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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 2 July 2018

HER MAJESTY'S GOVERNMENT

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OFFICIAL REPORT

IN THE FIRST SESSION OF THE FIFTY-SEVENTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2017]

SIXTY-SEVENTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES

VOLUME 644

NINETEENTH VOLUME OF SESSION 2017-2019

House of Commons

Monday 2 July 2018

The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

Oral Answers to Questions

WORK AND PENSIONS

The Secretary of State was asked—

Universal Credit: Vulnerable Claimants

1. **Paul Masterton** (East Renfrewshire) (Con): What recent steps the Government has taken to protect the welfare of vulnerable universal credit claimants. [906155]

The Secretary of State for Work and Pensions (Ms Esther McVey): Universal credit is a person-centred benefit focused on the needs of the individual. We are working continuously with a variety of stakeholders to ensure that we provide the right support for vulnerable claimants, and our work coaches undertake awareness training to identify claimants with complex needs.

Paul Masterton: During a recent visit with the Secretary of State to the Barrhead jobcentre in my constituency, one of the things we discussed with staff was the payment of advances as a single payment potentially to claimants who have difficulty managing budgets or who are struggling with addiction. Will she take into account those concerns when reviewing how the advance system is operating?

Ms McVey: I was delighted to visit my hon. Friend's constituency and local jobcentre and to visit the Greenhouse Café, which he champions and which helps vulnerable people to get closer to the workplace. On the question that he and the work coaches raised about the advance, those advances could be given up to 100%, and with the personal relationship that the work coaches have, through this training they can assess what the right needs are. That is the right thing to do.

Stephen Timms (East Ham) (Lab): One of the concerns raised by the National Audit Office is that the Department does not really know who the vulnerable claimants are, and particular problems are being caused by the very long delay before people are entitled to their benefit. The right hon. Lady's predecessor took an important step by reducing the minimum wait from six weeks to five. Will she commit to taking that further and reducing the period further still?

Ms McVey: Universal credit is all about the relationship with the work coach. They get to know their claimants and their claimants' needs, so it is very much a tailor-made benefit. We as Ministers have always said that, should we need to adapt and change universal credit so that it best supports the individual, we will do just that. I am glad that the right hon. Gentleman welcomed the changes that we have already made.

Dame Cheryl Gillan (Chesham and Amersham) (Con): Vulnerable claimants often consult their local citizens advice bureau. On a visit to the Chesham citizens advice bureau, staff told me that the fixed-term, timed appointments for their clients are often taken up by them hanging on to the DWP telephone line for up to 25 or 30 minutes, and then the time for the appointment has expired. Will the Secretary of State look at the telephone line and try to improve its efficiency and effectiveness, so that CAB advisers can instantly access the advice that they need to help these clients to make universal credit go smoothly?

Ms McVey: My right hon. Friend, who does so much for people in her constituency, and particularly those with autism, raises a very good point. We will look into

exactly what we can do to do that for the citizens advice bureaux, as we have a very good working relationship with them.

Margaret Greenwood (Wirral West) (Lab): The National Audit Office's report on universal credit shows that people such as carers, families needing support with childcare and disabled people are more likely to have to wait for an initial payment. The report shows that, in December 2017, only a third of disabled people were receiving their initial payments in full and on time. As the Secretary of State claims that the NAO report is out of date, can she tell us what the figure is now?

Ms McVey: As we said quite clearly, the NAO did not take into consideration all the changes that we had made and their impact. What we can say is that we know that 80% of people will get their payment on time and in full, but what the NAO report has not taken into consideration is that 90% will get some payment within the first month and it is invariably down to non-verification and not fulfilling their claimant commitment.

Neil Gray (Airdrie and Shotts) (SNP): On Thursday, our concerns became a reality, as we discovered from the Government's figures that 190 women were put in the impossible position of declaring that their child was born as a result of rape in order to receive universal credit or child tax credits. We can also estimate from those figures that around 200,000 children have been affected by the two-child cap. How does she feel about cutting that money and stopping it being spent on up to 250,000 children?

Ms McVey: This whole House voted for the changes to tax credits so that we can make sure that people in work are treated the same way as people on benefits. However, what we did do was bring in a set of exemptions for people who would not be able to have those two children. It is only right that we have brought in specific exemptions to help those people who need them.

Neil Gray: The Government continue to mislead. We know from the figures that 59% of all those households impacted are already in work. The Secretary of State continues to suggest today that this was about making the choices the same for those who are in and out of work, but actually it is about the Government making people's choices for them. What advice does she have for a woman who is in work and in receipt of tax credits or universal credit and who has fallen unexpectedly pregnant with what would be a third child?

Ms McVey: The hon. Gentleman will know that we still pay child benefit for all children. We are also paying childcare costs. In fact, those have increased. As I said, what we have done with tax credits is make sure that people who are paying their way and are not dependent on the state get the same support as those people who are also getting support from the state.

PIP Assessments: Appeals

2. **Ian C. Lucas** (Wrexham) (Lab): What recent estimate she has made of the average number of personal independence payment assessments that are overturned on appeal; and what the average waiting time is for such appeals to be heard. [906156]

18. **Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): How many appeals have been granted against initial personal independence payment assessment decisions in the last 12 months. [906175]

The Minister for Disabled People, Health and Work (Sarah Newton): Data published by the Ministry of Justice last month shows that 57,000 decisions on personal independence payment claims were overturned on appeal in the last year. Of the 3.3 million decisions made since PIP was introduced, 9% have been appealed and 4% have been overturned. The average clearance time for PIP appeals in the last available quarter is 25 weeks.

Ian C. Lucas: In my constituency, over two thirds of decisions are being overturned on appeal. That shameful record is the responsibility of the Secretary of State and the Minister. It is causing real personal distress to individuals in Wrexham having to wait over a year to have wrong decisions reversed. What will the ministerial team do to respond to the real hardship they are causing to vulnerable people?

Sarah Newton: It is not necessarily the case that the decision made was the wrong decision; mostly what happens is that more information comes forward at the appeal. Hon. Members should look at the data I have already given. One wrong decision is one too many, however, which is why we have done a great deal of work to improve our decision-making process.

Stephen Doughty: Far too many of my constituents face exactly the same situation, and far too many have found they get no points in their assessment despite being severely disabled and having previously been awarded for conditions such as multiple sclerosis, post-traumatic stress disorder and severe anxiety. Does the Minister agree with a constituent of mine who wrote to me last week and described the Department for Work and Pensions and Capita as

"so robotic, intransigent and hard-nosed, it's hard to comprehend why they were constructed that way given the purpose for which they were intended"?

Sarah Newton: I respectfully point out to the hon. Gentleman that more people are receiving higher awards on PIP than did on the legacy benefit, disability living allowance, and people moving from DLA to PIP remain in payment while going through the process. I utterly refute what he said.

Stephen Doughty: What about my constituent?

Sarah Newton: The hon. Gentleman wants to talk about constituents. I was on "You and Yours" last week and, during the phone-in, a whole series of people called in about their PIP experiences. As he has made his point, let us hear what Jennifer from Lancashire said:

"As it happens, it has worked very well for me."

She contacted the Royal National Institute of Blind People, which helped her fill in the form, and the "result was I now get the top rate for both things.... I get £140 whereas I used to get £112."

Alex Burghart (Brentwood and Ongar) (Con): I especially welcome the fact that the Government have accepted the Select Committee on Work and Pensions

recommendation to record PIP interviews. Will the Minister set out for the House the sort of timescale in which we can expect these changes to come through?

Sarah Newton: I thank my hon. Friend for his contribution today and the hard work he puts in on the Select Committee. I was delighted to welcome its recommendations, and I really believe that the video-recording of PIP assessments will reduce a lot of stress and anxiety, which largely occurs because of the scaremongering we see too often from the Opposition. We have begun work on the piloting and will be undertaking the testing this summer.

John Howell (Henley) (Con): At a recent Westminster Hall debate, several of us commented on how the PIP process had improved. Will the Minister continue to work with those of us who have suggestions for improving the system still further?

Sarah Newton: I thank my hon. Friend for his comments. I am utterly determined to ensure that everyone has a very good experience of PIP. The independent customer satisfaction ratings show that the vast majority of people feel that they are treated with respect and dignity and receive the benefit to which they are entitled, but we will of course seek continuously to improve the process.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): My constituent in Normanton lost her Motability car because the DWP said that she was not entitled to it. Five weeks later it reversed the decision but, in the meantime, because my constituent was isolated, she was forced to spend thousands of pounds of her own savings on replacing the car so that she was not stuck. She has been denied any help since. Will the Minister look again at that case? It is outrageous that my constituent should lose all her savings because the DWP screwed up.

Sarah Newton: I thank the right hon. Lady for her question. Of course I am always happy to meet all Members to review individual cases, but I suggest, for everyone's benefit, that any Member with a constituent who faces losing a Motability car should call Motability. Motability is sitting on very considerable reserves. It is a charity and is able to make discretionary payments to enable people to keep their cars during the appeal process.

Kevin Foster (Torbay) (Con): Thank you for calling me, Mr Speaker, and thank you for your kindness to a group of visitors who came to see me in the House earlier today.

I thank the Minister for the answers that she has given so far. I recently met representatives of Carers Aid Torbay to talk about the PIP process and the support that they provide for those who are going through it. Can she reassure me that there will be engagement with groups such as that in respect of the potential introduction of video recording of interviews?

Sarah Newton: I thank my hon. Friend for his question. It is very important for us to listen to people who are going through the process. I have regular meetings with disabled people and charities to ensure that we get it right and continuously improve the experience of our claimants.

Universal Credit: Roll-out

3. **Peter Heaton-Jones (North Devon) (Con):** What recent steps the Government have taken to ensure that universal credit is rolled out effectively. [906157]

The Secretary of State for Work and Pensions (Ms Esther McVey): We are continuously testing, learning and improving to deliver an effective roll-out. The pace of the roll-out reflects the need to listen, respond and get it right. We have rolled out universal credit to 353 jobcentres and are increasing the roll-out to 60 jobcentres per month. Universal credit is on track to be in all jobcentres nationally by the end of 2018.

Peter Heaton-Jones: This Wednesday sees the roll-out of full-service universal credit in North Devon. Will the Secretary of State join me in acknowledging the hard work of Jobcentre Plus staff in ensuring the smoothest possible transition for all claimants?

Ms McVey: I will indeed join my hon. Friend in thanking his team. I also thank him for what he has personally done in his local area, working with Alex Coull, the work coach team leader, and his team. They have done an excellent job, engaging with stakeholders from North Devon Homes, North Devon Council, Citizens Advice Devon and North Devon+. That is the sort of work that all Members of Parliament can do to ensure that universal credit is rolled out safely.

19. [906176] **Rachael Maskell (York Central) (Lab/Co-op):** Increasingly, my constituents are finding that elements of their benefits have been withdrawn—because there is less money in the bank—before the DWP has sent the decision letter. When they phone the helpline, they are told that, as a decision letter has not been sent, the adviser cannot discuss anything with them. A month later the letter arrives, with an explanation of their right to appeal. Will the Secretary of State put her house in order, and ensure that claimants are the first and not the last to know?

Ms McVey: I thank the hon. Lady for raising that case. It would be good to meet her. I have surgeries every Monday in the Tea Room, and if she would like to raise a personal case with me, I ask her please to do so. We can go through the case and see exactly what happened.

Rachel Maclean (Redditch) (Con): May I commend the Secretary of State and convey to her the comments of staff at a jobcentre in Redditch? People who have worked there for decades said that universal credit was the best system that they had seen for 30 years. That is because it is an individualised system based on the “test and learn” approach. What more can the Secretary of State do to ensure that that approach helps our constituents?

Ms McVey: My hon. Friend has made a very good point. When we speak to the people who are working with the system day in, day out, they say that it is the best system that they have ever seen, and it is about a “test and learn” process. Listening to what is said in the House, one would not believe that over 3.2 million more people were in work. That is not something that happens

by mistake. It is as a result of the hard work of our work coaches and the direction that is being set by the Government.

Mr Speaker: I am extraordinarily grateful to the Secretary of State, whose answers I always enjoy. The only point that I would make, gently, to colleagues on both sides of the House is that we have a lot of questions to get through, so we do need to be briefer—and that is now to be exemplified by no less a figure in the House than Mr Frank Field.

Frank Field (Birkenhead) (Lab): Will the Secretary of State commission a report on real-time income, which for many of our constituents provides neither real-time information nor income and results in hardship, and publish that report?

Ms McVey: The right hon. Gentleman raises a good point. We are looking constantly at real-time income—how it works and how it works best—and we continue to do that and put out new guidance when we know what is going on.

Tom Pursglove (Corby) (Con): Can my right hon. Friend confirm whether universal credit is seeing more people into work sooner than jobseeker's allowance did?

Ms McVey: Not only is it seeing more people into work sooner, but it shows they are staying in work longer and looking to do more hours. It also shows that people who are in work are earning £600 more a year on average. My hon. Friend has raised a good question.

Margaret Greenwood (Wirral West) (Lab): The Department for Work and Pensions' own survey of claimants under universal credit full service found that over 40% were unable to register a claim online unassisted. These people are the most likely to be vulnerable in our society. Universal support is meant to address this, but the NAO report reveals that providers told the NAO that universal support does not meet the needs of claimants and leaves providers insufficient time to assist them. What are the Government going to do to ensure that these people receive the support they need?

Ms McVey: As the hon. Lady will know, we have provided £200 million-worth of support for local authorities to help people who will need the help not just for budgeting but for going online through IT; we have a free phone line and we meet with people face to face to do just that.

Universal Credit: Supporting People into Work

4. **Neil Coyle (Bermondsey and Old Southwark) (Lab):** What assessment she has made of the efficacy of universal credit in supporting people into work. [906158]

The Minister for Employment (Alok Sharma): The Department published an analysis on 8 June which showed a near doubling of the proportion of UC claimants in a paid job after eight months into the claim. The Department published analysis last year which shows that UC claimants are 4 percentage points more likely to be in work than an equivalent claimant on JSA six months after their claim.

Neil Coyle: The National Audit Office reported that the Department will never be able to measure whether universal credit actually leads to more people in work because it cannot isolate the effect of UC against other economic factors. So if the Department serious in what it told the NAO about intending to evaluate specifically the impact of UC, is that evaluation under way, how many people are being evaluated and when will it report?

Alok Sharma: As the Secretary of State has said, we are at record levels of employment in this country and that is because of the policies of this Government. The hon. Gentleman talks about the 200,000 extra people who will be in work as a result of UC. He will also know that, in 2012, the Institute for Fiscal Studies looked at the methodology, which related to the key element of this, which was the financial incentives that will make more people go into work, and it concluded that this was within the plausible range.

Andrew Bridgen (North West Leicestershire) (Con): Does my hon. Friend agree that it is right that our welfare system supports those in need, but in the long term the best way out of poverty is sustainable employment?

Alok Sharma: My hon. Friend is absolutely right. We are at record levels of employment in this country. It is interesting that the Opposition talk about estimates. If I remember correctly, back in 2010, the Opposition said we would lose 1 million jobs as a result of our policies, but we have created 3.2 million. At the end of the day, when it comes to estimates, I am not taking lectures from the Opposition.

Universal Credit: NAO Report

5. **David Hanson (Delyn) (Lab):** What assessment she has made of the implications for her Department's policies of the findings of the NAO report entitled rolling out universal credit, published on 15 June 2018. [906160]

The Secretary of State for Work and Pensions (Ms Esther McVey): It is unfortunate that the NAO was unable to take into account the significant changes recently implemented in universal credit. Those changes address many of the concerns raised in its report. We continue to listen and learn from feedback, and make the necessary changes to the benefit as we roll it out.

David Hanson: Many of my constituents are among the one in five individuals who are not paid universal credit on time. As the Minister should know, the NAO specifically recommended that UC should not be rolled out further until the system can extend and work with the current level of applications. Will she accept that recommendation?

Ms McVey: The NAO made clear quite the opposite: it said that we need to continue with universal credit. It was also concerned that it was rolling out too slowly and said that actually we should increase what we are doing. So what the right hon. Gentleman says is absolutely not what the NAO said.

Bill Grant (Ayr, Carrick and Cumnock) (Con): Will my right hon. Friend confirm that more than eight in 10 claimants are satisfied with their experience of universal credit?

Ms McVey: My hon. Friend is right—that is exactly the number. Actually, Patrick from Newport has said that it helped him with fares to get to a job and with the cost of clothing. He said:

“Thanks for all your help. It was really easy dealing with everyone who helped me back into work quickly and helping me buy what I need and travel back and forth.”

That was an example from Wales.

Margaret Greenwood (Wirral West) (Lab): The National Audit Office report recommended that the Government should

“ensure the programme does not expand before business-as-usual operations can cope with higher claimant volumes”,

yet in her oral statement on 21 June, the Secretary of State said that the NAO report stated that the Government should

“continue with the roll-out and do it faster.”—[*Official Report*, 21 June 2018; Vol. 643, c. 495.]

Will the Secretary of State tell us where in the report it says that the roll-out should be speeded up?

Ms McVey: Yes, in the report it says just that. It says that it needs to continue to go forward and it needs to continue at a faster rate.

