispatch Box for her support, and I also thank the many speakers from across the House—she listed them so I will not do so again—who made important contributions to the debate. They supported the Bill, and also reminded us through a number of examples from their casework just why it is needed. This has been a consensual debate—it is almost overwhelming—and I am grateful for that. Members also raised a number of issues that we must keep in mind about advice, legal aid, overall investment in housing and other ways that we can strengthen the rights of tenants. Normal service will be resumed on all those issues by me and many others. This important Bill has been a long time coming and I am delighted that we are now able to take it forward, with Government support. I look forward to seeing it proceed.

Question put and agreed to.

Bill accordingly read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).

Stalking Protection Bill

Second Reading

1.9 pm

Dr Sarah Wollaston (Totnes) (Con): I beg to move, That the Bill be now read a Second time.

Stalking is an insidious form of harassment, characterised by fixation and obsession. The relentless nature of the unwanted contact from perpetrators, which sometimes continues for many years, can make it feel completely inescapable. It is often directed not only at the intended victim, but at all those around them—their family, friends, neighbours and colleagues. It can seriously affect both the physical and the mental health of victims, leaving them feeling isolated and fearful. It can also escalate, as we know, to murder and rape. It is much more common than many people realise. About one in five women and one in 10 men will experience some kind of stalking behaviour in their adult lifetime, according to the crime survey for England and Wales. However, it typically takes about 100 episodes of stalking for victims to come forward.

It is an honour to promote this private Member's Bill for better and earlier protection for victims of these terrible crimes. I want to start by paying tribute to the very many individuals and organisations that have come forward to support this Bill and to advise. Many of them have spoken with great courage about the devastating personal consequences for themselves, including, I am sorry to say, personal, tragic loss. It is with all of those individuals in mind that I promote this Bill. I am also very grateful to the Minister for her personal support; to her team for the support and advice they have given me; and to Members across the House for their support and advice on the needs of victims.

In order to make progress with this Bill, we should acknowledge the progress that has already been made. Two new stalking offences were brought forward in 2012, and it is encouraging that 959 prosecutions were commenced in 2016-17. Progress was also made in increasing the maximum sentence to 10 years in the Policing and Crime Act 2017. I pay special tribute to my hon. Friend the Member for Cheltenham (Alex Chalk) for his work in bringing that about.

There remains in the law, however, a serious gap when it comes to victims of what is known as stranger stalking, by which I mean those who are stalked by someone who is not a former or current intimate partner. Those victims of stalking do not have recourse to the protections available under the existing protection order regime. That is well recognised, which is why I think there is widespread support for the Bill. If we can step in at an earlier stage, perhaps we will have a better opportunity to prevent stalking before the behaviour can become so deeply engrained.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): I congratulate the hon. Lady on her Bill. I was on the anti-stalking commission, which made progress when we were trying to catch up with the Scottish law. Some very brave people gave evidence. Increasingly, the issue is switching from personal to online, and the law finds it very difficult when someone is being stalked from elsewhere in the world.

Dr Wollaston: The Bill specifically notes that acts carried out from outside this country will also be taken into account, particularly with regard to online stalking. The hon. Gentleman is absolutely right and I thank him for making that point.

Although the proposed stalking protection orders would be civil orders, there would be a criminal penalty for breach. They are not intended to replace a prosecution for stalking where the criminal threshold has been met, but we all recognise that it can take time to fully gather the evidence and present a case for court, and during that time victims can be especially vulnerable. They are intended to act not only in those types of cases, but perhaps where the criminal threshold has not been met but it is recognised that the acts are at risk of escalating. Importantly, the Bill allows for the onus to be taken off the victim, because the police will be able to apply for the protection orders on their behalf.

It is also important that the penalties for criminal breach have real teeth, with a maximum sentence of up to five years. The civil protection orders will allow us to put in place a bespoke regime of not only prohibitions but requirements on the perpetrators, setting out very clearly what they must not do—in other words, stop contacting not only the victim but those around them—and setting out the ways in which that might take place. In some cases, perpetrators are not well, so the Bill will also allow the court to set a requirement that they attend a mental health assessment. There is also a notification requirement: perpetrators would have to give notification of all the names and aliases that they used in order to stalk their victims, and their address. None of those important protections will be of any benefit, however, if the police do not know about them and do not have the required training, expertise and willingness to exercise them.

Another purpose of a private Member's Bill such as this is to explore the issues throughout the criminal justice system to ensure that everyone takes them seriously. Stalking should not be trivialised by references to someone's having an "admirer"; there is nothing romantic about it. It is also important to recognise patterns of behaviour. Each individual action may in itself appear trivial, but the pattern should be viewed in its entirety. I know that the Minister is personally committed to acting on the findings in "Living in fear", a joint report from Her Majesty's Crown Prosecution Service inspectorate and Her Majesty's inspectorate of constabulary on the police response to harassment and stalking, and I hope that she will comment further on it. We need to improve the entire system of that response, and I am grateful to her for her personal commitment.

Rebecca Pow (Taunton Deane) (Con): My hon. Friend is making a powerful case. She may have heard Emily Maitlis talking on the radio this morning about how she was stalked for 20 years. She said that she felt that the current legislation was not fit for purpose, and did not provide her with any protection. Does the Bill not seek to address that?

Dr Wollaston: Absolutely, and I pay tribute to Emily Maitlis for her courage. Anyone who reads her personal victim impact statement will see that not only the person being stalked but that person's entire family is affected. She has been exceptionally courageous in coming forward

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to talk about her experience and in raising awareness. It is also true that stalking does not just affect people who are in the public eye; it can affect anyone, and sometimes after a relatively trivial contact. Victims are often made to feel responsible, or guilty. We have to break that cycle, and take the issue seriously.

I will cut short my remarks now, because I know that many other Members wish to speak. I thank all colleagues for their support for the Bill.

1.17 pm

Sarah Champion (Rotherham) (Lab): I thank the hon. Member for Totnes (Dr Wollaston) for presenting this important and timely Bill.

Let me begin by quoting a victim of stalking whose words were highlighted in last year's "Living in fear" report, which was mentioned by the hon. Lady:

"You carry it all the time...it's with you day in day out. Day in day out...it's in the back of your mind all the time, 'What is he going to do? What are we going to find...Who's going to come knocking at our door?'"

Imagine how that feels. Imagine feeling too scared to go out to get a pint of milk or walk your dog. Imagine feeling so scared that you have to move house.

When a celebrity is being stalked, we take notice, but this offence is happening every day to so many people. The 2016 Crime Survey for England and Wales showed that one in five women and one in 10 men had experienced stalking since the age of 16. That means that millions of people have to deal with the terrifying consequences of stalking. Statistics show that 80% of victims are female and 70% of perpetrators are male. Apart from the horrendous psychological trauma of stalking itself, it often leads to horrific crimes, including domestic violence, sexual assault and murder. According to a study of more than 350 femicides, cited by the Suzy Lamplugh Trust:

"Stalking behaviours were present in 94% of the cases".

In too many cases, there is not enough evidence for police to make an arrest before it is too late. The stalking protection orders proposed in the Bill would be an important early intervention tool for police officers while a criminal investigation was ongoing. That early intervention that could literally mean the difference between life and death. The orders are designed for use particularly in cases in which stalking occurs outside the context of domestic abuse, but it is important to reiterate that the links between stalking and domestic abuse are clear. The Metropolitan Police Service found that 40% of victims of domestic homicide had been stalked. Stalking occurs in isolation or as a component of a much wider profile of abuse. High-severity stalking and harassment can include threats to kill. Research has showed that one in two—50%—of domestic stalkers will act on that threat. It is therefore crucial that the police, the criminal justice system and other agencies involved receive comprehensive training on domestic abuse and coercive control and that the focus of the new protection order is not on stalking alone.

Stalking does not have to lead to physical violence to be incredibly harmful. In a case study from the "Living in fear" report, Elaine became aware of seven websites that were created about her containing malicious content,

including pictures of her and details of her personal life which were then shared with her children and employers. When Elaine initially contacted the police, she felt that they were not interested. They advised Elaine that there was not enough evidence to arrest the person as there was no direct threat. It took 12 months of monitoring the posts before the person was arrested. Understandably, Elaine was scared to go out of the house. She had to change to a lower-paid job where she would have some anonymity. Her children had to move schools and she has suffered with anxiety.

A stalking protection order would have given the police an option for an early intervention that would have protected Elaine while the investigation was ongoing. Like Elaine, many victims report being unsatisfied with the police response to stalking.

Nigel Huddleston (Mid Worcestershire) (Con): The hon. Lady is making an important point, particularly about internet stalking. In terms of the SPOs, does she agree that some kind of internet tracking capability must be included, as so much of this activity now takes place online?

Sarah Champion: I agree, and that is the case for many crimes now, but unfortunately the police do not have the resources to train up their staff, and that is something we all need to address.

New guidance to the police is required under this Bill. I have no doubt that the police want to improve their response, but to do that they need the appropriate resources, powers and training. This Bill will begin that process by providing police with an important protection and prevention tool, but the recent debacle surrounding the John Worboys case shows that, as a country, we need to do much more to support victims.

We have heard today that stalking can be one of the most psychologically destructive crimes. Victims of stalking often feel so threatened that they change the way they live, and, like Elaine, 50% of victims have curtailed or stopped work due to stalking. Last year Chloe Hopkins bravely spoke out about the depression, bulimia, post-traumatic stress disorder and even suicide attempt that followed the seven years of stalking that she endured. The forthcoming domestic violence Bill will be an opportunity for the Government to carry out a review of victim support services, and I hope that victims of stalking will be included in that.

