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**HOUSE OF COMMONS
OFFICIAL REPORT**

**PARLIAMENTARY
DEBATES**

(HANSARD)

Friday 23 February 2018

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The House met at half-past Nine o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Kevin Foster (Torbay) (Con) I beg to move, That the House sit in private.

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

Organ Donation (Deemed Consent) Bill

Second Reading

9.35 am

Mr Geoffrey Robinson (Coventry North West) (Lab): It is a great pleasure to see the Minister in her place. I was very pleased that yesterday afternoon she put out an official statement of support from the Government. They will be supporting the Bill, not just on Second Reading but through all its stages. That is very welcome and I appreciate that very much.

I am also very pleased with the support—I had no doubts at any stage—of the shadow Minister who will be speaking from the Opposition Front Bench. I must also mention that early on the Prime Minister indicated to me she had a personal interest and lent the Bill her personal support. I would like to say a sincere thank you to the Prime Minister for that. Rounding off this stage of my thanks, I have to mention the Leader of the Opposition. His leadership and support, and that of his office, has been invaluable. I have seldom seen such unanimous support across the House, with the 11 Members who have sponsored the Bill representing seven political parties in this House. Carrying that unanimity and commitment to the country and reaching a consensus there would mean that the Bill can become a very effective Act.

Jonathan Ashworth (Leicester South) (Lab/Co-op): I pay tribute to my hon. Friend for using this opportunity to bring the Bill to the House. I hope that the House gives its endorsement to the Bill today. I note that the Government have welcomed the Bill. I assure him that if the Government work with him to ensure its speedy passage, they will have the Opposition's full support.

Mr Robinson: I am grateful for that and thank my hon. Friend very much indeed. His support throughout has been consistent, welcome and a great help. I am pleased to tell the House we also have the support of three previous Prime Ministers. Only Sir John Major felt that he could not support us. He said he did not know enough about it, which was sometimes his problem as Prime Minister.

As I was saying, we should try to carry the unity of the House on this issue to the country and raise public awareness about the need for the opt-out solution we

are proposing. That would be a major achievement. The Government have launched a consultation on the matter. My hon. Friend the Member for Barnsley Central (Dan Jarvis), who was with me in the early meetings, urged that course upon the Government. They responded quickly and to great effect: the response has been unprecedented. I am informed, unofficially, that the number of individual responses—separate, individually written letters—is now over 11,000, which is a record for any public consultation of this kind. The consultation does not finish until 6 March. I hope that the campaign will create sufficient awareness for people to find the opportunity to participate in it online via the Government's website.

The predominantly positive response that we have been led to understand the public consultation is producing is hardly surprising—it is very welcome, but hardly surprising. According to recent reliable polling from the British Heart Foundation, up to 90% of the public said they were in favour of donation in principle, but that only 36% get around to signing the register. I think that many people are guilty, as I was for a number of years, of finding themselves in that position. That in itself suggests how effective an opt-out register could be.

Why are we actively looking towards implementing an opt-out solution at this stage? In England, for example, the situation is disappointing. We have some of the lowest rates of consent for organ donation in western Europe. Low family rates of consent have been one of the major barriers to the donor rate increasing. In effect, that prevents one third of available organs from being used. They go straight to the grave or to the crematorium. None of us likes to think about the worst happening, and it is challenging to have conversations with family and loved ones about one's wishes after death. However, one of the Bill's principal aims must be to encourage open discussions among families, so that an individual's real wishes are known to their nearest and dearest. I think it reasonable to say that in the majority of cases, given the outcome of the consultation and what we know from the polls, people would wish to donate their organs after their death.

However, there will be those who take a different view. Perhaps even one or two in the Chamber feel that way and will make their feelings known in the debate. In no way do I wish them to feel that they have been railroaded into decisions that they do not wish to take. Therefore, I emphasise to those who feel that they cannot lend their support or have doubts about the Bill at this stage that soft opt-out provisions will be built into it. Naturally, I imagine that there will be a fair amount of discussion about those in Committee. I assure hon. Members that, as the Bill's promoter, I give them my fullest personal commitment to approach discussions about the opt-outs in the spirit of sympathetic open-mindedness.

Theresa Villiers (Chipping Barnet) (Con): I am here to support the hon. Gentleman's Bill, but I ask him to engage with the Jewish community to see whether he can allay their concerns about how it might affect observance with their religious teachings.

Mr Robinson: I am very pleased to have taken that intervention. I remember that one of the former Prime Ministers who supports us—Gordon Brown—wanted

[Mr Geoffrey Robinson]

to introduce an opt-out system, but came up against a fairly immovable block in the then Chief Rabbi, Rabbi Sacks, who said then that at no cost could he commit the Jewish community to supporting it. That rather held matters up and the Government were then overtaken by other matters with that Bill, but yes, we will do that. I have been in touch, and we believe that the council itself has made an official statement supporting the Bill.

Mr Jim Cunningham (Coventry South) (Lab): I congratulate my hon. Friend on his Bill, and I know that he has put a lot of hard work into securing it. As any Member who has dealt with a Bill in the House of Commons knows, a lot of effort goes on behind the scenes. He has given important assurances on an opt-out, particularly to communities such as the Jewish community, and it is important to convey that message across. I hope we will get further support on that basis.

Mr Robinson: I am grateful to my hon. Friend and my honourable colleague from our shared city—we are both immigrants to it, but we hold it very dear to our heart—and his support along those lines is most welcome. I notice that my right hon. Friend the Leader of the Opposition has come in. I repeat my warm tribute to his leadership on the issue and to the tremendous help that I have received from his office in backing up the Bill. I am deeply grateful. I also took the opportunity to express a sincere thank you to the Prime Minister, who has taken a personal interest and lent her support. I know that he will welcome that, too.

Jeremy Corbyn (Islington North) (Lab): I apologise for having just arrived, Mr Speaker. I thank my hon. Friend for what he said. It is wonderful that he has got this Bill introduced, and I hope that today the House can pass it and thus save an awful lot of people's lives in future.

Mr Robinson: That is indeed our aim. However, I shall sound certain notes of caution about what we need to do to ensure that we get and successfully utilise that increase in organ donation. We have to watch out for certain things, and I will mention those as part of the serious approach that my right hon. Friend would expect from me and that, in due course, he would want to see his Government adopt and perhaps have to implement. I hope that that is the case, too.

We have a proud history of innovation in the field of transplantation. I think that time prevents me from going into any detail on that—indeed, I am getting the message from you, Mr Speaker, that time is of no essence, so let me mention a few things that have been achieved. In our proud history, Britain's first living donor transplant took place on 30 October 1960 at the Royal Infirmary of Edinburgh. The operation was between identical twins, because at the time, the problems of rejection were still a long way from any sort of reliable solution. In November 1965, the first transplant in the UK from a “non-heart beating” donor was carried out, again at the Royal Infirmary of Edinburgh. In 1968, there were the first successful heart and liver transplants. There is a proud tradition, and I am sure that the whole House will join me in congratulating the NHS and all the staff concerned in this department on their magnificent work.

Mark Tami (Alyn and Deeside) (Lab): I thank my hon. Friend for introducing this Bill. I think that he will move on to the point that transplant surgery is now becoming routine and people are living normal, long lives as a result. When I was growing up, a heart transplant was the No. 1 item on the news, and now they are being carried out every day.

Mr Robinson: Indeed, and the consequence is that to some extent we are victims of our success. We now have a growing need for organs and a growing waiting list for them, as I will mention. That problem must concern us all, and as a country, we must find a proper resolution.

Caroline Flint (Don Valley) (Lab): I congratulate my hon. Friend on his campaign. There are 90,000 residents in Doncaster who are on the organ donation register, and I am proud to be one of them. However, 54 patients in Doncaster are waiting for transplants. Unfortunately, Andrew Lake, the brother of my constituent, Amie Knott, died waiting for a double lung transplant. Is it not the case that we need to secure more people who are prepared to be part of this service, so that we can save more lives?

Mr Robinson: The whole House will be touched by the constituency case that my right hon. Friend raises, and it will wholly agree with what she says about the need to increase the availability of organs. We believe in a system that everybody is part of unless they choose to opt out. I have made it clear that the opt-out procedure would be simple and that we would respect those who choose to do so. If we can get the Bill through, it will not make an immediate difference tomorrow, but I am sure that over a period of years, as the activity rates and our capacity to handle donations successfully increase, the availability of organs donated will also increase. That is why I am so keen to get the Bill through Second Reading today.

Since those early successes, some 50,000 people in the UK have been given a second chance and a new lease of life, thanks to organ donation. I am sure that the whole House will join me in expressing the gratitude that we all feel to the NHS for that. Even if our history is a proud one, we cannot rest on our laurels. Unaccountably, over the past few years, the steady increase in the rate for donation and transplantation has slowed. In the past four years, to be more precise, it has in effect plateaued in England.

Against that background, there has been growing concern about the fact that a certain amount of inertia is setting in. The most recent figures for the whole United Kingdom make disquieting reading. As of March 2017, 6,388 patients were registered on the active waiting list for a transplant; in the same year, 457 died while on the active waiting list. Perhaps more significantly, over the same period, 857 people died after being removed from the active waiting list because while on it they had become too ill to receive a transplant. That shows how severe the situation is.

Liz McInnes (Heywood and Middleton) (Lab): I congratulate my hon. Friend on the Bill, which I support. Many of my constituents have contacted me about children who have died for want of a suitable organ donor. I wonder whether my hon. Friend will explain at some point how the Bill will benefit children who need an organ donor.

Mr Robinson: I think that that is one of the most moving aspects. We held a reception last night. Many of those present had benefited from organ donations, but in a number of cases it was their children who had benefited. I will indeed say more about that shortly.

Tony Lloyd (Rochdale) (Lab): My hon. Friend is making an excellent speech, and I am, of course, here to support him. The sad reality is, however, that behind every organ donation is someone who has died. It is right and proper for there to be facilities for children to receive donated organs, but that means a very sensitive time for the donor's parents, who have lost a child of their own. How might it be possible to deal sensitively with those families whose children have died?

Mr Robinson: We would encourage that across the board. Although my hon. Friend draws attention to a vital area, it is only one of those that we hope to address. As I am sure he will understand, different issues seem equally important to those who are in other categories. I do not claim that my Bill on its own is a panacea for our problems, but I am convinced that it is a vital prerequisite to the imparting of a new impetus to the increase in organ donations that we know the country urgently needs.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I congratulate the hon. Gentleman on the Bill, which I support. May I pursue the point made by the hon. Member for Rochdale (Tony Lloyd)? I believe that in 2016-17, after Wales had introduced presumed consent, 13 out of 33 families withdrew that consent when they were asked about it. Can the hon. Gentleman assure me that the Bill will allow room for relatives still to be consulted and to withdraw the consent? After all, it is being asked for at a very sensitive time. I want us to ensure that families are given that latitude, while trying to do everything possible to increase organ donation.

Mr Robinson: The right hon. Lady raises a difficult but important issue. As part of the soft opt-out, there will certainly be arrangements for families and close friends to express their opinions. It is interesting to note that in Spain, which has no register and operates what is effectively an opt-out system, there is always consultation with every family who can be reached in time in the absence of a register, and as a result of those consultations there is a tremendous rate of consent. It can, of course, work the other way as well, and the Bill will make full provision for that. It needs to be carefully worded, and I invite those with a particular interest to look at it, but the intention is to give families in that position an effective veto. I may not have fully picked up the point made by my hon. Friend the Member for Rochdale (Tony Lloyd).

Michelle Donelan (Chippenham) (Con): I, too, congratulate the hon. Gentleman on the Bill, which I support. Does he agree that the point about Spain highlights the fact that the Bill is not actually the answer, but only part of the solution? After its Bill was passed, Spain took 10 years to increase the rate of donation by investing heavily in transport and infrastructure and a national organ donation system.

Mr Robinson: Yes. I shall refer to some of the circumferential investment that will be necessary to ensure that our own system is successful. Of course we would be starting from a much higher level, because our infrastructure—the nursing provision that is so vital, the body of professional surgeons and the specialist units—is much greater than it was in Spain. However, we recognise the success of the Spanish system. At its heart is the ability to reach the families and talk to them. That should happen in any event, but we believe that when it happens against the backdrop of an opt-out system, it starts from a different position and is—we hope—likely to produce a more positive result.

Sir Roger Gale (North Thanet) (Con): I think it fair to say that most, if not all, Members who are present today are here because we support the Bill and want to see it on the statute book. But—and it is a “but”—the hon. Gentleman said in his response to the point made by my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) that friends and family would be consulted. I think it important for the Bill to be very precise if the matter is not to be brought into dispute and if a wave of withdrawals is not to be generated, which is the last thing that we want. Will the hon. Gentleman ensure that that issue is very clearly addressed when the Bill goes into Committee, as we hope that it will?

Mr Robinson: I am grateful for the hon. Gentleman's thoughtful and apposite intervention, and I can give him that assurance. Obviously, as the Bill's promoter, I shall take a personal interest in ensuring that the right balance is struck. We should bear in mind that the balance will be struck in a context in which opting out is the law of the land, which I think changes the starting point of the discussions with families, but those discussions should nevertheless be handled with proper caution and respect in view of the moments of agony and the awful decision making with which families are faced.

Jo Stevens (Cardiff Central) (Lab): I am here to support the Bill, but, as a Wales Member, I want to provide some reassurance. Wales already has legislation that has been working and that deals specifically with that point, and we have a higher donation rate than any other nation in the UK. I welcome the Bill, and I hope that everyone present will support it today.

Mr Robinson: I am very grateful for that intervention, in every sense. I was going to come on to the situation in Wales, which has been unfairly and prematurely judged to be a failure—even by as eminent an authority as the Nuffield Council on Bioethics, which yesterday opined on the basis of figures produced only one year into the scheme. However, the latest serious peer-reviewed article in *The BMJ* expresses a different opinion, some three or four years into the scheme. It was written in February this year, so it is up to date, and there have been a few years in which to observe the trends. According to the author, a respected journalist, Wales has more registered donors and has experienced fewer family refusals and more living donations than any other part of the UK since the introduction of an opt-out system. The article concludes that

“none of the concerns about deemed consent”

—concerns rightly expressed by Members this morning—
“have materialised”.

[Mr Geoffrey Robinson]

The signs from Wales are very good, but these are early days, and I think it behoves us to note the caution expressed by the Nuffield Council on Bioethics. We want to proceed carefully and with all the necessary infrastructure in place. One of the great aspects of our present system is that it is trusted by the public, and we cannot and will not put that trust at risk. We must ensure that the new system is introduced properly. What I have seen at first hand of NHS Blood and Transplant suggests that it is a very well organised outfit.

We do have a functioning register; we do know what we are doing; and we are building up our essential counselling nursing capability. As we build it up, some limited investments will also be needed in facilities, for any growth in demand will lead to a growth in the requirement for facilities. I say to the Minister, who is looking rather grim at the moment—[*Interruption.*] That's better. I say to her that the NHS is very much in favour of this; I will quote a figure in a moment. Its thoughts as to the extent to which we can benefit in terms of increased numbers of organs and saved lives are encouraging, but it adds that its requirements for additional resources must be met. All I can say to hon. Members in that respect is that the amount of money required—the small requirement of resources in terms of software, mainly for the training of the nurses, and hardware and some facilities—is minuscule in relation to the good it can do. I think of the sheer joy we can see in those, particularly the children, who have had the benefit of a transplant.

Philip Davies (Shipley) (Con): The hon. Gentleman glossed over Wales in his remarks, but Welsh Assembly Government research showed that the introduction of the opt-out has had no impact on the number of organ donors in Wales, while the organisation CARE has said it has led to a reduction, not an increase, in the number of donors. What learning has the hon. Gentleman taken from the experience in Wales, and what measures are there in his Bill to address some of the flaws there might have been in that system in Wales?

Mr Robinson: That is a very moderate intervention from the hon. Gentleman, for which I am grateful. He is probably looking at the recent remarks and quotes from the Nuffield Council on Bioethics, which relate back a year, if I am not mistaken, to 2016 or '17, but we are now in 2018 and the situation has evolved. I recommend to him an article I have here in *The BMJ*; I will leave it out for him if he would like to read it. It gives a full account of the situation in Wales, and is very hopeful. But, as I have said, we are going to monitor this carefully, and we should be cautious, practical and realistic in our approach to the introduction of the system in the UK.

Dame Cheryl Gillan: May I give the hon. Gentleman some good news on Wales? The legislation in Wales was pioneering, and was much discussed when I was Secretary of State for Wales. I have been looking at the details of some of the statistics from Wales in the latest report on organ donation and transplantation activity data, and the hon. Gentleman will be pleased to note that back in 2013-14 some 1,005,213 people were opted into the organ donation register in Wales, while for the first

three quarters of the years 2017-18 that number increased to 1,220,331. The fact that more people are opted into that register is very positive news from Wales.

Mr Robinson: It was because the figure was so low in 2013 that the Welsh Government decided to move to an opt-out system. I agree with the right hon. Lady, and disagree with those who, for some reason or another, will not look at the most recent facts and move with the situation that is developing. The situation in 2013 was bad, which the Welsh Government recognised and they then went for an opt-out system. Then there was a period of bedding-in and there appeared to be no change, but the most recent figures for 2018—as opposed to 2017 or '16—are showing a marked improvement, and I am sure we can all rejoice at that. This is not a matter of trading economic figures across the Chamber; that is a sheer fact and one that I think we can all take great satisfaction from.

Paul Flynn (Newport West) (Lab): My interest in this matter arose from a constituent—a young man—who came here and lobbied. A year later I attended his funeral because, sadly, he did not get the transplant he wanted, but he had suffered enormously in the preceding period. We have now had the opt-out in Wales, however, and, regardless of what people can do with the statistics, the fact is that people in Wales are still alive who would have died before the law was passed, and people are dying unnecessarily in England.

Mr Robinson: I am grateful to my hon. Friend. It was his Bill that sparked my personal interest, and I pay great tribute to the work he did in preparing that Bill, which we have adopted almost in its entirety. He will be pleased to know that we are hopeful that his Bill—from the beginning, as it were—will now find its way alongside my own on to the statute book; I know that will give him great pleasure. What he says about that individual case is certainly true. The positive news from a cautious assessment from the NHS is that, provided the opt-out system—the quintessential starting point for all these forward projections—is introduced and backed up with the necessary limited revenue and capital spending, up to 500 lives a year could be saved by deemed consent.

Crispin Blunt (Reigate) (Con): I am delighted to appear as one of the supporters of the hon. Gentleman's Bill, and am very pleased to have my name on it. I hope he will be able to look at just one thing in Committee: the issue of deemed consent involving people who lose capacity towards the end of their lives. I hope there will be more clarity in Committee to enable people who have made the decision that they want to make their organs available to do so, when just their brain is no longer of much use to anybody else and they do not have the capacity. I hope the Bill will be clear about such circumstances when people lose capacity towards the end of their lives but when the rest of the body can still be of use to others.

Mr Robinson: I thank the hon. Gentleman for his intervention and the fact that he agreed to be a supporter of the Bill—his name appears on the face of the Bill, he will be pleased to note. He raises an area of great concern, but it is something we will have to deal with in Committee; I am sure he will agree that it is not for Second Reading, so I will not go further into it now.

Sandy Martin (Ipswich) (Lab): I thank my hon. Friend for bringing this Bill to the House, and I will of course support it. He mentions the modest investment in capital and resources needed to give effect to this when it has become law, but does he agree that by saving lives and making people healthy enough to play a full part in society, we will be increasing the ability of our country to succeed, and also—although this is obviously a secondary issue by comparison with the saving of life—we will be reducing the ridiculous amount of spend on just keeping people alive when they actually need organ donations?

Mr Robinson: I entirely agree with my hon. Friend and thank him for his intervention, but I would rather not go down the route of cost-benefit analysis; these are matters of life and death and are best left as such when we look at what we can do to save lives that we know can be saved.

Hilary Benn (Leeds Central) (Lab): I strongly support my hon. Friend's Bill. Alongside this measure and a number of the other things he describes, does he agree that the most important thing we can do is have that conversation with our families and loved ones, to make it absolutely clear to them that when we are gone we wish whatever bits of us are still of any use to be given to others so they might continue to live? Is that not what we really need to do to make sure that, when that difficult conversation comes to be had over a loved one who has died on a hospital bed, as many people as possible know and the family can say, "Of course"?

Mr Robinson: I entirely agree with my right hon. Friend. I do not know whether he was in the Chamber when I remarked on the importance of family conversations, which are absolutely vital, and also the importance of public awareness. The Government consultation has contributed enormously to public awareness. We must ourselves now set the example in terms of being registered and not opt out—I certainly have no intention of even considering that.

The other great contribution that we can make in personal terms is to hold those conversations with our own families and encourage others to do so. Public awareness will not necessarily lead to that happening, yet we know that it is at that moment when families are confronted with the awful situation that they often back off, sometimes even overriding the wishes of the deceased who happens to be a registered donor. We can do no more important work than to hold those difficult family conversations and encourage others to do so.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): My hon. Friend is making a good point about making people aware of the difference this can make. Yesterday, I found out about the British transplant games, which involve live donors and people who have received an organ transplant. This wonderful event will take place in Birmingham on 2 August. I met a woman called Pat who had been a live donor, and she said that she was going to take part in the games with the person to whom she had donated an organ. I thought that was so wonderful. Obviously, no one wants to think about the worst thing happening to their family or anyone they love, but it would be wonderful to think that anything I could give when I have gone would help someone to live a fulfilling life that could even involve

taking part in a sporting event like that. We should think about the future and the real difference that this can make for so many people. I am so proud to be standing here with my hon. Friend on this day and supporting his Bill.

Mr Robinson: I feel inclined to say that I rest my case, but I cannot quite do that just yet. I think I am okay for time, despite all the interventions. I will, however, proceed to a conclusion now, if I may.

I have quoted some disquieting statistics, including the 500 saveable lives—or avoidable deaths because of the unavailability of an organ—a year. To put it another way, if we continue with unchanged policies, some 500 of the 6,500 people on the present waiting list will, in effect, be on a life sentence and will die in the next year if no organ becomes available. I believe that the House will agree that that is simply not good enough. We can do better as a nation. We have shown that we can do that through the creation of the NHS, which is something that no other nation achieved. Here again, we can be pioneers in making transplantation more successful, principally through an increase in organ donation.

As I have said, I do not think that my Bill is the answer to all the questions—we have discussed many of the points that need addressing in the course of this debate—but my God, I am convinced that it is a necessary start if we are to regain the momentum and the impetus that we lost by moving to an opt-out system. After all, that is why this measure has been introduced in Wales, and that is why I am putting my proposal to the House today.

My hon. Friend the Member for Kingston upon Hull West and Hessle (Emma Hardy) talked about the British transplant games. Last night's reception, given by the *Daily Mirror*—very fortunately—in the Terrace Room, was very moving. I met Max's mom, as she has come to be known—Mrs Emma Johnson—and she gave us the most up-to-date news on Max, who has become something of the face of the campaign. I make no excuse for being emotional about this, and I am sure that everyone will be delighted to know that Max is still doing well. He went back to school part time last September, and it is hoped that next year he will be back full time. The hon. Member for North Devon (Peter Heaton-Jones) represents the donor family—the Ball family, whose daughter, Keira, was killed in a terrible car crash; a most unfortunate incident—and he brought to my attention something about the Max story that I did not know. Keira gave her heart to give that young boy his life, and Max's mom, Mrs Johnson, has said how much she is looking forward to meeting the family. She says she wonders how they will feel when they put their hand on Max's heart and feel their daughter's heart still beating. I had a call alerting me to the fact that the hon. Gentleman wanted to take part in the debate and to refer to this, and I said that that would be great. I am sure that he will catch your eye in due course, Mr Speaker.

There are many in this House who have been affected in one way or another. If I may, I would like to mention my hon. Friend the Member for Sunderland Central (Julie Elliott), who was also at the reception last night. Her daughter, who unfortunately could not attend, has been on daily dialysis for 12 months now while waiting for a kidney. I know that my hon. Friend will also want to catch your eye if possible, Mr Speaker.

[Mr Geoffrey Robinson]

I hope that the party opposite will take it in the best spirit when I say that I would like to thank the *Daily Mirror* for its magnificent campaign on this issue. It shows just what a free press, fighting courageously, can achieve for a brave cause. It is, in that sense, the best of the best. I said that to their representatives very openly last night in thanking them for the campaign, and I know that they feel that they have achieved something—perhaps more than some newspapers achieve in 24 pages of exposure. The representative of the *Daily Mirror* told me that my thanks were welcome, but they were nothing compared with the happiness felt at the *Mirror* every time there was a successful transplant as a result of the campaign, especially among the young.

I have had many letters on this subject, although it is properly not appropriate for me to read from them now, as I was intending to. I shall just say that the House has an opportunity today that, while not unique, might not occur again for several years. We have the opportunity to introduce a Bill whose enactment we could achieve by the end of this year, if it receives its Second Reading today, and whose effect could begin to be felt in the following year. I believe that the House is in the mood to rise to the occasion, and I am sure that we will seize this opportunity to pass a Bill that will come to be regarded as an Act for life.