Mark Pawsey (Rugby) (Con): The NAO report acknowledged the close links between local authorities and universal credit. As one of the first full-service sites, Rugby and its borough council received an £85,000 payment to assist with the cost of digitisation. Will the Secretary of State join me in welcoming that valuable support for local authorities in full-service areas?

Ms McVey: I will indeed join my hon. Friend in praising that support. It is really important that local authorities are involved in what is happening and that we provide the right support on the ground for individuals to get their benefit.

Universal Credit: Financial Hardship

6. **Ruth George** (High Peak) (Lab): What assessment she has made of trends in the level of financial hardship experienced by universal credit claimants. [906161]

The Parliamentary Under-Secretary of State for Work and Pensions (Kit Malthouse): The best way to help people financially is to help them into work, and universal credit will get 200,000 more people into work. Our recent survey evidence shows that people on UC and in work had an average increase in reported earnings of £600 a year. There was also an 8% fall in the number of people on incomes of £10,000 a year or less.

Ruth George: The DWP’s own survey also found that after nine months on universal credit, 40% of claimants were falling behind with their bills or experiencing real financial hardship. This is a problem not of the initial waiting period but of ongoing insufficient income. The Secretary of State has tested and learned about hardship levels. How will she fix them?

Kit Malthouse: As my right hon. Friend the Secretary of State said earlier, the close and constructive relationship between work coaches and their clients should enable them as a team to get through any hardship that arises. The hon. Lady is attempting to build a career on bashing universal credit, but she never does so in context. We have chosen to fight poverty in a different way. We have chosen to fight it with work rather than with welfare. She never points out that, under the last Labour Government, the number of households where no one worked almost doubled.

Stephen Kerr (Stirling) (Con): Earlier on, the Minister for Disabled People, Health and Work, my hon. Friend the Member for Truro and Falmouth (Sarah Newton), mentioned scaremongering by the Opposition. I can confirm that that scaremongering causes grave anxiety among my constituents. Will the Minister confirm that, for example, an advance payment does not involve rates of interest and that it is reimbursed by deductions made over a period of months?

Kit Malthouse: My hon. Friend is exactly right. I was pleased to be able to sit with him in a meeting with some of his third sector organisations, including his local food bank, his citizens advice bureau and his local refuge, to try to scotch some of the mythology that has been created around universal credit. Wherever universal credit has been in place for some time, it receives universal praise from work coaches on the frontline and very high satisfaction levels from the people who are using it.

Universal Credit: Roll-out

7. **Gavin Newlands** (Paisley and Renfrewshire North) (SNP): What progress her Department is making on the roll-out of universal credit. [906162]

The Minister for Employment (Alok Sharma): Nearly 1 million people are now claiming universal credit, with around 37% of them in employment. We take 5,000 new claims a day and universal credit is operational in half of all jobcentres, with the full roll-out expected to be concluded by the end of the year.

Gavin Newlands: From the Government’s own business case for universal credit, it transpires that just 3% of those who have been brought into conditionality under universal credit are expected to find work, as a result of sanctions. Given that my constituents are going to suffer this roll-out in September, does he think that this is a robust business case for his Department’s punitive and callous sanctions regime?

Michael Fabricant (Lichfield) (Con): Enunciate, man!

Alok Sharma: The hon. Member for Paisley and Renfrewshire North (Gavin Newlands) talks about sanctions, but he will know that the regime is different. For example, under JSA if somebody who was due to come in for an interview does not contact us after five days, they fall out of the system and are not sanctioned. Under universal credit, however, we continue to pay all the elements—the child element and the housing element—but the sanction that they would face applies only to the standard allowance. The hon. Gentleman talks about wanting to help people, but the Scottish National party

voted against £1.5 billion of support. If he wants to support people, he should try to support the Government from time to time.

Mr Speaker: Order. The hon. Member for Lichfield (Michael Fabricant), from a sedentary position and rather gratuitously, offered advice and exhortation to the hon. Member for Paisley and Renfrewshire North (Gavin Newlands). I simply say to the hon. Member for Lichfield that we can always hear him with crystal clarity. He is in no danger of not being noticed.

Michael Fabricant: Thank you.

Ruth George *rose*—

Mr Speaker: It is always good to hear from the hon. Lady, but we have already heard from her.

Jessica Morden (Newport East) (Lab): Constituents who do not have a passport or driving licence, because they do not drive or have no need of one or cannot afford one, cannot use the online verification system and need to be seen in person at a job centre, but there are huge waits for appointments, including for those who urgently need advance payments. What is the Minister doing to tackle that?

Alok Sharma: The hon. Lady knows that advance payments are available if they are required on the day. As for verification, there is a set of criteria that can be applied so that we do not have to go through the verification system. If the hon. Lady has specific cases, she should please bring them to me as I would be happy to look into them.

Universal Credit: Death of Applicants

8. **Ronnie Cowan** (Inverclyde) (SNP): How many universal credit applicants have died during the period that their application was being assessed and as a result have received a zero payment for the days during that period when they were alive. [906163]

The Minister for Employment (Alok Sharma): For universal credit full service, around 1,200 cases have been closed with a deceased closure reason since roll-out began in 2016, with the vast majority receiving a payment.

Ronnie Cowan: I know of cases where no universal credit payment has been received when constituents have passed away towards the end of their assessment period. Essentially, the DWP classes someone who dies at the end of an assessment period as having died at the beginning. Will the Minister address this so that bereaved families are not financially punished?

Alok Sharma: I have corresponded with the hon. Gentleman about one specific case. There are circumstances in which payment is still made after the death of a claimant and where payments have continued for two subsequent assessment periods, such as when the individual was in a couple. However, I note the hon. Gentleman's point and will look into the policy.

Helen Goodman (Bishop Auckland) (Lab): A connected problem might be that the Department does not tell people whether they are entitled to prescriptions when their UC claim is awarded. Will the Department please

start doing that, because several of my constituents have been in touch in deep distress because of the fivefold fines that they have been forced to pay?

Alok Sharma: We do not want anybody to be in distress. If colleagues on either side of the House have specific cases, they should bring them to Ministers. We hear a lot of general commentary, but we would like to help individuals, so please bring us those specific cases.

Universal Credit: Claimant Satisfaction

9. **Giles Watling** (Clacton) (Con): What assessment her Department has made of rates of universal credit claimant satisfaction. [906164]

The Secretary of State for Work and Pensions (Ms Esther McVey): Some 83% universal credit claimants are satisfied with the service. The claimant survey shows that the majority of people find interactions with their work coach, both online and in person, to be helpful and that the online journal is easy to use.

Giles Watling: With universal credit due to be rolled out in Clacton later this month, will my right hon. Friend reassure me that, with recent changes to the system, my residents will get a better service?

Ms McVey: I want to recognise all the hard work that my hon. Friend does in his constituency. Yes, his constituents will get a better service now that we have added those changes. However, he does not have to take my words for it. Chloe, a lone parent, said: "Universal credit is easier than the old system, and it has helped me to get a job. It is simpler, as I do not have to keep putting my wage slips in. I can actually vary my wages and get paid automatically."

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Has the Secretary of State looked into the level of satisfaction of people on the autism spectrum and of those facing similar challenges? Her Department's offices around the country are very autism-unfriendly and difficult places for people on the autism spectrum to approach. When will her Department have a policy for autistic people?

Ms McVey: I share the hon. Gentleman's concern for young people, or anybody, with autism. This is something that we, as a country, have to get right, as we are seeing a rising number of people with autism. Both sides of the House work very closely on this, whether it is my hon. Friend the Minister for Disabled People, Health and Work or Opposition Members.

Several hon. Members *rose*—

Mr Speaker: I think we must have a dose of Swayne.

Sir Desmond Swayne (New Forest West) (Con): What is the impact on housing association tenants?

Ms McVey: My right hon. Friend asks a rather open question but we have a landlord portal for housing association tenants. If people need their payments done automatically, they can have just that—if that is what he is referring to.

Mr Speaker: Well, the Secretary of State had a stab at it, and we are extremely grateful to her for doing so.

Supporting People with Disabilities and Health Conditions

10. **Mr Simon Clarke** (Middlesbrough South and East Cleveland) (Con): How much her Department has spent on supporting people with disabilities and health conditions in the last 12 months; and what the change in that amount has been in real terms since 2010. [906165]

The Minister for Disabled People, Health and Work (Sarah Newton): In 2017-18, the Department for Work and Pensions spent £51.9 billion on benefits to support disabled people and people with health conditions. This year it is forecast to rise to £54 billion, £9.3 billion more in real terms than in 2010-11. Spending on the main disability benefits—PIP, DLA and attendance allowance—has risen by over £5 billion since 2010 and is at a record high this year.

Mr Clarke: I thank the Minister for her answer. Will she join me in congratulating the East Cleveland employment and training hub in Skinningrove, which opened in February and has done brilliant work for a number of my constituents, including those with the health and disability issues to which my question refers?

Sarah Newton: My hon. Friend is a real champion for all his constituents, and I am pleased to join him in praising the work of the East Cleveland employment and training hub, which I understand plays a pivotal role in the community in enabling people to be supported into employment and is particularly valuable for those people who recently lost their jobs at the local potash mine.

Christine Jardine (Edinburgh West) (LD): My constituent Alexandra Mitchell is unable to walk without heavy metal callipers. She cannot use her feet to drive and has hand controls in the Motability car she now stands to lose because her PIP assessment says that if she can drive, she must be able to walk. Does the Minister accept that this example, and those we have heard from other hon. Members, calls into question the quality of PIP assessments? Does she accept that the system is flawed and needs to be sorted?

Sarah Newton: One experience of poor customer service is one too many, and of course I will meet her.

I also want to point out what Kate from the west midlands said, again on “You and Yours”: “My 35-year-old daughter has a learning disability. She doesn’t read or write, so I filled in the form for her. From her point of view, it turned out to be a very good experience because when she was on DLA she was on the lower rate but, because of the new criteria, she is now on the higher rate and has a mobility car. So from our point of view, it’s been really positive.”

Marsha De Cordova (Battersea) (Lab): The UN Committee on the Rights of Persons with Disabilities carried out a robust inquiry into the effects of the Government’s policies, including social security, on disabled

people. It found “grave and systematic violations” of disabled people’s rights. The Minister recently said that she is

“utterly committed to the convention.”—[*Official Report*, 20 June 2018; Vol. 643, c. 124WH.]

When the Government respond to the report later this summer, will she finally commit to carrying out a cumulative impact assessment of the Government’s policies, as recommended by the UN Committee on the Rights of Persons with Disabilities?

Sarah Newton: We were very disappointed that, when it came to the UK, the UN Committee on the Rights of Persons with Disabilities did not take into consideration the great deal of evidence that was provided. When I make my very full response, I am sure I will set the record straight so that the committee understands that we are very proud to be a world-leading country in supporting people with disabilities to fulfil their potential in society.

Of course we are always determined to do more, and we do an equality impact assessment every single time there is any sort of policy change.

Marsha De Cordova: We know an impact assessment of the social security policies can be carried out, because the Equality and Human Rights Commission has done so. Is it not the truth that the Government will not do this because they are afraid that an impact assessment will confirm what the UN, the Equality and Human Rights Commission and disabled people say, which is that this Government’s policies have created a hostile environment that is causing grave violations against disabled people?

Sarah Newton: I can assure the hon. Lady that that is simply not the case. We have very strong protections for people with disabilities in our country, not the least of which is the Equality Act 2010. I make sure that impact assessments are done on all policies that are undertaken. I honestly ask all Opposition Members not to use this language of “a hostile environment”, as it is simply not the case and as the very people who need all of our support are put off seeking it and coming forward. I ask Opposition Members to stop saying things they know are not true.

Employment: People with Family Responsibilities

11. **Mary Robinson** (Cheadle) (Con): What steps the Government are taking to improve employment opportunities for people with family responsibilities. [906166]

17. **Michael Fabricant** (Lichfield) (Con): What steps the Government are taking to improve employment opportunities for people with family responsibilities. [906174]

21. **Damien Moore** (Southport) (Con): What steps the Government are taking to improve employment opportunities for people with family responsibilities. [906178]

The Parliamentary Under-Secretary of State for Work and Pensions (Kit Malthouse): Universal credit supports parents into work through better incentives, and through

simplifying and smoothing their transition into the workplace—with UC work will always pay. Furthermore, the Government now provide more support than ever before to help parents with the costs of childcare; under UC people can now claim 85% of their costs, which compares with 70% under tax credits.

Mary Robinson: Will my hon. Friend join me in welcoming the figures from the House of Commons Library showing that since 2010 the number of children living in workless households in Greater Manchester has fallen by 7.2%? Does he agree that that is in no small part thanks to the record number of jobs created by this Government?

Kit Malthouse: It will not surprise Members to know that I am more than happy to celebrate the results of that research and to thank my hon. Friend for the work she does in her constituency in promoting this, not least in being a champion for Manchester airport, where thousands of her constituents work, and where there is a strong capacity for growth and yet more jobs.

Mr Speaker: Enunciation from Lichfield—Mr Michael Fabricant.

Michael Fabricant: I will be very precise, Mr Speaker. Does my hon. Friend agree that the key to getting people out of poverty is work? Given that this Government have created 1,000 new jobs every single day since 2010, we have produced the key to unlock that door.

Kit Malthouse: My hon. Friend has absolutely put his finger on the button. As I said in an earlier answer, in this country we have tried fighting poverty with welfare in the past and failed. The Labour Government spent some £150 billion on tax credits and hardly moved the poverty indicators at all. We have chosen the route of work as the way to human dignity, prosperity and control for people and their families. I celebrate with him the success of the entire country, and not least his constituency.

Damien Moore: By delivering record numbers of jobs, reducing taxes, increasing childcare provision and raising wages, does my hon. Friend agree that it is this Conservative Government who are delivering for families?

Kit Malthouse: We are indeed delivering for families. I know it is a joy to many in this House to hear a voice of optimism from Southport at last, from a new Member who works closely with his local business community, recommending that its prosperity lies at the heart of that of many of his constituents. We know that outcomes for children, in particular, are significantly improved if the adults in the household are working and that children in workless families are more than twice as likely to fail to achieve at school.

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): Ministers will know from the experience of women born in the 1950s that giving people advance notice of changes means they have time to plan. Given that in 2019 families in work with more than two children are set to lose their universal credit support for

their third child, what steps is the Department taking to let people know in advance so that they have time to plan?

Kit Malthouse: As the hon. Gentleman knows, there are no cash losers from this policy: anybody who has an existing third child will continue to retain their support, and that will be preserved as they transition on to UC; we will continue to pay child benefit, no matter the number of children; and of course there will be significant childcare assistance for those who move on to UC.

Chris Stephens (Glasgow South West) (SNP): Is it not the case that universal credit claimants with family responsibilities could face a sanction for refusing a job offer with a zero-hours contract? Is it not also the case that the Government are forcing people into insecure, low-paid work?

Kit Malthouse: The whole point of the new constructive relationship between work coaches and their clients is that they are able to take people's personal circumstances into account, particularly in respect of children and childcare responsibilities. If sanctions are required, they are at all times reasonable and commensurate with the person's circumstances. The enormous assistance that we are giving for childcare should hopefully overcome any barriers, but if the hon. Gentleman has constituency cases that he would like to bring to my attention, I would be more than happy to look at them.

State Pension

12. **Mr Philip Hollobone** (Kettering) (Con): How many people have taken receipt of the state pension in (a) 2010 and (b) 2018 in Kettering constituency; and what the change in the value of the state pension has been over that period. [906167]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): In 2010, there were 17,400 recipients of the state pension in Kettering, and the most recent data shows that that number had risen to 18,600 in 2017. In cash terms, the full basic state pension is now worth £1,450 a year more in 2018-19 than in 2010. That is a £660 a year more than would have been the case if the pension had been updated solely by earnings.

Mr Hollobone: That is great news for existing pensioners in Kettering and throughout the country, but what about tomorrow's pensioners? How many people are being auto-enrolled into private pension schemes?

Guy Opperman: As you know, Mr Speaker, where Kettering leads the nation follows. In Kettering, a record-breaking 10,000 men and women have now been automatically enrolled into a workplace pension. They are part of the millions of working men and women of this nation who are similarly benefiting from automatic enrolment.

PIP: Early Assessments

13. **Clive Efford** (Eltham) (Lab): What criteria her Department uses to recall people in receipt of personal independence payments for an early assessment.

[906168]

The Minister for Disabled People, Health and Work (Sarah Newton): The hon. Gentleman has written to me about a particular constituency case and I very much look forward to sitting down with him to discuss that. Generally, we start the review period around a year ahead to make sure that everybody has the time that they need to provide all the necessary information and so that we can go back to doctors or medical professionals. Sometimes, people's situation sadly deteriorates and we need to make sure that they get the level of help that they need.

Clive Efford: I am grateful to the Minister for that answer, but I have constituents whose conditions are not going to improve, and one of my constituents has been called back for early assessment three times in three years, causing her a great deal of stress. If people have conditions that are not going to improve, does it not make sense to give them the benefit for longer and not reassess them so regularly?