1.22 pm

Alex Chalk (Cheltenham) (Con): It is a great pleasure to follow the hon. Member for Rotherham (Sarah Champion), who made some powerful points.

I am delighted to support this Bill, which represents a key piece of the jigsaw in terms of how we ought to approach the scourge of stalking. I thank my hon. Friend the Member for Totnes (Dr Wollaston) for her efforts, determination and leadership on this important issue.

The issue is very close to my heart, and I was grateful for the opportunity, together with my hon. Friend the Member for Gloucester (Richard Graham) and Members across this House and in the other place, to play a part in addressing the problem of inadequate sentencing. But if sentencing is principally about protecting victims

after stalking has spiralled out of control, the SPOs are about arming the courts with tools to address this behaviour beforehand; they are about prevention as well as protection.

Before examining the SPOs in detail, I want to say a little about the context. Attitudes have changed. Gone—or almost gone—are the days when this was thought of as a bit of a joke or just a case of overly enthusiastic romantic advances. Lest we forget, the crime of stalking did not exist until 2012, and it is only thanks to the bravery of so many people—usually, but not exclusively, women—that we have been educated on this shocking phenomenon. We now increasingly appreciate that stalking is a horrible, violating crime that rips relationships apart and shatters lives. Inevitably, it is the cases involving celebrities that hit the headlines, but it is important to emphasise that this phenomenon is no respecter of fame or fortune. It is far more indiscriminate than that, and anyone can be a victim. I want to mention two examples, if I may.

Dr Eleanor Aston was a constituent of mine. I say “was” because she has now left the United Kingdom. She was a successful and popular GP, as Gloucester Crown Court was later to hear, and she was stalked over a nine-year period. This bears out the point made by my hon. Friend the Member for Taunton Deane (Rebecca Pow) that these incidents often last for many years. Dr Aston was stalked by a patient who first attended her surgery in 2007. As is often the case in this type of offending, it began innocuously enough. A few cards progressed on to inappropriate messages, then messages started to be left on her car windscreen. It then became more serious, with the stalker attending the surgery more than 100 times. He vandalised it and posted foul items through the letterbox, and then began to attend her home. He attended a children’s party that her daughter was at, and her water supply was even interfered with. The situation escalated to the point that the police advised her to change her name and address, and even come off the General Medical Council register. She was off work for many months and was later diagnosed, perhaps unsurprisingly, with post-traumatic stress disorder. The stalker spent some time in prison, but when he was released she received two packages: one contained standard abusive material; the other simply said, “Guess who’s back.”

The second case relates to the 20-year-old hairdresser, Hollie Gazzard, who was murdered in 2014 by an ex-partner. The point was ably made by the hon. Member for Rotherham (Sarah Champion) that stalking is all too often a gateway offence—if I can use that expression—leading to something even more serious. Indeed, some particularly powerful individuals have referred to it as murder in slow motion. Out of the tragedy of Hollie Gazzard’s death, her inspirational family—her parents Nick and Mandy and her sister Chloe—have set up the Hollie Gazzard Trust in Gloucestershire to improve protection for the victims of stalking in Gloucestershire and beyond. I am grateful to the mayor of Cheltenham for including the trust as one of her charities.

Those are just two examples of ordinary people from just one county, Gloucestershire, so it is no surprise that research carried out by the Suzy Lamplugh Trust in 2017 showed that a staggeringly high proportion of homicides against women were preceded by behaviour that could properly be characterised as stalking. In that context, the stalking protection orders set out in the Bill

will provide a powerful tool to be used while a stalking investigation is ongoing. They will give the magistrates courts a larger and better equipped toolbox with which to tackle such behaviour at an early stage and to protect victims. An order will be able to prohibit acts associated with stalking or require an individual to

“do anything described in the order.”

That can be used to impose positive obligations, which is an important difference. Ordinary bail conditions can say, “You must not go within a hundred yards of that address” or “You must attend court on such and such an occasion”, but this order could impose positive obligations, including an obligation to attend drugs or alcohol programmes. As we have already heard, the orders will have criminal sanctions. In plain English, if you do not comply, you will get locked up.

That is all welcome, but if I may, I will add a couple of notes of caution. First, it would really help if, as part of the positive obligations, the court could require an individual to undergo psychiatric evaluation. One of the things that makes victims’ testimony even more disarmingly powerful is that they often show a measure of compassion towards the people who have tormented them to their wits’ end, and even sometimes close to the point of suicide. They recognise that they are often struggling with their own mental health problems. It would be helpful if the courts could have, in the toolbox that I mentioned, the power to compel individuals to undergo psychiatric evaluation.

The second issue is that, if the SPOs are going to work, they will have to be deployed quickly. If there is too much delay, there is a risk of the behaviour becoming entrenched and therefore far more difficult to address. Why do I say that? Because my experience as a prosecutor in court, prosecuting offences of this nature and speaking to witnesses and victims, tells me that committed, entrenched stalkers show themselves unwilling to comply with orders of the court, or even incapable of so doing, even though that might lead to imprisonment. Very often, by the time someone gets to the long process of prosecution, the stalker will have ignored the police officer who told them to stop, and they will have ignored the harassment warning and the bail conditions that ordered them to stop. If a solution is to work, the problem needs to get nipped in the bud early, which will require police officers to take matters seriously. I am grateful for the fact that a huge amount of work has been done in Gloucestershire to ensure that police officers have the tools they need to recognise stalking and to act on it expeditiously, which is vital.

Orders must be imposed early, and before the inevitable delays that come from investigation, charge and trial. Conscientious and attentive police officers will be vital to the process, and changes could be made to allow individuals to play a greater role in gathering evidence and reporting it to the police in a way that serves the needs of victims, instead of the process being labour intensive and sometimes difficult. However, that is something to be discussed in detail on another day. For present purposes, I congratulate my hon. Friend the Member for Totnes on taking up the baton in such a spectacular and effective way. I am grateful to hon. Members across the House, and I am delighted to support the Bill.

1.30 pm

Victoria Prentis (Banbury) (Con): It is a great pleasure and an honour to join my hon. Friend the Member for Totnes (Dr Wollaston) in sponsoring this Bill and to follow my hon. Friend the Member for Cheltenham (Alex Chalk), who was inspired to do so much to improve the law in this important area following the particularly horrific case that he has just told us about. As we have heard, stalking is a terrifying, intrusive and profoundly unsettling crime, and I defy anyone in the Chamber not to have been moved by the words that my hon. Friend has just read out, which truly sent shivers down my spine. It is important to recognise that the victims bear the scars for the rest of their lives.

I want to focus on the impact that stalking can have throughout a family. We heard about the Emily Maitlis case and how brave it was of her to have spoken so publicly about the effect on her marriage and children of what happened to her, and I have a constituency case that brought things home for me. My constituent, whom I will call Julie—not her real name—came to see me with her mother about 18 months ago having suffered a sustained campaign of harassment. With your leave, Madam Deputy Speaker, I will read her words to the House, rather than try to use my own, because the way that she puts things is very powerful. She wrote:

“Despite the stalker having been verbally warned by the police to leave me alone, he continued to contact me, receiving over 60 text messages/missed calls a day to either my mobile or home phone. I reported it to the police again as advised to. Different officers attended to take my statement, and I again had to repeat the situation. In the end I had to change my numbers for both mobile and landline. This did not stop the contact. He tried to contact me through various other means, Facebook, WhatsApp, email, Google Hangouts, and Instagram. Some of the messages received on WhatsApp were from numbers unknown to me, and some of the messages contained intimate images of me, or threats of exposing them. All of the accounts I deactivated and eventually, after laying low for a while, I set up new accounts. However, this did not deter him.

After a very short while, the stalker managed to obtain my new mobile and home number, and again he started with the calls. I know it was him as my partner and I both spoke to him on at least one occasion where he threatened to cause harm to my partner. He used to call my home number and would call in the middle of the night several times and hang up, which woke my children on many occasions and in the end I left the phone unplugged. I left BT and EE and set up a new contracts... and did not give my details to hardly anybody to reduce the risk of him”

finding them out. She continued:

“This obviously isolated me from my circle of friends... However, he was unwittingly involving them by adding all my circle of friends on Facebook, some of which are very close and dear to me, and he started to make a nuisance of himself with them, constantly bombarding them with messages asking questions about me”.

That email goes on much longer, and it is all profoundly disturbing. It provides a picture of how young women now live their lives. So much of a person’s life is now on social media, which is an important way to keep in touch with family and friends, but even though my constituent did all the right things, took all the right advice and went to the police repeatedly, she was unable to live her life in the way that she should have been able to.

Julie’s other family members were contacted, and the part of her story that affected me most deeply is that her daughter, a young teenager, was contacted by the

stalker at school. Despite numerous statements to the police, my constituent had to organise her own non-molestation order, although she was pleased that the police served it on her behalf. When she approached me, she was anxious and very afraid of what would happen in the future:

“This man will continue with this behaviour...and from what I have experienced, he won’t stop—he will do it again but to what level next time. I would love nothing more than to try and change the way cases like this are approached.”

She was pleased to hear about the Bill, and she was pleased that I was able to come and speak about her case on her behalf, although she is not at a point where she would like her details to become public.