10.17 am

Dame Cheryl Gillan (Chesham and Amersham) (Con): Thank you very much for calling me to speak so early in the debate, Mr Speaker. I add my congratulations to the hon. Member for Coventry North West (Mr Robinson) on the compassionate way in which he introduced his Bill, and on bringing it before the House. I hope that I am not assuming too much when I say that I think there is good support for it on both sides of the House. More importantly, I believe that the Under-Secretary of State for Health, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), who will be speaking from the Front Bench today, will also be giving it her support. For me, this is a bit like *déjà vu*, because I went through all these arguments back in 2010 when the Welsh Assembly was looking at introducing what finally became the Human Transplantation (Wales) Act 2013, which took effect in 2015.

The permitting of a system involving deemed consent is quite a complex concept. To be truthful, it received many objections from a large number of people in Wales at the time, on a large number of grounds. I was approached by the Kidney Wales Federation, which did a fantastic job, along with a lot of other organisations, in lobbying politicians and explaining the position of families who were waiting for organs and families who had been approached to donate the organs of a deceased relative. The debate got quite heated at times, and it also gave rise to a lot of myths. Looking at the evidence, I have always found that the medical profession and others surrounding bereaved relatives, or those who are about to become bereaved, have handled these matters with great sensitivity and achieved good outcomes. Indeed, the legislation in Wales still permits families to withdraw the so-called deemed consent, which means that their views can be taken into consideration. That is extremely important.

One thing I looked at was the success rate of the 2008 organ donation taskforce, which helped to increase donation rates greatly in the five years of its operation. There was a 50% increase in donors and a 30.5% increase in transplants, which are impressive statistics. At the time, I was exceedingly worried that, by introducing controversial legislation, we might do damage to a campaign that was yielding positive results—that needs to be taken into consideration.

The truth is that there are more people on the donation list than there are organs available. For many people in this Chamber, and beyond, it is worth noting that there was a particular problem in the black and minority ethnic population because, in those days, 23% of the people waiting for organ donation were from the BME population and only 1.2% of the people on the register were from the BME community. That huge discrepancy and disparity caused a lot of aggravation.

I was unsure about the legislation in Wales, but I am pleased to stand here as a politician and openly admit that I have changed my mind. There is no disgrace in that—when the facts change, I change my mind, which is important. One reason why I changed my mind is that I have a dear friend who, for the purpose of this debate, I will call Jane. I have known her son since he was born, and I will call him John.

John has primary sclerosing cholangitis, a chronic liver disease whereby the bile ducts, the passages that carry bile from the liver to the intestines, become blocked and narrowed by inflammation, so scar tissue builds up and the liver itself stops functioning. The symptoms can include tiredness, aching, itching, pain in the abdomen, jaundice, chills and fevers. The progression of the disease, although highly variable, usually leads to one conclusion—that the patient needs a liver transplant.

John has been told that, because of the shortage of transplants, he has to be in cirrhosis before he can be put on the list, and then he will have to wait for a match. By that time, he may not be well enough to have a transplant. I am close to the family and have seen the effect on them. Jane wrote to me:

“This has obviously affected the whole family. John still lives with us at 25, and we are, in fact, his carers in some respects, as we know he will only get worse in time. We do not know how much time he has, and he cannot plan for his future. As well as physically, mentally it takes a great toll on him, as he does not know if he will get a transplant when he needs one. Organ donation would help a great deal in this.”

When you have a friend with a boy—he is now a man, and he is a highly intelligent and wonderful human being—in that position, you have to reconsider where you stand on such legislation.

The Bill will not be enough in itself, but it will do absolutely no harm and it will again stimulate a debate. If the Bill continues to be accompanied by campaigns to encourage people to register and to donate, it will help to raise awareness, which will help to increase the statistics, as we did in the first five years following the organ donation taskforce.

We are all living longer, and if we in this House can prolong the life, and improve the quality of life, of people such as John who suffer from rare diseases, we should do so. I will give this Bill a fair wind. Obviously the devil will be in the detail, and we will need to consider the Bill carefully. I would like us to consult, and to learn from the experience in Wales, because there will be a lot to learn—Wales has forged the way.

I do not want a hard system, as in Austria—that is not what I envisage. I want this whole area still to be surrounded by the care and consideration of the medical profession, and I want the latitude that allows families and people with genuine reasons not to participate, but I want to see increased numbers of people on the register. I want to see increased organ donation and more lives saved. I give the Bill a fair wind.

10.25 am

Julie Elliott (Sunderland Central) (Lab): I congratulate my hon. Friend the Member for Coventry North West (Mr Robinson) on his success in the private Members' Bills ballot, which is no mean achievement, and on choosing this most important topic. I have always supported an opt-out system, as opposed to an opt-in system. What I will talk about today has not resulted in my decision that an opt-out system is right, but it has amplified the importance of my decision.

I pay tribute to my hon. Friend the Member for Barnsley Central (Dan Jarvis), who has done so much good campaigning on this issue. I also pay tribute to the *Daily Mirror*, which has already been mentioned, for its campaign, and to the Prime Minister and the Government for their statement this week in support of the campaign—that is very important.

Today I will talk about my family's story. I rarely talk about my family in public, because it is me, not them, who entered public life. There is nothing special or unusual about my family, and what has happened to us over the past 18 months could happen to anyone. Young or old, rich or poor, there is no differentiation when such things happen, and they highlight the reality of the need to change the law to deemed consent.

I have four grown-up children, all now either married or with long-term partners, and five wonderful grandchildren. We are a very close family, and I am lucky that we all live within two miles of each other in Sunderland—when I am not down here. My eldest daughter, Rebecca, is now 36. She is married and has a six-year-old daughter, and she was referred to the renal unit of the Freeman Hospital in Newcastle after routine blood tests showed a problem with her kidney function. That was in October 2016, so not that long ago.

After Rebecca spent a week or so in hospital, it became clear that she was quite ill with significantly reduced kidney function that could at some point lead to her needing a transplant. That was where we thought we were, which was a big enough shock in itself, but the medical team at the Freeman thought that they could stabilise her condition.

Rebecca had been reasonably okay until that point. She had had a few issues health-wise, but she was okay, so the diagnosis of chronic kidney disease came as a huge shock to her, to me and to our family and friends. To face the reality of the fragility of life is very hard at any time, but facing it for one of my children, although she is an adult, is one of the hardest things I have ever had to do.

My daughter had until recently been a healthy, happy young woman. She was quite a serious runner in her spare time, and she regularly ran half-marathons and, occasionally, marathons. In fact, in the weeks before she took ill in October 2016, she had gained a place at the 2017 London marathon—she did not run it, obviously.

It is impossible to describe the shock of someone like that suddenly becoming so ill. I have to say that she did not get her fitness drive from her mother, who goes to watch her run but does not run herself.

Sadly, Rebecca's condition deteriorated very quickly, and in June 2017 she had surgery to enable her to start dialysis. One of the few positive parts of the general election campaign for me was that I was at home for six weeks, so during the time when her health was deteriorating rapidly I was able to drop everything and get to the hospital quickly. It is a lot harder to do that when I am 300 miles away.

Rebecca started dialysis last July, and I want to talk a little about the daily reality of her life. In the two or three months leading up to her having surgery she became increasingly unwell, to a point where, daily during those last few weeks, she was just lying on the sofa after she got up and she was not eating particularly well, if at all. She had the odd slice of toast or bowl of cereal. One thing that happens when people have kidney failure is that they feel very sick and generally unwell, with no energy. She could not really walk to the end of the street and she certainly could not take part in all the things that her daughter did on a day-to-day basis.

When dialysis was first mentioned to us, it was a terrifying prospect, but its arrival has given Rebecca a quality of life again. She does PD—peritoneal dialysis. She has a machine at home and links on to it every night, and for eight hours her body dialyses on it. That means that she has got some quality of life back. She is back at work, but she does have restrictions. She has to have a restricted diet, which for her means no coffee, chocolate or cheese—three things she loves. She gets two of those from her mother, but I am a tea drinker, not a coffee drinker. She is here and she is alive. Whenever she has a bad day—she does have bad days emotionally, because this is a difficult thing to be dealing with—and she says, "I am sick of this dialysis", I say, "Just think: what's the alternative, Rebecca?" That quickly focuses the mind and she picks herself up.

As a family, and with close friends, we have all rallied round to support Rebecca and each other through this challenging time.

Andrea Jenkyns (Morley and Outwood) (Con): My heart goes out to the hon. Lady for what she has been going through, and I am sure everyone in the House today would say the same. She mentioned dialysis, and I am going to mention a constituent of mine, a very young girl. This Facebook post hits home:

"Today 1,608 days with total kidney failure. Today 19,296 Hours spent on Dialysis. Today waiting for the precious call, a match has been found."

Does the hon. Lady agree that when we think of such children, and people like her daughter, it is very hard not to support the Bill today?

Julie Elliott: Absolutely. As I have said, this sort of illness strikes indiscriminately, and when we attend appointments—I attend just about every appointment with Rebecca—we see everyone from very young people through to older people; we see people from all walks of life. It is heartbreaking seeing people with this sort of illness. Every one of those people has a family, has a story and has loved ones, and it is very difficult.

[Julie Elliott]

I want to talk a little about the impact of this kind of illness on the wider family. As Rebecca's health rapidly deteriorated, she had to be off work sick quite a lot. She has had some considerable time off sick. Even though she is now back at work, she still gets days when, as happened this week, she is not very well in the middle of the day and has to come home. Dialysis does not mean that someone is fit, well, healthy and leading an absolutely normal life. She has been very lucky, as her employers, True Solicitors of Newcastle, have been an amazing support to her. They have done everything they can to help her. They have done fundraisers for kidney charities—I am thinking particularly of her colleagues Kay and Lindsey. If I am trying to get to the hospital from wherever I am when Rebecca suddenly takes ill, they will take her to hospital from work and sit with her until one of the family can get there. I want to thank them publicly, because many people in this situation are not so lucky and face losing their jobs, with all the hardships and problems that creates. So it is important to say thank you to people who have been fantastic.

Next I want to mention the renal unit at the Freeman Hospital in Newcastle. Not only is that a world-class unit, but it has some of the most amazing and dedicated staff I have ever come across. From the time someone walks through the door at the out-patients unit, the receptionist, Ann, is always smiling, always welcoming and always looking after them, and the same is true of everyone right through to the most senior doctors. We have seen a lot of different doctors as this illness has progressed. The whole team are amazing, particularly the PD nurses who are looking after Rebecca's dialysis. They look after Rebecca, but they also look after her family and they have got to know us all, because we have all been there with her at different stages. They are the essence of everything that is great about our health service. They are working under enormous pressures on their time and resources, but they always have time for us. I want to say a personal thank you to them.

I know that this is not a political debate as such, but I am a politician, so I hope Members will give me a moment's licence. I am going to say that I think the health service staff need a pay rise and the NHS needs more investment, because they are such amazing people and they literally make the difference every day between people living and dying.

The impact on our family has been huge. You go through a period of shock, disbelief and anger as to, "Why Rebecca?" More than one doctor has said to us through that period that it should not be happening to her, as she has been a fit, healthy young woman who has done everything right in looking after her health. They cannot find the reason this has happened. The emotions and journey you go through are like a rollercoaster, because we have to deal not just with the direct impact of what is happening medically to Rebecca, but with the emotional impact of seeing that what is happening to her might mean that my daughter might not be there when I am still here. That is not something any parent ever wants to consider. Although all my children are grown up, they are having to deal with seeing their mother coping less than I normally do. I am a fairly strident, coping kind of woman normally. All of them are dealing with the idea that their sister might not be here. That is all very, very difficult. So we have rallied

round and all supported each other, and we remain very positive. Rebecca is very lucky that she has a brother and sisters, my sister, her husband and a great mother-in-law, who have all played their role in supporting this journey we are on, and continue to do so.

It is very difficult being on call for a phone call. My phone is with me all the time. It is very difficult working 300 miles away when you are in this situation. As we all know, we sometimes travel out of this country in this job, so whenever I travel out of the country on business with Parliament, I have a plan of how I am going to get back. It is important to thank colleagues in this place, from all parts of the House, who have given me a huge amount of support. The Whips have been fantastic; they have basically said, "Just go. Text us and tell us you've gone." There is a slight personal thing in that as well, because our Deputy Chief Whip, my right hon. Friend the Member for Tynemouth (Mr Campbell), has known Rebecca since she was a child. As many Members will know, I was his agent in 1997 when he got elected to this place, and Rebecca, being my daughter, ran one of the committee rooms. The support has been really lovely. A lot of the time in this place the differences that we have are highlighted, but at the end of the day we are all people trying to do the best for our constituents and we all care about people.

For me, as a mother, my natural instinct has always been to make things better for my children—that is what we all do. Rebecca is always going to be the baby I gave birth to 36 years ago; you love that child instantly and unconditionally, and that never changes. It is terrible to be in a situation where I cannot fix something that has gone terribly wrong. But what I can do, from the privileged position I have of being a Member of this place, is raise awareness and campaign for a change in the law, to that of deemed consent. The change in the law needs to come, and I want to touch on the investment that needs to happen on the back of that change—this has been alluded to in a number of contributions today.

This issue needs to be discussed in schools and among families, so that transplantation becomes a normal part of the conversation of life. We also need investment in the health service to support what I believe will be an increase in the number of available donor organs.

Andrew Percy (Brigg and Goole) (Con): I wish the hon. Lady and Rebecca all the very best for the future. The Bill is really important, which is why I am here to support it, but will she also acknowledge, as I am sure she will, those live donors who give an organ? My friend Jane has recently given a kidney to her nephew-in-law. That is an incredible thing to have done—for many of us, it is difficult to imagine it—and it has turned around the life of her nephew-in-law, in the same way that, I hope, Rebecca's life will be turned around eventually. Although the Bill does not cover such people, they also deserve the House's praise. Hopefully, another good thing that will come out of this debate is raised awareness of that possibility.

Julie Elliott: Absolutely. Five members of my family, including me, put ourselves forward to be donors, but none of us matched. Matching is really difficult. One family member is now entering a pool situation, which is a bit like a swap shop of organs, in case somebody has an organ that fits Rebecca and my family member's fits

somebody else. That is a marvellous thing to do and the hon. Gentleman is absolutely right to draw attention to it.

As has been mentioned, presumed consent does mean that people have the right to opt out of giving their organs, and some people will. It is very important for that to be in the legislation. I absolutely respect people's decision to opt out, because it is not the right thing for everybody. That is as important as changing the law.

My final words are for the families of donors: your selflessness in donating your loved ones' organs at a time of such personal grief, to save the lives of people you do not know, is such a wonderful thing. Everybody should be grateful for that and thank those people. The grief of having lost a loved one carries on forever, but I am sure that there is some comfort in the fact that their family has helped and their loved one's organs have gone to help someone else. It is important to say thank you. As a family member of, hopefully one day, a recipient, I want to say thank you from the bottom of my heart. They are very special people.

Let us send the Bill to Committee and change the law to save more lives, for the thousands who are waiting for transplants. Today, we see Parliament at its best, overcoming political differences for something that just needs to change. It is a day we should be proud of.

10.42 am

Nigel Huddleston (Mid Worcestershire) (Con): It is an honour to follow the hon. Member for Sunderland Central (Julie Elliott). We have all learned that her daughter Rebecca is just as strong and brave as her mother. I congratulate the hon. Member for Coventry North West (Mr Robinson) on bringing the Bill to the House and thank him for the compassionate and positive tone he has taken and for the collaborative way he is working across party lines to make sure that we drive this legislation forward.

The Bill is vital; we are talking about a genuinely life-or-death issue. It is a true tragedy that 456 adults and 14 children lost their lives last year while on the organ donation list. Every single day, somebody dies because they do not get the transplant that they desperately need. There are around 6,500 people waiting for organs who do not want to become a part of those statistics. This legislation is for them, and it is about saving lives. Organ donation does save lives: around 50,000 people in the UK are alive today because they have had an organ transplant. Some 80% of the population support organ transplants in principle and 25 million people are on the NHS organ donors list—including, I am proud to say, me. That number has risen by 75% over the past 10 years, and transplants are up 56%.

The Bill, as I am sure its author will agree, is about removing obstructions to donating while at the same time allowing anyone who does not wish to donate to opt out. As many colleagues have said, it is important that we do not attach any stigma to anybody who chooses to opt out for a variety of perfectly valid reasons.

Philip Davies: The hon. Member for Coventry North West (Mr Robinson) has identified a real issue that he supports, and I certainly have no intention of blocking his Bill. Nevertheless, does my hon. Friend share some people's misgivings about the principle of the state presuming that people have consented to something

when they have not, and the potential implications for public policy? Does he have any understanding of those misgivings about the state presuming that people have done something that they have not actually done?

Nigel Huddleston: My hon. Friend makes a perfectly valid point that I am sure will be raised again in this debate, but we are talking about a matter of life and death. All the surveys show the large number of people willing to support organ donation in principle, so it is alarming that the number who are actually on the organ donation list is relatively low, despite the fact that it takes literally two minutes. In an ideal world, everybody would be completely educated and would voluntarily make their own choice, but that is not happening. Many such issues will be raised in Committee; I hope we will be able to find a reasonable alternative.

Dr Matthew Offord (Hendon) (Con): Is my hon. Friend aware that in the past 10 years the number of organ donors has increased by 75% and the number of transplants by 56%? Is there really a need for the Bill?

Nigel Huddleston: There is indeed, because there is still a long way to go and people are still dying because they are not getting the donations or transplants that they need. There absolutely is a need to move forward with the Bill.

Let us look at the alternative systems around the world. The example of Spain is often mentioned. We are looking at the system there as some kind of model, although perhaps not an exact one. Spain leads the world with 43.4 deceased donors per million. It is joined at the top of the statistical league table by other opt-out systems in countries such as Croatia, Portugal, France and Italy. All these countries have better donor rates than England and all have opt-out rather than opt-in systems. Another advantage of such "soft" opt-out systems is that they do not deny or restrict the role of bereaved families, and they allow families to be consulted on the wishes of their loved ones. That is important.

One thing that surprised me about that 43.4 per million figure was how incredibly low it is. Half a million people die in the UK every year, yet just 1% of them die in circumstances or conditions that allow them even to be potential donors. It is important to note that just because someone is on the donor list, that does not mean that they will end up donating their organs, but we need to get the figure as high as possible to help as many people as we can.

We also need the supporting infrastructure to enable those who wish to donate actually to do so. We have all heard about people who have been willing to donate their organs but have, for example, passed away at the weekend in a hospital in which there is no capability to take the organs out of their bodies and transplant them. We need to look carefully at the supporting mechanisms for any changes that are introduced.

Quite a few colleagues have mentioned the need to raise overall awareness, which is linked to the need to encourage family consent. It is telling that in cases where a specialist nurse is involved, donation consent rates are 68.6%, whereas if a specialist nurse is not involved, consent rates plummet to 27.5%. That is clear statistical evidence that when people are provided with

[Nigel Huddleston]

impartial but expert information about the possibility of donating, they are more likely to consent to donating their organs.

One problem is that there is still an awkwardness or queasiness about the idea of one's body being examined and operated on post-death. We are often comfortable about that ourselves, but, in the horrible circumstances of someone passing away, particularly if the circumstances are tragic or the death unexpected, our families are particularly queasy about the idea. It is therefore vital that we continue to have these dialogues—that we all go home and have these conversations with our families, including our children, because of course children can also become donors. We must have informed conversations.

It is simply not right that 80% of people say that they would be willing to donate their organs, but only 36% actually register to do so. The number is increasing, but we need it to be much higher. In a well-publicised opt-out system, those figures could converge, and the 20% who are unwilling to donate would have a simple mechanism for making sure that they do not have to do so.

Many years ago, I was asked if I had a private Member's Bill—I think it was during one of the selection processes—what would it be. It would be exactly this one. The hon. Member for Coventry North West should be in no doubt that I fully support this Bill, and I hope that many of, if not all, our colleagues will do so too.

10.50 am

Mr Virendra Sharma (Ealing, Southall) (Lab): Thank you, Madam Deputy Speaker, for giving me the opportunity to speak in this very important debate. I congratulate my hon. Friend the Member for Coventry North West (Mr Robinson) on bringing this Bill forward in the Chamber and on raising our awareness of the issue. I also thank and congratulate my colleague, my hon. Friend the Member for Sunderland Central (Julie Elliott), on her very emotional, personal and courageous contribution to the debate. I am quite confident that the public and Members will have taken note of it.

Others have spoken at length about the importance of raising donation rates. I have my own personal reasons for supporting the move: my younger brother has been waiting for more than five years for somebody, somewhere, to donate a kidney. He has dialysis four times a week. Another very close personal friend is also going through the same difficult times. Therefore, I have those reasons for supporting the Bill, as well as my own personal views, and a moral commitment to the cause.

As many colleagues have said, more than 6,000 people are still actively waiting for a transplant in the UK. Three people die every day because they cannot get the transplant that they need, ruining family lives across the country. Over the past 10 years, the number of donors has increased by 75%, which is fantastic and has saved countless lives, but there is still a great shortage both in the UK and—as we are a global community—internationally as well. If we go to any country, we are asked, "What are you doing in this field?" I am glad that, once again, Britain is leading in this field, so that the rest of the world can learn and pick up its ideas from here.

Only a third of eventual donors are registered to donate at the time of their death, and this number is even lower among the black, Asian and minority ethnic communities. BAME patients fare far worse than other patients. They will, on average, wait six months longer for a transplant than a white patient. I do apologise if my language is not politically correct, but for convenience, I will use black and white in this case. BAME people face the struggle of comparatively rare blood and tissue types and compatible organs. Although the overall number of donors has increased by 75%, BAME donations have only increased by less than 7%—a fraction of the rate for white people—and that has translated directly into deaths.

There is still a problem with public education and awareness. The families of minority populations are also less likely to consent to organ donation when asked after death: 64% of BAME families refuse permission for donation compared with only 43% for the rest of the population. An opt-out system rather than an opt-in system will increase the likelihood that donors of the same blood and tissue types are available to members of the BAME community. Increasing the number of compatible organs on the transplant list could save thousands of lives each year.

The Parliamentary Under-Secretary of State for Health

(Jackie Doyle-Price): I thank the hon. Gentleman for giving way. He is making some extremely important points in his speech, and they are ones that I am particularly conscious of and really want to tackle. Let me amplify some of his points: of the 6,400 people on the waiting list, more than a 1,000 are from Asian backgrounds and 800 are black. I just wish to endorse his point that, in terms of racial fairness, we really need to increase donation from those parts of the community.

Mr Sharma: I am glad and thankful for the Minister's very positive intervention and for the information that she has provided to Members in the Chamber. Activist groups and campaigners, such as the National BAME Transplant Alliance, support the move to an opt-out system, because it will ultimately save more lives across our diverse country.

Kelvin Hopkins (Luton North) (Ind): I support everything that my hon. Friend has said. Like him, I represent a constituency with a very high proportion of people from BAME communities. There are not just fewer people consenting to donate their organs, but considerably higher rates of heart disease among these communities. Therefore, particularly for heart transplants, it is very important that we get as many people from BAME communities on to the list in future.

Mr Sharma: I thank my hon. Friend for that intervention. I was going to raise that matter myself, so I am thankful that he both highlighted and supported it.

Issues such as diabetes, high blood pressure and hepatitis are more common in BAME communities, making their members more likely to need transplant organs. BAME patients make up a third of the kidney transplant waiting list and wait an average of a year longer for a transplant than their white counterparts. Just one person can save or improve up to nine lives. One tragic death can give life to so many through organ donation and even more if they donate tissues as well.

Although ethnic minorities constitute only 11% of the UK population, they make up nearly a quarter of transplant waiting lists, and only six out of every 100 people signed up to the NHS organ donor register are from BAME communities. Opt-out can and will save lives. It respects religious differences and takes away no freedom of expression or belief. Countless constituents of mine have written to urge me to come to the House today to support the Bill, and I am proud to do so and to lend my support to my hon. Friend the Member for Coventry North West.

10.58 pm

Peter Heaton-Jones (North Devon) (Con): I am delighted to be here to support this Bill today. In doing so, I will not rehearse many of the arguments that have been so ably put already, not least by the hon. Member for Coventry North West (Mr Robinson), whose speech on its own was enough to persuade, I hope, all Members to support this excellent measure today. I am here to tell one story; a story that was initially raised by the hon. Gentleman. It is the story of my constituent, young Keira Ball, and her family.

On Sunday morning, 30 July last year, there was a road traffic collision on the A361, the North Devon link road. It took place only about five miles from my home in North Devon on a stretch of road that is notorious for accidents and that we are working hard to improve.

Two vehicles were involved in the accident, one of which was a car carrying members of the Ball family: Keira Ball, her younger brother Brad and their mother Loanna. Their vehicle was in a collision with another. The paramedics, emergency services and all the NHS staff of the three separate hospitals to which those three people were taken undertook brilliant work. But young Keira Ball sadly passed away two days later, on the Tuesday afternoon. She was nine years old. Her mother and brother were very seriously injured. Immediately after Keira's death, her father Joe took the agonising decision that he wanted his daughter's death to give life to other people and that young Keira's organs should be donated.

I have had contact this week with Joe and Loanna Ball, who live in Barnstaple in my constituency. In particular, I sought their permission to tell Keira's full story today. I wanted to ensure that they were happy for me to do so, which indeed they were. They recognise, as I do, that this story could be an inspiration to others. It could ensure that others sign up for organ donation and will give strength to those who face similar circumstances.