Sarah Newton: I very much look forward to our meeting, and hope that the hon. Gentleman will welcome the recent changes. We have worked closely with disabled people and charities. We introduced the severe conditions criteria so that if people are on the highest levels of employment and support allowance or PIP and their condition is, sadly, not going to improve, their claim will be extended almost indefinitely.

Assisted Technology

14. **Scott Mann** (North Cornwall) (Con): What steps the Government have taken to encourage assisted technology as a means to help disabled people into the workplace. [906169]

The Minister for Disabled People, Health and Work (Sarah Newton): We are committed to making sure that all disabled people who want to work have the opportunity to do so. I am really pleased that, over the past four years, more than 600,000 more disabled people are in work. Assistive technology is of course playing a key role in that. We support such initiatives through the Access to Work tech fund and Disability Confident.

Scott Mann: The Minister will know that autonomous vehicle technology is moving along quickly. Does she agree that autonomous vehicles could give people increased social mobility, and enable people with physical disabilities or those who are partially sighted to access work?

Sarah Newton: My hon. Friend raises an important point. The Government are investing hundreds of millions into research and development to make sure that we fully understand the potential of autonomous vehicles and make sure that they really do benefit disabled people.

Dr Philippa Whitford (Central Ayrshire) (SNP): In the light of all the controversy around the quality of PIP assessments, would it not save time to get people's medical records automatically, thereby reducing face-to-face assessments, appeals and the hardship for beneficiaries?

Sarah Newton: The hon. Lady raises an important point. As part of our continuous improvement of PIP, we work closely with healthcare professionals so that

we can speed up the process and make sure that we get all the right information to make the best possible decision the first time around.

Pension Transition Arrangements

15. **Mr Stephen Hepburn** (Jarrow) (Lab): What recent representations she has received from people affected by the pension transition arrangements for women born in the 1950s. [906171]

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): The Department has received a number of representations from people regarding changes to state pension age since 1995, and the matter has been comprehensively debated on many occasions. Women will receive their state pension either at the same age as men or earlier as we remove the current inequality.

Mr Hepburn: The Government have seen fit to award the richest personal earners and the top five wealthiest corporations in the country tens of billions of pounds in tax cuts. Do the Government think that the Tories are being fair when they steal the pensions of women to stuff their friends' pockets?

Guy Opperman: It is always good to hear the dinosaur that is my friend from the north-east, the hon. Member for Jarrow (Mr Hepburn). He was in government between 1997 and 2010 when he could have changed the law and did not. The reality of the situation is that the richest 1% have never paid more tax than at present and that corporation tax reductions create jobs, as has been comprehensively proved. He, I am afraid, has no grasp of the facts as they now are.

Jack Dromey (Birmingham, Erdington) (Lab) *rose*—

Mr Speaker: I say gently to the hon. Gentleman that we have time for a short question, but not at this point for a preamble, I am afraid. A short question will be fine—30 seconds.

Jack Dromey: Women born in the 1950s are the victims of a monumental pensions injustice. Christine is 62 and cannot retire until she is 66. Her husband has died, and she now has to do three cleaning jobs to make ends meet. At the very least, will the Government follow the lead of the Labour Mayor for Greater Manchester and introduce free bus travel for the women affected? They deserve better.

Guy Opperman: I merely repeat the point that I made previously: between 1997 and 2010, there was a Labour Government. Not only did they support this policy, but they expanded it through the Pensions Act 2008, which, as the hon. Gentleman knows full well, raised the state pension age.

Topical Questions

T1. [906179] **Sir Desmond Swayne** (New Forest West) (Con): If she will make a statement on her departmental responsibilities.

The Secretary of State for Work and Pensions (Ms Esther McVey): Those who take an interest in disability issues will know about our Disability Confident scheme, which supports businesses to employ disabled people. We have launched the Disability Confident 100-day community challenge to get people across this House involved in supporting people in their local area. To date, in 24 hours, 23 MPs have become involved. I hope that the whole House will help disabled people in their area to get into work.

Sir Desmond Swayne: This is complicated, Mr Speaker, so stay with me. What can the Secretary of State do to ensure continuity of universal credit benefit entitlement for those people paid on the same day every month for whom, every now and again, two pay packets will fall into the assessment period?

Michael Fabricant (Lichfield) (Con): Could you explain it again?

Mr Speaker: I think that it is all perfectly clear, as the hon. Member for Lichfield (Michael Fabricant) knows.

Ms McVey: My right hon. Friend is in the Chamber much of the time, so he might have heard me talk about this complicated issue quite a bit. It is about not just the last day of every month, but people who might have differing pay packets—they might be paid weekly, fortnightly or four-weekly rather than monthly. A recipient might not get their UC in a month because they have two pay packets falling within that month. What we can do straightaway is this: the person has their entitlement to benefits, and they will then sign on again the month after and remain in UC. We are providing guidance and support for both claimants and employees so that people stay on a cushion of benefit, but the system reflects their fluctuating wage.

Mr Speaker: Well, we are all now considerably better informed.

T2. [906180] **Mr Barry Sheerman (Huddersfield) (Lab/Co-op):** If the Secretary of State wants people to have confidence in her Department, what is she doing about Motability? Is it true that its chief executive is on £1.7 million and that it has reserves of £2.4 billion? Many people who are struggling support Motability, but they want to know what is going on.

Ms McVey: Again, the hon. Gentleman raises a good point. As he will be aware, I am working with Opposition Members and with the Work and Pensions Committee to make sure that money from Motability—the charity or its operations—is being spent correctly and, most importantly, on disabled people. A report is being produced at this very minute.

T6. [906184] **Henry Smith (Crawley) (Con):** I put on record my thanks to Department for Work and Pensions staff in Crawley for the roll-out of universal credit, which has gone so well over the past month. There is just one case in which there has been a difficulty, and I am grateful to my right hon. Friend the Secretary of State for her commitment to pursue that. Is not that an example of how MPs working with their local DWP departments can make a positive difference?

Ms McVey: That is exactly what we are doing with the slow roll-out. We are listening to what is needed. Members on both sides of the House supported the policy of universal credit because the old legacy benefits were not working, but we have to get this right and support claimants during the roll-out.

T3. [906181] **Bambos Charalambous (Enfield, Southgate) (Lab):** Is the Minister aware of the hardship that parents face under the current regime of child maintenance non-resident parent capital rules? Will he meet me and my constituent, Elizabeth Green, to help to resolve her case, whereby her former partner has not paid a penny in maintenance in over 14 years, yet owns assets worth in excess of £5 million?

The Parliamentary Under-Secretary of State for Work and Pensions (Kit Malthouse): I am more than happy to meet the hon. Gentleman and his constituent to discuss that particular issue. He will be aware that earlier this year the Government consulted on changes to the rules about child maintenance, including a power to impute an income from assets of 8.5%, and we hope to publish the conclusions from that consultation shortly.

Craig Tracey (North Warwickshire) (Con): The last jobs fair that I held in my constituency focused on Disability Confident employers, and it is great to see that more than 5,000 are now signed up nationally. What more can MPs do to encourage more employers to join this fantastic scheme?

The Minister for Disabled People, Health and Work (Sarah Newton): I am very grateful for the hard work that my hon. Friend is putting into his constituency. I have great news: the latest figures show that just under 7,000 employers have signed up to the Disability Confident scheme. I would really welcome every Member of this House signing up to the 100-day challenge in order to help their many constituents who would really like to work. There is something that everybody can do—[*Interruption*—constructively, rather than chuntering from a sedentary position.

Hon. Members: Ooh!

Mr Speaker: Order. The Minister was extremely clear; there was no chuntering there, that's for sure.

T4. [906182] **Anna Turley (Redcar) (Lab/Co-op):** Will the Secretary of State inform us whether it is now official DWP policy to scan claimants' Facebook and other social media pages for evidence of spending patterns such as meals or days out with their family, and to then use that evidence to turn down illness or disability-related benefits? If this is approved DWP policy, will she put the guidance before the House?

Ms McVey: I will be honest: I do not believe that that is our policy; we would not do that. However, I have seen fraud investigations when people have said that they are not working or are unable to work, but unfortunately what they have posted on their Facebook page has very much proven that not to be the case.

Philip Davies (Shipley) (Con): The Secretary of State knows that I was not happy with the level of outreach support in Shipley when the jobcentre closed at the

beginning of January—we speak of very little else, Mr Speaker. I am delighted that some extra support has now been given, but will my right hon. Friend ensure that a Jobcentre Plus outreach worker is available at a public venue on a regular basis to help claimants in the Shipley constituency?

Ms McVey: When my hon. Friend said that “we” speak of little else, I was not sure whether he was talking about me and he, or he and the rest of the people in Shipley. But he is quite right. I am ensuring that one of the key things this Department does is more outreach work. As UC rolls out, it needs to reflect the needs of local people, and outreach is a sure-fire way to do that.

T5. [906183] **David Hanson** (Delyn) (Lab): May I just drag the Secretary of State back to the National Audit Office report? It said that the Department should

“ensure the programme does not expand before business-as-usual operations can cope with higher claimant volumes.”

How does the Secretary of State square that with her comments about speeding up the scheme, rather than stopping it as the NAO recommends?

Ms McVey: The report said that we should carry on with universal credit and that the roll-out should not be slower. The very reference to it not being slower was to ensure that it is sped up. This has been a slow roll-out but, of course, we have to ensure that the roll-out is right, as we have been doing, hence the extra support that we are providing. I repeat the extra number of jobs that we are helping people get: 3.2 million more people are in work.

Fiona Bruce (Congleton) (Con): Family relationship support providers such as Relate, Tavistock Relationships, OnePlusOne and Marriage Care are concerned that there could be a gap in funding—and therefore in critical services such as parental conflict resolution—after current contracts end next month and before new contracts start. How will Ministers address this?

Kit Malthouse: I pay tribute to my hon. Friend’s work in this area. She was instrumental in securing a £39 million commitment from the previous Prime Minister towards this area of work. She knows that we are in the process of going through a procurement process for a new parental conflict programme, of which face-to-face therapy forms about 25%. We have recently published a timetable for the procurement process. I would be more than happy to meet her and the organisations to talk about what we can do to help.

T9. [906188] **Alex Norris** (Nottingham North) (Lab/Co-op): Universal credit is having a profound impact on local authorities, such as enormous housing revenue account pressures. Ahead of the roll-out of universal credit in Nottingham, what new resources will be made available to Nottingham City Council to mitigate this impact?

The Minister for Employment (Alok Sharma): As the hon. Gentleman will know, a “new burdens” policy is in operation and has been for many years. Where local councils come forward with specific costs, we review them and make payments. In 2017-18, £13 million was paid out to local councils.

Maggie Throup (Erewash) (Con): Will my hon. Friend outline what official support is available to families when one parent is unexpectedly unable to work because of a serious illness such as cancer? Does this support apply to claimants who are employed and self-employed?

Sarah Newton: There is a range of support and no two families are the same. I encourage my hon. Friend to go to her Jobcentre Plus. I am sure that the really able colleagues there will be able to advise on which benefits and types of support are available.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): The PIP assessment has disproportionately and unfairly impacted on people with epilepsy, with 60% having their budgets reduced when they move from DLA to PIP. This is nearly 20% higher than for any other condition. Will the Government admit that the current assessment process is not fit for purpose for people with epilepsy and set out what is being done to improve it?

Sarah Newton: The vast majority of people who go through this process are very satisfied with it. Many more people are receiving higher amounts of payment on PIP than on DLA. I work very closely with the voluntary sector and charities to continuously improve PIP.

James Cartlidge (South Suffolk) (Con): I am sure that you will be delighted, Mr Speaker, that Wimbledon is now under way. Of course, that means that tonnes of British strawberries will be consumed. I very much welcome my right hon. Friend’s recent comments about encouraging more British workers to pick that fruit. Will she update the House on her plans in this area?

Mr Speaker: I am even more pleased that Roger Federer won his opening match in straight sets in less than an hour and a half. Conveniently it finished just before Question Time began—that was very helpful.

Ms McVey: Then everyone is a winner today in this Chamber.

My hon. Friend is right. I have met representatives of the agricultural industry. What was key was people understanding what opportunities are out there, what the work entails and the wage that it pays, and the fact that universal credit supports people in and out of work, which means that they can take up these job opportunities.

Paula Sherriff (Dewsbury) (Lab): A gentleman in his 80s attended my recent surgery regarding his son, who in his 50s and has complex and multiple disabilities. It beggars belief that he is being found fit for work. Will the Minister meet me to discuss this specific case? When will her Government stop vilifying the disabled and the most vulnerable in society?

Sarah Newton: Of course I will be absolutely delighted to meet the hon. Lady to discuss the case, but I utterly refute her assertion. We are absolutely determined to do everything that we can to make sure that people get the support that they need.

Kevin Foster (Torbay) (Con): As the Minister will know, universal credit rolls out in Torbay on 5 September. I have already welcomed the work that has been done by the DWP to engage with me. Will he confirm what resources will be made available to ensure that the roll-out on 5 September is successful for my constituents?

Alok Sharma: My hon. Friend will be receiving a letter from the local jobcentre manager, and that will give him an opportunity to engage. We make sure that work coaches provide the one-to-one support that is so important under universal credit.

Tracy Brabin (Batley and Spen) (Lab/Co-op): Joanne in my constituency needs 24-hour care. She was selected for early mandatory reassessment last November, a full year before her PIP was supposed to run out. She lost that reassessment and is appealing. When she lost, her money was stopped, and the family are living on food bank generosity. Does the Minister agree that that is deeply unfair? Will she take a fresh look at maintaining benefit payments for those who have early reassessments—in that case, a whole 12 months before the PIP was supposedly going to run out?

Sarah Newton: I remind the hon. Lady that PIP is a benefit for people both in work and out of work. It is there to recognise the additional costs of having a disability. For people who are unemployed, ESA is the benefit that they need to claim.

Mr Philip Hollobone (Kettering) (Con): Children in workless households are five times more likely to live in poverty than those in working households. Can the Minister tell me by how much the number of workless households has risen or fallen since the Conservatives entered government in 2010?

Kit Malthouse: The proportion of people in absolute poverty is now at a record low, with 1 million fewer people and 300,000 fewer children in absolute poverty since 2010. I cannot at this moment recall the number of households, but I will write to my hon. Friend with that number.

Dan Carden (Liverpool, Walton) (Lab): There are just three case examiners working on 2,841 WASPI cases. The average wait for a complaint is 36 weeks, and last year 687 complaints took more than 43 weeks. Why are Ministers treating WASPI women with such disdain?

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): The reality of the situation is that these matters are going through a particular process. That process is ongoing, and the outcomes will be revealed when the decisions are made. There is no difference in any way from how the Government treat other claimants.

Rachel Maclean (Redditch) (Con): I do not want to see any young person in Redditch unemployed, which was why I set up Redditch Mentors, a scheme to help young people to reach their full potential. The last Labour Government presided over a record rise of 45% in young people being unemployed. What more are the Government doing to improve that?

Alok Sharma: May I commend my hon. Friend on all the work she does in her constituency? Youth unemployment is at a record low—it is 40% lower than it was under the last Labour Government—and programmes such as the youth support programme are available to help individuals. We value young people. It is about time that Labour did the same.

Stephen Timms (East Ham) (Lab): A Minister suggested earlier that the policies of the Labour Government had not reduced poverty. Are Ministers not aware that child poverty was reduced by 800,000 over 13 years thanks to the policy of the Labour Government? Are they also aware that it is now rocketing?

Alok Sharma: As the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for North West Hampshire (Kit Malthouse), made clear, since 2010 there are 300,000 fewer children living in absolute poverty. As we have heard, the route out of poverty is work. We have record levels of employment, and that is something we should all welcome across the House.

Several hon. Members *rose*—

Mr Speaker: Order. I am sorry, but we must now move on. Demand has exceeded supply, as is common.

Detainee Mistreatment and Rendition

3.37 pm

Mr Kenneth Clarke (Rushcliffe) (Con) (*Urgent Question*): To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on whether the Government will now reinstate the judge-led inquiry that the former Government promised in 2012, in the light of the two Intelligence and Security Committee reports on detainee mistreatment and rendition published on 28 June 2018.

Mr Speaker: Order. Before the Minister of States replies—we look forward to that with eager anticipation—perhaps I can be the first in the House to congratulate the right hon. and learned Gentleman, the Father of the House, on his birthday. The only prediction I feel that I can make with any confidence is that, as he celebrated two weeks ago today the 48th anniversary of his first election to the House, it is a fair bet that he has now reached the mid-point of his parliamentary career.

The Minister for Europe and the Americas (Sir Alan Duncan): May I also congratulate my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke)? At the outset, I want to thank him for his question and his leadership of the all-party parliamentary group on extraordinary rendition.

The Government welcome the publication of the Intelligence and Security Committee's reports and are grateful for its vital work and examination of allegations of UK involvement in mistreatment and rendition. May I also declare that between 2014 and 2016, I was for a period on the Intelligence and Security Committee when it was conducting this very long investigation? It is right that these reports and as much information as possible from this period are put in the public domain. We need to ensure that we learn from past mistakes so that they are never repeated. The Prime Minister laid a written ministerial statement in Parliament last Thursday, setting out the Government's initial response to the reports.