There is obviously little I can do to assist Julie as her MP, but I got involved in her case when the prosecution against her stalker sadly came to nothing. She had pursued the matter with the police, having to tell her story again and again, as she told us in her email. When she went to court, a vital piece of evidence, a screenshot of a WhatsApp message, had been lost by the Crown Prosecution Service so could not be presented. The prosecution therefore failed, and her stalker contacted her again the next day with a crowing message about what had happened.

I have been able to assist Julie in pursuing her complaint against the CPS, and we will see what happens as a result. The damage to her life, to her mum’s life and, very sadly, to her daughter’s life has already happened. It is now too late to take away their fear when going to work or school that something nasty will happen. As we heard from my hon. Friend the Member for Cheltenham, those fears are not unfounded. We have to take this very seriously.

I have no doubt that an early stalking protection order would have made a real difference in Julie’s case, and I hope it would have limited some of the trauma she continues to deal with today. That is exactly why this Bill is so important. The police must be given the power to take swift action on stalking offences at an early stage, and as my hon. Friend said, it is important that such action is accompanied by rigorous and relevant training not only for the police but for the CPS and the judiciary. This is a very serious crime. Generations of Julie’s family have suffered, and I want to make certain it does not continue.

1.37 pm

Neil O’Brien (Harborough) (Con): I congratulate my hon. Friend the Member for Totnes (Dr Wollaston) on introducing this important Bill and on her passionate championing of this important cause.

One reason I support the Bill is that a family in my constituency were cruelly robbed of their daughter by a stalker. Alice Ruggles was murdered in 2016 by Trimaan Dhillon, who was sentenced to life imprisonment last year. Alice had been in a relationship with him, and the relationship became controlling over time. He tried to distance her from her friends and family. After they broke up, his behaviour towards her became increasingly sinister.

Alice twice told the police that Trimaan was harassing her. He was given a police information notice, but it did not stop his obsessive and escalating behaviour. It later emerged that the police had previously given him a

restraining order for harassing another girlfriend—it is not clear the police knew that at the time of Alice’s murder.

Alice’s family established the Alice Ruggles Trust to try to make the case for changes to support victims of stalking, including a register of stalkers, so I am pleased to support the Bill today. The Bill will fill a clear gap in the protective order regime to protect people like Alice in the future. It will enable effective action against stalkers whose actions have not yet provably gone over the criminal threshold.

My concern is that at the moment too many people who pose a real threat are being repeatedly cautioned or given a police information notice, or action is simply not being taken against them. Only 1% of stalking cases are recorded by the police, and victims reported being unsatisfied with the police response. For example, research by the Suzy Lamplugh Trust found that 43% of people who have reported stalking to the police found the police response to be either not very helpful or not helpful at all, and only 12.7% of recorded cases reach a conviction in court.

I hope that by creating this new tool for the police, the new stalking protection order, the Bill will help to solve that problem. The sanctions it will create will help to stop stalkers whose behaviour is escalating, and the prohibitions it creates will help victims to live without fear, particularly where the police are building a case. As well as those direct benefits, I hope the Bill’s introduction might also be a catalyst for the police to change their handling of stalking cases more generally. A number of hon. Members have already referred to the important report by HMIC and the CPS, “Living in fear”, which found that people who have suffered from repeated harassment or stalking are frequently being “let down” by under-recording, inconsistent services and a lack of understanding in the criminal justice system.

I hope that the Bill will trigger police forces to review how they handle stalking. I hope that all chief constables and police commissioners in this country will be listening closely to today’s debate and will be observing the passage of the Bill.

Tracy Brabin (Batley and Spen) (Lab/Co-op): I, too, congratulate the hon. Member for Totnes (Dr Wollaston) on introducing this Bill. In my constituency, amazing work was done by the family of Clare Wood on Clare’s law, which was about the obligation of the police to disclose details of a history of violent behaviour if these were requested. But the right-to-know element to Clare’s law has been underused, and only 43% of requests to the police have been granted, with this seeming to be a postcode lottery. Does the hon. Gentleman agree that what is really to be celebrated about the Bill is that resources will be given to the police, so that they can respond swiftly and completely to requests?

Neil O’Brien: Yes, I do; the hon. Lady makes an extremely important point. As I was saying, the crucial thing is not just having this important new tool, which the Bill will create, but using it as a further catalyst to changes in the way the police handle something that, as my hon. Friend the Member for Cheltenham (Alex Chalk) pointed out, was not even a crime until 2012. In particular, I hope that the police will take account of the best practice guidance produced by the charity Paladin, which is extremely important.

In conclusion, this Bill is a really important piece of legislation. The flexibilities it contains will allow stalking protection orders to be useful in a wide variety of circumstances. I believe that it will both improve lives and save lives, and I support it in the strongest possible way.

1.43 pm

Mike Wood (Dudley South) (Con): It is a pleasure and privilege to take part in this debate on what could hardly be a more important subject, one literally of life and death, as has been said. I join hon. Members in congratulating my hon. Friend the Member for Totnes (Dr Wollaston) on bringing the Bill to this point. Stalking is an horrific and devastating crime, which causes unthinkable suffering to its victims. It is also an unusual crime, in that the onus almost always falls heavily on the victim to provide the evidence to demonstrate that a crime has taken place and to support their case against the stalker. In few other areas of criminal law is that function left so heavily to the victim.

The Protection from Harassment Act 1997 was introduced to deal with many of the problems that have been covered in the debate, but it did not specifically name the offence of stalking. Sadly, it soon became clear that that Act was insufficient to deal with the scale and nature of the problem. The 2012 reforms that amended the Act and created the two new offences were an important and valuable step forward. The results can be seen in the number of prosecutions since the new offences came into force at the end of 2012.

At Christmas, West Midlands police launched a seasonal campaign on the crimes of stalking and harassment. The force campaigned to encourage victims to seek help by confiding in loved ones and reporting abuse to the police. The findings are as stark as they are horrifying. Of the cases reported, 57% were domestic-related. Much like other Members have said, victims typically suffered between 70 and 100 incidents each before they reported the harassment and stalking to West Midlands police.

The campaign coincided with the case of a West Midlands policewoman who had been the victim of harassment by an ex-partner. In support of the campaign’s launch, she said:

“When I reported it to police it felt like a weight lifted off my shoulders—and when an officer came around to my house, and realised the extent of the harassment,”

they wanted to arrest her ex-partner immediately. But, of course, things are rarely that simple in criminal law. The police have to build a case to be confident that they can bring charges.

The time taken and the burden of having to meet that level of proof often means that victims of stalking are left suffering further harassment, the consequences of which can be enormous. As the policewoman said:

“It felt as though he still had a hold on me and even months after we’d split up I could still sense him there. I used to dread opening letters and parcels in case they were from him—and I couldn’t enjoy my birthday or Christmas as he’d send gifts and notes saying how he wasn’t going to let me go. I felt on edge all the time.”

That type of behaviour, and its effect on victims, is exactly the kind of thing that the new civil protection orders in the Bill are designed to tackle.

In the past year, West Midlands police have received 290 reports of stalking, but only 61 people were charged, with others being cautioned or agreeing to out-of-court resolutions. That highlights the scale of the problem

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that makes the Bill necessary. We need new and more flexible measures and sanctions to deal with stalking, but although we need them to be simpler options, it is important that we make sure they are not taken as the easy option.

Civil protection orders must not replace prosecutions, so it is important that the CPS and other bodies continue to apply existing laws as fully as they can and as strongly as the law allows. This is not about replacing those prosecutions, but about the many instances of inappropriate, unwelcome and unacceptable behaviour that might not yet have escalated to that criminal threshold; about the early intervention that can change behaviour and change lives; and about protecting hundreds of thousands of men and women by preventing that stalking and harassment from spiralling into even more serious crimes. Applied properly, these orders could make an enormous difference to many lives, and that is why I am pleased to support the Bill today.

1.50 pm

Antoinette Sandbach (Eddisbury) (Con): It is a pleasure to follow my hon. Friend the Member for Dudley South (Mike Wood), who made some important points. I too pay tribute to my hon. Friend the Member for Totnes (Dr Wollaston) for introducing this crucial Bill and to my hon. Friend the Member for Cheltenham (Alex Chalk), who has long worked hard on this issue and rolled the pitch—if I may say so—in his very able way.

This is a crucial matter for women. It is no coincidence that my hon. Friends the Members for Banbury (Victoria Prentis) and for Cheltenham have, like me, been involved in many prosecutions of such cases. We are aware of the utter devastation it causes to the victims, who often effectively become prisoners in their own homes and live in fear of the impact of stalking behaviour on their families, as was powerfully described by my hon. Friend the Member for Banbury. I therefore welcome the change of attitude in the Bill towards a crime that is so often targeted at women. There has been a sea change like that in attitudes towards domestic violence. Very often in the past, it was treated as a form of obsessive behaviour by a former partner who perhaps had gone a little too far; it was not considered to be serious, as has been said. The number of victims of stalking crimes who then become murder victims illustrates dramatically why the Bill is needed.

There are many advantages to the new technological society we live in, but I fear that we are living our lives in a much more public way now, with many details on the internet. As described, people are using Instagram, Facebook, Twitter and other social media apps, and that makes information more public and increases the risk of stranger stalking. I am delighted, therefore, that I am able to be here to support the Bill. The only reason I am here—well, not the only reason—is that I, too, have a private Member's Bill in the list, the Fetal Dopplers (Regulation) Bill, which I fear we will not get to today. I am delighted none the less that the Government have instigated a review of fetal dopplers by the Medicines and Healthcare Products Regulatory Agency, so some good has come out of it.