Following the decision by Keira's father, four people are alive today who otherwise would not be. Keira donated her kidneys, heart, liver and pancreas. One of her kidneys was given to a man in his 30s who had been on the waiting list for an organ for two and a half years. The other kidney was given to a woman in her 50s who had been on the waiting list for nine and a half years. A young boy received Keira's pancreas and liver. Keira's heart was given to a 10-year-old boy who has very much become the figurehead of this campaign and who has been mentioned during this debate: Max Johnson. It is Max who is in many ways at the forefront of this excellent campaign. Max is alive today. It was so good to hear from the hon. Member for Coventry North West and those who were at the reception last night that

Max's mum Emma is here to watch the debate and to hear that Keira's family are so pleased to have given life to her little boy.

That is Keira's story and it is Max's story. It is a story of how a very brave—and, I am sure, very difficult—decision to allow Keira's organs to be donated has given life to four other people who otherwise would probably not be here today. That is surely the best possible argument for supporting the Bill, which will ensure that more organs are available for donation. Keira's and Max's story demonstrates that more organs mean more saved lives.

I welcome and fully support the Bill. Many people deserve credit for getting it to this stage, including the hon. Member for Coventry North West, whose Bill this is; other hon. Members mentioned today who have pioneered similar legislation that has not reached this stage for various odd parliamentary reasons; the Government, who have said that they fully support the Bill; and the Minister for personally driving it forward. I also give credit to Her Majesty's Opposition, and was delighted to hear their spokesperson ensuring the smooth passage of the Bill from the Dispatch Box. It is extremely significant that the names of right hon. and hon. Members from all seven parties represented in this House appear on the Bill.

I pay tribute to the campaign by the *Daily Mirror* that features Max, who has life because of young Keira Ball. It has really helped to push this issue forward. Many people deserve, quite rightly, to have a stake in what I sincerely hope will be the Bill's success. As I support the Bill, which I will do at every stage, I will be thinking of Max and Keira. It is their Bill and it is thanks to the brave decision taken by Keira's dad on that most difficult of days that four more people have life who might otherwise have not. That is the best argument for seeing this Bill reach the statute book.

11.5 am

Dan Jarvis (Barnsley Central) (Lab): It is a pleasure to follow the hon. Member for North Devon (Peter Heaton-Jones), who spoke most movingly about the incredibly contribution that his constituent Keira Ball and her family have made to this process. I pay tribute to the role that he has played in bringing that to our attention. He was also right to talk about the cross-party nature of this campaign because this is Parliament at its best. This is how the public expect us to serve in this place—to work co-operatively with others in order to make really important changes.

The House faces a clear choice today. We have the opportunity to make a change that will add huge value to our country and that will undoubtedly save people's lives. It all boils down to whether we take the opportunity to save hundreds of lives over the coming years. I very much hope that we do not miss that opportunity and that we work together to make this change.

It has been a real privilege to be a part of the campaign that has got us to this point. In particular, I pay tribute to my hon. Friend the Member for Coventry North West (Mr Robinson), who has provided real leadership through his promotion of the Bill. He and I have sat through many meetings—I have lost count of quite how many—and it is his focus and determination to lead us to this point that have meant that we have an opportunity to do something very worth while today.

[Dan Jarvis]

I also pay tribute to all the other Members who have provided such outstanding support, particularly my hon. Friends the Members for Newport West (Paul Flynn) and for Sunderland Central (Julie Elliott), and other Members—too numerous to mention—right across the House and the political spectrum who have worked together to get us to this point.

It has been mentioned before in this debate, but I also want to take this opportunity to pay tribute to Trinity Mirror. The Mirror Group has run a relentless and tireless campaign. Its contribution to this private Member's Bill and the broader campaign has been massive. It has conducted itself in the very best traditions of a free British press. I know that I speak for all Members when I pay the organisation the largest compliment that I can. We are grateful for everything that it has done.

It is crucial today to pay tributes and to give credit where it is due. I am looking very firmly at the Minister, who has responded in the most brilliantly sensible, co-operative and constructive way. We have sat in a lot of meetings in different places over many months, and in my relatively short time in this House I have not found anybody who has been easier to deal with than she has. She has been a great pleasure to work with, and the leadership that she has shown has been instrumental in ensuring that we have the opportunity to pass this important Bill. I thank her and her officials, who have done an important job in getting us to this place. I urge all hon. Members to think of the common good and to act in a way that I firmly and passionately believe will save countless lives.

It is worth reflecting that of all the people who died in the UK last year, only about 1% died in circumstances that would have made donation possible, meaning that, even though hundreds of thousands of people across the country are registered as potential donors, only a small handful will ever be in a situation that would allow donation to take place. This is one of the main reasons why today in the UK more than 6,000 people are waiting for an organ donation and why nearly 500 people died last year while waiting. This loss of life is devastating but not inevitable.

Today we have a precious opportunity to do something about it, and we must not miss it. Moving to an opt-out system for organ donation will add thousands of names to the donor register, meaning that once the Bill is passed hundreds of lives will be saved. Let us be clear about what the Bill is not. It is not about the state taking control of people's organs or shaming individuals into donating. If people want to opt out, that is absolutely fine, and I am hugely respectful of any decision people want to make. No questions will be asked; there will be no hard feelings. The Bill is about making it easier for those who might wish to donate to do so.

Sandy Martin: Mention has been made of religiously inclined Jewish people in this country. Some people will feel uncomfortable about the concept of donation. Does my hon. Friend agree that people from various religious traditions—not just one—might feel uncomfortable about this and that it is entirely right to give them the opportunity to opt out, if they wish to do so?

Dan Jarvis: I wholeheartedly agree with my hon. Friend. He makes an incredibly important point. This is

absolutely not about shaming anybody into doing anything they do not want to do. If anybody, for whatever reason, decides they do not wish to be part of the scheme, they have the right to opt out. It is incredibly important that we be clear about that.

It is also worth reflecting on the point made by my right hon. Friend the Member for Leeds Central (Hilary Benn): the current system requires people to take the time to discuss this most serious and difficult matter with their loved ones in order to reach a judgment about whether, in the event of some tragedy occurring, they would want their organs to be donated. It is incredibly important, if people feel they can have that conversation with their loved ones, that they do so, but we understand that people lead busy lives, and many of us will be guilty of not having had these conversations and of putting these tasks on hold.

I believe, however, that we can no longer afford to ignore this issue. It is a matter of life and death for thousands of people around the country, which is why we must increase the number of people on our donor register and make sure we save as many lives as we can and that no more people die waiting for a transplant simply because a potential donor was not able to sign up.

Paula Sherriff (Dewsbury) (Lab): I thank my hon. Friend for making such a powerful speech. We often think of donors as being younger people whose bodies and organs are in particularly good shape, but my beloved grandfather, when he died a few years ago—I think he was 96—was able to donate parts of his eyes and so give the gift of sight to other people. We received a letter from the hospital telling us how many people he had been able to help. Everyone has an opportunity, no matter how old they are, to offer that amazing gift to another after they have gone.

Dan Jarvis: My hon. Friend makes an incredibly important point, as she always does. As others have said, the Bill is only a part of the way to increase the number of people, whatever their age or background, willing and able to contribute their organs. In concert with the Bill, however, we also need to have an open discussion in our communities about the importance of making a proactive contribution in this way.

Kelvin Hopkins: My hon. Friend the Member for Dewsbury (Paula Sherriff) made a very important point about age. I have come here, as somebody of a certain age, with my donor card, which I have carried all my adult life. There is the thought that the organs of someone my age might not be in as good a state as a young person's and therefore might be less likely to be used in transplants, but bodies can be used for medical research—perhaps into ageing, for example. I like to think that people of my age could still donate their bodies, even if they die from natural causes, and I will make sure that that is included in my will, so that my body could be used for medical research or perhaps for teaching medical students.

Dan Jarvis: My hon. Friend makes an important point. It reinforces the notion that, in addition to legislation, all of us who believe in the value of organ donation should ensure that as many people as possible register. The Bill will play an important role in that, but all of us, as leaders in our communities, have an absolute responsibility to get that message across to our constituents.

I do not intend to detain the House much longer, but I do want to make the point that we are lucky and privileged today to be joined by Emma Johnson. Emma is often referred to as “Max’s mom”, although I do not think she minds. As the hon. Member for North Devon mentioned, Max is the 10-year-old who fronted the *Daily Mail’s* campaign on organ donation. He was kept alive by a tiny metal pump that was in his chest for seven months. I am delighted to learn that, after finally receiving a heart transplant, Max is doing well. His story and that of the sacrifice made by Keira Ball, spoken of movingly by the hon. Gentleman, should serve as an inspiration to us all. We are here today to save lives like Max’s: those of the thousands of people who would benefit from the change set out in the Bill. We have a precious opportunity to make that change today. We have at our fingertips the opportunity to make a powerful, important and meaningful change.

Mark Tami (Alyn and Deeside) (Lab): It is not entirely the same, but my son Max is alive today because he received a stem cell transplant. Does my hon. Friend agree that we need to do more to encourage people on to the stem cell register and that, as with transplants, we must get rid of the myths—in this case, that stem cell donation is painful and difficult and that they take part of your spine? None of that is true. It is a very simple process, and one by which many more lives could be saved.

Dan Jarvis: I absolutely agree with my hon. Friend. None of these things should be particularly contentious. I understand that there are points of debate and that some hon. Members and people in the country have legitimate differences over these most sensitive of matters, but I am encouraged by the level of support today and heartened that we have the support of the Prime Minister and the Leader of the Opposition. It is incredibly encouraging that the Minister is very supportive and that the Opposition Front-Bench spokesperson has given a clear commitment that they will support the Bill. There is overwhelming support for the measure in the House today. So far we have seen Parliament at its very best, and I am keeping my fingers crossed that we can maintain the consensus for the next couple of hours.

11.18 am

Mike Wood (Dudley South) (Con): I support the Bill today. Like my hon. Friend the Member for Shipley (Philip Davies), I am not entirely comfortable with the principle of the state taking control of bodies without express permission, but I think that that option is far less bad than the situation whereby hundreds of lives are unnecessarily lost every year effectively through inertia. We know that action could be taken that most people would agree with. The hon. Member for Coventry North West (Mr Robinson) referred to the massive gap between the number of people who agree with donation and would be willing to be donors and the far smaller number of people who actually register as donors.

None the less, a number of points have been raised with me by constituents that I hope the hon. Gentleman and the Minister will consider during the passage of the Bill to strengthen it further. First, we should strengthen the safeguards—I was reassured by the hon. Gentleman’s comments on this—to make sure that hospitals are absolutely sure whether people are on the register. It must

not be a question of, if systems are down, hospitals taking a chance and operating anyway. If people have actively opted out, we need to have belt and braces to make sure that their choices are respected. Secondly, we need to strengthen the existing law in other areas to make sure that in no circumstances can organs be harvested to be sold, which would clearly be outside the scope and the intention of this Bill.

This is a very worthwhile and important Bill. My constituent Sam emailed me this morning to say:

“This important change in legislation will prevent the needless waste of usable healthy organs being sent for cremation when they could instead change many thousands of lives.”

11.20 am

Ms Marie Rimmer (St Helens South and Whiston) (Lab): I pay tribute to my hon. Friend the Member for Coventry North West (Mr Robinson) for introducing this Bill, which speaks to our common humanity. To be in the Chamber today to support it is a great honour for me. Three people die daily in the UK because of the lack of available organs for transplant, and this Bill would increase the chance of an unwell person and a life-saving organ being united.

I pay tribute to my hon. Friend the Member for Sunderland Central (Julie Elliott), who described very similar situations to those of a member of my family who was successful, in the end, in getting their transplant. She was a mother with a newly born third child. We did not know what was wrong with her. She had no energy, could not pick the other children up from school, was not eating, and was often going to the hospital. Eventually, after her husband took her to hospital, she was whisked off to Birmingham. Fortunately she got a kidney transplant while she was there, but unfortunately it was not successful, and we were told that it was highly unlikely that another suitable kidney would be found within the time when it was needed. Thankfully, we got that kidney, she lived, and three children still had their mum. The trauma that the family went through during that time was just unbelievable. We saw the care that the immediate family had to give those three children when she and her husband—my cousin—were in Birmingham. They took care of the children and did what they could. We have been the recipients of the saving of a family—a dear family.

This Bill will change individuals’ autonomy to choose what happens to their own body. Opt-out organ donation carries with it the weight of 80% public support, the support of the British Medical Association, and cross-party political support—all seven parties are represented among the Members who have sponsored the Bill. It also carries the support of past and present Prime Ministers.

I would like to talk about another case in the town that I represent. Last year, tragically, we lost a little girl aged four, Violet Grace, who was killed in an accident on her way home, with grandma, from the nursery. It was a criminal act, with a car going at 80 mph in a 30 mph zone. The parents of little Violet Grace took the brave decision to donate their four-year-old daughter’s organs. Today, we know that two lives were saved. The family tell me, and all the town, that they get great comfort from that. When her little brother asks about her, they try to explain that to him so that he can grow up with that knowledge.

[Ms Marie Rimmer]

The parents of Violet Grace have been joined by the widow of another person in my town, Steve Prescott, a former champion rugby league player. He had a multiple organ transplant that was successful, but unfortunately there were some other complications.

Paula Sherriff: Does my hon. Friend agree that although it can sometimes be a difficult conversation, these situations also bring about the opportunity for families, friends and loved ones to talk about what they want to happen after their death, including things like funeral arrangements? I knew from a very early age that when I went, I wanted to donate my organs. I still have my original organ donation card, which is over 30 years old now. Hopefully this debate will get the media attention that will encourage people to have that conversation with those they love.

Ms Rimmer: Yes, I do agree.

Steve Prescott's widow, along with colleagues, friends and members of the community of St Helens, set up the Steve Prescott Foundation. She also approached the parents of Violet Grace to give comfort and support. They have set up a huge and very successful campaign in our town, urging us all to donate our organs. Steve died, unfortunately. The actual transplant—a multiple organ transplant—was a success, but it was other things that killed him. I pay tribute to the families involved, and to the parents of little Violet Grace for their bravery. This Bill would have saved them the trauma of making that decision at such an emotional time when their little girl was dying. It could save people a lot of trauma.

This is the moment to act. A move to opting out would save a predicted 500 lives a year. Done properly, with the right publicity, the right engagement and the right involvement of all communities, changing the law on organ donation should have the support of all of us. The support shown here today is really gratifying, and I pay tribute to the *Daily Mirror*, which has run a fantastic campaign. It has urged people sign up for donation even now, without waiting for the change.

I understand—perhaps the Minister could enlighten us on this—that the Government intend to go out to public consultation on how opt-out donation would be implemented sensitively. The proposal in the Bill to involve a person's family in decisions, as a safeguard against any unregistered objection to donating, is an important protective measure that will reassure families who have concerns.

Only 5,000 people a year in the UK die in circumstances where they can successfully donate, while 6,500 people are currently waiting for life-saving donations. None of us ever expects, or perhaps even thinks about the possibility, that we or someone we love may need an organ from someone else to survive, but many Members have pointed out how it can suddenly happen in our own families. However, there is a gulf between the supply of organs and the urgent need for them, and it is time that we made a conscious decision to take affirmative action. The time is right—80% of the public support organ donation, but only 36% are on the register. That needs to be addressed.

In the first six months since Wales adopted the opt-out, 60 organs donated by 31 people have been transplanted. Consent had been received from 50% of those people.

Those are the latest facts from Wales. An opt-out system has therefore been proven to work, even in its infancy. I urge the House to back deemed consent as a proven, popular policy.

The British Medical Association makes a point that goes to the heart of this debate. As a result of this Bill, the choice for the individual about what should happen with their own body will remain the same—to donate, or not to donate—but a change in the law means a switch of the default position, towards donation and towards saving more lives. I urge the House to support the Bill.

11.29 am

Michelle Donelan (Chippenham) (Con): I begin by congratulating the hon. Member for Coventry North West (Mr Robinson) on getting this Bill here today. I echo the support for the Bill that Members throughout the House have expressed.

When three people die a day because of a lack of organs, while eight out of 10 people say they would be willing to be an organ donor but are not formally on the register, it is time that we take action. I can only begin to imagine the emotional rollercoaster that families and people waiting for organs must go through in the long and trying wait, which can be years. I appreciate the personal stories that Members have shared today, which must be quite distressing. I think we have all gained greater insight.

I do not want to reiterate the merits of the Bill, because we all seem to be very much in favour of it. I want to talk briefly about how we can make sure that the Bill is as successful as it can be. As I alluded to in my intervention, I think that it is only part of the solution and not the complete answer. It is the essential building block, and it is important that we are now laying that building block, but I want us to make sure that we build the house.

One key issue is fostering a culture and making sure that we educate people from a very young age, so that they see organ donation as a positive thing that they want to do. That will counter the argument about people potentially seeing it as the state owning or seizing our organs. It needs to be seen as people giving their organs to help other people.

We need to spread the message that families should have a conversation about organ donation. It should not be something that we do not like to talk about. We should actively promote a conversation so that when the time comes, people are aware of their children's or spouse's decision. That will prevent any possible overriding of the decision, as we see in Spain. At the moment, it is estimated that only half of all families have that conversation.

Fostering a culture in which people want to donate their organs is achievable. At the moment we have one of the lowest donation consent rates in Europe. However, we have one of the highest rates in Europe for donating living kidneys. That implies that it is not against British culture to donate organs, but that we are doing something fundamentally wrong.

One way to achieve that culture is to ensure that there is absolutely no stigma around opting out. While some of us might be organ donors, that does not mean that everybody has to be, and we need to appreciate people's

religious cultures, customs and beliefs. I hope that people will be able to opt out of donating certain organs. I know that people of some religions, including even some denominations of the Christian faith, do not want to donate their heart, so it is very important that we do not exclude people from this process.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): About 10% of people who are signed up to the organ donor register have excluded donating their eyes, sometimes because they are a bit squeamish and sometimes because of the thought of someone else looking through their eyes in the future. Does the hon. Lady agree that in registering as many people as we can to donate, we should preserve people's ability to opt out of donating organs that they do not wish to donate?

Michelle Donelan: I agree. Choice is the key to making the Bill as successful as possible, as is education. Some people might donate those organs if they knew how the process would work, but there needs to be an element of personal choice. It is our body, at the end of the day, and we should be encouraging people to help others rather than forcing them, which will not be successful.

Members have made the point—I do not want to labour it, but it is important—about reaching out to all communities, including those from ethnic minorities, among whom the number of donors is particularly low at the moment. In fact, shockingly, in March 2017 there were 634 people from the black community in need of organs, and only 72 people on the donor list died and were suitable organ donors. That is a really small proportion.

Eleanor Smith (Wolverhampton South West) (Lab): I thank the hon. Lady for raising that issue. Our community is experiencing what is called a silent crisis, because of the lack of knowledge and willingness to discuss organ donation with family members and concerns about the integration of the body after death. I take on board what she says—we must be mindful that there is a lack of knowledge among our community, and the Bill would improve that.

Michelle Donelan: I thank the hon. Lady for her intervention.

Only 1% of people a year die in circumstances suitable to allow their organs to be donated. It is important that we have an honest conversation today and do not say that the Bill is the panacea that will solve the problem, and that if someone is on the organ register, they will automatically get a donation. That would give people false hope. That statistic also means that we should potentially review the current regulations on age restrictions for the donation of certain organs. For example, heart valve donations have an age restriction of 60, whereas countries such as Spain just look at the quality of the organ.

The most important mechanism for ensuring that the Bill is as effective as possible is transport infrastructure and investment in staffing. It is no good unless we have enough helicopters, bikes, trained staff and support workers to facilitate the Bill. We must ensure that it does not just help people who live in urban areas. My constituency is very rural in parts, and some areas are harder to get to, but that does not mean that people there should be any less likely to benefit from donations.

Other countries that have introduced Bills such as this, including France, Sweden and Bulgaria, have seen a reduction in their organ donation rates partly because of a lack of investment in infrastructure, so that is crucial.

We should be quite bold in reviewing this issue. Some countries have adopted a policy that I admit I was originally very uneasy about, whereby someone who is an organ donor and has not opted out of the system is higher on the priority list to receive a donation. I now think that that is quite fair, because if someone is prepared to give a donation, they should be more likely to receive one.

The UK has one of the lowest donation consent rates in the world, and that is really not good enough. I am hugely supportive of the Bill, but I echo the caution that it depends on the infrastructure, education and support that we give people, so that we can ensure that the Bill is as successful as possible.

11.37 am

Karen Lee (Lincoln) (Lab): I thank my hon. Friend the Member for Coventry North West (Mr Robinson) for introducing this important private Member's Bill.

The NHS has just reached the historic milestone of 70 years. As a country and as a society, we are proud of the landmark advances we have made within that time. Because of advances in organ donation and transplantation, 50,000 people are alive today. Most people are willing to donate their organs after they die, but only 36% of the population are on the organ donation register. Organ donation is increasing gradually, but sadly it is not keeping pace with the number of people on the transplant waiting list.

The British Heart Foundation highlights the fact that an average of three people per day die in need of an organ. As someone who was a cardiac nurse in a previous job, I am only too aware of how desperate a patient can become when waiting for an organ to become available. I saw at first hand the distress that people suffered while waiting for a heart transplant or for another organ.

In Spain and Belgium, a softer opt-out approach has facilitated a cultural change that has generated higher donor rates. That is why I am here today supporting my hon. Friend's Bill, which will address this bleak statistic and bring the discussion of organ donation back to the dinner tables of families across the UK. I also express my sincere thanks to the *Daily Mirror* for its campaign in support of the Bill, which has shown the public the gift of life that is given by those who donate organs.

One organ donor can transform as many as nine people's lives. As has been mentioned, the UK has one of the lowest family consent rates in Europe. In Wales, the Welsh Government bravely introduced deemed consent. The rate at which Welsh families are approving rather than refusing the donation of their loved ones' organs is showing a marked increase compared with the rest of the UK. The latest Welsh organ donation and transplantation statistics display a 72% consent rate, putting Wales above other UK countries.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): My hon. Friend gives the excellent example of how Wales is leading the way in changing the emphasis on organ donation. Does she share my dismay that no one

[Mr Paul Sweeney]

from the Scottish National party has joined the debate today? This is a cross-border issue, and the SNP blocked a private Member's Bill by Anne McTaggart MSP in the Scottish Parliament. Why has the SNP not led the way on this issue?

Karen Lee: I share that concern, and I had hoped that today we could have cross-party consensus. This issue is something on which we can all come together.

I represent Lincoln in the east midlands, where organ donation is the lowest in the UK. In a year, there were just 74 organ donors in the whole of the east midlands. In my constituency, there are around 40,000 registered organ donors. I am one of them—my card is in my bag. I am proud of the people of Lincoln, but even though that number represents a pool of opportunity, only a small number of people on the register pass away in such a way that allows their organs to be donated. In the last five years, only 10 deceased donors in Lincoln have been able to donate their organs.

Passing this Bill could save 500 lives a year. We need sensitive dialogue with those suffering from serious illnesses about the possible lifesaving capacity that their donation could have, should the worst occur. Conversations with grieving families can often be crucial in that process.

Yesterday, I spoke about the loss of my daughter, and when any family member is lost it is a terrible, terrible thing that stays with you forever. However, if someone can donate an organ and turn a negative into a positive, how much better is that? How much better would it be to salvage some positivity out of the situation? The Government have announced a consultation on opt-out consent on organ donation, which closes on 6 March, and the success of this private Member's Bill might be the vehicle for that change. I hope that the Bill achieves cross-party support and makes progress today.

11.41 am

Dr Matthew Offord (Hendon) (Con): I congratulate the hon. Member for Coventry North West (Mr Robinson) on promoting the Bill, and I know that it will make progress today. As many people have said, 80% of British society support organ donation, but 20% do not. I want to speak on behalf of that 20% to ensure that they are carried along with the debate, rather than left behind.

A gentleman in my constituency, Vijay Patel, was recently unnecessarily killed, and his family took great comfort from the fact that his organs were used to help other people. For me, that is such a gift, and I commend anyone who donates, and their families, for allowing the donation to take place. Many people prepare themselves to be organ donors after they die, and their families are an integral part of that process. Within that wider framework, the crucial role of the donor's family must be understood, because their role regarding the ownership of the body after a person dies, and their duties towards it, is a central aspect of the grieving process.

There has recently been a lot of concern about a north London coroner who refused to release bodies, which is causing a great deal of concern to my constituents. It therefore follows logically that the family must be involved in organ donation, and I believe that their consent is paramount at the crucial time. Those families need reassurance along their pathway towards consent.

It has been said that there are religious differences on donation, but that is incorrect. Both Islam and Judaism allow organ transplants from live and deceased patients in order to continue and save lives. One factor that perhaps some are not aware of, and that might influence the decision-making process of some families, is how the point of death is decided. Some people regard death as defined by cardiovascular criteria, which is when the heart ceases to function. Others use cessation of brain function—brain stem death—as their criterion. Those two distinctions sometimes make people uncomfortable with donation.

The National Institute for Health and Care Excellence recognised both definitions of death when it formulated the NICE guidelines that explain how healthcare professionals should support a bereaved family when discussing organ donation. There is one pathway for those who accept only cardiovascular death, and another for those who accept brain stem death. As a result, families are helped to understand how they might be able to combine deceased organ donation in a way that does not interfere with some religious traditions.