It is important to note the context in which the Government, including the security and intelligence agencies and the armed forces, were working in the immediate aftermath of 11 September 2001. The UK responded to the tragic events of 9/11 with the aim of doing everything possible to prevent further loss of innocent life. With the benefit of hindsight, it is clear that UK personnel were working within a new and challenging operating environment for which, in some cases, they were not prepared. It took too long to recognise that guidance and training for staff was inadequate, and too long to understand fully, and take appropriate action on, the risks arising from our engagement with international partners.

The "Current Issues" report recognises that improvements have been made to operational processes since those post-9/11 years. In particular, the consolidated guidance, published in 2010—I would point out that we are the only country to have active consolidated guidance of this sort in operation—provides clear direction for UK personnel and governs their interaction with detainees held by others and the handling of any intelligence received from them. This is coupled with world-leading independent oversight, including by the Committee and the Investigatory Powers Commissioner, Sir Adrian Fulford.

Formal oversight responsibility for the consolidated guidance rests with the Investigatory Powers Commissioner. Last week, Sir Adrian Fulford welcomed the Prime Minister's invitation to him to make proposals on how the consolidated guidance could be improved further and he would be able to take account of the Committee's views and those of civil society. The Prime Minister has stated that the Government will give further consideration to the Committee's conclusions and recommendations. The Government will also give careful consideration to the calls for another judge-led inquiry and will update the House within 60 days of publication of the reports.

I would like once again to reassure the House that the Government do not participate in, solicit, encourage or condone the use of torture for any purpose. We can and should be proud of the work done by our intelligence and service personnel, often in the most difficult circumstances. It is right that they should be held to the highest possible standards, and I am confident that the changes we have made in recent years will allow us both to protect our national security and to maintain our global reputation as a champion for human rights across the world.

Mr Clarke: We need robust and effective intelligence services to protect our national security, and I am sure we are all grateful to those who carry out this work and do it for us. I welcome the Minister's reiteration of our opposition to torture and our acceptance that good but robust standards must be maintained. In the light of that, however, I would like to know why the Intelligence and Security Committee was stopped from completing the report, on which he himself had been working, when it had already uncovered the unacceptable situation of a large number of cases of British complicity in torture, mistreatment and hijacking of people to Guantanamo Bay and to Libya?

The Committee reached the stage at which it wished to call witnesses directly involved. As it makes clear in its own report, it reached the stage at which it wanted "to examine certain matters in detail, which could only be done by taking evidence from those who had been on the ground". The Government denied that, and the Committee felt it had no alternative but to stop its work. Why was that done, and what are we trying to cover up of what was done during the time of the Blair Government?

The judge-led inquiry was set up in 2010, to wide welcome, and Sir Peter Gibson produced a report that established more than 20 important questions that we all agreed should be answered. The inquiry had to be suspended—brought to an end—in 2012 while we waited for the police investigations on Libya to finish. As Justice Secretary at the time, I announced the delay to the House. I said:

"It will then be possible for the Government to take a final view as to whether a further judicial inquiry still remains necessary to add any further information of value to future policy making and the national interest."—[*Official Report*, 19 December 2013; Vol. 572, c. 916.]

We had actually guaranteed earlier that the inquiry would be resumed, which was welcomed across the House. It was suspended so that the ISC could start, and then the suspension was put in place, under the terms I have just read out.

It is quite obvious that, as the ISC had not finished its work under the previous coalition Government—I spoke with the full authority of the then Prime Minister and

[Mr Kenneth Clarke]

the whole Government, including the current Prime Minister, who was then Home Secretary—we would have considered it necessary to appoint a fresh judge-led inquiry, as the ISC has been frustrated from going any further. Therefore, what reputable reasons do the Government have for not holding an inquiry? I am glad that the Minister has said that a judge-led inquiry is still being considered, and I hope that a prompt announcement will be made that such an inquiry will now follow.

Sir Alan Duncan: I am grateful to my right hon. and learned Friend. As he rightly says, he was the Minister who made statements to the House on whether there should be a judge-led inquiry. Indeed, as Justice Secretary, he made a statement in January 2012, and as Minister without Portfolio, he made a further statement in December 2013. In the further statement, there was a slight measure of doubt about whether there would indeed be a judge-led inquiry. He said:

“It will then be possible for the Government to take a final view as to whether a further judicial inquiry still remains necessary”—*[Official Report, 19 December 2013; Vol. 572, c. 916.]*

That remains the case. As I said earlier, the Government will give careful consideration to whether a judge-led inquiry is necessary.

I say again to my right hon. and learned Friend that this inquiry has gone on for very many years—his statements about the judge-led inquiry were made in 2012 and 2013, and here we are in 2018. I take issue with his use of the word “complicity”, which I think was a notch too strong. I think that it is honest to say that the ISC found no evidence that agencies had deliberately turned a blind eye.

Perhaps the main issue here is whether in our intelligence agencies it would be right, 15 years after the event, to take someone who was then a junior operative in the field and put them in front of a judge-led inquiry. It is senior people who should take responsibility. Whether someone who was then of a lower rank should be subjected to such an inquiry 15 years later is, I think, one of the serious question that must be asked before a decision is made.

Emily Thornberry (Islington South and Finsbury) (Lab): Thank you, Mr Speaker, for granting this hugely important urgent question. I congratulate the Father of the House on securing it. Today, as on so many other matters, he has spoken a truth, logic and wisdom that transcends all party divides and will, I hope, be listened to by his own Government.

The ISC report lays bare the sheer scale of our country’s involvement in torture and rendition. In doing so, it vindicates those who for years sought to expose these facts—investigative journalists, civil liberties campaigners and Members of this House—and who were right to claim that the full truth was being hidden. As detailed as the report is, it still does not give us the full truth, and we will not have the full truth until we have a full and independent judicial inquiry—an inquiry with access to all available evidence and the ability to question directly the military and intelligence officers involved. I hear what the right hon. Gentleman says about junior officers, but we expect that of police

officers, for example, when there are investigations. We expect police officers of all ranks to answer questions and the same should apply here.

We also need to have access to all the Ministers and security chiefs who oversaw those activities. Like all such inquiries, we do not need it just to examine what went wrong in the past; we need it to learn lessons for the future and to provide recommendations that cannot simply be ignored by the Government. Most importantly, we need it to ensure that never again is the UK involved in these illegal and barbaric acts.

I ask the Minister today to listen to the ISC, to listen to the Father of the House and to listen to the united voice of the Opposition parties in this House, because we all recognise the need for a comprehensive investigation of the UK’s involvement in torture and rendition and the use of secret courts, with unfettered access to all potential evidence and witnesses. Many in this House have great confidence in Judge Adrian Fulford, but in my view anything that is inquired into should be done in a way that is structured and formal.

We all recognise the need for a public consultation of civil liberties groups on the current consolidated guidance to identify the gaps and grey areas that have allowed these abuses to happen and to recommend the changes that must be made, so that we can all be confident that they are not happening now and can never happen again. But we also all recognise that, to achieve these things, there is only one course of action: we urgently need, and the country is owed, a full judicial inquiry.

Sir Alan Duncan: I listened very carefully to what the right hon. Lady said and I would be grateful if she thought again about the words she used when she accused officials in our agencies—I think that I quote accurately—of being “involved in torture”. They were not involved in torture, so I really think the right hon. Lady may want to come back to the House and say that, actually, that is an inaccurate accusation.

These were very unique times. The twin towers had been blown up in the biggest terrorist attack we have seen. It went right to the heart of the United States psyche, and there was inevitably going to be a very strong and strict response. We are, of course, very close allies of the United States and work very closely with them on intelligence matters. What the response led to was a lot of officers being asked to do things that they had not been trained for and had never encountered before. It took time to understand that there were certain practices going on which required new rules. Perhaps, if there is a fault, it is the time it took for that appreciation to dawn. But once it did, I think it is of credit to this country and our intelligence agencies that they reviewed their practices, revised them and adjusted as best they could to the new world in which they were working.

The right hon. Lady says that I should listen to the ISC. I can say that I have done so, as I was on the Committee. Not only did I listen to it, but many of those interviewed also had to listen to me. The inquisition and witness sessions of the Committee, chaired by my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), were very robust indeed. I also say to her that Adrian Fulford is part of a structured and formal apparatus. The fact that the Prime Minister has said that he should look at the consolidated guidance in the

way that she has is, I think, addressing some of the outstanding issues, which, quite rightly, the House would like to see studied.

Mr Dominic Grieve (Beaconsfield) (Con): It is not the role of the ISC to take a view on whether there should be a judge-led inquiry. That is a matter for the Government and for this House. What I think can and should be said about this matter, and which may be helpful for the Minister, are three points.

First, as the Minister will appreciate, when the report was published, the Committee was extremely disappointed that it was not able to access the witnesses from whom it wanted to hear. It is important to understand that this was not because it wished to pass judgment on those witnesses—far from it—but because it felt strongly that the witnesses would be able to help to fill out the information that was present on the documents in a way that would be helpful to the purposes of the Committee in explaining to the House and the public what had been going on.

The second point, which has been raised from time to time, is what is to happen to the Libyan cases. My right hon. Friend has not commented on that, but what I will say about the Libyan cases is that in view of the difficulties that the Committee has experienced, there can be absolutely no question of the Committee being willing to consider those cases in the light of the difficulties it has had.

Thirdly, if I may gently pick up with my right hon. Friend the length of time this report has taken, the reason why it has taken so long is that, for nearly 12 months of that period, there was no Committee sitting at all, which should be a matter of concern to the House, and there was a period of six months, which in my view was also much too long, in which we failed to get a response from the Government about our request to have those witnesses.

Sir Alan Duncan: I thank my right hon. and learned Friend for his comments. I quite understand what he is saying about the difficulty of a Committee working when it is not actually constituted, and I hear what he says about the Libyan cases. In the case of witnesses, I think it has been made clear in the House that he regrets that he was unable to see more of them, but the fundamental question here is: if things went wrong as it is thought they did, could such things ever happen again? The reassurance that we can offer the House, and indeed the wider world, is that agencies now have clear guidance, including the consolidated guidance, which covers all aspects of dealing with detainees and has training on operational management. Compliance with this guidance is mandatory and this is very much a part of agency culture. The consolidated guidance is coupled with a world-leading independent oversight regime, underpinned by the Justice and Security Act 2013 and the Investigatory Powers Act 2016, which has just commenced, so these are extant—they are working. It has given enhanced powers to the Intelligence and Security Committee to oversee the activities of the security and intelligence agencies alongside the statutory role of the Investigatory Powers Commissioner, Sir Adrian Fulford, to whom I referred earlier.

Patrick Grady (Glasgow North) (SNP): I congratulate the ISC on a very thorough report, despite the obstacles that have been placed in its way. This damning report

confirms what many of us had suspected—that the UK has been involved and effectively complicit in rendition. That is not just shameful but could, in fact, be criminal if, as Lieutenant Colonel Nicholas Mercer has suggested, any of these events took place in the context of international conflict or war.

Does the Minister understand that justice must be done and must be seen to be done? That does mean a judge-led inquiry as soon as possible, with all the reports reported as appropriate to the police. Will he clarify who in the Government on day-to-day basis is responsible for making sure that the UK is not in future complicit in unlawful rendition? And will he assure us of the UK Government's full co-operation with ongoing inquiries by Police Scotland into the implications of the possible use of Scottish airports in unlawful rendition?

Sir Alan Duncan: When it comes to unlawful rendition, there is now a very different system. The UK's immigration authorities are responsible for the collection of manifests, for instance, for private flights arriving in or transiting through the UK. If we had strong, verifiable information that an individual on board was being rendered contrary to international law principles, we anticipate that the police would attend the plane on arrival to investigate. The diplomatic flight clearance process ensures that all flight requests are assessed and, where necessary, sent to the Foreign Office for political clearance. All incoming flight requests through the diplomatic flights clearance process and subsequent decisions are registered electronically on the Foreign Office records management system and are fully searchable by the Foreign Office.

Mr Andrew Mitchell (Sutton Coldfield) (Con): The House will be grateful to my right hon. Friend for the tone of his statement this afternoon. Like him, I yield to no one in my respect and admiration for the vital work that our security agencies accomplish, but it would really have been much better if my right hon. and learned Friend the Member for Beaconsfield (Mr Grieve), the Chair of the Intelligence and Security Committee, and his right hon. Friends and colleagues had fully investigated this matter, which has done considerable damage to Britain's international reputation as a firm upholder of international humanitarian law and human rights. It is clear that the ISC was prevented from conducting the full investigation it wished to undertake by the Government. There are problems with judge-led inquiries that could have been avoided if these matters had been addressed by the ISC. Given where we are and that we promised a judge-led inquiry—I was a member of the Cabinet that made that promise—it seems incumbent on Her Majesty's Government now to implement that promise in full.

Sir Alan Duncan: I appreciate my right hon. Friend's comments. As I said earlier, the question of whether there should be a judge-led inquiry is still to be considered, but on the question of torture generally I hope the House will appreciate that the Government do not participate in, solicit, encourage or condone the use of torture or cruel, inhuman or degrading treatment for any purpose whatsoever. We continue to work closely with international partners to eradicate this abhorrent practice.

Christine Jardine (Edinburgh West) (LD): Given that President Trump is coming to this country next Friday and has openly endorsed torture, will the Government use that visit to reinforce to him the point that we will

[Christine Jardine]

not in future be involved in any form of torture, and will the Minister commit to a judge-led inquiry to underline that view?

Sir Alan Duncan: We will continue our close co-operation with the United States on a range of foreign and security policy issues, but we will maintain our integrity on human rights and interrogation procedures. Intelligence sharing between our two countries has undoubtedly saved British lives, and in both countries intelligence work takes place within a very strong legal framework. We operate under the rule of law, we are accountable to it and we will uphold it.

Dr Julian Lewis (New Forest East) (Con): Does the Minister accept that it is not just bleeding heart liberals and humanitarians who reject the use of torture even under the most provocative circumstances, but senior counter-insurgency professionals such as the late Sir Robert Thompson? He wrote in his seminal work, “Defeating Communist Insurgency” in 1966 as follows:

“There is a very strong temptation...for government forces to act outside the law... Not only is this morally wrong, but, over a period, it will create more practical difficulties for a government than it solves.”

We really should not have to learn that basic lesson over and over again.

Sir Alan Duncan: If there is one person in the House whom I would most definitely not describe as a bleeding heart liberal it is my right hon. Friend. I understand exactly what he says, and again I can but reiterate that the Government, in everything they do, under much enhanced rules, procedures and practices and on the back of what we have learned from the Committee and the preceding events, will uphold the rule of law and the decencies that all of us in the House expect.

Mike Gapes (Ilford South) (Lab/Co-op): Just over 10 years ago, the then Foreign Secretary, David Miliband, came to the House and apologised for the fact that his predecessor, Jack Straw, had misled Select Committees, including the Foreign Affairs Select Committee when I chaired, it, and that in fact the United States had rendered people to Guantanamo via Diego Garcia, a British territory, having lied to or misled the British Government and forced them therefore to mislead this House. In the interests of getting to the bottom of all these matters, is it not time for a judge-led inquiry, which would not be perceived by the public as having any political taint? Accusations have been made that might be completely unjustified, but the public will not be satisfied unless there is a full inquiry.

Sir Alan Duncan: The hon. Gentleman’s question itself illustrates the period over which much of this has unfolded. It has been well over a decade, and over that period we have learned an enormous amount and changed our practices. We are fundamentally opposed to unlawful rendition, to which he referred, and as such we do not use rendition. It is not part of our security apparatus. If a foreign Government were to approach Her Majesty’s Government, a request involving the transfer of a person between jurisdictions would be granted only where the purpose of the transit complied fully with international law.

Sir Roger Gale (North Thanet) (Con): My right hon. Friend plays a significant role through the Council of Europe in seeking to maintain the highest possible standards of human rights throughout the 47 member states. We have a good reputation, and that reputation must be maintained. I fully accept that the first priority of Government must be the protection of the realm, and that that sometimes involves difficult decisions, but if Ministers have failed in the past, is it not right that we should acknowledge that?

Sir Alan Duncan: There will of course be a formal Government response to the Committee’s reports within 60 days, and if it is thought that any such comment is needed in that regard, of course it will be made.

I thank my hon. Friend for everything that he does in the Council of Europe, a body in which there are many controversies and in which his voice, and that of the United Kingdom, do an enormous amount to uphold the standards that we would like to see in countries across the world.

Joanna Cherry (Edinburgh South West) (SNP): When the Attorney General apologised earlier this year for UK involvement in the rendition of Abdel Hakim Belhaj and Fatima Boudchar, he told Parliament that the Government had

“enacted reforms to ensure that the problems of the past will not be repeated.”—[*Official Report*, 10 May 2018; Vol. 640, c. 927.]

However, the ISC has concluded that the Government’s policy on torture

“falls short in a number of areas”,

and has warned that

“a full review is long overdue.”

Do the Government still believe that their reforms would prevent any repeat of these abuses?