I will return to the subject of stalking. The devastation and psychological damage it causes is absolutely clear. The rise of the various methods of observing people via

the internet, even with privacy settings, increases the ability of stalkers to target their victims—not only their victims, but, as described, their friends and family members—which causes fear and isolation. Currently, there is a gap in the law, especially for those stalked by strangers, which, very importantly, this Bill will address.

I wholeheartedly support the Bill and its aims to introduce this new stalking protection order to protect victims during the early stages of an investigation. Like many other Members in this House, it is my view that that early intervention is likely to make a significant difference in a number of cases. It may not make a difference in all cases, but it is likely to make a real difference in many of them. I am particularly pleased that these orders will be able to be tailor-made and targeted to address the specific issues, or the specific methods by which that intrusive behaviour takes place.

As MPs, we should do all we can to protect our constituents, and since stalking was made an offence in 2012, Cheshire constabulary has recorded continued increases in the number of stalking offences that are committed locally. In 2014-15, Cheshire constabulary recorded 26 stalking offences. That increased locally to 55 recorded offences in 2016-17. It is vital that we prevent this crime from becoming more widespread, that we give the police the tools to crack down at an early stage and that we provide the necessary support to victims.

I am very pleased that the Government are supporting this private Member's Bill. It is my view that this new legislation will improve the safety of my constituents in Eddisbury by giving the police the power to address the danger that perpetrators pose while they gather more evidence. I thank my hon. Friend the Member for Totnes (Dr Wollaston) for the work that she has put in on this issue. I also thank the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins), whom I welcome to the Front Bench in her role, for the attention that she has paid to this matter. This is a really important tool in the kit. It is vital now that police forces use the tools provided by this legislation after it passes its final stage.

1.57 pm

Kevin Foster (Torbay) (Con): It is a pleasure to speak in this debate, particularly given that this Bill is being introduced by my constituency neighbour, my hon. Friend the Member for Totnes (Dr Wollaston). It is always a pleasure to be here on Friday discussing Bills, which may not be the longest Bills that we have ever considered, but they are ones that have a significant impact and deal with a hole in the law that needs to be filled, and that can only be done via primary legislation.

As I said with regard to the previous Bill, it is clear why there is a need for this Bill, why it is proportionate and what effect it will have. The test that I apply on a Friday has certainly been met in this case. For me, it is time that we looked at the impact of stalking on victims. This is not just about a person pestering someone—perhaps sending the odd couple of things they did not want; it is about a person actually setting out to control their victim, to dominate their life, to make it so that they almost cannot live a normal life for fear of another person's actions, and to control them in a way that has

similarities to behaviour in abusive relationships, when people are not looking to hold someone in great affection but to control them through their actions and behaviour.

It is very welcome that in criminal offences relating to stalking, we have seen increases in sentences: we have seen it viewed as something far more serious in society and in our own law over recent years. None the less, there is still this gap for those who are engaging in behaviour that is clearly wholly inappropriate. We will now have an ability to deal with them through the court. That is why there is a clear need for this Bill.

Looking at whether this Bill is proportionate takes me to the process of the application and how the orders will be granted. It will be a chief police officer who applies and who looks at whether there is clear evidence that needs to be taken forward. It will be the magistrates court that takes a decision as to whether to apply the order and what should be done with it, and then there is the fact that it can be appealed to a Crown court. There are plenty of protections in place, which means that the Bill is eminently proportionate. Furthermore, the order can fit the person. As hon. Members have already said, it is right that some people have mental health assessments, because their behaviour in many cases suggests mental health issues. This measure is a highly proportionate part of the law because it provides for tackling and putting to the test a genuine illness that may be driving someone's behaviour, rather than just looking to threaten someone with punishment.

I particularly like the fact that an interim order can be put in place while the main application is under way, because we would not want someone to ramp up their campaign of harassment in the hope that they might stop the order being pursued or make the victim less determined to go forward while the application was waiting to be considered by the court. I am always a bit fearful of that. Indeed, this is why we have interlocutory injunctions, which go before the main hearing, when there has been an application to court. Such injunctions mean that the actual hearing does not become a pointless affair due to the person continuing their behavioural patterns up to the point at which the court can consider the case fully.

This is a proportionate piece of legislation, but I echo the comments of my hon. Friend the Member for Dudley South (Mike Wood), who made it clear that it should not be seen as a replacement for the criminal law. It is not about replacing the prosecution process or stopping someone being prosecuted. I was keen to speak on this Bill to make it clear that no police officer should look at this provision as an alternative to prosecution. If there is evidence that the crime has been committed, the police should go through exactly the same process; this Bill is not a substitute.

Alex Chalk: In the case of my constituent—a GP in Cheltenham—the only way in which she could begin the process of rebuilding her life was to know that the person who had been tormenting her was behind bars. We should not do it willy-nilly, but there are occasions when people have to be locked up, and this legislation should not be a substitute for custody. Does my hon. Friend agree?

Kevin Foster: I absolutely agree. This is not a substitute for someone being locked up or paying the price that Parliament has set down for certain crimes. Victims need to see justice done. As with the previous Bill we

discussed, this legislation provides an additional power for dealing with poor behaviour and poor conduct in society. It is not an alternative power for dealing with poor conduct. I welcome the Minister to her place, and I am interested in hearing how she will ensure that with guidance issued to the police through the Home Office. How will the Department make it clear to the police that this is an additional provision that takes their powers further? It is not a choice between prosecution or this; it is now prosecution and this. This Bill covers behaviour that is not quite caught by current criminal offences. It is an expansion, not an alternative. The Bill does include penalties of imprisonment for continuing to breach the orders, and that is appropriate. There are some people who will not stop even after many remedies, and they probably need the threat of prison to put them off.

This Bill is welcome. It is an appropriate and proportionate step, and I am interested in how the police will implement it in my constituency of Torbay. It provides that the chief officer can apply for an order only in respect of someone in their area. How will the Minister ensure that there is co-operation between police forces in cases where the person resides outside the area or is being a nuisance to someone who goes between two areas? Those questions are about making the Bill an effective piece of legislation. How will the Minister ensure that victims of stalking—as with victims of domestic violence—feel that they can safely come forward and give their point of view, and that this new power is well known about? If people are not aware of the law, they may not know what rights they have to ask the police force to take action.

I am conscious of the time, and I have absolutely no intention of continuing to a point at which I would talk this Bill out. *[Interruption.]* I hear some enthusiastic approval from the Opposition Benches; I will conclude in the very near future.

I appreciate and welcome this Bill. I hope that I get the opportunity to serve on the Committee and take part in some of the detailed scrutiny of exactly how this will work and move forward. That applies particularly to the guidance that is issued to chief police officers when they make these decisions, because we want this power to be effective, and an addition, not an alternative, to the existing criminal law.

2.4 pm

Ms Diane Abbott (Hackney North and Stoke Newington) (Lab): I congratulate the hon. Member for Totnes (Dr Wollaston) on bringing forward this very important Bill. We have had a short but well-informed debate that people who are interested in this issue will read and appreciate.

As many Members have said, stalking can be an extremely serious offence that has been exacerbated by the rise in online communication. The victims are usually women who are vulnerable to the actions of resourceful and obsessive perpetrators, and there are often links with domestic violence. The crimes can be horrific. They can combine physical and online stalking, late-night phone calls, and even home invasion. Threats of rape and murder are frequent and all too often credible. I understand that in the case of the man who murdered our colleague Jo Cox, when people went to his home

[Ms Diane Abbott]

they saw that he had a whole room papered with pictures of Jo, so we need to remember that this type of obsessive attention not necessarily will, but can, end in physical violence.

Far too many stalking crimes go undetected. In 2015, there were just 194 convictions for stalking offences. Yet, as other Members have reminded us, the crime survey suggests that one in five women and one in 10 men will be affected by stalking in their lifetime, while the under-publicised national stalking helpline has responded to almost 14,000 calls since it was established in 2010. Clearly, the conviction rate is barely the tip of the iceberg.

I should not refrain from pointing out the failings of the criminal justice system as it stands. Often, victims are not kept informed. Case adjournments take place without notice. Charges are altered or dropped without reference to the victim. If the victim makes it to court, they can be cross-examined by their own tormentor. Many victims say that they are made to feel that they are on trial. Serious offenders can receive no more than a suspended sentence, even if convicted.

There has been reference to the Emily Maitlis case. Of course, it is important that we repeat that stalking is not just something that affects celebrities. However, I was struck by some of the things that Emily Maitlis said: the fact that it had gone on for 20 years and felt like having a serious illness; the effect it had had on her family and her children; and, above all, the fact that her stalker was able to write to her from prison and while out on licence. Although this is an excellent Bill that I hope will pass through the House, we have to consider the whole approach of the criminal justice system to this issue, and make sure that we have a comprehensive, systematic and integrated approach to the crime of stalking.

We have heard some excellent contributions, including from my hon. Friends the Members for Rotherham (Sarah Champion) and for Batley and Spen (Tracy Brabin), but also from the hon. Members for Banbury (Victoria Prentis), for Cheltenham (Alex Chalk), for Harborough (Neil O'Brien), for Eddisbury (Antoinette Sandbach) and for Torbay (Kevin Foster).

Labour Members give wholehearted support to this Bill, which will form an important part of the toolkit to deal with the menace of stalking.

2.8 pm

The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins): I thank my hon. Friend the Member for Totnes (Dr Wollaston) for bringing this most important issue to the House. It has been an absolute pleasure working with her and her staff on this Bill. Her commitment to the issue is shown not just by the quality of the Bill but the support for it across the House.