Enabling someone accessible to guide a family through the donation process is a humane, sensible and constructive proposal. A properly trained and resourced transplant co-ordinator should be able to do that, as it is the most important way in which families can be supported at a terrible time in their lives. In practice, however, under the system proposed, there would be less institutional incentive for health services to employ such people.

The Government are aware of the issues around transplantation, and they cannot plead ignorance in that our religious communities are being unresponsive to human need. In 2013, leading Muslim and Jewish groups wrote jointly to the Government suggesting a way forward in which an enhanced and improved opt-in system could be introduced that would alleviate their concerns. Improvements would include a Government-backed statement that Jews and Muslims could sign, which would enable them to donate organs in a manner compatible with their beliefs. If that approach were to be adopted, it would enable the two communities to be even more supportive of an opt-in system than they have been in the past. That proposal has been raised on several occasions, but I am afraid it has been ignored. The hon. Member for Coventry North West mentioned former Chief Rabbi Lord Sacks, who he said opposed such measures. As I understand it, however, the current Chief Rabbi, Rabbi Mirvis, is in favour of the proposal I have just outlined.

Life, and indeed death, has changed for many people. More people want, understandably, to spend their final months at home. If they die at home, organ donation is much less likely. Healthcare professionals who need to secure consent for donation must have a conversation with organ donors, and their loved ones, about why they are best placed to give the gift of life if they remain in hospital. That conversation is a natural feature of an opt-in service. Under an opt-out service, there will be little incentive to have that complex discussion with potential donors and their families. The result could be that patients might drift to spend their last months in hospital.

Bob Stewart (Beckenham) (Con): May I ask my hon. Friend, as a doctor, how quickly the medical profession can assess whether someone who has died

is the right sort of person for a donation? So few people are the right fit for a donation—1%, as I understand.

Dr Offord: I cannot mislead the House, because unfortunately I am not a medical doctor and I am not able to answer that question. I am certainly content to talk about socio-economic deprivation in places such as Cornwall, which was part of my PhD thesis, but I will leave the issue raised by my hon. Friend alone. He mentioned the 1%, but other potential donors and their families could be intimidated by clinical settings, have problems with language skills or be too emotionally distraught actively to engage with a system that lacked incentives to ensure professional support throughout their decision-making process. Such potential donors and families could find their rights eroded in that practice.

My hon. Friend the Member for Shipley (Philip Davies) made a point that I wish to echo. The underlying question raised by some considerations is whether public services should treat patients and their families as citizens whose active consent must be sought as a legal duty, or as subjects whose ability to choose whether to donate or not depends on the goodwill of well-meaning but overstretched professionals. Ultimately, an opt-in system that harnesses the role of both religious and civil society to increase organ donation from deceased donors is, for me, the best way forward to maximise organ donation while defending not only religious freedoms, but the rights of all potential donors and families.

11.48 am

Kevin Foster (Torbay) (Con): I will keep my remarks brief, Madam Deputy Speaker. I too support the Bill and I am delighted that the hon. Member for Coventry North West (Mr Robinson)—my hon. Friend; I have known him for a number of years—has used this slot for this very noble cause.

I would like to mention the Bright Green Stars campaign in Torbay. Four years ago, the Bright Green Star Man hung up stars across various points in the bay to encourage more people to think about organ donation. When his daughter Lottie was three, she was one of the lucky ones to receive a transplant very quickly.

The safeguards in the Bill provide an option for those who strongly object to the idea of organ donation, and the ability for families to provide evidence that someone would have objected, on reasonable grounds, if they had known about the opt-out system. Let us be clear: I do not see my body as a piece of property that my relatives will inherit on my death. I see it as something very special, and if there is something we can do to help people to continue to live after our life on this earth has finished, I think that is totally noble. One way I can help is not just by registering to be an organ donor, but by supporting the Bill today. It will save lives in Torbay and across the country. I hope the Bill receives its Second Reading.

11.50 am

Mrs Sharon Hodgson (Washington and Sunderland West) (Lab): I thank my hon. Friend the Member for Coventry North West (Mr Robinson) for securing this very important debate, for introducing this very important Bill and for his powerful and moving opening speech. I would also like to thank the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan), the

hon. Members for Mid Worcestershire (Nigel Huddleston), for North Devon (Peter Heaton-Jones), for Dudley South (Mike Wood), for Chippenham (Michelle Donelan) and for Hendon (Dr Offord), and my hon. Friends the Members for Ealing, Southall (Mr Sharma), for Barnsley Central (Dan Jarvis), for St Helens South and Whiston (Ms Rimmer) and for Lincoln (Karen Lee) for their excellent speeches.

In particular, I pay huge tribute to my constituency neighbour, my hon. Friend the Member for Sunderland Central (Julie Elliott). She spoke so bravely and movingly about her daughter Rebecca, who as we heard has been on dialysis for a year awaiting a kidney transplant. I hope from the bottom of my heart—I am sure we all do—that her wait is over very soon and she is successful in receiving that gift of life from a wonderful donor.

This has been an excellent debate and an example of this House at its best, as it often is on Fridays during debates on private Members' Bills. I would like to thank hon. Members who have previously brought this issue to our attention over the past decade or so, including my hon. Friends the Members for Mitcham and Morden (Siobhain McDonagh), for Newport West (Paul Flynn) and for Barnsley Central.

I commend the *Daily Mirror* for its fantastic campaign to raise awareness of organ donation since the case of Max Johnson, who we have all heard so much about this morning. He was then a nine-year-old boy in need of a new heart. I understand he is now 10, which is fantastic. I want to thank the hon. Member for North Devon for telling us all about Keira Ball, Max's donor, who I understand saved four lives. I thank her very, very brave family for taking that brave decision on that most awful of days. I also thank the more than 13,000 people who have now signed the Change.org petition.

I also commend the scriptwriters of "Coronation Street"—of which, it has to be said, I am a huge fan as a northerner—for covering this issue so well. I note that the character Carla Connor this week received a kidney from her half-brother and that all is going well. At their best, soaps can play a huge part in helping to inform the public on such issues. I hope the storyline will touch on the importance of being on the organ donation register. Finally, I pay tribute to the thousands of people who have already participated in the Government's public consultation on organ donation. I encourage others to do so, if they have not done so already, to let their voices be heard.

The topic of organ donation is understandably an emotional one, but I am pleased that so many people are now engaging in this debate and that we have the opportunity to discuss it in the House today. This debate and the publicity around it may encourage families up and down the country to have that important discussion about organ donation before the inevitable happens. There is no doubt that these discussions need to be had and that we need more organ donors in England. Almost 25 million people are on the organ donation register, but according to the NHS blood and transplant service, 7,000 people are waiting on the list for new organs. For them, it really is a life or death situation, so it is important that as many people as possible sign up to the organ donation register.

Over the past five years, almost 5 million people have joined the register, and in 2016-17 we saw the highest ever deceased donor rates in England. More than 50,000 people are living with a functioning transplant—Max is one

[Mrs Sharon Hodgson]

of them—thanks to organ donation and transplantation in the UK. These are welcome developments, but we still have a long way to go. We currently lag behind other western countries. Tragically, around 1,000 people die every year—that is three a day—while waiting for a transplant. To save those lives, we need more people on the organ donation register making those decisions with their family’s knowledge, so that when the time comes, more lives can be saved.

Mr Sweeney: My hon. Friend makes an excellent case by citing statistics in England, but this is a cross-border issue as well. A great strength of our national health service is that no matter what part of the UK someone comes from, they can benefit from an organ transplant. If someone in Dumfries needs a kidney donation and the donor is from Carlisle, there will be no barrier or border on the route to getting access to that transplant. That is why MPs from all parts of the UK should support organ donation changes in all parts of the UK. That includes the Scottish National party; it is just a shame that SNP Members are not here today. Does my hon. Friend agree?

Mrs Hodgson: Yes, and I had not noticed that nobody from the Scottish National party is here. I do not know what the situation is in Scotland, but we still want people there to be organ donors. I am sure that Rebecca, the daughter of my hon. Friend the Member for Sunderland Central, would not refuse a kidney, whether from Scotland, Wales, Northern Ireland or anywhere, so that is a very good point.

Mr Sweeney: Will my hon. Friend recognise the great strides that the Labour party in Scotland has made in trying to bring in legislation on opt-out organ donation there? It is unfortunate that the Scottish National party blocked the progress of a Bill from Anne McTaggart MSP in the last session of the Parliament, but there is still hope, because a private Member’s Bill is progressing through the Scottish Parliament. We hope to have Labour and cross-party support to see such legislation progress in Scotland, as well as in Wales and England.

Mrs Hodgson: Excellent. I am really grateful to my hon. Friend for updating us all on the situation in Scotland because, as I said, I was not aware of it. I commend that Bill and hope that our SNP friends up in Scotland will act on and progress it as soon as possible.

Matt Rodda (Reading East) (Lab): I pay tribute to colleagues in Wales, my hon. Friend the Member for Coventry North West (Mr Robinson) and colleagues from across the country. We heard very moving stories from colleagues from North Devon and other parts. We as a House have demonstrated the ability to work together today, and that is so important. One of the great strengths of the debate has been the way that we have focused on families and listened to their stories. For me, that has been a deeply moving experience. I commend to colleagues the importance of continuing to listen to families as the campaign goes forward.

Mrs Hodgson: Families are at the heart of this, as my hon. Friend the Member for Coventry North West, who is promoting the Bill, made clear, and I am sure that the

Minister will as well. It is important that families’ voices are taken into consideration when these discussions take place.

I know that I am not alone in this House in carrying a donor card and being on the register. Like many other organ donors, I signed myself up because of a direct family experience. My Auntie Ella, who is sadly no longer with us, was one of the first patients to receive a kidney transplant at the fantastic Freeman Hospital in Newcastle way back in 1967. It was pioneering surgery back then, and it is great to hear my fellow Sunderland MP, my hon. Friend the Member for Sunderland Central, also commending the work of the fantastic renal team at the Freeman Hospital who are currently treating and supporting her daughter Rebecca so well. My Auntie Ella lived a full life because of her transplant. In those days, it was perhaps not as long as she would have liked, but she was able to see her children Norman and Stephen—my cousins—grow up to get married. All she wanted to do was to see them grow up, but she lived on to see them give her grandchildren. That is what organ donation is all about: it gives people a future. Just one donor can save up to nine people—as we heard, Keira Ball saved four—and it can give those nine people a future with their loved ones, which is why it is so important.

Of course, there are some concerns among some religious communities. We heard about that earlier from the hon. Member for Hendon (Dr Offord), and I know that my hon. Friend the Member for Leicester South (Jonathan Ashworth), the shadow Secretary of State for Health, has met representatives of one particular Jewish community to discuss their concerns. There are also concerns among black and minority-ethnic communities, as we heard from my hon. Friend the Member for Ealing, Southall (Mr Sharma). Although they are more susceptible to illnesses such as diabetes, hypertension and even heart disease, only 35% of black and Asian people in the UK—where the population average is 63%—agreed to organ donation last year.

Mark Tami: The same applies to stem cell transplants, which I raised earlier. It simply is not acceptable that those who happen to be white probably have an 80% to 90% chance of finding a possible match, whereas for those who come from a certain ethnic background the figure could be as low as 30%. I do not think we would accept that in any other walk of life.

Mrs Hodgson: My hon. Friend has made exactly the right point. This does not apply only to, for instance, kidney and heart transplants; it applies to the whole donor register. The Government must listen to the concerns of black and Asian communities, not just during the consultation but beyond, so that we can develop a solution to this problem.

Eleanor Smith: I hope that the Bill succeeds and that there will be consultation with members of the BME community to ensure the successful delivery of a public education programme to increase awareness.

Mrs Hodgson: That is precisely the point. It is a question of education and public awareness as well as the acceptance of the sensitivities that exist among all people, not just members of particular religious or ethnic-minority communities.

Mr Virendra Sharma: I am sorry to interrupt my hon. Friend while she is making such a strong point. One of my constituents rang me after my speech to suggest first that Members of Parliament could run roadshows, along with members of their local voluntary sectors, to raise awareness and to encourage people to register as donors and secondly that we could encourage the local education system to enable schools and parents' associations to run awareness sessions. Would that not be the best way of both raising awareness and engaging with communities?

Mrs Hodgson: Absolutely. I think that schools are an ideal forum for a number of public health awareness messages on a host of issues to be delivered to young people.

Perhaps the solution to all these concerns has been developed in the two countries where the opt-out system is working well, Wales and Spain. In Wales, the system came into force in 2015. The law sets out that those who live and die there will be deemed to have given consent for their organs to be used unless they have explicitly said otherwise. Before that change in the law came into effect, a public awareness campaign alone resulted in an increase in the number of organs transplanted from 120 to 160. That was not huge, but it was a definite start. NHS organ donation statistics show an 11.8% increase between 2014-15 and 2016-17 in the number of people in Wales opting to donate their organs. That was the highest increase among England, Wales and Scotland. Although there has not been a notable change since the law came into effect, it is worth remembering that—as we heard earlier—Spain took almost 10 years to increase organ donation rates significantly.

Spain has had a soft opt-out system for 39 years. It is considered to be the world leader in organ donation and currently has the highest organ donation rates in the world. In Spain, consent is presumed in the absence of any known objection by the deceased, but family consent is still sought, as it would be here, we hope. In the immediate aftermath of this change in law, there was only a small increase in the number of organ donations and transplants, but there was a dramatic increase after 1989, when the Spanish Government made a big push to reorganise organ donation, as a result of which there was a medically trained transplant co-ordinator in every hospital by 1999.

It is unlikely that we here in the UK will have an identical opt-out system to Spain's, but these are just two examples showing how an opt-out system can work and improve the lives of thousands of people waiting for an organ transplant. This also gives us the opportunity to learn from past experiences, to ensure we get it right in this country, which I am sure we all seek to do. I know the Government will be working to ensure that that is what happens, and the Opposition are passionate about world-class health services, but, as the NHS Blood and Transplant service made clear, we

“will never have a world-class donation and transplantation service if more than 4 out of every 10 families say no to donation.”

Some 90% of people surveyed by the British Heart Foundation say they support organ donation, but just 33% of those surveyed are on the NHS organ donor register. It is clear from what we have heard today that more people need to be on the organ donor register, and these difficult conversations must be encouraged, so that more lives can be saved.

Luke Pollard: During this debate, I went on to my phone and signed up as a full organ donor. Previously, I was a bit squeamish about giving my eyes, but I have been convinced by the arguments. Signing up only took two minutes; it was simple to do, and every Member could be encouraging our constituents to do so, too, by just going on to their phone and registering now, so we can get more donors before this Bill becomes law.

Mrs Hodgson: That would be great. Even the most technophobe of us should be able to manage doing that if it takes only two minutes, and maybe there could be one of those clever apps to make it even easier for all the young people to do this.

Stephen Pound (Ealing North) (Lab): I have no knowledge of apps, but I do have my donor card here, held proudly in my hand, which I got by telephoning. When I introduced my Bill on this subject many years ago, I was accused, as were the supporters—including Dr Evan Harris, who brought in the Bill with me—of being Aztecs. Does my hon. Friend agree that the tide is now flowing in our favour and this is a piece of legislation whose need has been proven, but whose time is now?

Mrs Hodgson: Yes, very good, and I must apologise for not commending my hon. Friend for his Bill when I listed the people who had done work on this over the years. That makes us realise how many people have been pushing for this, and if my hon. Friend the Member for Coventry North West is successful today, his great achievement will be following in many other Members' footsteps.

Whether it is clever people with their apps or people carrying the old-fashioned donor card, we in the Opposition and nearly all of us, or perhaps all of us unanimously, across the House this morning are in favour of a change to the organ donation law, to ensure that everybody whose life could be saved by organ transplant can have the gift of life. I therefore urge the Minister today to take the necessary steps to increase the number of people on the organ donor register, and I am sure this Bill will be a great asset in helping her to achieve that goal.

12.8 pm

The Parliamentary Under-Secretary of State for Health (Jackie Doyle-Price): I thank the hon. Member for Coventry North West (Mr Robinson) for bringing this Bill to the House; he has secured his fortunate position in the ballot and used it constructively. I am therefore grateful to him and confirm that the Government will give his Bill our wholehearted support. It has been an absolute pleasure to work with him and the hon. Member for Barnsley Central (Dan Jarvis) and to get to the place we are in now, having a Bill we can all support. The reason why we are here, in a relatively painless way given our discussions, is that we were all focused on the shared objective of saving lives and securing the availability of more organs for donation. I am extremely grateful to him, and I wish the Bill Godspeed and hope that it gets on to the statute book as soon as possible.

We have heard some moving stories today, and I want to make particular reference to my hon. Friend the Member for North Devon (Peter Heaton-Jones), who talked about the bravery of Keira Ball, who has saved four lives. I shall say a little more about that later. I also

[Jackie Doyle-Price]

want to thank the hon. Member for Sunderland Central (Julie Elliott), who spoke movingly about her daughter. The real thing about this subject is that once we hear the human stories about people who have given organs, consented to their relatives doing so when they have been bereaved, witnessed family members needing an organ or indeed been a live donor, we cannot fail to be touched by their experiences. It is certainly with considerable commitment that I will do my bit to ensure that more organs become available for donation.

Mark Tami: I have spoken briefly about my own experience with my son, who was able to get a stem cell donor. We were in hospital for quite some time, and I saw many parents who did not find a donor. That was very difficult, and, to be frank, I felt a degree of guilt because we were fortunate and I knew that I was looking at someone whose child was going to die. That is a heartbreaking situation, and we need to do whatever we can to ensure that more people get on to the register and donate organs.

Jackie Doyle-Price: The hon. Gentleman puts that as well as it could possibly be expressed. That is entirely the motivation behind the Bill. We are losing too many people each year because they need organs, and it would be a poor Health Minister who did not do their best to remedy that. He is absolutely right to describe the very real impact when we see people in that situation. I have been on my own journey with my constituent, who has already been mentioned by the hon. Member for Kingston upon Hull West and Hessle (Emma Hardy). My constituent painfully lost her daughter, who was waiting for a transplant, and she has used that experience to campaign for this important cause. She has also taken the step of becoming an altruistic donor herself. Who could fail to be inspired by such a story? I am pleased to be able to deliver on the promise that I made to Patricia, when she came to see me for the first time, that I would do everything I could to secure more organ donations. And here we are today, delivering that.

Last October, the Prime Minister pledged her personal support to change the law on organ donation and, in doing so, to help more people across the country to achieve an organ transplant. We should also remember the contribution of Max Johnson, whose struggle was embraced by the nation and who has done so much to highlight this important cause. As a consequence, we in the Government will be referring to this legislation as Max's law, and we will do everything we can to ensure its passage. In that regard, I am grateful for the Opposition's support, which will ensure that it has a speedy passage. With such cross-party commitment, we should not fail. As Max, his family and families all over the country who have experienced life on the transplant waiting list know, organ donation is a precious gift, and the family of Keira Ball deserve our special tribute. The fact that she has saved four lives is incredibly inspirational.

I want to echo the tributes that have been paid to the *Daily Mirror*. We do not often talk about national newspapers in a complimentary way in this House, but the *Daily Mirror* has done a fantastic job of highlighting this cause. This illustrates what the press can achieve when it puts its mind to something positive. I echo the tribute paid to "Coronation Street" by the hon. Member

for Washington and Sunderland West (Mrs Hodgson). Like her, I am pretty addicted to the soaps, and we should not leave out "EastEnders", which highlighted live liver transplantation last year. She was right to say that the soap operas have also been good at highlighting mental health, but it is particularly apposite that we have seen the organ donation story this week. I commend "Coronation Street" for tweeting a link to the Government consultation in the immediate wake of that programme, which I think is a first. It would be helpful if soap operas highlighted future Government consultations, but I do not think it will be common.

I will be fairly brief in addressing some of the points that have been raised. A number of Members expressed concern about moving from an opt-in system to an opt-out system, and I reassure them that the concept of organ donation being a gift voluntarily given by the donor remains central to the Bill's principles. There can be no question of the state taking control of organs, which is why the ability to opt out is central to the Bill. Opting out will have to be made extremely easy, and people will have to be able to continually revisit their decision if they wish to change their mind.

It is also central to the Bill that family consent is respected. The circumstance in which someone is able to donate their organs is clearly traumatic and difficult. In considering the whole period at the end of life and the struggle that surgeons are undertaking to save lives, it is important that we are sensitive about that time. We need to be sure that, once someone has lost the capacity to give consent, their family, as next of kin, have their rights protected. I have no doubt that we will explore some of those issues in Committee.

I put on record the representations I have had from the medical establishment, which would feel uncomfortable if consent were not sought from the family. In developing a regime that secures more organs but is also sensitive to everybody's views, we are able to strike the right balance in the Bill.

Tom Pursglove (Corby) (Con): I entirely support the Bill. Has the Department given any early thought to public engagement, so that people are aware of any changes coming into force and of what those changes mean?

Jackie Doyle-Price: My hon. Friend will be aware that we are consulting on the principles enshrined in this Bill. That consultation will end on 6 March, and we will reflect on those representations. As we have already heard, we are seeing an unprecedented response to the consultation, and there is a substantial degree of support. The consultation will inform our communications.

We have also heard a lot about the high incidence of people from Asian and black backgrounds on the waiting list, and again that is a priority for the Government. The hon. Member for Ealing, Southall (Mr Sharma) said MPs should show leadership. We are leaders, and it is certainly something that I want to do. I have a large black African community in my constituency that I am engaging with on this issue. With that in mind, I have tasked NHS Blood and Transplant to develop MP toolkits that we can all use to go out into the community to sell the concept of organ donation. As and when those toolkits are available, I hope to have support from many Members in rolling out that communication.

Mr Pat McFadden (Wolverhampton South East) (Lab): Will the Minister give way?

Jackie Doyle-Price: I would like to make progress, so I will take no more interventions.

As I have made clear, we support the Bill and are determined to secure more organs for transplant, because we are concerned that we are losing lives unnecessarily. People have referred to the experience in Wales and whether the learning from that will achieve a material difference. At this stage, it is too early to draw any conclusions about the number of organs that the change in Wales has secured, but we have seen an increase in consent and opting on to the register. Our best estimates are that the change will secure an additional 100 donors a year, which could lead to the saving of 200 extra lives.

Layla Moran (Oxford West and Abingdon) (LD): Will the Minister give way?

Jackie Doyle-Price: I will take no more interventions.

On the basis that we could save 200 lives, we wholeheartedly support the Bill. I look forward to working with all Members to secure Royal Assent.

12.19 pm

Mr Robinson: I do not much like self-congratulation, and moments when the House gets self-congratulatory can be embarrassing, but on this occasion I am delighted to say that we have seen the House at its best. I say that because we have had a debate where not only have high standards of rational argument been deployed, but deep emotions—we all feel them—have not been kept from us. That unique combination today has enabled us to have the cross-party consensus of the size we have achieved, on a Second Reading of a Bill that is, perhaps, contentious in nature in some respects. I note that the Secretary of State for Health has just arrived and so, while plaudits are being awarded, may I just say that his support from the very beginning has given great encouragement to me and to my hon. Friend the Member for Barnsley Central (Dan Jarvis)?

This is a great moment for us. I hope that there will not be a Division, but I am sure that if there is one, we will win it. I am sure that we will be able to go out of the Chamber knowing that the Bill has passed its hurdle of Second Reading, that we are going into Committee and that with any fair wind from the Government by the end of the year we will have the Act—Max's Act, as we should call it—on the statute book. I look forward to that moment and to saying that, at least in this Parliament, we did pass an Act for life, and I am delighted, on that note, to be able to conclude the debate.

Question put and agreed to.

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

Overseas Electors Bill

Second Reading

12.22 pm

Glyn Davies (Montgomeryshire) (Con): I beg to move, That the Bill be now read a Second time.

I wish to say at the start, as an organ donation activist for more than 25 years, how excellent I thought the first debate today was. Although I did not agree with everything that was said, I thought it showed the UK Parliament excelling and at its very best, as the Bill's promoter told us.

My Bill is about extending the capacity of UK citizens to participate in British democracy, of which we have seen such a wonderful example today. Let me begin by setting the scene by providing what I see as the most relevant statistics. According to the Office for National Statistics, there are 4.9 million British citizens of voting age who have lived in the UK at some point in their lives but are now overseas.

Paul Flynn (Newport West) (Lab): Will my hon. Friend give way?

Glyn Davies: I will, because he is such an honourable friend.

Paul Flynn: I want to thank my hon. Friend—I have been calling him that for many years now—for the support he has given to a Bill that we could be debating after this one. My appeal to him is on the basis of the powerful reasons why this House should pass the Legalisation of Cannabis (Medicinal Purposes) Bill: the absurdity of the current law and the suffering that has resulted. I know he will not speak for very long, as his speeches are always brief but potent. I ask him to encourage his fellow supporters of his Bill to allow time for the cannabis Bill to be debated.

Glyn Davies: I have always so admired my hon. Friend's brass neck that I am probably going to accede to his request. I was intending to do this, so while pointing out to the Chamber why I am intending to keep my comments brief, let me say that giving him the opportunity to put his Bill forward later this afternoon is something I rather approve of.

Now then, where did I get to? I was starting off with the relevant statistics. Only an estimated 1.4 million of the 4.9 million British citizens of voting age who live overseas are eligible to vote in UK elections, because a British citizen who has lived overseas for more than 15 years is not allowed to vote in British elections. As at June 2017, only 285,000 of those 1.4 million were actually registered to vote. That is another important issue that will probably need to be addressed, but it is outside the scope of my Bill.