Sir Alan Duncan: The Prime Minister, on behalf of the Government, apologised unreservedly to Mr Belhaj and his wife in May this year, saying that we were profoundly sorry for the ordeal that they had suffered and for the role that we had played in it. As we said at the time, the UK Government have learnt many lessons from this period, and I believe that those lessons have now been converted into much-enhanced practices which are built into the DNA of our intelligence agencies and all who work for them. The consolidated guidance that forms the bedrock of this will be studied further by Sir Adrian Fulford. I hope that, taken together, all that will satisfy and reassure the House that we both set the highest standards and meet them.

Richard Benyon (Newbury) (Con): The reports clearly state that there is no evidence that any of our intelligence officers were directly involved in the mistreatment of detainees. My right hon. Friend is absolutely right to point out that we are the only country in the developed world to produce consolidated guidance in the way that we have, but we must accept that mistakes were made. Does my right hon. Friend agree that “consolidated guidance” is a bit of a misnomer? If it is to have the widespread confidence that we feel that it should, its title should be looked at again, because it is not guidance. It is a standard for action relating to detention and rendition, to be interpreted by the agencies individually, and to be accountable to the House.

Sir Alan Duncan: I am grateful to my right hon. Friend for all the work that he has been doing on the Committee. As he rightly points out, we are already the only country that publishes guidance. The Committee found no evidence that agencies had deliberately turned a blind eye, but the Investigatory Powers Commissioner now has a very important role to play in the oversight of the consolidated guidance. Last week the Prime Minister invited him to make proposals for how it could be improved further, and I have no doubt that the Committee of which he is a member will exercise its rights to make recommendations whenever it thinks them appropriate.

David Hanson (Delyn) (Lab): The Committee has met for five years, and I have been a member of it for the past two. Investigating this issue has been a thorough exercise. My question to the Minister is simply this: does he believe that, if the Government or the House ultimately decided on a judge-led inquiry, that judge-led inquiry could call witnesses who were denied to the Committee?

Sir Alan Duncan: It would be invidious of me not to thank the right hon. Gentleman for the service that he gives to the Committee, which he joined just after I had left. I do not want to pre-empt speculatively what might be the possible shape of a judge-led inquiry should it so happen, and I hope the right hon. Gentleman will allow me not to answer his question specifically, as it would indeed be only speculative.

John Penrose (Weston-super-Mare) (Con): The Minister has rightly pointed out the unprecedented and extremely difficult position that many UK security operatives were in at the time, but the fact remains that clearly some terrible things were done. The ISC report says: “the UK tolerated actions, and took others, that we regard as inexcusable.”

This was an ugly, ugly moment in our country’s history. May I reassure the Minister—he is probably getting the message from right across the House—that when he has taken his 60 days and he decides to come back to the House and respond on behalf of the Government, there will be a huge cheer should he stand up and say he is going to introduce the independent judge-led inquiry that the former Secretary of State for Justice my right hon. and learned Friend the Member for Rushcliffe (Mr Clarke) promised at the time? This matter will not be put to rest until he does so and the inquiry happens.

Sir Alan Duncan: I hope time will prove that my hon. Friend is not right in saying that this would be the only way to put matters to rest. The inquiry itself over these years has been very thorough, admirable and indeed a good example of democracy working well, where this House and Ministers are held to account by a specially constituted independent Committee. It is absolutely true to say that it did take time for us to realise quite what was going on and for many of our agency people on the ground to realise that things to which they were not used—which they had not encountered before—were happening at the hands of others. I think that has largely now been addressed, but we will never rest totally satisfied and will always examine whether we can do better.

Mr Alistair Carmichael (Orkney and Shetland) (LD): I greatly welcome what the Minister says on the subject of the consolidated guidance, but he will be aware that in December last year the intelligence services commissioner

identified eight cases in which the consolidated guidance had not been followed by UK officials, leading to the possibility of their either providing or using intelligence that could have led to torture or mistreatment. Can the Minister tell the House whether the individuals in these eight cases have been told of UK involvement that may have led to their mistreatment?

Sir Alan Duncan: There will of course be a formal response to any such comments made in the Committee’s report, but the right hon. Gentleman is really asking what happens if we ever receive intelligence from countries that torture, and whether that amounts to collusion in torture. The reality is that in most cases countries do not disclose the sources of their intelligence that they share with us. However, the guidance outlines the action to be taken if we suspect that intelligence has been derived from the mistreatment of a detainee, and we ensure that our partners are in no doubt about the standards to which we adhere.

Mr Philip Hollobone (Kettering) (Con): What is the Government’s official estimate of the number of post-9/11 illegal renditions with which the British authorities were connected?

Sir Alan Duncan: I regret that I do not have a statistic of that detail in front of me. I am not sure whether it appears in the Committee report, but I will investigate and write to my hon. Friend if the information is readily available. I do not guarantee that, as I am not sure what statistics are in the public domain.

Andy Slaughter (Hammersmith) (Lab): When the then Leader of the House made his initial statement on winding up the Gibson inquiry in January 2012, the then shadow Lord Chancellor, now Mayor of London, asked that it be paused. The reason given as to why it was not was that the process would take so long, and three times the Leader of the House said there would be an independent judge-led inquiry, so it was always contemplated that it would take this long. In the interim, the ISC inquiry has been inadequate by its own admission, and for this reason a number of torture survivors have not taken part. There are many people who could have given evidence that has not yet been given, so will the Minister say why this will take 60 days and what criteria he is using to decide whether to go ahead with the inquiry?

Sir Alan Duncan: Her Majesty’s Government will respond within the 60 days to the Committee report. I do not think there is much more that I can add to that at this stage. Many years have elapsed since the statements were made in 2012 and 2013, and the question of whether anything could be added that would be of benefit to our knowledge or usefulness is increasingly in doubt as time passes.

Catherine West (Hornsey and Wood Green) (Lab): The Intelligence and Security Committee was reluctantly forced to draw a line under its inquiry. Will the Minister tell us whether it was the Prime Minister personally who refused the Committee access to key witnesses?

Sir Alan Duncan: This goes back to the answer that I have just given to the hon. Member for Hammersmith (Andy Slaughter). The question is whether that can add much more to the fund of knowledge that the Committee has already gathered.

John Grogan (Keighley) (Lab): In order to restore public confidence, is there not a case for a rare public session of the ISC so that those who were in charge of our intelligence services at the time and those who are in charge now can account for their actions and describe what lessons have been learned?

Sir Alan Duncan: I slightly take issue with the hon. Gentleman, in that I think our intelligence services enjoy massive public confidence, and they deserve to do so. They put their own lives in danger sometimes, and they work to the highest standards of decency and democratic values that anyone could ask for. Instead of saying that they lack public confidence, I would like to take this opportunity to say that they enjoy enormous public confidence and they deserve to do so. I hope that that will continue.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Does the Minister agree that there are no longer any practical or legal hurdles preventing the Government from delivering their long-promised judge-led inquiry?

Sir Alan Duncan: I think I have answered that question in various ways over the course of the past 45 minutes. This is being studied further and it will be part of the Government's response in due course.

Jim Shannon (Strangford) (DUP): I thank the Minister for his comprehensive and detailed response. Will he outline the procedure that was taken with the 128 complaints made by foreign liaison services about incidents of mistreatment? Will he tell us how they were dealt with? Does he feel that this matter has measured up to the Government's protocol of dealing with these issues?

Sir Alan Duncan: I hope that the hon. Gentleman will forgive me if, in answering an urgent question on whether there should be a judge-led inquiry, I have not gone into as much detail as he requests. I am not equipped to give an answer on such a specific question, and the main answers that I have been giving are in response to the definition of the urgent question before the House today.

Saddleworth Moor and Tameside: Ongoing Fire

4.17 pm

Jonathan Reynolds (Stalybridge and Hyde) (Lab/Co-op) (*Urgent Question*): To ask the Home Office if it will make a statement regarding the ongoing fire on the Saddleworth and Tameside moors.

The Minister for Policing and the Fire Service (Mr Nick Hurd): The moorland fires on Saddleworth moor near Manchester and across the border in Lancashire at Winter Hill near Bolton and into Derbyshire remain major incidents. The numbers of fire appliances and firefighters on the scene fluctuates each day according to the immediate need. However, the Manchester fire and rescue service has around 30 fire appliances currently deployed, and 29 appliances have been deployed to the Lancashire fire. In addition, two high-volume pumps are in use, and a variety of specialist equipment and teams. Support is also being provided from other fire and rescue services across the north of England and as far afield as the west midlands, and a team of specialist wildfire firefighters from Wales has also attended the Winter Hill site.

This wider support is being co-ordinated by a team in the Merseyside fire and rescue service, directly funded by the Home Office, which provides specialist support in major emergencies such as this. Furthermore, 100 military personnel have been providing support on Saddleworth moor since Thursday, and the initial three-day deployment has been extended to tomorrow, with a request now received for the soldiers to continue their support to the Manchester fire and rescue service through until Friday. The response currently also includes one helicopter from the local water company, and support from the National Police Air Service. We remain in regular contact with the fire and rescue services responding to the incident, and I have spoken about the fires with the chiefs of the Manchester and Lancashire fire and rescue services. The Home Secretary has also spoken to the Mayor of Manchester, Andy Burnham.

I place on the record my appreciation, which will be shared across the House, of the incredible work of the firefighters, the military and the other partner agencies in responding to the wildfires. The current hot, dry weather means that the fires are likely to persist for some time. The Government continue to liaise with the responders on the ground who are tackling the fires, and we are ready to provide further support when it is needed.

Jonathan Reynolds: I thank you, Mr Speaker, for granting this question on the behalf of my constituents and those of my hon. Friend the Member for Oldham East and Saddleworth (Debbie Abrahams). Words alone cannot adequately describe the scale of the challenge that the fire has posed to my constituents and to the emergency services in Greater Manchester. I express my gratitude to the Greater Manchester fire and rescue service, which has worked tirelessly in the most extreme conditions, and to the police, the Army and Tameside Metropolitan Borough Council for their exemplary work over the past week.

Are the Government fully engaged in doing all that they can to support those services? Given that we now have two major incidents just 25 miles apart, including a threat to critical communications infrastructure at Winter Hill, many colleagues and I were surprised that no Cobra meeting was convened over the weekend. Will the Minister say why that was? Will the Minister confirm that the magnificent support from Army personnel, who are literally beating the fire back with paddles, will remain in place for as long as we need it? If things get worse and more support is needed, will more support be made available? Will he say whether there is any truth in the rumour that military helicopters cannot be used to fight the fires because they no longer possess the correct firefighting equipment?

Will the Minister assure me that cost is not an issue? A fire such as this, which burns down into the peat, needs to be put out entirely because conditions can cause it to flare up again, so we must provide whatever the Greater Manchester and Lancashire fire services tell us they need. Crucially, will the Minister assure me that the cost of the military support will be met out of national contingency budgets, not local fire budgets which are already under severe strain?

Looking to the future, eventually the rain will always fall on Manchester, but that might now bring other risks. Our flooding plans are predicated on the moors being able to absorb significant rainfall. That capacity will obviously have been affected. Will the Minister therefore direct all relevant national agencies to help us prepare for that? Finally, will the Minister join me in praising my constituents, particularly the people of Calico Crescent in Carrbrook who were evacuated, for their stoic response in this most challenging of times?

Mr Hurd: I thank the hon. Gentleman for his approach and for the gratitude that he articulated, which will be shared across the House, for the extraordinary work done not just by the firefighters, but by volunteers, the military and all the agencies involved in this heroic task. I send my commiserations to his constituents who have been directly affected and displaced. Their fortitude and patience have drawn wide admiration from across the country.

Turning to the hon. Gentleman's central concerns, the Government are fully engaged, as he would expect during an incident of this size. As I said in my opening answer, I have spoken to both fire chiefs, and the Home Secretary has spoken to the Mayor. Our message has been simple: "Have you got what you need? If you haven't, ask and we will provide." That has been the case so far and will be the approach going forward. I share the hon. Gentleman's hope that normal service will be resumed in terms of the weather over Manchester, but we will provide all the support and resources that the effort will require, because it looks like it will have to continue for some time. The teams will have the support that they need.

Several hon. Members rose—

Mr Speaker: Of course, a number of constituencies are affected by this horrifying series of fires, including the constituency of Chorley, and the House and the people of Chorley will be pleased to know that the right hon. Member for Chorley (Sir Lindsay Hoyle), the Chairman of Ways and Means, is in the Chamber to listen to this exchange.

Mr Nigel Evans (Ribble Valley) (Con): I pay tribute to the firefighters from Ribble Valley and from Chorley who are fighting those fires on the moors. I also pay tribute to those from the constituency of the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Rossendale and Darwen (Jake Berry)—

Andrew Stephenson (Pendle) (Con): And Pendle.

Mr Evans: And Pendle. The list is endless. We pay tribute to the firefighters' courage and dedication, particularly given the heat they are also having to endure.

As the Minister knows, there are many summer festivals at this time, and people release lanterns that use candles to make them rise. Clearly, such things are a fire hazard in themselves, so will he look to ban them? Will he also make it absolutely clear that people flying drones over the area could well jeopardise the operation of those fighting the fires?

Mr Speaker: I am grateful to the hon. Gentleman for referencing the presence of the Under-Secretary of State for Housing, Communities and Local Government on the Front Bench, and I am sure that the Minister is pleased as well.

Mr Hurd: I join you, Mr Speaker, in recognising the presence of Mr Deputy Speaker, to whom I spoke on the phone yesterday. He is concerned, as ever, for his constituents, and I join my hon. Friend the Member for Ribble Valley (Mr Evans) in saluting the work of firefighters from across the country who have stepped into this heroic, protracted task.

On the use of drones, there is no clearer message than that issued by the Lancashire fire brigade: don't. If people are considering going to take some photographs of the fire, don't. Just get out of the way and let the fire service do its job. Do not get in the fire service's way.

Karen Lee (Lincoln) (Lab): Thank you, Mr Speaker, for granting the urgent question from my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds).

The emergency responders have done an excellent job in tackling the fire. Their courageous work, day and night, for over a week in extremely hot conditions goes to show their passionate commitment to public service. The dedicated work of the fire service, with support from the Army, has prevented the fire from spreading to surrounding populated areas, and lives and properties are now not at risk.

I could spend my whole contribution talking about my admiration for the emergency services yet, while this Government wax lyrical about their appreciation for the fire service, they have presided over eight years of scathing cuts to fire authority budgets and firefighter numbers. The typical Government response is to point to fire authority reserves. However, given the progressive funding squeeze since 2010, alongside the required earmarking of most of the reserves, there are serious questions to be asked about the level of funding the Government have allocated for fire authorities to deliver a fully resourced service.

Will the Minister provide more financial support to local authorities in the area to mitigate the impact of the fire? I understand the exceptional circumstances of this fire, but the fire and emergency services must be staffed, resourced and paid adequately to ensure they are sufficiently prepared for any emergency. They should not be expected to react on a shoestring budget.

The effect on staffing levels of budgetary cuts over the past eight years is clear. Since 2010, Greater Manchester and Lancashire between them have had around 1,000 firefighters cut. Will the Minister acknowledge the failure of austerity and take a lead from Labour's commitment to recruit 3,000 new firefighters and to scrap the pay cap?

Mr Hurd: The only bit of the hon. Lady's question with which I agree is her admiration for the emergency services, which is shared on both sides of the House. The rest was badly misjudged, because this is not the day to try to make political points. What the country wants to hear is cross-party support and admiration for the emergency services, and it wants to hear whether the Government are prepared to commit the resources to support this effort for as long as it lasts, which is what I have done.

The hon. Lady talks about resources for the fire service, and I will let the numbers speak for themselves. Core spending power has risen this year by 1.2%. As a country, we are spending more than £2.3 billion on our fire service. The fire service has £650 million of reserves, which have grown by 88% since 2011. We are conducting a demand review to inform the next comprehensive spending review. This Government are determined to make sure our emergency services have the resources they need.

Sir Nicholas Soames (Mid Sussex) (Con): Because of the extreme drought and dryness in these magnificent and very important areas, will the Minister work with the Department for Environment, Food and Rural Affairs to see whether there is a case for a comprehensive review of the trigger points on the fire severity index to develop a better framework for managing such situations? In addition to his rightful praise for our superb firefighters and the Army, will he also congratulate local farmers, gamekeepers and many others who live and work on the moors whose knowledge, equipment and expertise have greatly assisted the professional help?

Mr Hurd: I certainly join my right hon. Friend in joining all those people who have contributed, particularly if they have that kind of long, historical expertise of the moors. I certainly also undertake to work closely with the Department for Environment, Food and Rural Affairs to make sure that the lessons from this are learned to the full. I can give him some assurance that the National Fire Chiefs Council is driving work nationally to further improve the UK's approach to wildfire preparedness, prevention and intervention, and this has included a wildfire prevention toolkit, which provides information and a range of tools to help fire and rescue agencies and partner agencies to prevent and reduce the impact of wildfires. He will understand the point: when a major incident such as this is over and has been managed properly, we have, alongside the congratulations and admiration, to learn the lessons from it.