I also thank Members across the House for the very moving and, sadly, chilling experiences of stalking that they have presented on behalf of their constituents. I note in particular the speeches of my hon. Friends the Members for Cheltenham (Alex Chalk) and for Harborough (Neil O'Brien), who both mentioned Hollie Gazzard and Alice Ruggles. I have had the privilege of

meeting the parents of Hollie and of Alice, who, along with the parents of Clare Bernal and of Rana Faruqui, have somehow found the wherewithal to grapple with the grief of losing their children through this awful offence, and then to set up charities to campaign on the issue. I want to express my admiration for all such parents who can find the strength to do that.

I am also very grateful to my hon. Friends the Members for Banbury (Victoria Prentis) and for Eddisbury (Antoinette Sandbach) for their legal insights. As always, they have used their legal experience to great effect in the Chamber.

Stalking is an issue of great importance to the Government. The Bill will provide the police with a vital additional tool to protect the victims of stalking and to deter perpetrators at the earliest opportunity. The onus will be on the police, not the victims, to bring in the orders. That is so important. I know that the hon. Members for Rotherham (Sarah Champion) and for Batley and Spen (Tracy Brabin) are concerned about this. Importantly, the orders will have the flexibility to impose both positive and negative requirements on stalkers. I hope that will address the concerns of my hon. Friends the Members for Torbay (Kevin Foster) and for Cheltenham in that, where appropriate, the court will be able to require the stalker to have a psychiatric assessment. There is also the vital criminal penalty if the stalker dares to breach the court order, which I hope will provide the safety and comfort that I know victims so desperately need.

We know that there is so much more to do and that the Bill is not a single silver bullet. I have noted with concern the thoughts of colleagues on the report by Her Majesty's inspectorate of constabulary and the CPS. The report, which makes for sobering reading, sets out the scale of the improvements that need to be made. The Home Office is working closely with the CPS and the police to improve their reaction to these offences. What is more, we are going to introduce statutory guidance, alongside the Bill, to help to improve the police and the CPS's understanding of stalking. In addition, the College of Policing will shortly publish refreshed guidance for the police on investigating stalking and harassment offences. This will all be overseen by a national oversight group chaired by the Home Secretary, whose commitment to tackling this is absolute.

I note the observation made by my hon. Friend the Member for Dudley South (Mike Wood). Interestingly, he brought to light the research by the West Midlands constabulary showing that there are an average of 70 to 100 incidents before victims report their suffering to the police. I will take that away and consider with officials how we can address it.

Once the police have these powers, they must use them. Through the police transformation fund, we have provided £4.1 million to the police, in partnership with the Suzy Lamplugh Trust, for a multi-agency stalking interventions programme to share best practice and learning on the development of effective interventions for stalking. Last week, I had the pleasure of meeting officers from Hampshire and Gloucestershire who are doing great work on this. Again, I hope that that will address the concerns of my hon. Friend the Member for Torbay about early intervention. The proposed stalking

protection orders will form part of the bigger picture of tackling stalking as a vital additional tool at the disposal of our police forces.

We must not just look at stalking in isolation. As the Minister for Crime, Safeguarding and Vulnerability, I have responsibility for protecting women and girls—and, indeed, men and boys—from all forms of violence, including stalking. The strategy to end violence against women and girls, published in 2016, sets out our ambition that no victim of abuse is turned away from the support they need. We have committed to increasing funding to £100 million to support this work. There is a great deal of overlap, sadly, between the different crime types tackled in the VAWG strategy, and we must make sure that the police, the CPS, social care professionals, health professionals and others work together to get the results needed for victims. There are key principles that must be shared, promoted and implemented when dealing with these cases. We must show empathy to victims, and an understanding and a recognition of the patterns of behaviour. We must have effective multi-agency working, we must prioritise early intervention and prevention, and we must ensure that there is appropriate victim care and support.

In conclusion, the Government are committed to drawing on the expertise and experience of victims, survivors, academics, the voluntary sector, communities and professionals to do all we can to improve the response to stalking and to VAWG generally. I must finish by thanking my hon. Friend the Member for Totnes for all her hard work on the Bill, and by thanking Members on both sides of the House for their support. I hope that our collective efforts will enable us to make positive progress with this vital Bill, and to provide victims of stalking with the support and the help they need.

Question put and agreed to.

Bill accordingly read a Second time; to stand committed to a Public Bill Committee (Standing Order No. 63).

School Holidays (Meals and Activities) Bill

Second Reading

2.15 pm

Frank Field (Birkenhead) (Lab): I beg to move, That the Bill be now read a Second time.

I thank those who, through the usual channels, have ensured that we got a debate today. I have never been more pleased with their activities and with what they have shown us over the last few hours.

The case for the Bill has been made in the country and, as I told the Minister, I intend to be brief. People do not want to hear me; they want to hear him. First, however, I will take a couple of minutes to outline the need for this Bill. In one way it is shocking that a Bill to ensure school meals and fun during school holidays—particularly for the poorest children—is being presented today. I also feel some pride, however, because I see in the Public Gallery people from my constituency who, like many volunteers around the country, have played a huge part in ensuring that children who would otherwise go hungry are fed.

The lesson of that massive example of activity is that the task now is beyond what the voluntary sector can do and the challenge is therefore passed to the Government. I hope that the Minister will take up that challenge in two ways. The Bill seeks to initiate a number of pilots around the country, sponsored by the Government, so that the first moral principle of social action—that we should do something for people who are suffering now—is met. However, we also want the Government—and us as legislators—to learn from that experience and to undertake research activities so that we can see what is the best way to deliver these programmes, with the help of the voluntary sector and, above all, what the impact is of such programmes on children's weight—weight is often lost during the school holidays—and on their ability to maintain the educational advancements achieved during the school term.

This is a historic opportunity, and the first time for more than 100 years that this House has discussed a school meals Bill. As I said, it is not me that people want to hear but the Minister, so I am happy to end my speech now.

2.18 pm

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): Will you, Madam Deputy Speaker, pass on our birthday wishes to Mr Speaker, as I understand it is his birthday today?

I congratulate the right hon. Member for Birkenhead (Frank Field) on promoting this Bill and making such a clear case for change. As a new Minister, I hope that I am able to emulate his exemplary and tireless commitment to improving outcomes for disadvantaged families, and I wholeheartedly applaud his ongoing efforts in this area.

Let me set out what this Government have done to tackle poverty and disadvantage. Last April, the Government published their “Improving Lives: Helping Workless Families” strategy, which focused on measures that tackle the root causes of poverty and improve children's welfare. Tackling poverty, and its root causes, is a key priority for this Government, and we know that

[Nadhim Zahawi]

for most people work represents the best route out of poverty. Unemployment has not been lower since 1975, and the proportion of workless households is at its lowest since records began. Our welfare reforms are working. Let me give an example. Analysis by the Resolution Foundation has shown that our national living wage lifted 300,000 out of low pay last year. That is the biggest uplift out of the lowest bracket since 1970.

We recognise, however, that there is more to do, and the Government are committed to delivering a country that works for everyone. I am, therefore, keen to work with the right hon. Gentleman and other stakeholders to help the most disadvantaged pupils to have access to activities and healthy meals during school holidays. That has the dual benefit of ensuring that children have access to healthy food and enabling them to gain skills and experiences that can unlock future opportunities.

My Department's breakfast clubs programme is one area in which we are already exploring how we can tackle that issue. The programme will not only expand breakfast clubs in at least 1,500 disadvantaged schools; it will also promote innovation through projects that focus on addressing access and delivery barriers and improving the health and education outcomes of disadvantaged children. I also agree with the right hon. Gentleman that we must look at how best to ensure that the most disadvantaged pupils have access to activities and healthy meals during the school holidays.

I am, therefore, pleased to confirm today that the Government will launch research, as the right hon. Gentleman has requested, into how best to ensure that more children from disadvantaged families benefit from healthy meals and enrichment activities during the holidays, including through targeted pilots. The programme will include engagement with stakeholders and will enable us to assess the impact of Government intervention.

Where I differ with the right hon. Gentleman is in his belief that primary legislation is required to address the issue. I do not believe that that is the case. Moreover, it would not be sensible to impose a duty on local authorities to deliver such provision until we have more evidence about the scale of the issue, the most effective ways of tackling it, and, of course, the costs and burdens associated with doing so.

The Government therefore oppose this private Member's Bill. However, as I have already confirmed, the Government will support the right hon. Gentleman's proposal to investigate the best way to ensure that the most disadvantaged children have access to activities and healthy meals in the school holidays. The research programme will include funding for a targeted pilot programme, as he and I have discussed. That will allow the Government to consider if and how they should intervene in the long term. That programme of work will focus on the best and most cost-effective ways to address the issue, with an emphasis on securing the best possible value for money.

We will ensure that we do that by maximising the use of existing resources and focusing on targeting those areas in greatest need, building on the good work that is already under way in many local communities. However, only once the findings from the evaluation are available will it be possible to reach an informed view about next steps. We will want to consider these findings carefully,

taking account of value for money. Before we have the evidence, it would not be right for me to make any commitment today to further action, either in terms of introducing a national policy or placing a duty on local authorities to offer such provision along the lines proposed by the right hon. Gentleman's Bill.

Frank Field: I entirely understand why the Minister does not want to go down a primary legislative route, but the main aim of the Bill was to invite the Government to match the extraordinary efforts of the voluntary sector and undertake their own pilots. Equally important, however, is the research side. We need to understand what is the best way of delivering this service to poorer children, and also to understand the educational consequences of such a programme. I hope that, in the not too distant future, we shall be ready to greet the Minister when he rises to introduce his own Bill based on the pilots and the research. As he knows, there is massive support for my Bill on both sides of the House, not least his own side.