I thank colleagues from the Government and Opposition Benches who have contacted me in support of the Bill. I have had good advice from the hon. Member for Ilford South (Mike Gapes), who has been a big help, and my hon. Friend the Member for The Cotswolds (Sir Geoffrey Clifton-Brown) has also been a great help. Several other Members have written to me to offer their support.

This debate touches on so many issues that I could speak for a long time, but there are a number of reasons why I shall not. I want to give as many Members the

[Glyn Davies]

chance to contribute as possible and I want the debate to reach its conclusion today, if at all possible, so I shall speak probably for no more than five minutes. Of course, I also want to accede to the request that the hon. Member for Newport West (Paul Flynn) just made.

Dame Cheryl Gillan (Chesham and Amersham) (Con): I congratulate my hon. Friend on introducing the Bill. I hope that, despite the protestations of the hon. Member for Newport West (Paul Flynn), he will not cut short his remarks, because this is an important matter. Does he agree that as the United Kingdom is now leaving the European Union, it is even more important that we re-establish and firm up our relationships with British citizens, wherever they may live around the world? That is what makes the Bill so important.

Glyn Davies: I thank my right hon. Friend for that intervention on a point to which I shall come later.

Of the three points on which I shall concentrate, the first is fairness to UK citizens who live abroad and who have moved around for various reasons but want to remain part of our democratic process and not have their involvement cut short after 15 years.

Secondly, as my right hon. Friend the Member for Chesham and Amersham (Dame Cheryl Gillan) just said, a benefit flows to the UK through the soft power of British citizens around the world retaining a close involvement in what happens in this country and promoting our interests in the country to which they have moved. The last thing we need is to make their involvement in this country less relevant.

Bob Stewart (Beckenham) (Con): I assume that if a British citizen has lived abroad for, say, 30 years, their children will be British. Under my hon. Friend's Bill, would those British children be allowed to vote as well?

Glyn Davies: That is another issue to which I shall refer later. As I build the three points I wish to make, that will be very much part of the first.

My third point is about why it is right to revisit an issue—the restriction of overseas UK citizens' ability to vote—that Parliament has considered previously. What has changed?

On my first point, fairness, many British citizens who have moved overseas have a legitimate ongoing interest in the UK's public affairs and politics. Many spent all their working lives in the UK, paying their taxes and national insurance, and continue to have a direct interest in their pension rights and particularly in the future of their families in the UK. Many moved to work and did not have much choice, but will eventually return home to the UK on their retirement. Many have family connections that they wish to retain, and many want to retain those communications through these unseen processes that maintain British influence all over the world.

Our ambition, I think, is to extend the franchise to everybody who has a legitimate interest and are desperately keen to be part of our democracy.

Jack Lopresti (Filton and Bradley Stoke) (Con) *rose*—

Glyn Davies: I will give way after I have made one point.

This is something that was quite dramatic for me. About three weeks ago, a gentleman named Harry Shindler—some Members here may have met him—came all the way from Italy to Britain to talk to me about this Bill. Harry Shindler is an incredible man. He is 97 years old and the longest-serving member of the Labour party. He is still an activist—in fact, he left the deputy leader of the Labour party unable to speak for about half an hour in the Tea Room, which is quite an achievement. He came all the way to talk to me because the one thing that he wants to do before he dies is to vote again in a British election. That is how important it is to some UK citizens living overseas to be able to vote in our elections.

Mike Gapes (Ilford South) (Lab/Co-op): Will the hon. Gentleman give way?

Glyn Davies: I will; I have already mentioned the hon. Gentleman in my speech.

Mike Gapes: I am very sorry that I was slightly late for this debate. I was in the Library and did not notice the screen, showing that the previous debate had finished. My friend—I can call him that for various reasons—mentioned Harry Shindler. He knows that I was also at the meeting with Harry Shindler. I have known Harry Shindler for many years. He has taken legal action against the Government, taken the issue to the European Court and has resolutely done so because he represents not just people in the Labour party, but the whole community of people with British heritage who are living all over the world.

Glyn Davies: I thank my friend for that intervention, and I agree absolutely with his point. If everybody in this House were to meet and talk to Harry Shindler, there would not be a single person who was not a supporter of my Bill.

Jack Lopresti: Will my hon. Friend give way?

Glyn Davies: Oh, I am sorry, yes. I had promised to give way previously.

Jack Lopresti: On a purely practical point, obviously some of our people are scattered far and wide in remote areas without access to a reliable postal service. Is there provision in the Bill—by the way, I congratulate my hon. Friend on presenting it—to use our consulates and embassies as polling stations to collect ballot papers and return them in diplomatic pouches to the UK?

Glyn Davies: A lot of detail will be involved in this Bill. That matter will probably be dealt with in Committee—I just hope that it will go through to Committee so that we can deal with that then. The Minister who is responding later will have picked up on that point.

Mr Dominic Grieve (Beaconsfield) (Con): I am most grateful to my hon. Friend for giving way. I wholly support this measure. Does he agree that, actually, many people were very hurt when this Parliament reduced the period from 20 to 15 years, quite gratuitously, giving overseas voters the impression that they were not valued? There is a marked contrast between the way we deal with this matter in this country and how it is dealt with

in many other countries, such as France, which embraces its overseas voters, wishes them to maintain the link, sees them as valued, and makes every effort to ensure that they can participate in the national political life of the country.

Glyn Davies: That is another intervention that I greatly welcome and that accords totally with my thinking. It is damaging, yes. We have moved away from the principle of having any restriction at all, which is sensible. I want to come on to that point, but, first, I will take another intervention.

John Penrose (Weston-super-Mare) (Con): I thank my hon. Friend for giving way and echo the congratulations of many in this Chamber to him on bringing forward this very, very important Bill. I just wanted to respond to his reply to the question from my hon. Friend the Member for Filton and Bradley Stoke (Jack Lopresti) about how the voting might happen. As one of the original co-authors of this Bill when it was being done by the Government in the Cabinet Office, I can say that we looked at it very closely and concluded that if we have a multi-constituency election, it is incredibly complicated to have different ballot papers for every single constituency in the local post in whichever country it might be. Superficially, it is possibly an attractive idea, but at the time, we felt that it was very, very difficult. Perhaps the Minister can clarify whether opinions have changed.

Glyn Davies: I am sure that the Minister will clarify that point because not only have I invited her to do so, but my hon. Friend has too.

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): Will my hon. Friend give way?

Glyn Davies: May I make just one brief point?

I just want to emphasise how many people—people unknown to me—who have written to me from overseas just to thank me for this Bill. Their level of appreciation is huge, as is the importance they attach to being able to vote in a British election because they are British citizens; it really is overwhelming. I am sure that other hon. Members have had exactly the same communications.

Sir Geoffrey Clifton-Brown: I offer my sincere congratulations to my hon. Friend on bringing this Bill forward. I have had a long involvement with the matter. Does he agree with me that in this centenary year of Emmeline Pankhurst's efforts to get women the vote in this country, the same thing must apply to voters of over 15 years' longevity abroad? This could open up the franchise to another 1 million people. It must be the correct thing to do.

Glyn Davies: I agree. In fact, I will later make reference to that very point.

Jo Stevens (Cardiff Central) (Lab): I am struggling to understand why there is such support from the Government Benches for extending the franchise, with mention of 1 million more being able to vote, yet 16 and 17-year-olds are being denied the vote in elections here at the very same time. Will the hon. Gentleman deal with that point?

Glyn Davies: That is a perfectly valid point, but it is not a part of this Bill. It could easily be part of another Bill and there could then be a debate about it. The hon. Lady will know that the Welsh Government plan to have such a debate, which is fair enough; I think that there will be different views on that Bill within the governing party. The subject is not, however, included in this Bill. If it were, it would distract from the intention of the measures that I am proposing.

Chris Skidmore (Kingswood) (Con): I thank my hon. Friend for bringing forward this Bill. Many areas of our constitution are controversial and partisan, but when I was a Minister in the Cabinet Office I was struck by the fact that Members of Parliament from all parties, particularly the Labour party, wrote to me on behalf of their constituents every single week to ask when the Government would deliver on this manifesto commitment. This is a non-partisan Bill that the House would be wise to take forward in a non-partisan approach. My hon. Friend mentioned the example of 97-year-old Labour voter and activist Harry Shindler, who fought in the Battle of Anzio in 1944. People like him gave so much for this country; we should pass this Bill and give them back their vote in return.

Glyn Davies: It is important—certainly to me—that this is a non-partisan Bill. I have brought it forward because it will deliver justice to UK citizens living abroad. There are supporters on the Conservative Benches because I have asked them all to come. I am overwhelmed by their personal support, but I know they also think this is an important issue.

My second general point is on the importance of the Bill to British soft power across the world. We live in an increasingly interdependent world. The success and influence of British citizens overseas become ever more important, particularly as we leave the European Union. In Europe and across the wider world, our British interests are well served by the presence of UK citizens who are actively involved in civic society, businesses and diplomatic activity in the countries in which they now live. It is a hugely important way in which the British voice can use its presence overseas to the great benefit and interest of Britain. The absolutely last thing we should do in promoting the interests of Britain across the world is to discriminate against our own citizens who have moved overseas by taking away their right to vote after 15 years. It is a huge mistake.

Tom Purslove (Corby) (Con): Does my hon. Friend agree that many of these Brits living abroad are also working for British companies whose revenues often fund public services here in this country?

Glyn Davies: Indeed I do. Britain's soft power—that important exercise of British influence throughout the world—is greatly benefited by British citizens in British businesses overseas being active in British politics through voting for Members of this House, who then develop their views, opinions and influence.

My third point concerns what has changed. We have heard reference already to changing the 20-year limit to a 15-year limit. There used to be a five-year limit, so there is legislative uncertainty. In addition, what has changed is the advent of the internet and the ability to

[Glyn Davies]

keep in touch. The rationale for having any limit is that after a while people lose their connections. It is thought that after 15 years they will have lost touch with what is happening in Britain and will no longer have that connection with family and so on, but the internet has completely changed that. People have not just that ease of connection—through Facebook, Skype and everything else—but access to much cheaper flights and travel. The ability to connect across the world now is such that it no longer makes sense to have any limit at all. It is no longer relevant. It might have been 15 years ago, but it certainly is not now.

The Bill would extend the franchise, whenever it was reasonable to do so, to British citizens. We have already had reference to 100 years ago, and that is what we have been doing for the last 100 years, step by step. This is the centenary of one of the biggest extensions of the franchise in our history. I genuinely believe that it is right to extend the franchise by removing the limit on residency abroad. If they are British citizens, they should be able to vote in a UK parliamentary election. This is a wonderful Parliament—the debate earlier made me realise just how wonderful—and we are all privileged to serve in it. I hope that through the Bill we can ensure that UK citizens abroad who still care deeply about Britain and feel deeply British, as Harry Shindler does, can participate in our parliamentary democracy.

Stephen Pound (Ealing North) (Lab): I am extremely interested in what the hon. Gentleman has to say. I am intrigued by proposed new section 1A, which refers to the constituency linkage. The Bill proposes that if somebody lived in a property that has subsequently been demolished—it might be a hole in the ground or a sheep farm in north Wales, for all I know—they should still have a vote in respect of that constituency. This sounds a little like rotten boroughs. Is he absolutely confident and secure about a property that no longer exists remaining the basis for someone having a vote—and, if the hon. Member for Beckenham (Bob Stewart) is correct, for their grandchildren, great grandchildren and so on, in perpetuity, also having a vote?

Glyn Davies: If someone is a UK citizen, they should, in my view, have a right to vote in a UK general election. It is as simple as that. An arbitrary time limit, be it 15, 20 or five years, is no longer appropriate and only means that it will have to come back to us in the future for further debate. Let us get rid of it altogether and make it straightforward: UK citizens can vote in UK elections—and let that be it.

12.44 pm

Sandy Martin (Ipswich) (Lab): The 13 North American colonies south of the Great Lakes fought a bloody war of independence from the jurisdiction of this place largely on the basis of the slogan, “No taxation without representation”. That was a very good point—a fundamental constitutional point. It was wrong that they should have been forced to pay taxes but have absolutely no say in what those taxes should be. Perhaps, if the voices of reason in Britain at the time had been listened to, the Americans might not have felt the need to leave British jurisdiction. Perhaps, if the American

colonists—and, by extension, as our political and social awareness progressed in the 20th century, the native Americans as well—had been allowed to vote for parliamentary representatives and send them to this place, and that pattern had been followed in other British colonies around the world, our country might have been able to found a worldwide commonwealth of nations based on democracy and equality, and work steadily away from a world based on warfare between nations and racial resentments.

Leaving aside the thought that the world might have been a very much better place if that war of independence had never been fought, I would like to suggest that the slogan, “No taxation without representation”, works perfectly well the other way round: “No representation without taxation”.

Mike Wood (Dudley South) (Con): I may be misunderstanding the hon. Gentleman, but is he suggesting that paying income tax should be a qualification for the franchise?

Sandy Martin: No, I am not suggesting that: I am suggesting that if someone lives within a polity in which a taxation level is being set, they should have the opportunity to make decisions about how it is set. I will come to that point later on.

Mike Gapes: Is my hon. Friend saying that somebody who has worked and contributed taxation in this country for 20, 30 or 40 years, and who then retires abroad and lives there for the next 20 or 30 years, is somehow disenfranchised even though they have paid taxes here?

Sandy Martin: I am saying something fairly similar, yes. If someone is living, paying taxes and working in a country, they are also accruing pension rights and contributing to the society in which they live, and that society then has some obligations towards them if they decide to move abroad. That is a very good point, and I will come on to it later. However, I am not prepared to accept that somebody living in a country other than the country that they are making decisions for can set a level of taxation in the country that they are not living in.

Mr Philip Dunne (Ludlow) (Con): I am interpreting the hon. Gentleman’s remarks to mean that far from seeking to remove the restriction on the duration within which people can vote, he is seeking to tighten it, and arguing that there should be no right to vote for any British citizens living abroad. Is that really what he is saying?

Sandy Martin: I will reach that point in my speech at some stage—I have got through only one paragraph so far. I wish to make a large number of points, and I cannot make them all instantaneously. I can address them in a random order depending on when Conservative Members want to raise them, or I can address them in the order in which I have written them down. It is entirely up to them which way they want me to take them.

Sir Geoffrey Clifton-Brown: I am grateful to the hon. Gentleman for giving way. Would he care to comment on the several million UK citizens who pay no tax in this country yet have a perfect right to vote? Would he

also care to comment on people who are overseas for more than 15 years and have no right to vote on how their pension, their health service and a number of other UK taxpayer services are provided?

Sandy Martin: I will be delighted to address the points about pensions and people who do not currently pay taxes later on in my speech. I thank the hon. Gentleman for his intervention. He has mentioned some very sensible points that I assure him I will address.

I return to “no representation without taxation”. I do not know who said that taxes are how we pay for a civilised society, but it is certainly as true today as it was when it was said. None of us can imagine a society with no police force, no health service, no education, no courts, no transport systems, no mechanism for adjudication between those of different views—*[Interruption.]* Does the hon. Member for Torbay (Kevin Foster) want me to give way, or is he just chuntering?

Kevin Foster (Torbay) (Con): Carry on, I’m enjoying every minute!

Sandy Martin: If the hon. Gentleman were to listen, he might hear how wonderful it was.

Madam Deputy Speaker (Dame Rosie Winterton): Order. Can we not have this dialogue across the Chamber? We need to listen to what Sandy Martin has to say and not have so much chuntering.

Sandy Martin: Thank you very much for your adjudication, Madam Deputy Speaker. I wholeheartedly concur.

None of us can imagine a society where none of the services that we currently pay taxes for operate. Those services would not be available if we did not have a taxation system that enables us to pay for them. The country would not be governable, and it would not be governed in any meaningful sense of the word. In fact, there would be complete anarchy.

When we vote, we are voting for a system of government that enables us to play a part in decisions about how much tax to levy, who and what to levy taxes on, what to spend those taxes on and how to make sure that no person in our society is ignored, and in which we all have a say on the taxes and expenditure that will have a direct impact on our lives.

We go to some lengths in this House to ensure that hon. Members from Scotland do not vote on decisions that affect only England and Wales, including how the taxes raised from people in England and Wales are spent on services in England and Wales. It is not relevant whether a Member for a Scottish seat happens to have been born in England. If an issue before us affects only people living in England, it is wrong for a Member from Scotland or any of their constituents to make decisions that affect a polity that is inhabited by others and do not affect their own polity.

Chris Skidmore: The hon. Gentleman is raising quite an important point; there is a big difference between elected representatives and their constituents, but there will be roughly 3 million British expats watching this debate on their news channels across the world. Is he really saying that the Labour party is now telling all

those British expats that they have made and are making no contribution to British life and to our British state?

Sandy Martin: I thank the hon. Gentleman for his intervention, but no, I am not saying any such thing.

Stephen Pound: The clue is in the word “private”.

Sandy Martin: First, I remind the hon. Gentleman that, as my hon. Friend says from a sedentary position, this is a private Member’s Bill. It is not about the Labour party position. Secondly, I am not in any way seeking to remove the right to vote from people who already have it. There is a sensible cut-off point, but, as I will say later, I do not believe that extending that cut-off point ad infinitum is necessarily a sensible way forward. Thirdly, as I will also come to, not all people who have lived in this country and contributed to the economy of this country have the means or, in many cases, the right to vote.

Paul Flynn: I have the great pleasure of sitting on two Select Committees with my hon. Friend, and I greatly enjoy his contributions, but may I urge him to limit his contribution today in the light of the important Bill that is coming next, so that we have a chance to deal with it?

Sandy Martin: I hear my hon. Friend, but unfortunately I do not agree—I think that whether or not this Bill proceeds is more important than whether we get to the next Bill. I am sorry.

When someone in this country votes to elect an MP who will share their views on taxes and services in this country, and who will seek to put into practice an overarching political philosophy with which they agree, the issue is not whether any particular tax is levied on a voter or whether an individual will benefit from any particular public service. It is whether the voter lives within the jurisdiction in which those decisions on tax and spending hold sway.

When I was unemployed and in receipt of benefits, I was legitimately able to vote for a political party that sought to levy a proper level of taxation on those who earned well above the average, on the understanding that I was living within the polity affected. I held perfectly legitimate views about how wealth should be distributed within that polity, and knew it was entirely possible that I would eventually become a taxpayer myself. I have not changed my views on benefit or taxation rates now that I earn significantly more in a single year—even after taxation, national insurance, pension contributions and so on—than I received in benefits in all the time that I claimed.

I believe that I ought to be paying considerably more in taxation—*[Interruption.]* The hon. Member for Wyre Forest (Mark Garnier) intervenes from a sedentary position, so I will take the liberty of answering him. I did not want to make this part of my speech, because I do not want to blow my own trumpet, but I have made a conscious and public decision to donate part of my income to good causes in Ipswich, simply because I do not believe that I am paying as much tax as I ought to pay. I am sure that other hon. Members do exactly the same.

Mark Garnier (Wyre Forest) (Con): The hon. Gentleman will be aware that if he wants to pay more tax he is perfectly entitled to. People can make arrangements with HMRC to pay more tax, and if he believes that he is not paying enough, he should by all means go ahead and pay more.

Sandy Martin: I thank the hon. Gentleman, and I am in my own way already doing such a thing, although not via HMRC.

Stephen Pound: I am slightly concerned that we seem to be meandering down some sort of byway, rather than concentrating specifically on the Bill. As a passionate pro-European remainder, I wish that more people who live overseas had been able to vote, as I am sure they would have voted to do the sensible, right and logical thing and remain in the European Union. This may seem a philosophical point, although it is a practical one, but if someone lives in another country, should they not integrate within the polity of that country? By all means they should have 15 years to continue to vote for the motherland, but after that should they not become involved and concerned with the politics of the country in which they live? If they want to live in another country, should they not concentrate their vote there, rather than in the country in which they used to live at least 15 years ago?

Sandy Martin: My hon. Friend makes precisely the point that lies at the centre of my argument.

Stephen Pound: I am sorry; I did not mean to.

Sandy Martin: No, I apologise for not having made that point as clearly as I ought to have done, but that is the point I am seeking to make.

Dame Cheryl Gillan: I sit on the same Select Committee as the hon. Gentleman and the hon. Member for Newport West (Paul Flynn). I detect that there may be some length to the remarks that the hon. Member for Ipswich is making, which will hold up our reaching the very important Bill promoted by his hon. Friend.

What about skilled engineers and other skilled people who go to work abroad, leaving their families in this country? After 15 years of working abroad, does the hon. Gentleman think they should have no right to vote in this country if they come home only to visit? Should they be excluded? If people spread the skills and expertise of British workmanship, science and so on, should we remove their right to vote?

Sandy Martin: I think the right hon. Lady is mistaken. I hesitate to say that, because I know she has been a Member of the House for much longer than I, and she has a wealth of experience that I do not have. However, I believe that if somebody has family in this country and is resident here but travels abroad for the majority of the year, they remain a voter and resident in this country.

Dame Cheryl Gillan: I am giving the example of where somebody might be a resident in another country because of a long-term contract. Effectively, the hon.

Gentleman is saying that such a person would have the right removed after 15 years—if he is even happy to leave it at 15 years.

Sandy Martin: If somebody has entered into a contract that lasts for more than 15 years, involving them taking their family with them and living in another country for all that period, it is overwhelmingly likely that they are going to stay in that other country. Even if they were not going to stay in that other country, it would be quite difficult to make a meaningful distinction between moving to another country with the family for more than 15 years and emigration. I cannot see that there is a significant difference between the two. Clearly, British citizens who lived in another country for more than 15 years and, after 17 years, decided to move back to this country, would regain their voting rights once they had moved back to this country.

Michelle Donelan (Chippenham) (Con): The hon. Gentleman's speech is confusing for the ex-pat community, because it is factually incorrect. For instance, in 2006, Spain signed a double taxation treaty with the UK, which means that residents can choose whether they pay their taxes to the UK or to Spain. A great number of ex-pats pay their tax to the UK, which makes the core of his argument null and void. I suggest that he allow the rest of the Members in the Chamber to discuss the merits of this very important Bill, which will enfranchise thousands, if not millions, of potential voters around the world.

Sandy Martin: I doubt there are 3 million British expatriates living in Spain who pay taxes to the British Treasury. The vast majority of people who would be affected by the Bill are not those who pay taxes to Britain while living in Spain. If there were a particular statutory instrument or a move to change the situation for people living in Spain, that would be a different matter.

Michelle Donelan: The hon. Gentleman is oversimplifying the issue. Those people might have pensions that are still being taxed at source in the UK. In fact, the majority are of pensionable age and do just that, so the argument is completely oversimplified. He is trying to base his argument on linking voting to taxation, which is impossible to do.

Sandy Martin: That is an interesting point and I am sure we could have a very long discussion about it across a table. I would be very interested to be educated in all those matters by the hon. Lady, but the Bill is itself extremely simple. It would extend the franchise to every British citizen everywhere in the world for ever. I think that that is fairly simplified and certainly not particularly nuanced towards the individual cases she is talking about.

Mark Tami (Alyn and Deeside) (Lab): Does my hon. Friend not find it a strange paradox that a party that has made registration in this country as difficult as it can make it, and which is against votes for 16 and 17-year-olds, is in favour of extending the franchise to everyone throughout the world?

Sandy Martin: My hon. Friend is absolutely right. That is clearly an issue. There is a certain amount of double standards going on here. I will come to that issue later.

Lloyd Russell-Moyle (Brighton, Kemptown) (Lab/Co-op): Further to that point, does my hon. Friend not think it rather strange that we still do not give the vote to EU citizens who have might have lived here for many, many years? The Conservative party seems to have no inclination to want to help people who live here, pay taxes here and contribute to this country to be able to vote. They should be our first priority, rather than trying to reach out to people who do not necessarily contribute to this country anymore.

Sandy Martin: There is a very important and powerful point here. As part of the European Union, we have had a very good arrangement with other EU countries in that, where people are voting in local elections, they vote in the local election where they live. Clearly, if someone lives in and votes in a particular borough or district, they are receiving services from that borough or district and are paying the council tax level that they have voted for. I think that arrangement works extremely well.

I have always found it a little odd that French or Italian citizens who have been living in this country for years should vote in French or Italian elections—for example, if they have been living here for 20 years and are clearly not taking part in French or Italian society. A sensible move would be towards people voting, at every level, for the polity in which they live.

A central part of what I am trying to get to is that when we vote, we are voting on things that affect us. When we vote as MPs in this place, we vote on things that affect our constituents. We should not be voting for things that do not affect our constituents, and in general, people should not be voting for things that will never affect them and will not affect the shape of the society in which they live.

I had legitimate views about how wealth should be distributed where I was living, even when I was unpaid, and I have not changed those views. As I was about to say before the various interventions were made, my view that I should be paying more taxation is not my party's policy. I am being a bit more radical than my party leadership, because our taxation proposals in the manifesto that we put to British voters last year did not increase personal taxation for anyone on an income under £80,000. Be that as it may, I live in this polity. I voted for representatives in the past; I am now able to take my place and represent others who wish me to secure a well-regulated country that pays its taxes and provides its services, and which I am intimately and personally involved in.