Joanna Cherry (Edinburgh South West) (SNP): I congratulate the hon. Member for Stalybridge and Hyde (Jonathan Reynolds) on securing this urgent question. I will keep my comments short so that hon. Members with constituencies in the vicinity have adequate time to ask questions. On behalf of the Scottish National party, I would like to join in the congratulations to those in the fire and rescue services from Greater Manchester and beyond who are fighting this fire in terrible circumstances and to the soldiers from the Royal Regiment of Scotland, who, I am proud to say, are there assisting. In the light of the terrible conditions that the firefighters are working in, will the Minister confirm that the Government will step in to make sure they have all the resources they need? There were some reports at the weekend of firefighters appealing for sun cream and socks—rather basic provisions that they should have. Will he also tell us what steps the Government will take to support families affected by the fire who live in the vicinity?

Mr Hurd: I thank the hon. and learned Lady for her support for the performance of the emergency services. I hope I can give her assurance on both her points. On the support for the firefighters up on the moors, there is a challenge. As the fire chiefs explained to me, they want to try to keep the firefighters up there as long as possible to keep up the momentum, but that presents logistical challenges in providing some basic needs. However, that is being managed by agencies, not least by a superb voluntary response as well from the community, which they have been extremely touched by. On support for families, of course that is a high priority and it is kept under constant review by the agencies involved in managing this situation.

Richard Benyon (Newbury) (Con): Unmanaged moorland will often have heather growing to waist height. In circumstances such as this, that makes a tinder box of the moors. When I was at DEFRA, I was in receipt of a lot of appeals from the Moorland Association and others saying, “The wetter the better for moorland.” They want to block up grips and to see our moorland getting wetter. Good management of upland areas is vital, so will my right hon. Friend reject the absurd article in *The Guardian* that seemingly suggests that good moorland management, both for shooting and for agriculture, has in some way been complicit in causing this?

Mr Hurd: I defer to my right hon. Friend’s personal knowledge and his experience as a highly distinguished DEFRA Minister. I am certainly no expert in moorland management and I think we should listen to the experts on this. That comes back to the point I was making earlier about the need to learn lessons from incidents such as this.

Ruth George (High Peak) (Lab): My constituency is immediately adjacent to the fires on Saddleworth moor, and I wish to extend my thanks to Derbyshire fire service, the police, the Army, national park rangers, countryside rangers, Glossop mountain rescue, gamekeepers and farmers, who are all helping to tackle this fire. Will the Minister please assure me that the non-full-time firefighting staff involved in tackling the fire have been given the proper protective equipment, as we have seen disturbing pictures on social media of Army staff without protective fire equipment being drafted in to put out the fires?

Mr Hurd: I can give the hon. Lady that assurance. The primary responsibility of those managing and leading in this situation is the personal protection and safety of their people, and I have heard nothing to the contrary on that. I will seek further reassurances, but my understanding is that the work is being led with the kind of responsibility that she would expect. On her wider point, which she made well, the coalition of community support agencies, civil society and the state agencies coming together under extremely difficult and demanding circumstances has been heroic and deserves the House’s admiration.

Fiona Bruce (Congleton) (Con): Will the Minister join me in thanking the on-call firefighters of Alsager community fire station, whom I met yesterday and who, together with fire officers from across Cheshire, are travelling some distance to help with the work at Saddleworth moor? At the same time, fire officers are protecting communities where the heat means that there is risk of fire, as happened at the weekend at Mow Cop in my constituency. Firefighters are spending long hours protecting us, as well as going to Saddleworth moor.

Mr Hurd: I am sure that the whole House wants to put on record our admiration for not just the response to these particular major incidents and the way that firefighters have come from throughout the country to support that work, but for the work that they do back in their communities. They are one of the most trusted public services in this country, for very good reason. Day after day, dedicated firefighters get up without knowing what they are going to work towards on our behalf and for our public safety.

Liz McInnes (Heywood and Middleton) (Lab): Sadly, because of global warming, we are likely to see more fires on this scale, so what extra resources is the Minister planning to allocate to emergency services and fire services to enable them to deal better with increased incidents of moorland fires?

Mr Hurd: On funding for the emergency services, I stated earlier that the core spending power of fire services increased this year, even though, as the hon. Lady knows, the number of fire incidents has fallen by 50% over the past decade. On the management of risk going forward, I am leading an exercise and speaking to every fire authority to understand their perception of future demand and risk, to inform decisions in the next spending round.

Jack Brereton (Stoke-on-Trent South) (Con): Will the Minister join me in thanking Staffordshire fire and rescue service for the incredible work it has been doing at Thorncliffe in the constituency of my parliamentary neighbour, my right hon. Friend the Member for Staffordshire Moorlands (Karen Bradley)?

Mr Hurd: I am delighted to show appreciation for and thank, on the Government’s behalf, all the fire services that are involved in the support operation for these major incidents, as well as to thank my hon. Friend’s local service for the work that it does back in Staffordshire.

Thelma Walker (Colne Valley) (Lab): May I put on record my thanks to all the firefighters and those from the armed forces for supporting our fire service during these moorland fires? Many volunteer groups, such as

[*Thelma Walker*]

mountain rescue services, have also been working to support the fire service. What plans does the Department have to support those volunteers who, like many others, are working in such challenging conditions?

Mr Hurd: The hon. Lady makes an extremely good point about the importance of the highly valued contribution of the voluntary sector and civil society in these types of situations, in which the combination of the state and civil society working together is so effective. I know from the fire officers how much that voluntary work has been appreciated. The Government do a lot to support the voluntary sector in this country. As we look forward and try to learn from these lessons, we need to think harder about the role of civil society and how it is supported in these situations.

Mr Philip Hollobone (Kettering) (Con): Arson—the deliberate starting of a fire—is an appalling crime. Will the Minister make sure that anyone caught and found guilty of such an offence in respect of these moorland fires feels the full force of the law, with exemplary sentences to act as a deterrent to anyone else?

Mr Hurd: The whole House would agree with the abhorrence that my hon. Friend expresses about arson, which is the most terrible crime. He may be aware that one arrest has been made in the context of these fires. Of course, the criminal justice process must reach its conclusion on that, but I expect the full weight of the law to be applied.

Mr Alistair Carmichael (Orkney and Shetland) (LD): May I associate myself and my party with all those who have made expressions of support and encouragement to those who are currently engaged in fighting this fire? The countryside that we currently see ablaze is very special, but it is not unique. We see that sort of area the length and breadth of the country and it supports communities involved in hill farming and crofting. [*Interruption.*] I am pleased that the House is so keen to express its support for hill farmers and crofters. These people make a marginal living at best, so can the Minister tell us what work is being done in Government to ensure that, God forbid, should this become a pattern this summer, support will be given to protect the livelihoods of the people in those areas?

Mr Hurd: I wholly endorse what the right hon. Gentleman said about the value of hill farming communities and the beauty of the particular locations of these terrible incidents. I come back to what I said before to my right hon. Friend the Member for Mid Sussex (Sir Nicholas Soames) about the need, once this situation is under control, to work closely with the Department for Environment, Food and Rural Affairs and others to think about how these risks are managed more effectively in the future.

Kate Green (Stretford and Urmston) (Lab): I too pay tribute to the emergency services and to the members of the local communities for their work in fighting this fire. I travelled through the constituency of my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds) yesterday, and the impact on the air quality in particular is something of which nobody in Greater Manchester and around can be unaware. In considering the lessons

learned, what attention will the Minister be able to give to a programme of public education, particularly for young people, in relation to fire safety on the moors?

Mr Hurd: There is a great deal of information out there on fire safety, not least from organisations such as the Forestry Commission. Again, in the light of these types of incidents, we need to look again at what is out there to see whether it is fit for purpose. The hon. Lady raised the issue of air quality, which I know is an issue of concern for many constituents. Public Health England is issuing health advice to residents and to those travelling in the areas affected by smoke and ash. I urge residents and constituents to keep referring to that.

Jeff Smith (Manchester, Withington) (Lab): May I note for the record that I hire my constituency office space from Greater Manchester fire and rescue service, and I am very proud to do so watching its heroic efforts this weekend? The scale of the problem is demonstrated by the fact that people can smell the burning moors all across my south Manchester constituency. May I just press the Minister on a question that my hon. Friend the Member for Stalybridge and Hyde (Jonathan Reynolds) asked about the military capacity to deal with this problem? There is a worry that we do not have the kit to do the job; that the military helicopters are not equipped with the technical capacity to put out fires. Can he clarify whether that is the case?

Mr Hurd: I do not believe that that is the case. A military helicopter was requested and deployed, but not actually used. Helicopters that are being used in this context have been supplied by the water company, but an RAF helicopter was requested and was deployed.

Paula Sherriff (Dewsbury) (Lab): I join colleagues in thanking our incredibly brave firefighters, including those from West Yorkshire, and I do hope that the Minister will reassess their funding situation. Will he join Kirklees Council in the advice that it has given to people in the light of the extremely hot weather at the moment? I am talking about its advice on disposable barbecues, which is that people should not use them, or that if they do use them, they should ensure that they dispose of them safely?

Mr Hurd: Yes, I wholly understand and support what the hon. Lady says. Coming back to an earlier point, this is a time when people have to exercise some common sense. We know what the conditions are like and we know the risks associated with these products. Public bodies are putting out plenty of good sensible common sense advice about how to manage and reduce the risk in these circumstances and we should follow it.

Helen Goodman (Bishop Auckland) (Lab): We all salute the fantastic work of the firefighters. Has the Minister yet discussed with DEFRA the need to look after the moorlands, because the impact on wildlife will obviously be devastating?

Mr Hurd: The environmental damage associated with these fires is terrible. The hon. Lady will understand that my priority at the moment is to support the emergency services in managing the short-term situation and in getting it under control. On the longer-term issues,

including the one that she is talking about, and the conversations that need to take place between the Home Office and other Departments, including DEFRA, those will happen.

June European Council

4.43 pm

The Prime Minister (Mrs Theresa May): With permission, Mr Speaker, I would like to make a statement on last week's European Council.

The focus of this Council was migration, and there were also important conclusions on security and defence. The UK made a substantive contribution on both, and our continued co-operation after we have left the EU will be in everyone's interests, helping to ensure the long-term prosperity and security of the whole continent. The consequences of mass uncontrolled immigration are one of the most serious challenges confronting Europe today. The problem is felt especially acutely by countries on the Mediterranean and the Aegean, which are often where migrants first arrive, but this is a shared challenge, which affects us all. More than anything, the situation is a tragedy for the migrants themselves, thousands of whom have now lost their lives. At the core of all our efforts must be trying to prevent others from doing so.

The UK has long argued for a comprehensive, whole-of-route approach to tackling migration, and the Council agreed actions in each of the three areas that we have championed. First, there will be more work upstream to reduce the number of people who undertake such perilous journeys in the first place. This includes providing more opportunities in the countries where economic migrants are coming from, and helping to ensure that refugees claim asylum in the first safe country that they reach. To support this, the UK will continue to invest for the long term in education, jobs and services, both in countries of origin and transit.

We are also committed to the second tranche of the EU Facility for Refugees in Turkey, provided that we can agree an appropriate mechanism for managing the funds. We made a further commitment at this Council of €15 million to support the EU Trust Fund for Africa. Both are delivering on the UK's call for more support for countries of transit and origin on the main routes into Europe, which is vital if we are to achieve the solutions we need to mass uncontrolled migration. Alongside our economic development and humanitarian support, we have also been stepping up our communications effort upstream so that more potential migrants understand the grave dangers of the journeys they might undertake and the criminal people smugglers who are waiting to exploit them.

Secondly, there will be more work to distinguish between genuine refugees and illegal economic migrants. This includes exploring the concept of regional disembarkation platforms. It was agreed at the Council that these could be established on a voluntary basis. Key to their success would be operating in full respect of international law and without creating a pull factor for further migration. There is clearly much more work to be done, with the support of the United Nations High Commissioner for Refugees and the International Organisation for Migration, to establish whether such proposals are practically and legally viable, but we do need to be prepared to look again at new solutions, given the gravity and intractability of this challenge.

Thirdly, there will be further efforts to strengthen borders to help to prevent illegal migration. Last week I agreed with Prime Minister Tsipras of Greece that we

[The Prime Minister]

would work towards a new action plan of UK support for Greek and European efforts, including a further Border Force patrol vessel to work with the Greek coastguard. The UK now has law enforcement officers in 17 EU and African countries as part of our organised immigration crime taskforce. UK and French officers are also working together to build links between counter-trafficking agencies in Nigeria and Niger to strengthen this key border on the central route. I am keen that we should replicate this model with other states.

This is a challenge that faces the whole of our continent. As I said at the Council, we will continue playing our full part in working together with the EU to meet that challenge both now and after we have left, for that is in our national interest and in the interests of Europe as a whole.

The same is true for security and defence, which was why at this Council I made the case for a new security partnership between the UK and the EU after we have left. We have seen over recent weeks and months that Russia and other hostile state and non-state actors are trying to sow disunity, destabilise our democracies and test our resolve. We must work together to adapt our current defences to the new normal, and take responsibility for protecting international norms and institutions. In this context, I thanked our European partners for their solidarity in the wake of the appalling nerve agent attack in Salisbury. The unprecedented co-ordinated expulsion of undeclared Russian intelligence officers demonstrated our unity in response to this kind of disregard for global norms and rules that poses a threat to us all.

At the March Council, we agreed to do more to strengthen our resilience against such threats. Since then, the UK has led work with our European partners to propose a package of measures to step up our strategic communications against online disinformation, strengthen our capabilities against cyber-security threats and further reduce the threat from hostile intelligence activities. This Council agreed measures in all these areas, including an action plan by December that must go even further in co-ordinating our response to the challenge of disinformation.

This effort to adapt our defences to protecting international norms should also enable us to respond robustly to events beyond Europe when they threaten our security interests, so this Council welcomed the agreement reached by my right hon. Friend the Foreign Secretary in The Hague last week, enabling the Organisation for the Prohibition of Chemical Weapons to attribute responsibility for chemical weapons use. The Council reinforced this by agreeing with President Macron and myself in calling for the adoption of a new EU sanctions regime to address the use and proliferation of chemical weapons. The Council also agreed to roll over current sanctions on Russia in the light of its failure to fully implement the Minsk agreements in Ukraine. In the context of online threats from the full range of state and non-state actors, President Macron and I joined together in pushing for further action to tackle illegal online content, especially terrorist content.

Finally, on security, we looked ahead to our NATO summit next week, which will be an important moment to demonstrate western unity. The NATO Secretary-General joined this discussion at the Council, where we agreed

that Europe must take greater responsibility for its own security while complementing and reinforcing the activities of NATO. Far too few of our allies are currently meeting the commitment to spend 2% of GDP on defence. At this Council, I urged them to do so, in order that, together, we can meet the full range of targets that challenge our interests. For our own part, we have the biggest defence budget in Europe and the biggest in NATO after the United States. We are investing more than £179 billion on new equipment. That means, among other items, new aircraft carriers and submarines for the Navy, new cutting-edge F-35B aircraft for the RAF, and new Ajax armoured vehicles for the Army. We are leading throughout NATO, whether that is through deployed forces in the Mediterranean, air policing in eastern Europe, or our troops providing an enhanced forward presence in Estonia.

We are operating with our allies to defend our interests all over the world. In April, RAF aircraft took action to degrade the Syrian regime's chemical weapons capability and deter their future use. Over 1,000 personnel are deployed in the fight against Daesh, and we are the second largest contributor to the coalition air campaign in Iraq and Syria. In Africa, UK troops have built and now operate a hospital in South Sudan supporting the UN mission there. They are training security forces in Nigeria, and our Chinook helicopters are deploying to Mali in support of the French this week. Two Royal Navy vessels are deployed in Asia in support of sanctions enforcement on North Korea, working closely with the US, Japan and others, with another to follow—the first Royal Navy deployments to the Pacific since 2013. Our submarines are silently patrolling the seas, giving us a nuclear deterrent every minute of every hour, as they have done for 50 years. Our modernising defence programme will ensure that our capabilities remain as potent in countering the threats of tomorrow as they are in keeping us safe today. We are the leading military power in Europe, with the capabilities to protect our people, defend our interests and project our values, supporting the global rules-based system—and the Government who I lead will ensure that that is exactly how we remain.

Turning to Brexit, I updated my fellow leaders on the negotiations, and the 27 other member states welcomed the further progress that had been made on the withdrawal agreement. With the exception of the protocol relating to Northern Ireland, we now have agreement or are close to doing so. There remain some real differences between us and the European Commission on Northern Ireland. So, on the protocol on Northern Ireland, I want to be very clear. We have put forward proposals and will produce further proposals so that if a temporary backstop is needed, there will be no hard border between Northern Ireland and the Republic of Ireland. We are absolutely committed to the avoidance of such a border, and we are equally committed to the avoidance of a hard border between Northern Ireland and the rest of the United Kingdom. Northern Ireland is an integral part of our country and we will never accept the imposition of a border within our United Kingdom.