Nadhim Zahawi: I thank the right hon. Gentleman for dealing with this issue through an evidence-led strategy. He agrees with the Government that we need to conduct the research and the pilots in order to understand what is happening.

Kevin Foster (Torbay) (Con): I can give some evidence of Conservative support for this work. How will the pilots be selected? Will it be done on a local authority basis?

Nadhim Zahawi: It is early days. We are currently considering how we will conduct the research, and when we have conducted that research we will, hopefully, be able to tell the House how we will conduct the pilots.

Dr Roberta Blackman-Woods (City of Durham) (Lab): I am grateful to the Minister for announcing at least some progress. Will the pilots involve looking into how the sugar tax could be used to help to feed children during the holidays?

Nadhim Zahawi: We have secured funds for the research and the pilots. The hon. Lady will know that the sugar tax has been committed to many other matters in the Department that are equally important.

Several hon. Members *rose*—

Nadhim Zahawi: I will make some more headway first. Then I will take a few more interventions.

To reach an informed decision, we will work across Government. We will begin immediately to carry out rapid research, along with further stakeholder engagement. That will enable us to learn from those who are already active in the field about how to achieve the most positive outcomes. I am keen to work in partnership with the right hon. Member for Birkenhead to drive that forward, and I will be most grateful for his continued support and expertise. We will, in particular, look to colleagues in Wales, who are already offering "food and fun" holiday schemes, and to the teams who have evaluated them. We will learn lessons from similar schemes elsewhere. There are, for example, the opportunity areas, six more of which we have launched today. We will also consider

how to build on breakfast club provision. Drawing on the learning from the research and engagement, we will set out our plans for the research, including the pilot programme, later in 2018.

Diana Johnson (Kingston upon Hull North) (Lab): Will the pilots take place this year? In Hull we are already trying to plan for a scheme to be in place in the summer, and it would be nice to know whether we could apply for funds to conduct one of the pilots.

Nadhim Zahawi: We will begin the research immediately. The difficulty with beginning the pilots in the holidays this year is the procurement process, but I want to begin them as soon as possible.

Several hon. Members *rose*—

Nadhim Zahawi: I want to make a little more headway.

It is important for any provision to take account of local need, so we will seek to ensure that our approach can respond to a variety of circumstances and contexts. For example, we will aim to cover rural as well as urban areas, to work with different types of schools and across educational phases, and to ensure that provision can be accessed by children with special educational needs and disabilities. We will build links with and between local partners by, for instance, assisting voluntary and community sector organisations to work collaboratively with schools to achieve those aims.

Ruth Smeeth (Stoke-on-Trent North) (Lab): Will the Government also use research from pilots that the voluntary sector led last year, when 10,500 meals were served in my constituency?

Nadhim Zahawi: I would very much like to see that research. We will both collate research already done and commission new research. We want to get this right.

The research programme will begin immediately and will include some initial work in the 2018 summer holidays followed by further piloting in the 2019 Easter

and summer holidays. The Government work will investigate how to provide a balanced, enriched programme for the most disadvantaged school-age pupils.

The debate stood adjourned (Standing Order No. 11(2)).

Ordered, That the debate be resumed on Friday 27 April.

Business without Debate

FETAL DOPPLERS (REGULATION) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 15 June.

WORKERS (DEFINITION AND RIGHTS) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

AUTOMATIC ELECTORAL REGISTRATION (NO. 2) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 27 April.

TYRES (BUSES AND COACHES) BILL

Motion made, That the Bill be now read a Second time.

Hon. Members: Object.

Bill to be read a Second time on Friday 23 February.

Rail Connectivity

Motion made, and Question proposed, That this House do now adjourn.—(Rebecca Harris.)

2.31 pm

Jo Platt (Leigh) (Lab/Co-op): Rail connectivity between towns and cities represents the tool by which our local economies prosper, our businesses thrive, our young people travel for employment and educational opportunities, our skills gaps narrow, social isolation can be tackled and leisure facilities accessed, and, most importantly, social mobility is enhanced.

Over the past few months the Government have acknowledged the importance of rail connectivity. In report after report transport and infrastructure have been rightly highlighted as major tools to solve some of the biggest problems we face in society. However, I am increasingly concerned that these statements are empty words that are not backed with the commitment or investment deserved. Let us consider each of these reports in turn.

After the publication of the Government's rail strategy, I welcomed the announcement that the Government would consider reopening lines closed in the 1960s to unlock housing and development. However, just a glance at the detail of this announcement shows that these lines have already been announced by the Government, and none of these proposals is due to benefit Greater Manchester's transport system. This is a strong proposal let down, yet again, by the detail.

In the autumn Budget, we heard from the Chancellor that our productivity is flat-lining and our economy is in urgent need of an investment boost. But instead of taking the immediate opportunity to announce infrastructure projects to boost our economy, create employment and link our towns and cities, the Government delivered a threadbare Budget that did not seek to remedy the problems we are facing today, let alone tomorrow.

The Government's industrial strategy was then released, which contained many previously announced statements, some extremely broad policies and no commitment to invest in our post-industrial towns. At the exact time we needed an urgent plan, yet again we received nothing.

Earlier this week, we also saw Transport for the North's "Strategic Transport Plan". The Government hailed Transport for the North's powers as "game-changing" but the reality is that the Government have created a powerless body at the mercy of the Transport Secretary. While I welcome the fact that our region now has a local body to champion the issue of its transport connectivity, Transport for the North does not have the power it needs to make these important decisions.

Liz Twist (Blaydon) (Lab): Does my hon. Friend agree that it is disappointing that we will not see the investment that we had hoped for on the west coast to east coast lines, which are so important to our productivity?

Jo Platt: My hon. Friend is absolutely right. This is not just about my area; it is about connections to all our towns and cities, particularly in the north.

It is outrageous that the Government have only given TfN the powers to prepare a strategy and provide advice, and no power to implement such a strategy. That power still lies with the Secretary of State. Labour would give

TfN those powers, but the Conservative Government are treating the north with characteristic contempt by failing to match our offer. However, within the detail of TfN's plans, I was pleased to see Leigh listed as a major economic centre in the middle of four strategic corridors. The Government's lack of support for TfN has hampered its ability to set out detailed transport plans, but I hope that when those plans arrive, they will lead to the transport improvements that we need in Leigh.

I have also received a letter from Transport for Greater Manchester this week stating its commitment to review the current lack of rail connectivity in Leigh, which I also welcome. However, following meetings with both TfGM and TfN recently, I have identified two key problems with the relationship between our regional transport bodies and the Government. First, I am concerned that investment from the Government is based on responding to growth rather than creating it. We cannot continue with this failed approach to investment that focuses on areas of existing growth without preparing our towns for the economy of the future.

Secondly, as I will discuss later, the Government are failing in their obligation to adequately fund these bodies. Therefore, TfN's 30-year plan must ensure that our post-industrial towns are carried with the growth of our northern cities. Leigh was at the heart of the first industrial revolution, and we must now act to ensure that its residents are not merely spectators in the so-called fourth industrial revolution.

Poor rail connectivity is also having a direct impact on social mobility in our towns. The Social Mobility Commission recently concluded in its "State of the Nation" report that the

"worst performing areas for social mobility are no longer inner city areas, but remote rural and coastal areas, and former industrial areas".

These outer towns such as Leigh are becoming ever more disconnected from our booming cities, and the commission subsequently placed Leigh in the lower rank of constituencies.

Bambos Charalambous (Enfield, Southgate) (Lab): In my constituency, the extension of the London underground to Cockfosters allowed the area to flourish almost a century ago. Does my hon. Friend agree that transport connectivity is vital for social mobility and essential if an area is to grow and flourish?

Jo Platt: My hon. Friend is absolutely right. We are naming transport as one of the key indicators for social mobility. There are obviously many others, but transport connectivity is much needed.

Infrastructure is letting down the young people of Leigh. Despite their dedication and hard work, they are struggling to gain the necessary education, skills and employment to remain competitive. They are being let down, and to realise why we only need to read Alan Milburn's letter of resignation as chair of the Social Mobility Commission. He wrote that the Government

"is understandably focused on Brexit and does not seem to have the necessary bandwidth to ensure that the rhetoric of healing social division is matched with the reality. I do not doubt"—

the Prime Minister's—

"personal belief in social justice, but I see little evidence of that being translated into meaningful action."

There is no greater example of this than Leigh, which is in urgent need of investment today—not after our Brexit negotiations or in 20, 30 or 40 years' time, but today. For the young people growing up in outer towns, we are talking about their futures. There are simply no second chances for them. Unless we act urgently to improve our nation's connectivity, we are at serious risk of leaving behind a forgotten generation of young people who are unable to access the employment and education opportunities offered in our cities.

That brings me on to the specific transport situation that we face in Leigh. As a thriving town situated between Manchester and Liverpool, with nearby Warrington and Merseyside providing key employment and educational opportunities, transport is clearly critical to my constituents, and yet our town has no rail connectivity whatsoever. Indeed, we are the fifth largest town in the country with no rail connectivity.