The issue of 15 years is clearly crucial. If, as she intimated, the right hon. Member for Chesham and Amersham (Dame Cheryl Gillan) were to travel to another country for two years on sabbatical to show them, for instance, how it would be sensible for them to set up a bicameral parliamentary system, I am sure they would be extremely grateful for her expertise in that area, and as citizens of the world who want to see other countries being properly governed and regulated, I am sure that we would all be delighted that she had gone to show them that expertise. It would be entirely unreasonable, if a general election were to happen during those two years, for her not to be allowed to vote in that general election—unless she happened to have been elevated to the other House in the meantime. As long as she is a

Member of this House, she, like the rest of us, will be able to vote in the next general election, whether she is in this country or abroad.

However, there is a point at which we have to ask whether people are living in this country. If someone is going abroad for more than 15 years and has family, I venture to suppose that they would want to take their immediate family with them. Anybody who decides that they are going to live permanently and completely abroad for 15 years and does not take their family with them obviously does not want to stay with their family anyway.

The idea that someone should be able to vote for a Government they think would be better for their family, although they do not want their family with them, is a bit bizarre. Clearly, if somebody lives abroad for more than 15 years and takes their family with them, the overwhelming assumption—the clear picture that gives to people out there who are looking at what others are doing—is that they have decided to live in another country and that they have emigrated. This country has a proud history of emigration. People have emigrated to Canada, South America, South Africa and Australia, and they have helped to build thriving societies in all parts of the globe. All of them—or almost all—vote for the Governments of those countries, and rightly so.

When Canada, Australia and South Africa were dominions of this country, they voted for the Governments of those dominions, and rightly so. That was a sensible approach to representative and electoral rights, because they were voting for people who had power to make decisions about the lives that they were leading in those countries.

If this Bill had been passed in 1850, and we had given people who moved abroad the right to vote in the last constituency in which they had happened to be before emigrating for the rest of their lives, how could we have set up thriving and independent political bodies in those other parts of the world? How could we possibly have expected the people of this country, who were still living in this country, to be happy with circumstances in which every time there was a general election, all the people who had decided to move to Canada, Australia or South Africa, and their descendants, had more of an electoral say over how this country was governed than those who had stayed here and lived here?

If we gave the right to vote in British general elections to British citizens for the rest of their lives, irrespective of whether they were living in this country, that would presumably extend to their children, if their children were British citizens, although the children were not living in this country. If we did the same for the children of those children, where would it end? If Ireland had gone down that route, there might well have been far more people in New York voting in Irish general elections than in Ireland. The clear point is that if people are going to vote in an election, they need to be affected by that vote.

Lloyd Russell-Moyle: Is it not bizarre when, in other countries, the right to vote in elections is extended to generation after generation, and a large proportion of the electorate are outside the country where the election is taking place? When I was in Buenos Aires the other year, the campaign that was taking place on the streets concerned not an Argentinian but an Italian election. There were posters in the streets, and politicians were

[Lloyd Russell-Moyle]

flying over from Italy. It is bizarre that the Italians should have to start fighting elections in other countries to win them in Italy. Surely the Bill would undermine the concept of ruling Britain for the sake of the British, and ultimately there would be foreign influences in this Parliament. Would that not be a rather bizarre situation?

Sandy Martin: I entirely agree. In 2016, we had a vote—it did not go in exactly the direction that I would have supported, but it was a vote none the less—on taking back control of our own country. I do not think that when people were voting to take back control of their own country, they were voting to allow someone who had lived in the Caribbean, Australia or South Africa, and who intended to continue to live there, and who had been there for more than 15 years, to take back control of this country. I think that the majority of the population of this country would not believe that people who clearly would not be living in this country in the future should vote in elections in this country.

As I said earlier, if a British citizen moves abroad for two, three or four years and will then be coming back, it makes perfect sense to allow that person to vote in elections for a national Government who will affect their lives when they do come back. There has to be a cut-off point, and I note that the cut-off point is currently 15 years. That is not necessarily the cut-off point that I would choose, but given that all these arguments were gone through at the time when it was set, it would probably make sense to keep it that way.

There is a clear sense among those on the Conservative Benches that the Bill is designed to deal with an injustice, so let me now address the idea of injustice and, in particular, the idea of injustice in respect of pensions. This relates to part of what was said earlier by my hon. Friend sitting behind me, my hon. Friend the Member for Ilford South (Mike Gapes). If somebody has worked for the majority of their life in this country and has contributed to our economy and society and in particular has contributed through the national insurance system, it is perfectly legitimate and right that they should collect the same pension irrespective of whether they happen to be living in this country or another country.

We have a deeply unjust situation about the level of pensions people can collect across the world. Most people, apart from the people who live in those countries, do not realise how unjust the situation is. I am sure that Conservative Members will accuse me of simplifying or being simplistic about this, but it basically boils down to the fact that if people have retired to a Commonwealth country, the value of their pension diminishes away to almost nothing, whereas if they have retired to the United States or several other non-Commonwealth countries, their pension continues to be upgraded to match what it would have been if they had stayed in this country.

I will repeat that for those who did not hear it the first time or think I might have got it the wrong way around, because it is so counterintuitive and so clearly and manifestly unjust that it deserves repetition. If somebody moves to a Commonwealth country, the value of their pension diminishes away to nothing, whereas if they move to the US or some other non-Commonwealth countries, the value of the pension continues to grow

alongside the value of pensions in this country. That is manifestly unjust; it is clearly discriminatory against other members of the Commonwealth. It is a bizarre situation, and I have no idea how it arose. It should have been dealt with years ago, and it is time that it is dealt with now. Why is that not the issue being addressed by this Bill? Why is this Bill addressing a manufactured injustice about voting rights, when it should be addressing an injustice about the pensions people ought to receive when they live in other countries?

Mike Gapes: May I say as honorary president of Labour International that Labour party members all over the world will be outraged that my hon. Friend is referring to this as a manufactured injustice? It is an injustice, and there might well be other injustices, many of which he is referring to, but it is wrong to say this is a manufactured issue.

Sandy Martin: I apologise if I have upset my hon. Friend, who has done a lot of work with Labour voters and potential Labour voters in other countries. Clearly, if people are living in other countries for limited periods, it makes perfect sense to enable those who are allowed to vote up to the time limit—at present, we have a 15-year cut-off—to vote for the party they want to vote for, and I honour and applaud the work my hon. Friend has done in encouraging those who are eligible to vote within that 15-year period to vote.

However, there must be a cut-off point. It does not make sense—it would not do so if there was a Labour or Conservative Government or a Labour or Conservative voter, and if they were living in Spain or South Africa—for us to assume that once somebody has moved abroad and it appears likely that they will live in another country for the rest of their lives, they should continue to vote in this country until the end of their life.

For example, a doctor who might have come to this country from Jamaica and has worked all her life and put an enormous amount of money into her pension who then decides on retiring to move back to be with her family in Jamaica will see the value of her pension dwindling into nothing, whereas someone who retires to Florida with a large sum of money of their own will see the value of their pension uprated year on year in line with pensions in this country. If there were any injustice that needed to be addressed, this is surely one that should be addressed first.

We also need to consider the security of the poll. The Government want people to show security ID when they go to vote, and that makes a lot of sense, although I would like them to do more to ensure that everyone who goes to vote is enabled, encouraged and shown how to carry that ID. We want to ensure that everyone who is eligible to vote is able to do so. However, I fail to see how we can ensure that anyone living in another country does not register or vote more than once. Also, how can we ensure that they show their ID if they are not actually in this country? If we are to ensure security of the poll, we need to ensure that all the polling districts and electoral authorities are joined together on a central register, to ensure that there is no double voting by overseas voters.

Jo Stevens: On the security of the register and ensuring that everyone who is eligible is on the register and leaving aside the 15-year rule for overseas voters, there

will be an opportunity for the Government to support my Automatic Electoral Registration (No. 2) Bill when it comes before the House on 27 April. Does my hon. Friend agree that that might address some of his concerns?

Sandy Martin: My hon. Friend is absolutely right. We need to pursue all possible means of ensuring not only that the poll is safe but that everyone feels comfortable and able to use it. Her proposals have a great deal of merit.

Let us look at where these British citizens living abroad actually vote. Those still eligible to vote here have all lived abroad for less than 15 years, but if the Bill were to go through, they would be eligible to vote here for the rest of their lives. The City of London has 6,000 overseas electors; that is nearly 3% of the voters in that area. In Kensington and Chelsea, 2.5% of the voters live overseas, and in Oxford, the figure is 2.1%. In Westminster, it is 2.2%. Those figures represent a substantial number of people. For instance, there are 2,600 overseas voters registered in Westminster, and 3,300 in Camden, which is 2.37% of the electorate there. That is enough to make a difference on who is elected as Member of Parliament in those constituencies.

Let us look, however, at a constituency with fewer voters who live in other countries. Rotherham has 474 registered overseas voters, which is just 0.24% of the electorate in that constituency. I am not an expert on the demographics of Rotherham, but I believe I am right in saying that a large number of people from British Commonwealth nations have chosen to make their lives there, and I would be surprised if a large number of them had not decided to move back to the countries where their families came from or, in some cases, where they came from. However, those people are not registered as overseas voters. If we look at this, we can see that the people who choose to register as overseas voters tend to be people who are capable, professional, accomplished and, in many cases, encouraged to do so by the Conservative party.

I do not think the demographic of people living abroad is at all reflected by the people who are actually registered as overseas voters. Again, I applaud and encourage the work of my hon. Friend the Member for Ilford South to try to get people who have lived abroad for less than 15 years and who would be likely to vote Labour to register, but that does not alter the fact that the vast majority of people registered as overseas voters are not from Rotherham, Middlesbrough, Stoke-on-Trent or any of these other places with substantial new Commonwealth populations and where we would expect larger numbers of people to register to vote when they move back to the country in which the rest of their family live.

This is not a politically equivalent or politically balanced measure. It is not a measure that will treat voters, or potential voters, who might want to support one party similarly to voters who might want to vote for another party. I suggest that some people decide to move to another country precisely because taxation in this country is higher than elsewhere. If someone decides to move to Bermuda because they would pay less tax in Bermuda than they do in this country, the overwhelming likelihood is that they have a significant amount of money, otherwise they would not be able to afford to move to Bermuda in the first place.

Mark Tami: Certain countries, such as Portugal, give people the incentive of not paying tax for a period if they move a certain amount of their wealth over there.

Sandy Martin: My hon. Friend makes the point that we are not just talking about people moving to other countries. We are talking about significant amounts of wealth moving to other countries, too, and mostly moving to countries where taxation is paid at very low rates or, indeed, not at all.

Why should people who have decided to move to another country so that they do not pay taxes in this country, so that they do not support services in this country, have a say not only on tax and services in this country but on whether the Government of this country do something through our relationship with those countries and overseas territories to ensure that such people do pay their taxes? We have a situation where people who are deliberately avoiding paying taxes in this country—I think “avoiding” is parliamentary and the other one is non-parliamentary—are making decisions about who will represent them, who will govern our country and who will make decisions about how easy it is for them to avoid those taxes.

Conservative Members have also raised the issue of voting on behalf of our children. When people move abroad, their children often do not move with them—their adult children may well have families of their own, and they may well be making lives of their own in this country. It is a point, but not a very good one. If I had a child living in Scotland, I would not expect to be able to vote in a Scottish election in the constituency in which my child lives, as well as voting in my own constituency. I would not expect my vote to count towards the polity in which my child lives, and I see no good reason why people who have decided to live in another country should expect to be able to vote in elections in this country to reinforce the value of the votes of their adult children. When people vote, they should be voting for themselves, they should be voting for the services that they get, they should be voting for the taxes that they pay and they should be voting for the society in which they live—the society that levies those taxes and delivers those services.

I understand that the substance of this Bill, although it is a private Member's Bill, was indicated by a promise made by the Conservative party in its 2017 general election manifesto. I surmise that there are people within the leadership of the Government who do not particularly want this to be a Government Bill, because it might be a little embarrassing to show that they are giving the vote to people who have chosen not to pay their taxes in this country, so they have decided that it should be a private Member's Bill instead.

Quite a lot of other issues addressed in that manifesto last year have also not come up and show no indication of coming up in the next year or two, such as the dementia tax, the vote on foxhunting and reintroducing grammar schools. It is a little disingenuous of the Government to urge their Back Benchers to introduce Back-Bench Bills that they have previously promised in their manifesto but which they have now decided are too embarrassing to introduce themselves. I hope we do not get more of these embarrassment Bills. I have not looked through the list of all private Members' Bills, so I do not know whether it contains one on bringing back foxhunting, on reintroducing grammar schools or on

[Sandy Martin]

introducing the dementia tax. I suspect it does not, but this would not be beyond the bounds of possibility. I hope that any such Bill would be dealt with by a House that has already shown and an electorate who have already shown this House that they did not have any truck with such proposals.

The Bill's promoter said in summing up that he wanted British citizens who had made a decision to live abroad and had been living abroad for more than 15 years and their children to be able to continue to vote until "whenever it is reasonable to do so". I suggest to him that there has to be a cut-off point and that "reasonable to do so" is, to a certain extent, a qualitative decision, whereas 15 years is a very reasonable amount of time. I cannot believe there are many places where it makes sense for somebody to not do something for more than 15 years and still have the same rights over that thing as the people who have been doing it constantly. If I were to walk out of this House for 15 years and not come back, I would not expect to be able to speak in such a debate in the way that I have. I would dearly love to be able to go on for 15 years, but, unfortunately, I have pretty much run out of things to say.

In conclusion, I do not believe there is any justification for a Bill that encourages people to move to other countries, to stop paying taxes in this country and no longer to have any interest in whether or not services are delivered in this country and that yet allows them to vote for the Government who levy those taxes and deliver those services. Any reasonable person looking at it from that point of view—from the point of view of practicality and the argument of what a vote is for, which is to create a Government and a polity that govern taxes and services—would say, "Yes, it doesn't make sense." I can only guess that certain powerful and wealthy people desperately want the Government to give them the right to vote forever more—we should resist it.

1.33 pm

Sir Roger Gale (North Thanet) (Con): This morning, we heard a dignified debate about organ donation and Bill that was named "Max's Bill" This Bill could be "Shindler's Bill". I hope the hon. Member for Ipswich (Sandy Martin), having spoken for three quarters of an hour, will find the time to meet Harry Shindler. I am very proud to be allowed to call Harry Shindler a friend. He is 97 years old. He fought at Anzio. He returned to the United Kingdom, raised his family and worked here. He retired to Italy, where some of his family were living. He has deliberately avoided taking Italian citizenship, although he could most certainly have done so, because he regards himself, proudly and until his last breath, as British. He could have fraudulently registered in the United Kingdom—he has enough family and friends here to pull out an address and vote—but he is honest, and he is honestly British. He has fought tooth and nail, as the oldest living member of the Labour party, for his right to vote in Britain.

Just for the record, while Harry Shindler has been doing that, he has also spent his energy and his waking hours searching for the remains of British servicemen and women who fell in Italy, identifying them, and making sure that they are properly remembered and recorded. I do not think we could find anybody more

British or with more right to vote than Harry Shindler. I hope that the hon. Member for Ipswich will have the courage to look Harry in the eye and tell him why he wants to deny that old man the right to vote again in Britain before he dies.

Harry will have heard that and, to take the point made by my hon. Friend the Member for Montgomeryshire (Glyn Davies), so will the millions of expat United Kingdom citizens living around the world who are not tax exiles. Many of them do pay taxes in the United Kingdom—many have taxed pensions and other taxed incomes in the United Kingdom—but after 15 years they are denied the right to vote. That is taxation without representation. Had the hon. Member for Ipswich read the Bill, he would have discovered that, notwithstanding the fact that the Bill will go to Committee—if we are allowed to get there—it already contains provisions to make sure that those who have not been resident in the United Kingdom cannot vote.

I am sorry that the hon. Member for Ealing North (Stephen Pound) left the Chamber some time ago. He mentioned bombed or demolished buildings and asked how an address might be used. The Bill is clear that the address has to be the last known address in the United Kingdom, wherever that was. The idea that the hon. Member for Ipswich put forward—that somehow that will load the balance of power and deliver Members of Parliament in relatively few clustered constituencies—is complete nonsense. Frankly, it is a discourtesy to the millions of people who live overseas and want the right to vote and to his own colleagues on the Opposition Benches—

Sandy Martin *rose*—

Sir Roger Gale: No. The hon. Gentleman spoke for far too long; I shall not give way an inch. The idea that he put forward is a discourtesy to many of his colleagues who support this cause, including the hon. Member for Ilford North, whose constituency he apparently could not remember.

Mike Gapes: South.

Sir Roger Gale: I beg the pardon of the hon. Member for Ilford South (Mike Gapes)—I could not remember, either. We are all fallible.

The hon. Member for Ipswich referred to the fact that people who live in Commonwealth countries did not have their pensions uprated. I happen to be the chairman of the all-party group on frozen British pensions. I do not recall the hon. Gentleman attending any one of the meetings we have held to try to redress the injustice to which he referred—and yes, it is an injustice. Had he attended, he would have got his facts right, because there are Commonwealth countries—of which Jamaica is one, to pluck an example out of the sky—in which pensions are uprated. We want to see them uprated across the board. I mention that not to score points but to demonstrate how very wrong the hon. Gentleman was in virtually everything that he said.

I do not need to say any more. I want Harry Shindler, and the millions of expats like him who are proudly British, who take a keen interest in this country and regard it as their mother country, who have children and grandchildren living here, and who may well want to return to vote but wish to vote while they are overseas as well, to have that right. I do not believe that any part

of this House will find any favour, not only with those people but with their very many UK-resident family members, by disagreeing with that. I hope the House will remember that, if and when we get the chance to vote on the Bill. It is a good measure that redresses an injustice and its time has come. We should let it pass.

1.39 pm

Layla Moran (Oxford West and Abingdon) (LD): I congratulate the hon. Member for Montgomeryshire (Glyn Davies) on this Bill, which I wholeheartedly support. The core of it is not just about enfranchisement but about identity, and that, I am afraid, is the point that the hon. Member for Ipswich (Sandy Martin) has not entirely appreciated.

I am an example of someone who comes from a family that has been affected by the 15-year limit. My father went to work for the European Commission when I was one. We left this country at that point, as proud Brits, at a time when, if one wanted to change the world, one went to work for one of these great organisations—that is what one did. Over the years, we were lucky enough to be able to come back so that my father could proudly vote for me to become a Member of Parliament. However, for so many of his colleagues in Brussels and across the world, whom we have met as expats moving from country to country while my father pursued his role as an ambassador, they are every bit as British as the people in this Chamber. They have made incredible contributions as Brits across the world, and so many of them have lost their voice because they have lost their vote as a result of this outdated notion that we need to be sitting on a piece of land in order to love it. We know full well that that is not what it means to be British, and, at its heart, that is what this Bill is about.

Let me take a moment to give voice to some of my electors and constituents who are abroad, but also to a few who are about to not be abroad and who, hopefully, will once again become electors in Oxford West and Abingdon, which, incidentally, is probably one of the constituencies with tiny majorities that the hon. Member for Ipswich was talking about where these people do make a difference—and boy, were they happy to be able to do so.

Ruth in Spain says:

“I have lived in Spain for 14 years and so am lucky enough to still (just!) be entitled to vote in the UK.”

Here she makes an important point, and highlights where I think this Bill could have gone further. I understand—I am happy to accept an intervention if I am wrong—that this Bill would not extend the franchise to referendums. It is clear that many have registered to vote from abroad as a result of the Brexit turmoil. Every single email that I have had from constituents has been about this point. I would be interested to know from the Minister today whether that is part of the plan.

Chris Skidmore: Having briefly been a Minister for the constitution with responsibility for the franchise, I would like to enlighten the hon. Lady. When it comes to referendums, the franchise is set individually by a referendum Act. Each referendum is described and detailed by its own separate piece of legislation. Even if my hon. Friend the Member for Montgomeryshire (Glyn Davies) wanted to add this to his Bill, he would not be

able to because referendums are discretely contained in how they define the franchise, which is why the franchise was slightly different for the Scottish referendum in 2014.

Layla Moran: I am very grateful for that intervention. I was not aware of that. I would also have presumed that, had they not been on the register at all, we certainly could not have included them. At least this perhaps gives us the constitutional option.

Mike Gapes: For the hon. Lady’s information, some of us tried to extend the franchise for the European referendum to the local government base, but we were defeated. Unfortunately, it was therefore simply based on those eligible to vote in a general election.

Layla Moran: I am grateful for that intervention. As the hon. Gentleman is probably aware, the Liberal Democrats would have supported that, because we believe that European citizens, as this affected them, should have had a say in that referendum.

Ruth in Spain goes on to say:

“Recent events obviously highlighted the injustice of the current situation, in that many were denied a vote in the EU referendum—and also last year’s general election (an election largely based around Brexit)—the outcome having life-changing ramifications for British citizens who had chosen to move from one part of the EU to another on the basis that their rights to freedom of movement and all that this entailed were guaranteed.”

That was the basis of so many emails, but it is not just that.

Julian, who is a foreign correspondent, has lived in many countries as a Brit, and the soft power mentioned by the hon. Member for Montgomeryshire is very clear in his career. Julian contacted me some months ago, saying:

“Expatriates are not all pensioners sipping cocktails on the Costa del Sol. Many of them are useful contributors to the British economy and to the image of Britain abroad. Only this month, for example, a French food magazine chose a rural bistro in the Auvergne owned and run by a British chef as its cafe of the year. Britons abroad are often popular and useful members of their adopted communities.”

I agree that expatriates should be allowed to vote in some elections in their current countries of residence, just as it is right for us to continue to allow EU citizens to vote in local elections here.

We live in an increasingly globalised world. It is ridiculous to suggest that some families even have a choice to move back. House prices in some parts of the UK are expensive not just for the UK, but compared with house prices across the world. Ian in Canada says:

“Sadly, I’m retraining as an MD after a career as a neuroscientist, and have been out of the UK since 2004. I say ‘sadly’, because as you’ll be aware, that means the period under which I’m able to cast votes in UK elections is drawing to a close under the current 15 year rule... I may not have been able to afford to continue living in the UK on a post-doctoral scientist’s salary”—

that is why he had to move—

“but I haven’t given up on the old country yet, and would like to continue trying to shape things for the better.”

Sandy Martin: Will the hon. Lady give way?

Layla Moran: Very briefly and only once.

Sandy Martin: Does the hon. Lady accept that, although the case she mentions is clearly of somebody who has contributed immensely—not only to this country, but to the world—it must be quite difficult for her to be able to make decisions in Oxford West and Abingdon that affect his life in Canada?

Layla Moran: I do not quite understand. If Ian wanted to affect his life in Canada, he would be able to find ways of doing so there. I also think he would very much be able to affect some decisions made at this level of politics. I do not think that this provision should necessarily be extended to local elections and issues, such as bin collections in Oxford West and Abingdon. However, the recent general elections have been about major issues such as the direction of this country and the flavour that this country puts out to the rest of the world. It is entirely right that people who feel British, are British and are born into a British family have the right to vote on such matters.

I am half Palestinian and I regret that I am not at all able to engage with the country in which my mother grew up—she was actually born in Tripoli, but grew up in Jerusalem. I very keenly feel that just because I have never lived in Palestine does not make me any less Palestinian. Equally, those who have spent a lot of their life abroad have a lot to say about being British. Being British is more than just being on this land. It is loving this land and feeling that we are from this land.

I will soon draw my remarks to a close because I am keen to hear the next Bill, of which I am a sponsor. I just want to ask why we have not really considered having a constituency of overseas electors in the way that France does. I would be interested to hear from the Minister whether the Government will look into that. One reason that people do not register to vote from abroad is that it is incredibly bureaucratic and hard, and they might well live in countries where the postal system does not work very well. I therefore wholeheartedly agree with finding a way to make it much easier. As the hon. Member for Filton and Bradley Stoke (Jack Lopresti) mentioned, it would be an excellent idea to give people the ability to return their vote to the embassy or the consulate, rather than having to get it back to the local authority.

It is an extraordinary privilege to be British. As a new Member of Parliament, it strikes me how much Members across the House all love this country. This Bill demonstrates—as is also shown by the numerous constituents who I am sure have contacted us all from abroad—that people do not have to be on this land to love it. The Liberal Democrats and I wholeheartedly back this Bill. I sincerely hope that the House votes in favour of it today.

1.49 pm

Sir Geoffrey Clifton-Brown (The Cotswolds) (Con): I am grateful to have caught your eye, Madam Deputy Speaker. I start by paying a sincere tribute to my hon. Friend the Member for Montgomeryshire (Glyn Davies) for bringing forward the Bill. He did not say it, but, contrary to what the hon. Member for Ipswich (Sandy Martin) insinuated, it was entirely his wish to bring it forward, because he, like me and my hon. Friend the Member for North Thanet (Sir Roger Gale), believes that it is the right thing to do. This should not be

considered a political issue. In the centenary of Emmeline Pankhurst's campaign to get women the vote in this country, fought often in difficult and violent circumstances, it is a disgrace for certain Labour Members to try to deny the vote to women who have lived overseas for longer than 15 years.

Jo Stevens: What makes a 16-year-old woman in this country any less valuable than a 70-year-old woman living in Spain who is a British national? That woman has a vote, but the 16-year-old woman does not.

Sir Geoffrey Clifton-Brown: I entirely respect the sincerity with which the hon. Lady holds the view that 16-year-olds should have the vote. It is a legitimate debate, but it has nothing to do with the Bill. If she wishes to introduce a private Member's Bill, a ten-minute rule Bill or a Bill through any other procedure, she is more than able to do so and speak in support of it, but that has nothing to do with this Bill.