We all agreed that we must now urgently intensify and accelerate the pace of negotiations on our future relationship. I warned EU leaders that I do not think this Parliament will approve the withdrawal agreement in the autumn unless we have clarity about our future

relationship alongside it. I will hold a meeting of the Cabinet at Chequers on Friday, and we will publish our White Paper on the future partnership with the EU next week. The EU and its member states will want to consider our proposals seriously. We both need to show flexibility to build the deep relationship after we have left that is in the interests of both our peoples. Our White Paper will set out detailed proposals for a sustainable and close future relationship between the UK and the EU—a partnership that means that the UK will leave the single market and customs union, but a partnership which supports our shared prosperity and security. It will mark an important step in delivering the decision of the British people. I commend this statement to the House.

4.54 pm

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for an advance copy of her statement. The statement was nearly 2,000 words, and all the Prime Minister says on Brexit is that we need “clarity about our future relationship”.

Yes, we do—we have been waiting for over two years for any clarity from this Government.

Let me first address the issue of migration. I hope that the whole House shares my concern about the direction in which those on the hard right seem determined to take Europe’s migration and asylum policy. There was evidence of that only a few weeks ago when the new Italian Interior Minister exploited the plight of 600 migrant refugees on the rescue ship *Aquarius* to make a callous political point. That incident has made it clear that, more than ever, we need strong leadership across Europe to uphold the right to asylum and treat all migrants with dignity and respect. It is right that EU countries should help migrants rescued in the Mediterranean and also take action to alleviate the burden on Italy and Greece. What commitments or support has the Prime Minister made or offered in that respect?

We understand that the EU plan now is to swiftly explore the idea of processing centres in north Africa. Can the Prime Minister confirm whether any non-European Union countries have indicated that they would sign up to that deal? In the face of a very worrying surge in far-right rhetoric across the EU, I urge the Prime Minister to stand up for humanitarian values and ensure that Britain is on the right side of this debate, ready to stand up to those who try to use the plight and suffering of tens of thousands of people to incite division and hate anywhere across this continent. On the issue of security and challenging disinformation, I look forward to the December action plan and to debating the NATO summit next week.

When it comes to Brexit, this Government have mishandled the negotiations every step of the way. Another summit has gone and another opportunity has been missed. The division and infighting in the Cabinet is having a debilitating effect on this country, and threatens jobs and communities in every part of the UK. I do not envy the Prime Minister as she prepares for her Chequers sleepover. She has many loud and competing voices in her Cabinet—competing not to do the best for this country, but to do the best for themselves. The Prime Minister’s primary duty is not to manage the latest division within her Cabinet, but to negotiate a deal that will safeguard jobs and living standards for decades to come.

We look forward to the much-vaunted third way on customs that the Prime Minister hopes will unite her Cabinet, because the current chaos at the heart of government leaves us facing crucial unanswered questions. First, will UK trade be greater outside a customs union? If the Government believe that it will, can they show us how they reached that conclusion? In recent days, one major business after another has lined up to say that it is vital for Britain to be in a customs union, as have many trade unions. The Government’s published impact assessments show that potential new trade deals come nowhere near replacing the advantages of being in a customs union, leaving every region and every nation worse off. What evidence do this Government have to suggest that rejecting any form of customs union with our biggest trading partner is the best way of protecting jobs here in Britain? Even the NHS is now having to plan for multiple scenarios because there is no clarity from Government.

Secondly, how do the Government intend to prevent a hard border in Ireland if we are not in a customs union? They say they have been working on finding “flexible and imaginative solutions”, so where are those solutions? The people of Northern Ireland deserve honesty.

Thirdly, what will our future relationship with our biggest trading partner look like? The problem is that the Prime Minister is stuck in the middle of two warring factions, but she now needs to pick a side. Does she want—[*Interruption.*] The question is quite simple: does she want a close trading relationship with the EU, with aligned rights and regulations, or does she believe in the visions of those on her Benches who see Britain’s future as a low-regulated, low-investment tax haven?

Fourthly, will potential options for Britain’s future immigration policy be included in the Brexit White Paper? We know freedom of movement will change when we leave the EU, but we are still no clearer about what will come next. Recent figures show that migration of EU nationals is continuing to fall, with some sectors suffering shortages, including in the national health service.

Finally, is the Prime Minister still confident she can get a deal? At this stage, it is not clear that the Prime Minister can even get a deal with her Cabinet, which is why—after two years—the White Paper is nowhere to be seen. The divisions and open warfare at the highest levels of her Government are holding this country back. Even her own Cabinet members are openly saying a deal cannot be done before the transition period, and they are already saying that the transition period will have to be extended.

The Prime Minister has for too long hidden behind a series of soundbites, including “No deal is better than a bad deal.” No deal is a bad deal and would represent historic failure. The Prime Minister must choose: will she rein in the egos of her Cabinet, or negotiate a deal that works for the people of this country and those worried about their jobs, their future and their communities?

The Prime Minister: First, the right hon. Gentleman talked about the issues raised in relation to migration. As I said, uncontrolled migration and the numbers of people we have seen attempting to come to Europe, some of whom have lost their lives in that attempt, do pose a serious challenge to Europe, and we have been working with our European colleagues to be able to address these issues.

[The Prime Minister]

The right hon. Gentleman talked about the right to claim asylum. In 2016, when I went to the United Nations, I set out the three principles that we believe underlie these issues: first, that people should claim asylum in the first safe country that they come to; secondly, that it should be possible to differentiate better between economic migrants and refugees, which I think will enable more support to be available for refugees; and thirdly, that countries have a right to be able to defend their borders, but they must also accept returns of those individuals who have gone illegally elsewhere and should be returned to those countries.

The right hon. Gentleman asked about the alleviation of the burden on Italy and Greece. We have been working for some time now with both Italy and Greece in a number of ways to alleviate the burden on them. In particular, we have had Border Force staff working in Greece to help in terms of the processes there for claiming asylum and identifying refugees and others. We have been working similarly in Italy, but also working, as I indicated in my statement in relation to the organised immigration crime taskforce, to ensure that we are identifying the people smugglers who are the people behind the misery that so many individual migrants find themselves subjected to.

These people smugglers have no care for the humanity—for the lives—of the people that they are dealing with; they are quite happy to put them into boats that they know will sink and send them off from the Libyan coast. That is why we have been part of the search and rescue operation in the Mediterranean and, as I say, we are working to identify those smuggling groups. As I said in my statement, I agreed with Prime Minister Tsipras that we are going to work towards further action—a new action plan of UK support for Greek and European efforts—and that will include a further Border Force patrol vessel, which will be working with the Greek coastguard.

The right hon. Gentleman then came on to reference the issue of Brexit. He talked about the issue of whether or not there had been progress on Brexit. I have to say that, at virtually every stage, Labour Members have said that there was no progress on Brexit; at every stage, we have delivered. They said we would not deliver article 50—we did. They said we would not, but I laid out our plans at Lancaster House, at Florence, at Munich and in the Mansion House speech. We got agreement on phase 1 in December, and we got agreement in March to an implementation period. We are on schedule. The question is: why does the Labour party spend all its time trying to frustrate Brexit and stop the vote of the British people?

The right hon. Gentleman asked about trade. Yes, we do want to ensure that we continue to have a good trading relationship with the European Union, but we also want to ensure that we have an independent trade policy that allows us to get good trade deals with the rest of the world. That will be for the prosperity and benefit of people and jobs here in this country.

The right hon. Gentleman talks about the national health service. Well, months ago Labour were complaining that the national health service was not preparing for a no deal, and now they are complaining that it is. Labour really need to get themselves straight on what they are

talking about. When it comes to getting a position straight, the right hon. Gentleman wanted to trigger article 50 the day after the referendum, but now he refuses to rule out a second referendum. It is not just a question of who in the Labour party agrees with who else; the right hon. Gentleman cannot even agree with himself on his Brexit policy.

Finally, the right hon. Gentleman said that I should pick a side. I am very clear: I have picked the side of the British people, and they will be the ones I deliver for.

Several hon. Members *rose*—

Mr Speaker: Order. I remind the House that, in accordance with long-standing convention, right hon. and hon. Members who came into the Chamber after the Prime Minister began her statement should not expect to be called to question her about it. More widely, if I am to have any chance of accommodating the understandably extensive interest in the matter, there will be a premium upon brevity, which is now to be brilliantly exemplified by Mr John Redwood.

John Redwood (Wokingham) (Con): Will the Prime Minister table urgently a full free trade agreement, covering both goods and services, and ask the EU whether they want that or no deal? Either way, we must take back control of our laws, our money and our borders.

The Prime Minister: We will be taking back the control that my right hon. Friend sets out; that is what people voted for in the referendum, and that is what we will deliver. We will be setting out, in greater detail than we have done so far, our proposals for that trade agreement with the European Union, making very clear to it the options that now lie on the table.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Prime Minister for advance sight of her statement. How embarrassing it must have been for her last week in Brussels, when the most oft-heard words were, “Time is running out.” We learnt that this year the Brexit Secretary has spent only four hours in talks with Michel Barnier. The EU’s chief negotiator has warned that

“huge and serious divergence remains, in particular on Ireland and Northern Ireland.”

The UK is inching ever closer to a cliff edge, but the Prime Minister cannot even negotiate with her own Cabinet, let alone—[*Interruption.*] I hear the guffawing and laughter coming from the Conservative Benches, including from the Prime Minister. They should reflect on the fact that this is about the jobs and security of our people; they deserve to have these important matters taken seriously, not treated like a Punch and Judy show by the Conservatives.

In a worrying development, EU officials yesterday warned that the deal might not be ready until December at the earliest. The Irish Prime Minister summed up the situation perfectly when he said:

“I think it would have been helpful to have that white paper two years ago. You would have thought they’d have had that before people voted.”

To go to a European Council meeting with nothing to negotiate on and then to come back and hold a Cabinet summit beggars belief. Talk about putting the cart before the horse. On Friday, the Prime Minister will face her Cabinet. Goodness knows where she will be with

Brexit this time next week. More than two years on from the Brexit vote, we are no clearer on what the Government want—two years wasted, with no vision and no plan. The result is that jobs and investment are at risk from lack of a coherent plan. Where is the leadership? Where is the recognition of the responsibility that the Prime Minister has to protect jobs? Mr Speaker, you could not make this up. No wonder businesses, communities and the devolved Administrations are speaking out.

Can the Prime Minister tell the House whether December is her new deal deadline for negotiations? Does she think it is right that NHS England is preparing for no deal and working to secure medicine and equipment because she cannot give simple reassurances? To protect the NHS and to protect jobs and investment, will she commit now to keeping the United Kingdom in the single market and in the customs union to protect our communities?

The Prime Minister: I set out clearly the progress made in our talks since we triggered article 50. The right hon. Gentleman says it is wrong for the national health service to prepare for no deal. Actually, it is right that contingency arrangements are being put in place across the Government, because the negotiations have not yet been completed. The European Union itself—we agreed with this—is looking to the October deadline. As I said in my statement—if he noticed that paragraph in my statement—I believe it is right that, when this House looks at the details of the withdrawal agreement, it should have sufficient detail about our future relationship with the European Union to be able to make that decision. Finally, he talks about role of the United Kingdom and the importance of jobs in the future. I say very simply to him—I have said it before, but I will continue to repeat it—that if he is interested in jobs in Scotland then he should make sure that Scotland stays in the United Kingdom.

Sir William Cash (Stone) (Con): First, I congratulate my right hon. Friend on Royal Assent being granted to the European Union (Withdrawal) Act 2018, which repeals the European Communities Act 1972 in line with the wishes of the voters in the referendum. This repeal, as my right hon. Friend knows, means no freedom of movement, no customs union, no single market and no European Court of Justice. It is a sovereign Act returning to this country self-government and is the law of the land. There are, however, some disturbing reports in parts of the press that the Government may have in mind proposals for some form of legal re-entry into a form European unity of some description—for example, in the context of the European economic area. This is preposterous, and I simply ask my right hon. Friend to dismiss those reports, as they are completely unfounded and would undermine trust in our democracy if they were true.

The Prime Minister: In relation to the point my hon. Friend makes about the EEA, I have been clear from the start that that is one of the things the European Commission suggested was on the table. The EEA is not right, because it would not deliver—particularly in the form the European Commission proposed it—on the vote of the referendum and the vote of the British people.

Hilary Benn (Leeds Central) (Lab): Since the Prime Minister has now wisely accepted that we would be willing to respect the remit of the European Court of

Justice when it comes to co-operation on security and EU agencies, will she please explain to the House why she is so opposed in principle to doing the same when it comes to participation in the internal market and the customs union?

The Prime Minister: I set out in my Mansion House speech that if we are a member of an EU agency that is governed by the European Court of Justice and we continue to have a role in it, that of course has implications for the actions of that agency. That is different from the jurisdiction of the European Court of Justice, which will be ended in the United Kingdom.

Anna Soubry (Broxtowe) (Con): People are fed up with not just Brexit but fudge, so on Friday the Cabinet must agree and settle its policy on Brexit. May I assure the Prime Minister that if the agreement meets the needs of British business she will command support not just across the Government Benches but across the country at large?

The Prime Minister: I thank my right hon. Friend for her comments and I assure her that that is exactly what the Cabinet intends to do on Friday.

Sir Vince Cable (Twickenham) (LD): In managing the internal debate on Brexit in the Government, they have developed a very flexible, elastic approach to the idea of collective Cabinet responsibility, even more than in the Government the Prime Minister and I were a part of. What are the red lines that Ministers cannot now cross for fear of being dismissed for disloyalty?

The Prime Minister: That is a very interesting contribution from the right hon. Gentleman. I seem to remember when we were in the coalition Government one or two occasions when I woke up as Home Secretary to discover statements he had made from his position, which certainly did not reflect Cabinet collective responsibility.

Sir Desmond Swayne (New Forest West) (Con): Will Brexit be recognisable as Brexit?

The Prime Minister: There has been much jocularity around the term “Brexit means Brexit,” but it does mean Brexit. People want to ensure that we take back control of our borders and our laws, and that we no longer continue to send vast sums of money to the European Union each year. We will be coming out of the common agricultural policy and the common fisheries policy, but we will be ensuring that we are able to trade with the European Union and set an independent trade policy that enables us to negotiate good trade deals around the rest of the world.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): This weekend, the Prime Minister criticised the Commission’s approach to security, and I think the Commission is being too rigid, but I have to say to her that her red lines—that she just reaffirmed—on the European Court of Justice and on the charter of fundamental rights are also causing huge problems in getting a security deal. Frankly, from the outside, it look as though no one is listening to the police. Will she now accept that we are running out of time, and will she confirm that she will not stick with those red lines if they get in the way of a security partnership?

The Prime Minister: I set out our ambition on a security partnership in my Munich speech and negotiations have been started with the European Union on this particular issue. What I want to see in the security partnership for the future is our ability to maintain operational capabilities. That is not something that is being put in jeopardy by the position that the Government are taking on the European Court of Justice. We are working and will work to ensure that those operational capabilities are maintained in the future.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): In recognising that this deal will probably not be completed until the very last minute, as we have seen in previous deals, I urge my right hon. Friend not to be too specific in the White Paper and to keep the negotiating hand that she will need in those negotiations, ever mindful of the fact that this country has been incredibly successful in attracting inward investment, because this has been the place to invest. I urge her to have that in her mind for the long-term future of the country.

The Prime Minister: I thank my right hon. Friend. He may recall that right at the beginning of this process I said that we would not be giving a running commentary on negotiations. It is absolutely right that in a negotiation, there are certain aspects on which it is necessary to ensure that we have flexibility. On his second point, he is absolutely right: we continue to see international companies investing in and creating new jobs in this country. That is because this is a great place to do business and it will continue to be so.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): To lose one unworkable customs variant may be regarded as misfortune, but to lose both looks like carelessness. Would it not be far simpler if the Prime Minister just admitted that it is impossible to avoid a hard border in Ireland unless we are in the single market and the customs union?

The Prime Minister: No, I will not accept that, because it is not the case. We can do it, and we can do it in a variety of ways, but we remain committed to no hard border between Northern Ireland and Ireland.

Vicky Ford (Chelmsford) (Con): It is very clear that a no-deal Brexit would carry a high risk, both for our economy and our security, so I urge my right hon. Friend to continue to listen to British businesses and other stakeholders and to continue fighting for practical and pragmatic solutions that safeguard jobs and security.

The Prime Minister: We have indeed been listening to British business. We have also listened to European businesses that are investing here in the United Kingdom. I want to see a good Brexit deal, which not only ensures that we maintain prosperity and jobs here in the UK, but gives us the freedom to be able to extend those trade deals around the world in our interests, and not in the interests of Brussels, as has been the case in the past.

Nigel Dodds (Belfast North) (DUP): If we are to be legally bound by the withdrawal agreement on the £35 billion to £40 billion and other issues such as the backstop on Northern Ireland, surely we need something more than clarity about our future relationship alongside

it. Surely we need the same level of legal certainty, as with the withdrawal agreement before this Parliament voted the money through.

The Prime Minister: The right hon. Gentleman raises an important point. We have always seen our agreement on the future relationship and the withdrawal agreement running alongside each other. That is why I am clear, as is the Secretary of State for Exiting the European Union, that when the House considers the withdrawal agreement, it will need to have sufficient detail about the future relationship to be able to judge that. We see the withdrawal agreement and the future relationship as linked. The EU itself has said that nothing is agreed until everything is agreed.