It would be remiss of me not to mention the recent transport investment that Leigh has received. The guided busway into Manchester has proved to be a superb project, exceeding expectations, reducing journey times into Manchester and proving the importance of strategic investment into our town. However, the busway does not assist those travelling to work outside the city. For example, one constituent got in touch with me this week to tell me that his journey to work, which takes 40 minutes by car, is a two and a half hour journey by bus. Another constituent, Lynn, highlighted the impact on businesses, saying that if a customer wants to visit her shop from further afield by train, they get put off by having to use the bus for the final leg. The impact is felt not only by our young or our businesses. Cuts to public transport and the process of deregulation of our bus services have a huge impact on our most vulnerable and older people, and that impact cannot be overstated.

Rail connectivity cannot be happen on its own. There must be seamless integrated connectivity with road networks, cycle lanes and other public transport. Reducing congestion, noise and air pollution is also an important aspect of addressing detrimental health outcomes in our less-connected towns. While Leigh is an amazing constituency in which to live, perfectly situated as it is between many northern cities, a great place to bring up a family with its good and outstanding schools, and the fertile ground for businesses to invest, without efficient and comprehensive transport connectivity we are being held back. We are restricting business and economic growth, employment opportunities, and the life chances of our young people. Now is the time to act because, despite the Government's best efforts, the northern powerhouse cannot succeed unless our towns are positioned as the engine of northern growth.

I anticipate that the Minister will respond by placing the weight of responsibility on regional transport bodies in the north and will insist, rightly, that it is for local bodies to determine the transport needs for local areas. However, the Government have not been funding those bodies adequately to allow investment in the medium to large projects that will mark the much-needed step change in our transport connectivity. Passing the buck to regional bodies, without giving them the resources to deliver, shows exactly how this Government treat the north: without any concern or ambition for the region to succeed.

When talking about the north's transport woes, the Government must understand that the Opposition are not talking about an extra bus here and a new route

there—that simply will not cut it. If the Government are serious about putting the passenger first, they must transform how they invest in all infrastructure, creating seamless connectivity. We need a total revolution in our approach to transport and infrastructure spending. We need the Government to commit to prioritising areas of poor social mobility and to invest in their infrastructure, bringing their local economies into the 21st century and making sure that no town is left behind.

2.43 pm

The Parliamentary Under-Secretary of State for Transport (Ms Nusrat Ghani): I congratulate the hon. Member for Leigh (Jo Platt) on securing this debate. As she knows, the Government are committed to creating a northern powerhouse to rebalance our economy. Improvements in transport connectivity are central to that and support a broader strategy for building that northern powerhouse, including investment in business, innovation, health, agriculture and culture, which the hon. Lady mentioned.

Between 2015 and 2020, the Government will spend over £13 billion improving and modernising northern transport—this is the biggest transport investment in the region for a generation—and we are also committed to giving the great towns and cities of the north more say over transport investment through Transport for the North. As part of that plan, the northern powerhouse rail programme aims to dramatically improve connections between major cities across the north of England. Transport for the North is considering a range of options, including whether other significant economic centres could be served by northern powerhouse rail. We will receive a business case from Transport for the North later this year.

Before addressing Leigh, I will highlight the significant transport investment already under way in Greater Manchester and across the north to support the northern powerhouse. We are investing around £40 billion in our network as part of our biggest rail modernisation programme for more than a century to provide faster journeys and more comfortable trains. That includes delivering improved journeys for passengers right across the north.

Through the growth deal process, the Government have provided the Greater Manchester local enterprise partnership with £663.4 million to support its investment in transport to provide a better integrated transport network across Greater Manchester. As part of the Northern and TransPennine Express franchises, and as part of the Great North Rail project that is currently being delivered, Wigan will benefit from the frequency of trains to Manchester via Atherton being increased to four an hour using newly refurbished trains. The rail route between Liverpool and Wigan has also been upgraded.

By 2033, up to 18 trains will be running each hour on High Speed 2, carrying up to 1,100 passengers each. HS2 will free up space on our existing railways for new commuter, regional and freight services. During construction, it will generate 25,000 jobs and 2,000 apprenticeships. It will also support growth in the wider economy, worth an additional 100,000 jobs.

The Government have given £2.5 million to Greater Manchester to develop a local growth strategy that will propose ways of spreading the benefits of HS2 beyond the immediate station vicinity and improving connectivity

[*Ms Nusrat Ghani*]

from HS2 stations to the wider conurbation. The Government will continue to work with Greater Manchester to help to deliver those plans.

Leigh will be able to access HS2 services from multiple locations, including Wigan, Manchester airport and Manchester Piccadilly, which is readily accessible by public transport from Leigh, including via the new busway. HS2 will also join the west coast main line at Golborne, south of Wigan, as well as at Crewe. By linking to the west coast main line, HS2 will deliver benefits to areas such as Preston and Lancaster in north-west England and all the way up to Glasgow and Edinburgh in Scotland. Growth strategies developed by local areas will also play an important part in spreading the regeneration benefits of HS2 beyond those places it serves directly.

Jo Platt: The Minister talks about connecting to HS2, but it will take more than an hour for some of my constituents in Mosley Common to travel into Wigan by public transport. How will they access HS2 in good time? It will take passengers less time to travel from Wigan to Birmingham.

Ms Ghani: I am pleased the hon. Lady does not deny all the benefits that HS2 will bring to the area. There has been investment in public services, and a lot of these decisions have been devolved to the local Mayor, whom she can challenge to take up the case. She cannot deny the opportunities that HS2 has opened up to the region.

As the Chancellor announced at the Budget, the £1.7 billion transforming cities fund will address weaknesses in city transport systems in order to raise productivity and spread prosperity. It will fund new local transport links, making it easier to travel between more prosperous city centres and frequently struggling suburbs. That will help to ensure that people across the country have better options to combine different modes of transport by supporting projects that will improve connectivity, reduce congestion and introduce new mobility services and technology.

We have already seen the impact of better integrated transport links for both passengers and the local economy in cities such as Nottingham and Manchester. The new transforming cities fund will enable more English cities to reap those benefits, helping to deliver the opportunities and ambition of the industrial strategy across the country, as well as driving forward the northern powerhouse and the midlands engine. Greater Manchester will receive £243 million from the transforming cities fund. As part of the Greater Manchester Combined Authority, it will be for the Mayor and the GMCA to decide whether to use this allocation to develop projects to improve connectivity in the Leigh area—I hope that helps to address the earlier question.

The Government have been very clear that we need better travel connections in the north. To address this, we are already spending record amounts on transformational projects, such as HS2 and the Great North Rail project; new trains and extra services, through improved franchises; and £3 billion on roads to make journeys faster and more reliable. Of course, investment in the north is crucial, and we are demonstrating that, but there is also a need for a long-term strategy to drive those investment decisions—a strategy developed by the north for the

north. Pioneering legislation to transform Transport for the North into the first ever statutory sub-national transport body, with legal powers and duties, was approved by Parliament this week. Also this week, Transport for the North published its draft strategic transport plan for consultation. As a result of TfN's new powers, coming into force on 1 April, the Secretary of State will formally consider the north's strategy when taking national decisions.

I welcome the publication this week of the draft strategic transport plan, which is an important step in the north speaking with one voice to set out its vision for transport in the region over the next 30 years. I encourage Members to respond to TfN's public consultation. The north's unprecedented role in national transport planning will ensure that links between transport and economic development are maximised. We see the establishment of TfN as a significant step for the north and the country.

Liz Twist: As the Minister says, we have seen the launch of the transport strategy for the north, and we will indeed be responding to it as local Members. May I ask her to ensure that when the decisions are made, we will get our fair share of the funding to turn those plans into reality and really make a difference for our regions?

Ms Ghani: This is why it is so crucial that as many Members as possible put forward their ideas and make sure we have their input in the plan, because all Members who add in their information will find that all that data will be put together and will have to be taken into account for those decisions to be made. I encourage Members to make a strong case for their regions and constituencies.

The north's unprecedented role in national transport planning will ensure that links between transport and economic development are maximised. We see the establishment of TfN as a significant step for the north and the country. It will work with the region's transport authorities and elected Mayors to build a long-term vision for transport across the north of England. As the voice of the north on transport, TfN will also have unprecedented influence over Government funding and decision making. What this Government are clearly demonstrating is that, in setting up TfN and backing the election of metro mayors, we are giving the north greater autonomy and control, and a powerful voice to articulate the case for new transport projects.

I am, of course, aware that Leigh is the largest northern town without a rail station. We recognise that that appears to be an anomaly, especially given the fact that Leigh had a station for more than a century between September 1864 and May 1969. We are also aware that the Leigh area rail study of January 2012, produced by Transport for Greater Manchester and Wigan Council, stated in its recommendations:

"A wider business case, which included regeneration benefits to Leigh, could be explored in the context of supporting potential future funding bids, but the significant gap between costs and projected benefits of the scheme must be recognised."

Since that report, there has of course been much rail investment in the north, as well as a number of major reports on the future, all with the aim of enhancing the north's infrastructure and the services it supports. Leigh has seen some positive developments, with the arrival of

the £122 million Vantage guided busway, which provides fast and efficient links into Manchester. It is also important to state that the integration of local, pan-northern and national transport networks of all types is a key focus for TfN.

The Government have, through the years, consistently explained to local representatives, including the hon. Member for Leigh, that, as is the case elsewhere in England, it is for local bodies to determine whether opening a rail station is the best way of addressing local and regional economic development needs, and to secure appropriate funding, including from that made available from government for such purposes through growth and devolution deals.