One or two falsehoods have been peddled in this debate. It has been said several times that children of those living overseas for more than 15 years will be eligible to vote. I have read the Bill and can see nothing in it that would make those children eligible to vote. Indeed, the Bill is very specific as to the qualifications somebody would have to meet to be eligible.

I gave the House some figures in a debate in 2012. At that time, according to the Institute for Public Policy Research, 5.6 million British citizens were living abroad, but the shocking truth was that although as of December 2011 about 4.4 million were of voting age, only about 23,000 had registered to vote. I am delighted to say that that number had increased to a huge 285,000 by the time of the 2017 general election—as the hon. Member for Oxford West and Abingdon (Layla Moran) indicated, it might have had something to do with the EU referendum. If we believe that British citizens have the right to vote for up to 15 years, it must be right to remove the arbitrary limit whereby the day after 15 years they have no right to vote. It is right on every ground, especially that of extending the franchise, that we do that.

Totally contrary to what the hon. Member for Ipswich said in his overly long remarks, most overseas citizens have a real interest in how this country is governed. They watch BBC World, they listen to the BBC World Service, and they often get British newspapers in the countries in which they reside.

Sandy Martin *rose*—

Sir Geoffrey Clifton-Brown: I will give way once and briefly to the hon. Gentleman, and that is it.

Sandy Martin: I thank the hon. Gentleman for allowing me to intervene. I have a real interest in what happens in Scotland, India and Spain—I was watching the news from Barcelona very closely—but that does not give me the right to vote for people in those countries or for how they raise their taxes and deliver their services.

Sir Geoffrey Clifton-Brown: The hon. Gentleman's argument is totally wrong. British citizens have every right to British taxpayer-provided services, as I said in an intervention on him earlier, yet, if they have lived abroad for more than 15 years, they have no right to

vote for how those services are provided. How can that be correct? His whole argument was totally fallacious. Some 1.8 million students do not pay council tax, but nobody would ever suggest that they should be denied the vote on the grounds that they do not pay council tax. That would be a nonsensical argument.

Moving on from the hon. Gentleman, let us look at some international comparisons. According to my research, the only countries that have stricter rules on overseas voting are Ireland, Greece and Malta: paragons, I would say, of democratic values—or not. The countries that have real democratic values—the US, France, Japan, South Africa, Belgium, the Czech Republic and Italy—all have no limits on when their citizens living overseas can vote. As the hon. Member for Oxford West and Abingdon said, with the advent of Brexit and the UK leaving the European Union, it is surely more imperative than ever that we embrace all our citizens living overseas, wherever they are, but particularly within the European Union, so that they feel part of this country, and surely the way to do that is to give them the vote.

I suggest to the hon. Member for Ipswich and the House that the expat vote has never been more important. It is our combined duty to further consolidate the British influence over those citizens and make them feel part of the British family. Despite what the hon. Gentleman says, they are soft power for this country—ambassadors for this country around the world. They gain this country a lot of influence, whether it be cultural, diplomatic, or purely in terms of imports, exports and inward investment into this country.

I hope that my hon. Friend the Member for Montgomeryshire gets this Bill through today. It is absolutely the right thing to do, and it is not a political issue. A number of us have campaigned very hard on it for a number of years. I hope that Labour Members will find it in their hearts, just as they wanted women to get the vote and just as they want votes at 16, to give our expats the same rights so that they can vote in our elections and have a say on how politics in this country is run.

1.56 pm

Mike Gapes (Ilford South) (Lab/Co-op): I will try to be brief, because I want this Bill to get through.

I believe that there is an injustice in the arbitrary 15-year rule, but there are also many other injustices in the way many British citizens living overseas are treated. My hon. Friend the Member for Ipswich (Sandy Martin) was right to highlight some of them. What is not right, however, is whataboutery and the best being the enemy of the good. What is not right is using false hares and arguments in order to discredit this Bill and imply that all the people supporting it are against, for example, votes at 16. I voted for the private Member's Bill that proposed that, and it will come. Within our parliamentary procedure, we cannot have an all-encompassing electoral reform Bill. Our only opportunity to deal with this injustice is to support the Second Reading of this Bill to allow it to make progress. The hon. Member for Montgomeryshire (Glyn Davies) has done an excellent job in bringing it forward.

For some months, I have been pressing the Government, on behalf of Labour International and in response to communications I have had with Harry Shindler, who has already been mentioned, on why they were not

bringing forward the commitment they made in their manifesto. When I asked questions about that last October, I was referred to answers given in September to my hon. Friend the Member for Halifax (Holly Lynch), who had also been raising this issue from the Labour Benches. There is a bipartisan interest—in fact, a cross-Parliament, all-party interest—in these matters. All of us, even those who have only a few constituents who have gone to live in other countries, will have had communications about them from people in Spain, France, Belgium, Bulgaria, Canada or wherever.

There are international organisations within the political parties that represent our party members living abroad. I have the honour of being the honorary president of Labour International, and I want to convey a few words from an email from Lorraine Hardy. She was not registered to vote in Oxford or Westminster, but was a Labour party activist in Leeds before she went to live in Alicante with her husband many years ago. She says:

“‘Votes for Life’ will be even more important post Brexit, as we will have no opportunity to vote for a national representative in the UK nor in our country of residence as there will no longer be an option to vote for an MEP.”

Frankly, it is an outrage that a large number of British people whose future in Europe was affected by the referendum were not able to vote in that referendum because they had been living abroad in a European Union country for more than 15 years. That democratic outrage was not manufactured; it was a fact. This is an opportunity to make sure that we remedy that outrage and take a small step towards allowing those people to express their views at the next general election on whether their parliamentary representatives were right to damage their position in Europe. I think that many of them might have some things to say about that. I will not get into that, but the view that this is one-sided is completely and utterly wrong. None of us knows what the views are of people living in other countries who have not expressed positions and are not registered to vote. That idea is just made up and manufactured.

Sir Oliver Heald (North East Hertfordshire) (Con): Will the hon. Gentleman give way?

Mike Gapes: I will take one intervention and then I will conclude, because I want this debate to end.

Sir Oliver Heald: Does the hon. Gentleman agree that the opinions of people in a country such as Canada or America could inform our political discourse? Those countries have service animal protection—something I am calling for—and people there could inform our debate, so that we can see how well it works there.

Mike Gapes: Given that we have Skype, WhatsApp, Facebook and all the other means of communication, those people already inform the debate in many ways.

There is a democratic principle here. We should recognise what the Labour International co-ordinating committee said in the motion that it passed, which it asked me to bring to the attention of the House:

“Many of the concerns about voting are related to fears and anger about the loss of rights normally associated with citizenship such as pensions, health care and the right to family life. This should be dealt with by the government allocating these issues to...a...minister and by establishing a forum for the concerns of overseas UK citizens.”

[Mike Gapes]

Reference has been made to France. There are Senators in the French system who represent overseas French territories, and there are Members of the *Assemblée Nationale* who represent French citizens living in other countries in Europe. We need to address that issue as part of the wider question of the reform of our second Chamber, but that is not for today. Today is to remedy problems, to right an injustice and to say to British people, wherever they are in the world: you have equal rights in our democracy.

2.3 pm

The Parliamentary Secretary, Cabinet Office (Chloe Smith): First, I congratulate my hon. Friend the Member for Montgomeryshire (Glyn Davies) on introducing the Bill and doing so much work to bring it to this point. I hope that it will command the cross-party support that it deserves, alongside the firm support of the Government for my hon. Friend and his work.

Jo Stevens: Will the Minister give way?

Chloe Smith: I will not. I need to continue helping the Bill on its path, and a very important Bill is coming next, which I wish to have the respect that it deserves.

In brief, British citizens who live overseas can find themselves abruptly disenfranchised after they have lived abroad for 15 years. That happens even when they still feel closely connected to our country and should have every right to take part in elections that can affect them like they affect any other citizen. To many, that is a terrible injustice.

The changes have the Government's support and are part of a wider ambition to strengthen our democracy by ensuring that every voice within it can be heard. Under existing laws, British expats are estimated to have among the lowest levels of voter registration of any group—only about 20% of eligible expats registered to vote for the June 2017 general election. We think that figure is too low, and we hope that more people will be encouraged to register by our proceedings today.

We have already introduced online electoral registration, which, contrary to some negative points raised during the debate, makes it easier for people overseas—and indeed, in this country—to register to vote. We are interested in making it easier for people to vote and encouraging them to do so. Participation in our democracy is a fundamental part of being British, no matter how far someone has travelled from the UK. Since the House last discussed this topic it has become easier for someone to stay in touch with their home country, whether through cheap flights, the internet, or the soft power that my hon. Friend the Member for Montgomeryshire began the debate by talking about.

Soft power is important to this country, and we should be welcoming to our citizens around the world. Mr Harry Shindler is foremost among them, and I am delighted to have heard his case put so eloquently in the Chamber today. Over the years Mr Shindler, and others like him, have asked with dignity and passion for this rule to be changed, and today we have the opportunity to deliver that change for them.

Jo Stevens *rose*—

Chloe Smith: I will not give way; it is important that we finish our discussions on this Bill and move on to the Bill that follows it.

I am proud to do my small part on behalf of the Government to welcome the Bill and give it our support. It will allow campaigners who feel an abrupt sense of injustice when they are disenfranchised after 15 years to continue to contribute, not only in their interests, as represented by the Government of the country that they love—that point was put well by the hon. Member for Oxford West and Abingdon (Layla Moran)—but to help promote Britain, this great country, around the world.

2.7 pm

Cat Smith (Lancaster and Fleetwood) (Lab): I thank the hon. Member for Montgomeryshire (Glyn Davies) for promoting this Bill so that we can debate the extension of voting rights to overseas electors. As a modern, progressive, socialist party, we are committed to building a truly global Britain, and to championing our core values of equality, social justice and opportunity for all. Globalisation has led to a broad section of British citizens living around the world, and despite settling in all corners of the globe, overseas electors make a contribution to British society.

As the hon. Gentleman said, under the current system, British citizens who have moved abroad can register to vote as an overseas elector in the last constituency in which they were entered on an electoral register. British citizens who have lived overseas for more than 15 years cannot register to become an overseas voter. The Opposition are committed to taking radical steps to ensure that all eligible voters are registered and able to use their vote. The issue of extending voting rights for overseas electors is important and must be considered properly.

There has been a significant rise in the number of overseas electors registered to vote, and that number now stands at a record high of 285,000. As has been said, this is the centenary of the start of suffrage for women and many working-class men. That has encouraged many Members across the House to reflect on that journey towards equal and wider suffrage.

The extension of overseas voting rights has come a long way since 1985, when British citizens living outside the UK were unable to register to vote in any elections. The Representation of the People Act 1985 introduced new provisions to allow British citizens living overseas to qualify as electors in the constituency where they were last registered to vote before moving, with a time limit in 1985 of just five years. In 1989, that was extended to 20 years before being reduced again to 15 years in 2002. In the 2015 and 2017 general elections, the Conservative party made a manifesto commitment to abolish the 15-year rule and allow British citizens a “vote for life” in parliamentary elections.

Jo Stevens: I do not understand why, if it was in the Conservative party manifesto to introduce this legislation, we are here today debating a private Member's Bill. Does my hon. Friend agree that the Government could have taken the opportunity to have an all-encompassing electoral reform Bill to include automatic voter registration, votes at 16 and online voting, as well as extending the lifetime of ex-pat voting?

Cat Smith: I fully support my hon. Friend's private Member's Bill. I hope that Members across the House who want a more inclusive democracy where every eligible voter is on the electoral roll will continue to support her Bill. She raises an interesting point about why this matter is before us on a Friday as a private Member's Bill. It is deeply concerning that this measure has been put into a private Member's Bill, introduced by the hon. Member for Montgomeryshire, that is being used to push Government business.

Private Members' Bills serve an important function in our parliamentary process by enabling Back-Bench Members of Parliament, rather than the Government of the day, to initiate legislation. Indeed, private Members' Bills have made significant changes to the law over the years—for example, the Murder (Abolition of the Death Penalty) Act 1965 and the Abortion Act 1967. However, with limited time available for consideration of private Members' Bills, we cannot allow the Government to disrespect an important part of the parliamentary process and an important power that our Back Benchers have.

The Opposition are committed to building a political franchise that works for the many, not the few. However, it is also vital that we maintain the integrity of the electoral process. Unfortunately, it has been undermined by the Government, who have pushed local authority election teams to the absolute limit, damaging their ability to deliver elections effectively. The introduction of individual electoral registration added significant cost pressures by making it more expensive to compile the register. Election administrators have criticised the Government for massively underestimating the scale of the task at hand.

Mark Tami: My hon. Friend is making an important case on registration. Experience, particularly that from Northern Ireland, has shown that it is poorer areas where registration drops by the largest amount.

Cat Smith: My hon. Friend makes a valid point. That is the context of local government funding being reduced significantly over the years, which has forced local authorities to review their electoral services. That has led to significant reductions in core service funding and staffing levels, with a growing number of skilled professionals leaving local authority elections teams.

The impact of austerity was recently evidenced by the University of East Anglia, which found that 43% of local authorities experienced real-terms funding cuts to their budget for running elections from 2010-11 to 2015-16. According to survey responses from 254 local electoral authorities administering the EU referendum, only a quarter of electoral officials said they had enough funding to support their work on the electoral register.

Thelma Walker (Colne Valley) (Lab): The Electoral Commission's report on the 2017 general election warns of risks to the administration of well-run elections, which are becoming increasingly apparent due to reduced resources and a growing number of skilled professionals leaving local authority election teams. Does my hon. Friend agree that cuts to local government will affect this service?

Cat Smith: The report that my hon. Friend raises is very worrying and should be of concern to Members across the House. When 43% of local authorities agree

that they do not have sufficient funds to administer a poll, we should all be worried about the integrity of our electoral system. The Government fail to understand that cuts to public services can have devastating consequences.

Last year, the Electoral Commission report on the general election warned of

"wider risks to the administration of well-run elections,"

which it stated were "becoming increasingly apparent." Problems in some places have caused some voters to receive an inadequate service. That was evidenced most recently in Newcastle-under-Lyme, where two council officials were suspended after almost 1,500 people were unable to vote in last year's general election.

Mark Tami: It has been estimated that probably more than 7 million people in this country are not registered to vote. Should we not be concentrating on them and making sure that they are on the register, rather than what we are talking about today—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. The hon. Gentleman has intervened several times. He must talk about the Bill, not about other matters.

Cat Smith: Thank you, Madam Deputy Speaker. My hon. Friend's intervention was particularly about the capacity of local elections offices. Were the Bill to be successful, the impact on local elections offices in councils up and down the country would be huge, because the process of registering an overseas elector can take around two hours. If those offices were to see a huge increase in the number of overseas electors registering at a time when local councils have had huge funding cuts, the pressure would be absolutely huge.

There was further evidence in June about how under-resourced election staff are. My hon. Friend the Member for Newcastle-under-Lyme (Paul Farrelly) described the issues on polling day as "a shambles". Significant issues also occurred in Plymouth, with hundreds of voters unable to cast their votes in the June general election. An independent investigation found that 35,000 postal vote holders had received two polling cards—a postal vote polling card and a polling station card. In addition, 331 people who received a polling card that was issued on 5 May were removed from the register after that point.

These failings clearly illustrate that more action must be taken now to deal with the increasing challenges that returning officers face in delivering elections effectively. Those concerns have been raised on multiple occasions by the Association of Electoral Administrators, which has called on the Government for a

"full and thorough review of the funding of the delivery of electoral services...as a matter of urgency".

Not only is that impacting on voters, but it might also be having a significant impact on the health and wellbeing of electoral administrators and the public servants who work in local elections offices. Following the 2017 general election, the Association of Electoral Administrators wrote that

"we have collectively been concerned for the health and well-being of...our members".

As a result, the AEA contracted the Hospital and Medical Care Association to provide members with

[*Cat Smith*]

free-of-charge access to confidential counselling services. That is not an indication of healthy elections offices up and down the country.

In the context of austerity, we cannot allow the Government to dismantle our electoral system any further. The existing provision of checking registration against electoral registration officer records within 15 years is already a challenging and resource-intensive process. Some applications contain vague or incorrect previous addresses, which can cause problems in checking the register—so much so that the Association of Electoral Administrators has estimated that it takes roughly two hours to register one overseas elector. Because overseas electors fall off the register after 12 months, the vast majority of registration applications occur immediately ahead of a general election, when the pressure on electoral administrators is at its most intense.

Abolishing the 15-year rule, and therefore presumably increasing the number of British citizens overseas who can register to vote, would completely overstretch electoral administrators, who are already being pushed to the limit. In addition, the requirement to keep copies of previous revisions of registers for more than 15 years, whether in data or in paper format, will have a resource implication in the form of increased ICT server capacity or physical storage area.

In the light of those concerns—

Paul Flynn: On a point of order, Madam Deputy Speaker. As we appear to have passed the point at which it would have been possible to consider the next Bill, I want the House to know that there will be a public demonstration outside in which democracy will work, and we will have a debate on the cruel effects of the present law on young children and those in serious health difficulties, including a young boy who is suffering, and whose parents are suffering, in a terrible way. What has happened here today has been a filibuster organised by one party, and I am ashamed to say that I am a member of that party—

Madam Deputy Speaker (Mrs Eleanor Laing): Order. I allowed the hon. Gentleman to make a point of order about his Bill—although he knows that it was not a point of order—because I appreciated that he had a point to make, and I allowed him to make it. However, I will not take from him criticism of the Chair through the use of the word “filibuster”.

Cat Smith: Let me return to the Bill. I want to ask the Government three questions. Have they any indication of how many of the estimated 5 million Britons living abroad would apply to be overseas electors in the run-up to a UK parliamentary election or national referendum if the 15-year rule were removed? How do they intend to fund EROs for the additional costs incurred by these proposals? What steps will they take to ensure that election teams have the resources and the capacity to manage the increased volume of electors?

The devil is also in the detail, which the Government have failed to provide. According to the Bill, an overseas voter will qualify as a resident if

“the person has at some time in the past been entered in an electoral register in respect of an address at a place that is situated within the constituency”.

However, many questions remain unanswered.

If an overseas elector was registered at a previous address but then moved to a different address before leaving the UK where they did not register, at which address should they register to vote? As time goes by, potentially over several decades, it could be very difficult for EROs to check previous revisions of registers owing to ever-changing localities. Problems include local government reorganisation, polling district and ward boundary reviews, the demolition or redevelopment of properties, street renaming, house renumbering, and limited availability of local authority records. Can we seriously expect someone who has not lived in this country for 40 years to remember the exact date on which they were last registered to vote, and the precise address at which they lived? I think not.

I also question whether the current deadline to apply to register as an overseas elector and make absent voting arrangements is sufficient, in the context of abolition of the 15-year rule. The Association of Electoral Administrators has urged the Government to consider bringing forward the voter registration deadline for overseas electors to allow sufficient time to process and check previous revisions of registers. What steps will the Government take to address those concerns?

Not only is the likelihood of error extremely high, but we are leaving our democracy wide open to potential fraudulent activity. In response to the Cabinet Office policy statement about overseas voters, the Association of Electoral Administrators warned that scrapping the 15-year rule would increase the potential for electoral fraud. Under the Government’s proposals, applicants who cannot provide a national insurance number or UK passport could have their identity verified by another registered overseas elector using an attestation. That would be a signed written statement from another British citizen who was registered to vote in the UK. Can we honestly expect this to be sufficient security to prevent fraudulent applications? When the attester as well as the applicant live abroad, what is the likelihood of a false declaration resulting in prosecution proceedings? My guess is, very low.

There is also no way of checking whether an overseas voter is living at the stated address abroad. Overseas voters who owned and lived in more than one home could register more than once and we would have no way of knowing whether people were registered multiple times.

Mark Tami: If there was a concern, would there be people in Spain or whatever country who would go to see whether those addresses existed?

Cat Smith: Given the overstretched nature of elections offices up and down the country, I suspect there would not be the capacity for such a check. Given that the Government are this May planning to trial requiring ID at polling stations, it seems that the requirements to prove the identity of an elector living in the UK are far greater than—

Sir Geoffrey Clifton-Brown: *claimed to move the closure (Standing Order No. 36)*

Question put.

A Division was called; DAME CHERYL GILLAN and GEOFFREY CLIFTON-BROWN were appointed Tellers for the Ayes, but no Members being appointed Tellers for the Noes, the Deputy Speaker declared that the Ayes had it.

Question accordingly agreed to.

Question put, That the Bill be now read a Second time.

Question agreed to.

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

Madam Deputy Speaker (Mrs Eleanor Laing): I will, unusually, delay for a moment to see whether the hon. Member for Newport West (Paul Flynn), who was in the Chamber until just a few minutes ago, is in the vicinity. I make it clear to the House that I am not creating a precedent in so doing, but I am aware that the hon. Gentleman was in a wheelchair and it might therefore take him a little longer to reach the Chamber.

Dame Cheryl Gillan (Chesham and Amersham) (Con): On a point of order, Madam Deputy Speaker. May I ask your advice? It is obvious that there was an enormous weight of opinion in favour of the Bill that has just gone through on Second Reading, but some Members—particularly those on the other side—sought to shout against the Bill but then failed to put in Tellers. Will you advise me on whether that is good practice in this House? Surely, when a body of people shouts no, Tellers would normally be put in position by those Members shouting no.

Madam Deputy Speaker (Mrs Eleanor Laing): I understand the point that the right hon. Lady makes, but it is perfectly proper for those who oppose a Bill not to put in tellers and not to see the matter through to a Division. It is not a question of whether that is bad or good practice; the practice is in order, and that is my consideration.

Business without Debate

LEGALISATION OF CANNABIS (MEDICINAL PURPOSES) BILL

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

Hon. Members: Object.

Bill to be read a Second time on Friday 6 July.

REGISTRATION OF MARRIAGE (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 16 March.

SERVICE ANIMALS (OFFENCES) BILL

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

Hon. Members: Object.

Bill to be read a Second time on Friday 16 March.

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 27 April.

VOTER 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 16 March.

KEW GARDENS (LEASES) (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 16 March.

PETITION

Raunds Library

2.31 pm

Tom Pursglove (Corby) (Con): I am presenting this petition on the future of Raunds library on behalf of the pupils of St Peter's School in Raunds, who are very concerned that the library might close. The petition declares that the pupils of St Peter's School want Raunds library to remain open. A similar petition—[*Interruption.*]

Madam Deputy Speaker (Mrs Eleanor Laing): Order. Hon. Members who are not listening to the petition should go outside to chat. This is not fair to Mr Pursglove.

Tom Pursglove: Thank you, Madam Deputy Speaker. I am sure that the pupils of St Peter's School will be watching that discipline with interest. You are absolutely right to make that point.

A similar petition has received 241 signatures, and it has been superbly organised by the pupils of the school, including Mason and Alex Bandy.

The petition states:

The petition of residents of the United Kingdom,

Declares that Raunds Library should remain open.

The petitioners therefore request that the House of Commons urges the Government to compel Northamptonshire County Council to ensure that Raunds Library remains open.

And the petitioners remain, etc.

Eider Duck: Marine Conservation Zones

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

2.35 pm

Mrs Anne-Marie Trevelyan (Berwick-upon-Tweed) (Con): After all that excitement, I hope now to take the House in a slightly different direction.

We might think of St Francis of Assisi as the original saintly animal conservationist but, although St Francis preached to the birds, Northumberland's own St Cuthbert is popularly believed to have taken steps way back in the 8th century to ensure that some of Northumberland's eider duck population enjoyed his personal protection.

There are a number of animal stories attached to St Cuthbert. A famous episode in Bede's "Life of St Cuthbert" involved Cuthbert standing neck-deep in the sea and praying, after which two otters came and dried his feet with their fur. The animals were rewarded with a blessing and went on their way.

Perhaps the animal most associated with St Cuthbert today is the eider duck, or Cuddy duck—Cuddy being a shortened form of Cuthbert. The first we hear of their association with Cuthbert is in the 12th century, some 500 years after his death. The monks had a small cell and chapel on the island of Inner Farne, one of the beautiful Farne islands in my constituency that are now visited by hundreds of thousands of visitors every year. The monks shared this island home with a large nesting population of eider ducks. Cuthbert is said to have tamed the ducks so well that they would nest everywhere, even next to the chapel altar, without fear.

Cuthbert also placed the ducks under his protective grace, so that no one should eat or even disturb them. Every spring, on the many Farne islands and on Coquet island, all in my constituency, Mrs Eider and her babies can be found snuggled into a shallow hole in the ground, safe from predators thanks to island life and the careful and diligent work of the RSPB and the National Trust rangers who look after the island reserves.

The ducks cannot have remained entirely undisturbed by the monks, as we note the appearance in inventories made of Cuthbert's shrine at Durham of cushions made of "Cuthbert down"—downy feathers from St Cuthbert's eider ducks on Farne. Perhaps the sacred purpose of the plucked feathers excused the necessary disturbance to the ducks. Certainly, other monks who had eaten or harassed Farne's eiders were struck down by Cuthbert's curse, with one even dying after mocking the saint's protection.

So it is that the association with place is very strong and that I have the great privilege of being the eider duck's advocate today. In St Cuthbert's time, only the Cuddy ducks of Inner Farne were protected; the eider ducks on the other islands were not protected. Today, in modern protection terms, many other species of our spectacular island birdlife are protected but not the eider duck.

The creation in recent years of 50 marine conservation zones by this Government, with more planned, would no doubt receive the approval of St Cuthbert, as the delineated zones along my constituency's unique coastline provide protection for wildlife and our marine environment. The MCZs have been created to protect

important marine wildlife and their habitats, and they form part of what is now popularly known as the "blue belt."

Our spectacular Northumberland coast is teeming with wildlife, from seabirds as rare as the roseate tern to my personal favourite, the delightful and slightly ungainly puffin—she flies like a fast jet—to porpoises, grey seals, dolphins and even the occasional whale. And that is just what can be glimpsed from above the water. Below the surface, Northumberland's blue belt is a bustling city of crustaceans and molluscs, alongside an extensive and healthy fish population.

It is wonderful that the creation of MCZs means that our rich and diverse sea life will now be further protected from the effects of dredging and trawling, so that many more future generations can enjoy, explore and learn about nature's world under the waves. But St Cuthbert would be disappointed to discover that within the Coquet to St Mary's MCZ lies the uninhabited—by humans, at least—Coquet island, which does not yet include the eider duck among its protected species.

The common eider is a large sea-duck that is distributed over the northern coasts of Europe, North America and all the way to eastern Siberia. It breeds in Arctic and some northern temperate regions, but winters farther south, in temperate zones, when it can form large flocks on coastal waters. Our Cuddy duck can fly at speeds of up to 70 mph. The eider's nest is built close to the sea and is lined with eiderdown, plucked from the female's breast. This soft and warm lining has long been harvested for filling pillows and quilts. Although eiderdown pillows or quilts are now a rarity, eiderdown harvesting continues and is sustainable, when it is done after the ducklings leave the nest with no harm to the birds.

The common eider is both the largest of the four eider species and the largest duck found in Europe and in North America. The male is unmistakable, with his black and white plumage and green nape. The female is a brown bird, but can still be readily distinguished from all ducks. This species dives for crustaceans and molluscs, with mussels being a favourite food. The eider will eat mussels by swallowing them whole; the shells are then crushed in the gizzard and excreted. When eating a crab, the eider will remove all its claws and legs, and then eat the body in a similar fashion.

Eiders are colonial breeders. They nest on coastal islands in colonies ranging in size from as little as 100 to up to 10,000 in some parts of the world. Female eiders frequently exhibit a high degree of natal philopatry, returning to breed on the same island where they were hatched. This can lead to a high degree of relatedness between individuals nesting on the same island, so I feel that those eider ducks from Coquet island and from the Farnes are very much part of our family. Breeding eider fly from Coquet island and across the sea to use the mudflats adjacent to the Coquet estuary as a feeding ground for their young. Eider is a true sea-duck and is rarely found away from coasts. Throughout the year, breeding eider from Coquet feed in the intertidal zone of the Northumberland Shore SSSI—site of special scientific interest—and later in the year non-breeding eider also migrate here to feed during the winter months.

Although sea-bird and sea-duck colonies benefit from protection provided by the SSSI, these sites provide protection only on land. The site was designated in 1980 for about 500 nests, but by 2015 estimates of this

number had dropped to about 300. The site is now being managed to address this long-term decline. The area is also an important winter feeding area for migrating eider from across Europe. Eider is a species listed as “near threatened” globally and “vulnerable” in Europe by the International Union for Conservation of Nature; a vulnerable species is one that has been categorised by the IUCN as likely to become endangered unless the circumstances that are threatening its survival and reproduction improve. These declines are thought to be driven by a range of threats, including the overharvesting of aquatic resources, pollution, disturbance and hunting.

In Britain, eider are currently classified as “amber” on the birds of conservation concern in the United Kingdom list. Disturbance is the primary threat to our eider; it results in a loss of access to feeding areas and increased predation at breeding grounds. There are several studies considering the common eider in relation to human disturbances. The study of the effects of human disturbance at breeding sites found that when disturbed, some or all ducklings and sometimes the mother dived, and the breeding colony was temporarily dispersed. During this disturbance, attacks by predators such as greater black-backed gulls and herring gulls increased. The study found that predation of chicks by gull attacks was more than 200 times higher on disturbed breeding colonies than on undisturbed ones, and this resulted in significantly lower numbers of chicks fledging each year.

The excellent Marine and Coastal Access Act 2009 seeks to address management issues, such as disturbance, by creating marine conservation zones—MCZs. MCZs can be used to protect biodiversity in UK seas and are intended to allow a wide spectrum of protection. They form a key part of a wider suite of management measures including marine planning, ecosystem objectives, licensing and fisheries management. However, the designation of protected areas is the best means of securing the necessary commitment from marine managers and sea users to ensure that activities can be restricted, where necessary, to protect biodiversity.

Although the area used by eider around Coquet island and the Northumbria coast overlaps with an existing European marine site—EMS—eider do not receive any legal protection from the existing designation within the new MCZ. The Royal Society for the Protection of Birds has asked the Government to add the eider duck to the Coquet to St Mary’s MCZ list of protected species. Our friendly Cuddies reside within this zone all year round, yet are not covered by the existing legislation. Our Northumberland coast’s resident eider populations have continued to decline steadily over the last few decades, so protection of their sea-based feeding and wintering habitats is essential.

Across Europe, hunting, pollution and land disturbance means that other colonies are also in decline. The Coquet island colony is therefore all the more in need of protection. In so doing, the Minister would be allowing protection and management for these special birds to be put into place. Adding eider to the existing Coquet to St. Mary’s MCZ would enable proactive management to reduce and manage the threat of disturbance. The management requirements would be to carry out formal disturbance monitoring, management and enforcement, where necessary, such as by imposing speed restrictions or limiting boat traffic in sensitive areas.

The publication of codes of conduct increases public awareness of species of interest in an area, which may increase local tourism with benefits to the economy, so the proposals should include education and awareness of conduct in the MCZ.

Are the Government willing to include eider ducks in the Coquet to St Mary’s MCZ? Will they go further and commit to giving them protection across the Farne islands, too, as these unique islands and surrounding waters become incorporated into the MCZ as it reaches further north in the months ahead? I understand that informal conversations are already taking place and urge the Minister to drive them forward, so that my constituency’s extraordinary coastline and her feathered residents, whom I consider constituents worthy of representation just as much as the human ones, can live in a place of safety and protection and so that their long-term future is assured.

2.45 pm

The Minister for Agriculture, Fisheries and Food (George Eustice): I congratulate my hon. Friend the Member for Berwick-upon-Tweed (Mrs Trevelyan) on securing this debate. It is a nice, uplifting debate on which to finish after several rather fractious points of order during the last private Member’s Bill debate.

As my hon. Friend said, the common eider ranges widely across the Arctic and northern Europe, but is listed as “near threatened” by the International Union for Conservation of Nature. As she pointed out, the eider duck has a long-established association with the county of Northumberland, where it was the subject of one of the first acts of conservation. She said that it was in the 8th century that St Cuthbert took action to protect this wonderful species, but I am reliably informed by my Department that St Cuthbert is recorded to have established protection laws—the very first wildlife protection laws we had in this country—for Northumberland’s eiders as early as 676. That shows how important a species it is.

As St Cuthbert is the patron saint of Northumberland, it was natural that the eider should be chosen as the county’s emblem bird, and eiders are still often called Cuddy ducks in the area, with Cuddy being the familiar form of Cuthbert. A stained-glass window in St Cuthbert’s church in Amble commemorates this long-held association. Around 5,000 eiders—approximately one third of the English eider population—are still to be found in Northumberland.

The collection of eider down for use in quilts is recorded as far back as the 14th century. The practice almost led to the eider’s extinction in the 19th century. These days, the greatest threats to eider ducks are nest predation and the degradation of nesting habitats. Adults can also be disturbed by boat traffic at sea, which disrupts their feeding, as my hon. Friend pointed out. Eider ducks are already protected off the Northumberland coast in the Farne islands and Coquet island sites of special scientific interest, and in the Lindisfarne special protection area. They are also included in other designated sites in England, Scotland and Northern Ireland.

As a wild bird, common eider are also protected under the Wildlife and Countryside Act 1981. Land-based conservation measures are currently implemented to protect eider colonies on the Coquet and Farne islands. Principal activities involve vegetation management to

[George Eustice]

ensure the continuation of suitable nesting habitat, biosecurity checks, and lethal control measures for rats and gulls, where necessary.

Marine conservation is important to protect our seas, preserve underwater habitats and help sea life to flourish. Oceans are our greatest natural asset and must be protected for the health of our planet and for the prosperity of future generations. In the 25-year environment plan that we published last month, we set out how we will fulfil our ambition to leave the environment in a better state than we found it, building on existing strategies and identifying key areas of focus. We want even cleaner air and water, richer habitats for more wildlife, and an approach to fishing, agriculture and land use that puts the environment first.

Plastic in the seas is of course a hazard for our seabirds. We have regulated for the world's toughest ban so far against plastic microbeads in cosmetics and personal care products. We must reduce the global reliance on plastics, as well as incentivise the recycling processes to improve waste management, and promote maritime practices that prevent harmful materials from entering the seas.

The UK is at the forefront in establishing marine protected areas. We are committed to delivering a well-managed blue belt around our coasts. We currently have nearly 300 sites protecting 23% of UK waters, 133 of which cover 35% of English inshore and offshore waters. We have 50 marine conservation zones already, protecting a range of marine animals and plants and the seabed habitats on which they depend.

The UK is particularly blessed with seabirds. The UK hosts more than half the seabirds in the EU during the breeding season, with approximately 3.5 million pairs across 26 species. Our seabirds are principally protected by sites of special scientific interest, set up under domestic legislation, and by special protection areas, set up under the birds directive. Across the UK, we now have 106 marine special protection areas, protecting birds and 18,000 square kilometres of the marine habitats on which they depend.

Through the European Union (Withdrawal) Bill, we will make sure that marine protected areas set up under European directives will continue to be effectively protected after we have left the EU. We aim to complete our blue belt, and our contribution to the international ecologically coherent network of marine protected areas, with the third and final tranche of marine conservation zones. This will also fulfil our domestic obligation to form a network of sites that protect the range of features in our seas.

The third tranche of marine conservation zones will be consulted on this summer, with designations taking place in 2019. It is at this point, that I will turn to the specific proposal from my hon. Friend relating to the MCZ in Coquet to St Mary's. Our general view has always been that MCZs are best suited to protecting features rather than highly mobile species—but not exclusively. Indeed, a number of years ago, we established some criteria against which we could judge where it is appropriate for MCZs to be used to protect birds.

As part of this third tranche, we do now have an opportunity to include some designations for highly mobile species, and that could include, for instance,

eider ducks, where this is supported by evidence that their conservation would benefit from site-based protection measures. This is likely to be, as I have said, the exception rather than the rule. To that end, we gave the opportunity to conservation charities to propose a number of sites to us. We had 21 proposals for sites that were recommended by non-governmental organisations, which claimed that they fitted the criteria that we had set out. Eleven of those sites were from the RSPB, and that does include one relating to eider ducks, which I will return to a little later.

A couple of years ago, as I have said, we established some criteria against which we would judge where it is appropriate to use the MCZ process to protect mobile species. First, we need to be sure that area-based protection will be the most effective approach to protecting highly mobile species, compared with other conservation measures that could be applied more widely. This is likely to be the case where the highly mobile species use a specific area for part of their life cycle. That could include nesting and feeding areas, which is why we already have protection for many seabird breeding colonies, and the adjacent foraging areas that they use.

Other criteria that are important in our consideration of the proposals are the year-on-year presence of the species within the site in significant numbers and the suitability of the size of that site. In selecting which sites may be suitable as marine conservation zones, we are also looking very carefully at what it will mean in terms of possible restrictions on people who use the area to make their living, or who use it for recreation. We aim to strike the right balance and achieve our ambitious marine conservation aims, but doing so in a way that has the least impact on sea users.

The RSPB has specifically proposed that eider ducks are added as a protected feature to the existing Coquet to St Mary's marine conservation zone, principally to protect them while foraging. We are considering that proposal very carefully, and the comments that my hon. Friend made in highlighting that in this debate today were well made. I will ensure that the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Suffolk Coastal (Dr Coffey), who leads on this issue, and the officials dealing with the MCZ process, are informed of the points that have been made.

In our consultation this summer we will set out which marine conservation zones we are proposing for inclusion in the third tranche. We will explain why they are important for protecting our sea life, and the likely impacts on sea users. I hope that hon. Members will all urge their constituents to take part in that important consultation on a large range of new marine conservation zones.

Of course, it is not enough just to set up marine protected areas; we also need to ensure that they are well managed. So far, 29 new byelaws and 17 voluntary measures have been implemented in marine protected areas specifically for marine conservation purposes. A further 21 byelaws are expected before the end of this year. As we complete our network of marine protected areas we will make sure that the new sites are well managed.

If eider ducks are included in the Coquet to St Mary's marine conservation zone, management is likely principally to focus on reducing boat disturbance of eider ducks

while they are foraging, giving them a better chance to survive and breed successfully. I am informed that one of the key concerns is that, because these are large and heavy ducks, frequent disturbance—by speedboats and the like—when they are trying to forage can cause them to expend a lot of energy, which can affect their survival.

We have had a good debate. My hon. Friend raised some important points. I hope she will understand that I am not able to say today exactly what the conclusion

or shape of the consultation will be, but I hope I have reassured her that my Department is much sighted on the issue. We are passionate about the importance of the eider duck. I assure her that her proposal is receiving very close attention indeed.

Question put and agreed to.

2.56 pm

House adjourned.

Written Statements

Friday 23 February 2018

DIGITAL, CULTURE, MEDIA AND SPORT

Convention on the Manipulation of Sports Competitors

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): The Council of Europe's convention on the manipulation of sports competitions seeks to combat the threat of match fixing and protect the integrity of sport. The EU wishes to become a party to the convention and has published two draft Council decisions to conclude the convention, one of which relates to justice and home affairs matters.

The Government have decided not to opt in to the justice and home affairs provision set out in the draft EU Council decision to conclude, on behalf of the EU, the Council of Europe convention on the manipulation of sports competitions with regard to matters related to substantive criminal law and judicial co-operation in criminal matters. This decision cites a title V legal base and therefore the opt-in applies.

The convention requires that EU member states have provisions in place to regulate the act of sports betting and to combat the manipulation of sports competitions in relation to sports betting—including provisions to make those acts criminal offences—and to apply those provisions extraterritorially (which can be derogated).

Only one discussion has taken place on this draft decision, in September 2017, during Estonia's presidency of the EU Council, with no further negotiations having been scheduled, and with no timetable presented for adoption. The Government placed a scrutiny reservation on this decision at that discussion which remains in place.

A draft EU Council decision with regard to matters related to substantive criminal law and judicial co-operation in criminal matters was published in 2015 for the EU to sign the convention and, at that time, the Government decided to not opt in to the justice and home affairs provision. That decision was also not taken forward for adoption.

While there remains uncertainty as to how the EU might participate in the convention, the Government have taken the decision to maintain their position and not opt in to the justice and home affairs provision in order to preserve the UK's ability to implement the convention according to national needs, and in particular to preserve the ability to exercise the right of derogation under article 19 of the convention (the extraterritorial application of offences)—preventing the EU from exercising competence on behalf of the UK.

Protecting the integrity of sport is taken seriously by the Government and we view the convention as an important tool in the fight against match fixing. We therefore intend for the UK to become a signatory to the convention later this year.

[HCWS481]

EXITING THE EUROPEAN UNION

Official Journal of the European Union

The Parliamentary Under-Secretary of State for Exiting the European Union (Mr Steve Baker): Lord Callanan, Minister of State for Exiting the European Union, has made the following statement:

I confirm that an exemption in accordance with Section 8(5) of the European Union Act 2011 (EU Act 2011) applies to the European Commission's proposal for a Council regulation amending Regulation (EU) No 216/2013 (COM(2017)87). The proposed regulation refers to the electronic publication of the Official Journal of the European Union.

The purpose of the proposed amendment is to introduce the authentication of a document by an electronic seal. This option is offered by Regulation No 910/2014. This proposed amendment is purely technical and there are no policy implications for the UK. The legislative change is needed as the change in electronic seal alters the legal status in the publication.

The legal base of the proposal is Article 352 Treaty on the Functioning of the European Union (TFEU). Under Section 8 of the EU Act 2011, decisions under this require an Act of Parliament to approve the measure, unless both Houses agree to a motion that a decision is urgent or an exemption applies.

In this case Section 8(6)(a) of the EU Act 2011 provides an exemption to make provision equivalent to that made by a measure previously adopted under Article 352 TFEU. The proposal is to make a provision equivalent to that made by Council Regulation (EU) No. 216/2013, which was previously adopted under Article 352 TFEU on 7 March 2013. This proposal has the same substance matter. It relates to the electronic authentication of the Official Journal. As such, all that has altered is the specific form the authentication is to take. Therefore this proposal does not require an Act of Parliament for the UK to approve the measure.

[HCWS480]

FOREIGN AND COMMONWEALTH OFFICE

Foreign Affairs Council

The Minister for Europe and the Americas (Sir Alan Duncan): My right Hon. Friend the Minister of State for Foreign and Commonwealth Affairs (Mark Field) will attend the Foreign Affairs Council (FAC) on 26 February. The Foreign Affairs Council will be chaired by the High Representative of the European Union (EU) for Foreign Affairs and Security Policy (HRVP), Federica Mogherini. The meeting will be held in Brussels.

Prior to the FAC there will be an informal meeting, over breakfast, of the European Action Group for the Republic of Moldova with the Foreign Minister of Moldova. The FAC will then discuss Moldova, Venezuela and the middle east peace process (MEPP). There will be a lunch with the Secretary General of the Arab League and some Arab Foreign Ministers.

Moldova

Ministers will have a substantive discussion of the key challenges facing the Republic of Moldova, including its implementation of the association agreement and its Deep and Comprehensive Free Trade Agreement (DCFTA), and engagement by the EU and member states. The UK remains fully engaged in the reform process in Moldova, and will focus on the need to encourage the Republic of Moldova to maintain progress in this process.

Venezuela

The FAC will discuss the political and humanitarian crisis in Venezuela, following the announcement that presidential elections will take place on 22 April. The FAC will consider the recent breakdown in political dialogue between the Government and Opposition, what conditions would constitute a credible election, and what more can be done to address the humanitarian situation.

Middle East Peace Process

Ministers will discuss the latest developments in the MEPP ahead of a lunch with the Secretary General of the Arab League and Foreign Ministers from the Occupied Palestinian Territories, Kingdom of Saudi Arabia, United Arab Emirates, Morocco, Egypt and Jordan to discuss prospects for the MEPP, including long-standing EU support for a negotiated two-state solution.

Council Conclusions

The FAC is expected to adopt conclusions on Burma, Cambodia, Moldova, the Maldives, climate diplomacy and the Special Report on EU Support to the Fight to End Human Trafficking in South and South East Asia.

[HCWS482]

EU Foreign Ministers: Informal Meeting (Gymnich)

The Minister for Europe and the Americas (Sir Alan Duncan): My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the biannual informal meeting of EU Foreign Ministers (known as the Gymnich) on 15-16 February in Sofia, Bulgaria. The Gymnich was hosted by Deputy Prime Minister for Judicial Reform and Minister of Foreign

Affairs of the Republic of Bulgaria, Ekaterina Zaharieva and was chaired by the High Representative of the European Union for Foreign Affairs and Security Policy, Federica Mogherini. Discussion centred on Syria, the western Balkans and the Democratic People's Republic of Korea (DPRK).

EU Foreign Ministers met Foreign Ministers of the candidate countries over dinner on 15 February and on the morning of 16 February.

The format of the Gymnich is designed to allow EU Foreign Ministers to engage in informal discussion on a number of issues. In contrast to the Foreign Affairs Council (the next of which will be held on 26 February), Ministers do not take formal decisions or agree conclusions at the Gymnich.

GYMNICH DISCUSSION

Syria

Ministers expressed concern about the security situation. My right hon. Friend spoke about the importance of the Geneva peace talks and maintaining pressure on the Syrian regime.

Western Balkans

Ministers discussed the strategy, recently published by the Commission, and agreed the importance of remaining engaged in the region.

DPRK

Ministers briefly discussed the DPRK. They welcomed renewed engagement between the DPRK and the Republic of Korea while emphasising the importance of maintaining pressure, including through the full implementation of sanctions.

[HCWS483]

Petition

Friday 23 February 2018

OBSERVATIONS

HOME DEPARTMENT

Family re-unification for refugee children: St Patricks Primary, Troon and Symington Primary

The petition of residents of the United Kingdom,

Declares that the Government must do more to protect the rights of refugee children, in particular their right to protection and to be reunited with their family in the United Kingdom; and further that it is vital that the law is altered to recognised the broader range of individuals as family, and that in addition to parents, children's siblings, aunts, uncles and grandparents are also acknowledged as family members.

The petitioners therefore request that the House of Commons urges the Government to extend the current definition of family relation to unaccompanied child refugees entering the United Kingdom.

And the petitioners remain, etc.—[Presented by Dr Philippa Whitford, Official Report, 24 January 2018; Vol. 365, c. 376.]

[P002100]

Observations from the Minister for Immigration (Caroline Nokes):

In considering the request to broaden the definition of family members for refugee family reunion, the Government have noted the concerns of both parliamentarians and members of the public about this issue. This is a complex area and the Government are keen to ensure that we do not create unintended consequences through the widening of the current definition of family members.

The Government have noted the call for refugee children to be able to sponsor their family members. Children who claim asylum here will be offered protection where they need it but there is a good reason why they cannot sponsor relatives to join them. Allowing children to sponsor other relatives would create incentives for them to be encouraged, or even forced, to leave their family and risk hazardous journeys to the UK to sponsor relatives.

But it is important that we note the very significant contribution the Government have made, not only in recent years, to support the global migration challenges. The UK is one of the leading contributors to the Syrian conflict, pledging £2.46 billion of aid to date and a further £175 million to the Mediterranean migration

crisis. This support has provided life-saving assistance, including protection for the most vulnerable migrants and refugees and helped build capacity of host Governments to manage migration so that it is safe and orderly. The significant support the Government have provided in the regions means that families do not need to become separated.

By the end of 2016 our assistance delivered:

1.5 million relief items to people affected by the Mediterranean migration crisis;

More than 1.9 million meals for vulnerable refugees and migrants in Europe;

Over 1.6 million emergency interventions such as psychosocial support for refugees and migrants travelling to and within Europe.

Furthermore, by 2020 we will have resettled 20,000 refugees from Syria and a further 3,000 children and families from the wider MENA. This is in addition to the 18,427 refugees resettled under our resettlement programmes since 2004, and the 24,000 family reunion visas issued for refugees and 43,727 people provided with protection status in the UK since 2010 who are entitled to apply for their qualifying family members to join them.

The Government's objective is to ensure that our policies support those in greatest need of our protection, who cannot remain in their country or region of origin. Extending the definition would go far beyond those in conflict regions or dangerous situations and could lead to this policy being used by significantly more people—who have no protection needs or who are not necessarily in precarious positions.

This Government strongly support the principle of family unity. We therefore have a comprehensive approach to refugee family reunion which is set out in the Immigration Rules and our family reunion policy. This policy reflects a decision-making framework that includes discretion and compelling circumstances. Additionally, there are clear Rules for non-refugees who look to bring non-EEA spouses and dependants. Officials regularly review and monitor the operation of existing policies.

Those recognised by UNHCR as refugees may also be able to join close family members here in the UK through the existing Gateway and Mandate refugee schemes. We need to ensure existing schemes are used to full effect to benefit family members living in regions of conflict and the Government continue to work with NGOs on the application of the current rules and the approach as part of our wider asylum and resettlement strategy.

Taking these factors into account, the Government continue to believe that the current definition of family member for the purposes of refugee family reunion set within a comprehensive framework providing safe and legal routes for families to reunite here already exists and should not be extended or defined further by primary legislation.

WRITTEN STATEMENTS

Friday 23 February 2018

	<i>Col. No.</i>		<i>Col. No.</i>
DIGITAL, CULTURE, MEDIA AND SPORT	13WS	FOREIGN AND COMMONWEALTH OFFICE	14WS
Convention on the Manipulation of Sports		EU Foreign Ministers: Informal Meeting	
Competitors.....	13WS	(Gymnich)	15WS
EXITING THE EUROPEAN UNION	14WS	Foreign Affairs Council	14WS
Official Journal of the European Union.....	14WS		

PETITION

Friday 23 February 2018

	<i>Col. No.</i>
HOME DEPARTMENT	9P
Family re-unification for refugee children: St Patricks Primary, Troon and Symington Primary.....	9P

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CONTENTS

Friday 23 February 2018

Organ Donation (Deemed Consent) Bill [Col. 445]

*Motion for Second Reading—(Mr Geoffrey Robinson)—agreed to
Read a Second time*

Overseas Electors Bill [Col. 486]

*Motion for Second Reading—(Glyn Davies)—agreed to
Read a Second time*

Petition [Col. 518]

Eider Duck: Marine Conservation Zones [Col. 519]

Debate on motion for Adjournment

Written Statements [Col. 13WS]

Petition [Col. 9P]

Observations

Written Answers to Questions [The written answers can now be found at <http://www.parliament.uk/writtenanswers>]