When he was the Rail Minister, my hon. Friend the Member for Blackpool North and Cleveleys (Paul Maynard) met the hon. Member for Leigh on 29 November 2017 to address her concerns about HS2 and to provide advice on how her proposal could be taken forward. The hon. Lady was given the contact details of officials at Transport for Greater Manchester and encouraged to engage with them so that they might consider whether a new station at Leigh could play a role in their plans. She will be pleased to hear that Transport for Greater Manchester will soon commence a new study to examine all potential stations in Greater Manchester and review the possible benefits of investment. The sites that are deemed to be potentially viable will be subject to a full business case, which could be put forward for funding in due course.

Jo Platt *rose—*

Ms Ghani: I shall make some progress because the hon. Lady will want some time to respond.

People in Leigh will be able to access HS2 services from multiple locations, including Wigan, Manchester airport and Manchester Piccadilly station, which is readily accessible from Leigh by public transport, including by use of the new busway. HS2 will join the west coast

main line at Golborne, south of Wigan, as well as at Crewe. By linking to the west coast main line, HS2 will deliver benefits to areas such as Preston and Lancaster in north-west England, all the way up to Glasgow, Edinburgh and the rest of Scotland. The growth strategies that are developed by local areas will also play an important part in spreading the regeneration benefits of HS2 beyond those places it serves directly.

I hope I have answered the hon. Lady's questions and addressed her concerns, and that I have assured the House that the best way to drive railway improvements is to support our strategic vision for rail, which includes the north of England having, in Transport for the North, a new and powerful voice to articulate its future transport needs.

I apologise that I had not realised that the hon. Lady cannot respond; I will take an intervention now.

Jo Platt: The meeting with Transport for Greater Manchester was really successful, and I welcomed the advice of the previous Minister about meeting Transport for Greater Manchester and Transport for the North. My concern is that the strategic plans and frameworks are for 20, 30 or 40 years' time, so generations of young people in Leigh will not feel the benefit.

Ms Ghani: We have discussed a variety of ways that investment is being put into the hon. Lady's area. The plans are in place now; they are not just for future generations. People say that when they talk about HS2, but there is solid investment in the region and in the hon. Lady's constituency, be that in busways or the rail network. The investment is in place. The work that followed the meetings with the previous Rail Minister will continue, and I encourage the hon. Lady to speak to the people responsible who have the powers locally and to continue to engage with them.

Question put and agreed to.

2.58 pm

House adjourned.

Written Statements

Friday 19 January 2018

HOME DEPARTMENT

Migration

The Secretary of State for the Home Department (Amber Rudd): The UK and France share a special relationship. The operation of juxtaposed controls, provided for by bilateral agreements, is an essential element of our border strategy. Since the juxtaposed controls were introduced, the number of asylum claims made in the UK has decreased dramatically. Before the controls were in place, asylum claims reached over 84,000 a year, three times higher than the 26,617 claims in 2016-17. The reduction in claims we have seen has significantly reduced the impact on public services and the UK taxpayer—with every reduction by 10,000 asylum claims saving the UK at least £70 million in costs.

Juxtaposed controls play a hugely important role in protecting our national security and have significant economic value for both the UK and France—creating a smooth border and making trade more efficient. Having UK border controls based in France allows Border Force officers to check passengers and freight destined for the UK in France, ensuring we can take action against illegal migrants, those trying to smuggle people into the UK and criminals attempting to bring illegal goods into the country, before they reach British soil.

Yesterday, we signed a supplementary agreement that demonstrates the UK and France's long-term commitment to the future of the juxtaposed controls, recognising that they are in the common interest. This treaty with France—the treaty between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the French Republic concerning the reinforcement of co-operation for the co-ordinated management of their shared border, recognising the importance of cooperation at the juxtaposed controls—is established to sit alongside the Le Touquet and Canterbury treaties and will come into force on 1 February 2018. In securing the future of juxtaposed controls in this way we are able to strengthen operational co-operation, both in northern France and further upstream, to reduce the illegal flows into France. The treaty will not affect the operation of our juxtaposed controls, but demonstrates the UK and France's long term commitment to their successful operation, and secures some of the mechanisms that we need to further strengthen our joint capabilities to prevent the formation of any new migrant camps.

Building on the successful co-operation of the clearance and relocation of the migrant camp in Calais in 2016, the UK and France have now agreed a comprehensive “whole of route” approach to migration. The aim is to reduce the number of migrants making the dangerous and illegal journey to northern France and manage the pressure on our shared border from those who do travel. The elements are to:

- jointly work upstream in source and transit countries to discourage migrants who do not have any lawful basis for doing so from making the dangerous journey to northern France;

- invest in strengthening our shared border through investment in port security and infrastructure and further improving operational co-operation with France; and,

- work to ensure that migrants who have travelled illegally to Northern France are able to quickly claim asylum in France so we can meet our international obligations.

The UK has a shared interest in co-operating with France to manage migratory pressures. The support announced as part of the UK France Summit will help ensure migrant camps do not reform and that those willing to engage with the asylum system in France can claim asylum there. It also includes working with France to facilitate the return of migrants with no legal right to be in Europe to countries further upstream where they can be lawfully admitted.

Our co-operation with France on migration and our shared border is a long-term commitment. Just as we invest in our borders around the rest of the UK, it is only right that we constantly monitor whether there is more we can be doing at the UK border controls in France and Belgium. Signing the treaty yesterday ensures a continuation of operational co-operation in a number of ways. It reaffirms both parties' commitments to the operation of procedures for determining the member state responsible for an asylum claim under the Dublin III Regulation. It establishes a new co-ordination centre for operational co-operation at our shared border and strengthens co-operation on returns. It sets up a strategic dialogue and commits both countries to working towards joint practical measures in countries upstream, further demonstrating our commitment and leadership on this agenda. These practical measures will help to reduce flows to northern France and underpin our joint commitment to fight modern slavery and human trafficking.

In addition, the UK and France recognise their humanitarian responsibilities towards unaccompanied asylum-seeking and refugee children. In 2016, the UK transferred over 750 unaccompanied minors from France as part of our comprehensive support for the Calais camp clearance. We have also announced a number of further measures in respect of unaccompanied asylum-seeking and refugee children:

- France, Greece and Italy will now be able to refer unaccompanied children who arrived in Europe before 18 January 2018 to the UK under section 67 of the Immigration Act 2016. The Government had previously insisted on the previous eligibility date of 20 March 2016 to avoid establishing an open-ended relocation scheme from Europe, as this would increase the pull factor that puts children's lives at risk. After extensive discussion with France, Greece and Italy, we have agreed to amend the eligibility date on an exceptional basis to ensure we can transfer the circa. 260 remaining unaccompanied children and meet our obligation under section 67 of the Immigration Act 2016. Over 220 children are already here and we are fully committed to transferring the specified number of 480 children as soon as possible, in line with our published policy. The specified number of 480 under section 67 of the Immigration Act 2016 remains unchanged following the UK France Summit.

- The allocation of a £3.6 million development fund, as part of the UK's overall £45.5 million funding commitment, which the UK intend to use to work with France to identify projects which support genuine claims through the Dublin process and ensure that those with no prospect of transferring to the UK are informed of their options.

- The strengthening of co-operation with France on the operation of the Dublin Regulation, including shorter timescales for decisions and transfers. These commitments apply whilst both the UK and France are participants in the Dublin Regulation.

The deployment of a UK Liaison Officer to France by 1 April 2018.

The Government have not agreed to any new obligations to take more unaccompanied children from Europe. The commitments set out in the treaty and this written statement will improve joint working with France and support the delivery of existing obligations.

The deal that we have done yesterday recognises the importance of the juxtaposed controls for both the UK and France, and seals confirmation by President Macron to ensuring that we work together to operate them as efficiently as possible, and sets up a new phase of co-operation that will enable us to break the cycle of camps forming in northern France.

We have a shared interest in co-operating with France on our whole of route approach to migration and the commitments set out at the UK France Summit, and in this written statement further underline the value of our enduring strategic relationship.

[HCWS415]

WORK AND PENSIONS

Welfare

The Secretary of State for Work and Pensions (Ms Esther McVey): Supporting people with mental health conditions is a top priority for this Government. We are committed to ensuring our welfare system is a strong safety net for those who need it. That is why we spend over £50 billion a year supporting people with disabilities and health conditions—more than ever before.

Disabled people and people with health conditions, including mental health conditions, deserve the very best support. Personal independence payment (PIP)

replaced the out dated disability living allowance (DLA) system, with 66% of PIP recipients with mental health conditions receiving the higher rate of the benefit, compared with just 22% under DLA.

On 21 December 2017 the High Court published its judgment in the judicial review challenge against regulation 2(4) of the Social Security (Personal Independence Payment) (Amendment) Regulations 2017 S.I. 2017/194. The regulations reversed the effect of the upper tribunal judgment in MH.

I wish to inform the House that, after careful consideration, I have decided not to appeal the High Court judgment. My Department will now take all steps necessary to implement the judgment in MH in the best interests of our claimants, working closely with disabled people and key stakeholders over the coming months.

Although I and my Department accept the High Court's judgment, we do not agree with some of the detail contained therein. Our intention has always been to deliver the policy intent of the original regulations, as approved by Parliament, and to provide the best support to claimants with mental health conditions.

The Department for Work and Pensions will now undertake an exercise to go through all affected cases in receipt of PIP and all decisions made following the judgment in MH to identify anyone who may be entitled to more as a result of the judgment. We will then write to those individuals affected, and all payments will be backdated to the effective date in each individual claim.

I hope that by making this statement it is clear that the Government are committed to improving the lives of people with mental health conditions.

[HCWS414]

WRITTEN STATEMENTS

Friday 19 January 2018

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