Mr Jacob Rees-Mogg (North East Somerset) (Con): Will my right hon. Friend confirm that at the end of the implementation period the United Kingdom will leave the customs union and will no longer be subject to the common external tariff?

The Prime Minister: We are going to be leaving the customs union. We have, of course, as my hon. Friend will be well aware, set out the alternative proposal for a backstop in relation to the situation in Northern Ireland and Ireland which would come into play were there any delay in putting our future customs relationship into full operation and into place. I am clear that we should be doing everything we can to ensure that at the end of December 2020 our future relationship, including our future customs relationship, is in place such that the backstop is not necessary.

Emma Reynolds (Wolverhampton North East) (Lab): How likely is it that our customs arrangements will not be in place by the end of the transition period?

The Prime Minister: As I just said, we are working to ensure that they can and will be in place.

Nicky Morgan (Loughborough) (Con): Rather than listening to arbitrary red lines, set down, as we have just heard, by Members such as those for North East Somerset (Mr Rees-Mogg) and for Wokingham (John Redwood), will the Prime Minister do what Conservative Prime Ministers over the ages have done and find a pragmatic, sensible and flexible Brexit that delivers on the referendum result of two years ago, which we have done through the European Union (Withdrawal) Act 2018, while protecting business, jobs, the economy and entrepreneurs? If we do otherwise we will not be thanked for the mess we end up in.

The Prime Minister: I and the whole Government are working for a Brexit arrangement and deal that will ensure prosperity for our economy into the future and a Brexit deal behind which the whole country can unite.

Mr Pat McFadden (Wolverhampton South East) (Lab): Are there any circumstances in which the Prime Minister would support the extension of either the article 50 period or the transition period?

The Prime Minister: We will be leaving the European Union on 29 March 2019.

Dr Julian Lewis (New Forest East) (Con): On a different subject, will the Prime Minister accept that, while she has secured the future of the nuclear deterrent submarines, and while she has invested, rightly and heavily, in intelligence, security and cyber, if a black hole is found in the conventional defence budget, we will need to fill it, if we are to fulfil the ambitious programme she set out in her statement?

The Prime Minister: As my right hon. Friend knows, and as I referred to in my statement, we are committed to spending 2% of GDP on defence, but we are also committed to increasing the amount we spend on defence by 0.5% above inflation every year, which I did not refer to in my statement. Then there is the £179 billion we will be spending on equipment. The whole point of the modernising defence programme is to look at the defence of the future and the threats we now face, and to make sure that we have the capabilities to meet those threats.

Maria Eagle (Garston and Halewood) (Lab): On Northern Ireland, the Prime Minister said: "I want to be very clear. We have put forward proposals and will produce further proposals". Could she be a little clearer now and tell the House what those further proposals are?

The Prime Minister: We will publish next week a White Paper with details about the proposals for our future relationship, and that will include matters relating to customs and Northern Ireland.

Mr Nigel Evans (Ribble Valley) (Con): Michel Barnier tells us that we should not cherry-pick, yet we import 850,000 cars from Germany every year, we drink more champagne than the French and we import a lot of cherries from Spain. We will want to continue to do that post-Brexit. Does my right hon. Friend believe as I do that it is in the interests of the EU, where a lot of countries have high unemployment, to do a trade deal with the UK?

The Prime Minister: It is absolutely in the interests of the other countries in the European Union, which will be remaining in the European Union, to do that trade deal with the UK. I have always said that I think a good deal for us would be a good deal for them.

Mr Speaker: As the hon. Member for Ribble Valley (Mr Evans) has just referred to cherries, it seems timely for me to call Joanna Cherry.

Joanna Cherry (Edinburgh South West) (SNP): Thank you, Mr Speaker. This is, from my point of view, one occasion on which cherry-picking is in order.

We are advised that the EU27 are so united in their approach to Brexit that they spent only 10 minutes discussing it last week. Can the Prime Minister give us an estimate of how long she thinks the members of her Cabinet will spend discussing matters next Friday at Chequers before they reach agreement on Brexit?

The Prime Minister: The Cabinet will meet, and the Cabinet will reach an agreement on this important matter, which is in our national interest.

Andrew Bridgen (North West Leicestershire) (Con): Does my right hon. Friend believe that Chancellor Merkel, with the benefit of hindsight, now regrets her decision in 2015 to open the European Union's borders unilaterally to uncontrolled mass migration?

The Prime Minister: In fact, the majority of the time at the Council was spent discussing migration. It is important, because this is an issue that affects the whole of Europe. We have seen movements coming into Europe before the date to which my hon. Friend has referred, and, indeed, after it. We now need to ensure that we are taking some of the steps that the UK encouraged the EU to take at an earlier stage in relation to, for example, further action upstream. That is, I think, the best way in which to ensure that we do not see people in the hands of people-smugglers, making perilous journeys and risking their lives.

Jack Dromey (Birmingham, Erdington) (Lab): The Jaguar plant in Erdington is a jewel in the crown of manufacturing excellence that is the 800,000-strong automotive industry. There is grave and growing concern in the plants and among the companies about the potential of a hard Brexit, which would be catastrophic for a world-leading industry. Would the Prime Minister be prepared to meet Members of Parliament across parties to hear the concerns being expressed about the future of our vital automotive industry?

The Prime Minister: I do meet Members of Parliament and hear their concerns on a regular basis, and I am happy to do that. However, I also hear from the automotive industry directly, because I sit round the table with businesses and hear their views on this particular issue. We are delivering on Brexit for the British people, and I want to do so in a way that ensures that we have a good trading relationship with Europe, which is important to sectors such as the automotive industry.

Huw Merriman (Bexhill and Battle) (Con): There are 650 different opinions on Brexit in the House, but the only opinion, and the only office with any authority and a mandate to deliver for all our constituents, is that those of the Prime Minister. Does she agree that it is time for all of us to get behind her position, and give all our constituents the best possible chance of prosperity and a future with our European neighbours?

The Prime Minister: I think that the overwhelming view of the British public is that they took a vote, they want the Government to deliver on it, and they want us to get on with delivering on it. That is exactly what we are doing.

Chuka Umunna (Streatham) (Lab): Section 10 of the European Union (Withdrawal) Act 2018 very clearly makes it unlawful for Ministers to do anything that would lead to any form of physical customs border on the island of Ireland. The Solicitor General has confirmed that to exit with no deal and to trade under World Trade Organisation rules would necessitate such a border. Will the Prime Minister therefore specifically confirm the following? She has said that no deal would be better than a bad deal, but no deal would actually be unlawful under the Act.

The Prime Minister: I have to say to the hon. Gentleman that his interpretation is not correct. In a no-deal situation, it will of course be up to the United Kingdom to determine what it does in relation to the border in Northern Ireland.

Mark Pawsey (Rugby) (Con): As we get closer to setting out our priorities for future trade relationships with our European partners, we have reasonably heard more from business, including the fact that modern integrated supply chains call for those relationships to be as frictionless as possible. That is certainly a message that the Business, Energy and Industrial Strategy Committee has heard, not just in relation to the automotive industry but in relation to pharmaceuticals, food and drink, and aerospace. Does the Prime Minister agree that in this matter, business has been consistent?

The Prime Minister: Certainly it is the case that business has been expressing its views to Government and elsewhere on these matters for some time, but we should recognise that there are businesses around the UK that have integrated supply chains with countries in the EU, businesses that will be exporting to the EU without those integrated supply chains, and businesses that will be exporting to the rest of the world and who want to see us negotiating trade deals around the rest of the world. We are looking for a deal and deals in future trade that are in the best of the interests of the UK, and that includes business and jobs here.

Dame Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Jobs at risk, scientific research threatened, and now people may not be able to receive the vital medicines they need when they are needed: Brexit is an unfolding disaster. Did the Prime Minister bring back any answers to these essential questions?

The Prime Minister: Of course it is right that, as I said earlier, across Government preparations are being made for every contingency, which includes the possibility of no deal being reached with the EU. The hon. Lady talks about issues relating to jobs: we are continuing to see new jobs being created in this country by firms that are investing here and looking ahead to a bright future for Britain and for our economy.

Richard Drax (South Dorset) (Con): After a very good lunch with my right hon. Friend, I asked her whether leaving the EU meant leaving, no ifs, no buts; she gave me that assurance. Will she very kindly give some of my constituents who are concerned at the direction of travel the assurance that we are indeed going to leave the EU and not remain in any way a vassal state?

The Prime Minister: We will be leaving the EU; I want my hon. Friend and his constituents to be very clear that we will be leaving the EU on 29 March 2019. As we do that, we are negotiating a future relationship with the member states that will remain in the EU, which will continue to ensure jobs and prosperity here in the UK but also enable us to increase jobs and prosperity as a result of the trade deals we will be free to make as an independent trade country with countries around the rest of the world.

Thangam Debbonaire (Bristol West) (Lab): The Prime Minister mentioned regional disembarkation platforms, but what will she do specifically to increase capacity for refugees to be processed closer to conflicts and increase the number of refugees eligible for resettlement, thereby creating safe and legal routes for people fleeing war and persecution?

The Prime Minister: We have already taken steps in the work we do to resettle Syrian refugees here in the UK. We work with the UNHCR and the International Organisation for Migration in region to ensure the conditions are met and we can process those claims and cases as well as possible.

The hon. Lady mentioned the regional disembarkation centres and platforms that have been talked about. The precise point of those, which is why the discussions are taking place with the UNHCR and the IOM, is to ensure that people can be prevented from making the dangerous journeys across the Mediterranean that lead to loss of lives, and that proper circumstances can be set up in which their situation can be assessed. That is why we must look at the practicality and legal viability of this, but it is important that we work with the IOM and UNHCR in doing so.

Mr Marcus Jones (Nuneaton) (Con): I speak to constituents who voted leave and constituents who voted remain, and they are pretty much all of the same opinion: that this Government and this House as a whole should work towards delivering on the will of the people. Will my right hon. Friend reassure me of the Government's willingness to accelerate these negotiations, and say more about the response from the EU Commission and the EU leaders in that regard?

The Prime Minister: We stand absolutely ready to accelerate those negotiations, and of course the EU at its Council meeting last week also agreed it was necessary to accelerate them. It takes two sides to do this: we are ready; they should be, too.

Stephen Kinnock (Aberavon) (Lab): According to the Society of Motor Manufacturers and Traders, investment in new models, equipment and facilities in the UK was just £347 million in the first half of the year compared with £647 million in the same period of 2017, and that is on top of foreign direct investment plummeting by 90% since 2016. This is not "Project Fear"; it is happening right here, right now, to our jobs and to our economy. Does the Prime Minister not recognise that if she were to commit to the European economic area, she would stop the rot?

The Prime Minister: If the hon. Gentleman looks at foreign direct investment in the United Kingdom, he will see that we remain the No. 1 destination for FDI in Europe.

Rachel Maclean (Redditch) (Con): Will the Prime Minister confirm that she believes that we can reach a deep and special partnership with the European Union that safeguards and improves our economic prosperity up and down the country and in Redditch?

The Prime Minister: I am happy to give my hon. Friend that assurance. We are looking not just to reach that deep and special partnership but to ensure as we do

so—through other steps that the Government are taking, such as our modern industrial strategy—that we are a country that works for everyone and that the advantages and benefits of our future trade relationships are felt up and down the country, including in Redditch.

Kate Green (Stretford and Urmston) (Lab): Children are increasingly the victims of cross-border crime, cyber-crime and trafficking, and our ability to ensure that we protect them and bring criminals to justice depends on our relations with other European criminal justice agencies. Will the Prime Minister guarantee that children will remain her first priority in the deal that she negotiates on security, if necessary by accepting the continued jurisdiction of the European Court of Justice, at least for a time, to ensure that those criminal justice instruments can continue to protect children?

The Prime Minister: We are looking to maintain our operational capabilities, and the hon. Lady is right to say that there will be many cases involving the protection of children. We are taking many steps, not just with the EU. I referred in my statement to the steps we have been taking with France, with President Macron, in relation to online abuse and particularly to terrorist content. We have also been working on the wider issue of the inappropriate use of materials online. We will continue to ensure that we are working towards having those operational capabilities, so that we can do as the hon. Lady asks and continue to protect children and others from criminal activity across borders.

James Morris (Halesowen and Rowley Regis) (Con): The terrorist threat to the UK and across Europe is becoming more complex and is evolving quickly. Does the Prime Minister agree that it is in the UK's national interest and in the interest of the European Union to come to an agreement quickly on shared security arrangements as we prepare to leave the European Union?

The Prime Minister: My hon. Friend is absolutely right. The focus in these questions is usually on our future economic partnership, but the security partnership is equally important. As he suggests, that covers not only terrorist activity across borders but the activity of organised crime gangs and others, as well as online activity, as I have just said. We are confident that we will be able to reach a partnership on our security relationships because that is in the operational interests of all the EU27 states as well as of the UK.

Marsha De Cordova (Battersea) (Lab): Over the past weeks, Airbus, BMW and Siemens have echoed the warning of the trade unions that the Government's Brexit strategy is putting thousands of jobs at risk. Will the Prime Minister listen to business and to the trade unions, and commit to keeping the UK in a customs union?

The Prime Minister: I have said on many occasions that we will be leaving the customs union, but we will of course be putting in place customs arrangements with the European Union that will match the ambition of our trade relationship in the future.

Mr Simon Clarke (Middlesbrough South and East Cleveland) (Con): My constituents were very clear on what they were voting for in 2016, and that would not

be delivered by a Norway-style agreement. Can the Prime Minister guarantee that, whatever our future arrangement with the EU is, it will not circumscribe our ability to strike free trade deals or to end free movement?

The Prime Minister: As my hon. Friend makes absolutely clear, the future relationship must enable us to strike those trade deals and have an independent trade policy, and also to bring an end to free movement.

Tom Brake (Carshalton and Wallington) (LD): The squabbling, back-stabbing and leadership positioning in the Prime Minister's Cabinet is marching us towards a no deal Brexit. Will she and the Leader of the Opposition accept that the only way of getting us out of this mess is, as advocated by the British Medical Association and members of the Unite union, to provide the people with a final say on the deal and a chance to exit from Brexit?

The Prime Minister: The right hon. Gentleman might not have noticed, but at the last general election, around 80% of people voted for parties that supported our leaving the European Union.

Mr Philip Hollobone (Kettering) (Con) *rose*—

Tom Pursglove (Corby) (Con) *rose*—

Mr Speaker: Ah, the Northamptonshire rivalry—Socrates and his follower. Who is to be? I call Mr Philip Hollobone.

Mr Hollobone: The press speculation today is that the Prime Minister is in receipt of senior civil service advice that the European Union will not accept a bespoke deal. For any deal to be better than no deal, will the Prime Minister confirm that it needs to be a bespoke arrangement to suit the special needs of the fifth-largest economy in the world? Will she also confirm that we will not be forced to take an off-the-shelf option, such as the Norwegian model, and that the Department for Exiting the European Union and the Department for International Trade have been working their socks off to ensure that we get the bespoke arrangement that our country needs?

The Prime Minister: I can give my hon. Friend that assurance. In fact, looking at the operation of the European Union in terms of its trade negotiations and the economic partnerships that it forms with a variety of countries around the world, each of those is a bespoke arrangement, and it is right that the UK's deal will be a bespoke arrangement. We are ambitious as to what that can contain, and I look forward to receiving the same degree of ambition from the European Union.

Mike Gapes (Ilford South) (Lab/Co-op): The Prime Minister referred to the discussions with NATO's Secretary-General, which are welcome, and mentioned Russia's failure to implement the Minsk agreement and the extension of EU sanctions against Russia. Was any concern expressed about what President Trump might do in his bilateral meeting with President Putin and about the danger of him selling out Ukraine and therefore European interests?

The Prime Minister: We discussed the importance of transatlantic unity and the importance of NATO's role and of ensuring, as I pointed out, that other European Union members in NATO step up and deliver their commitment to spend 2% of GDP on defence. The focus of our discussions was transatlantic unity and the continued operation of NATO as the bedrock of our defence and security in Europe.

Tom Pursglove: Does my right hon. Friend agree that our holistic approach of predominately focusing our aid in the region means that we maximise the number of refugees that we help while minimising the number of perilous journeys undertaken? Is she encouraging other European leaders to follow suit?

The Prime Minister: My hon. Friend is absolutely right. At the beginning of the situation in Syria, the UK took a view that it was right to help people in region through our aid budget to help far more people there, and that is exactly what we have done. It also means that people are not encouraged to make dangerous journeys across the Mediterranean at the hands of people smugglers. Our position is absolutely right, and I have encouraged others to do the same.

Helen Goodman (Bishop Auckland) (Lab): Does the Prime Minister believe that frictionless trade and regulatory alignment are a particular concern of the fashionable metropolitan elite or a priority for manufacturing across the nation?

The Prime Minister: As we look for our future trading relationship, I have been clear that what the hon. Lady and I have referred to as "as frictionless trade as possible" is one of our objectives in the negotiations.

Jonathan Edwards (Carmarthen East and Dinefwr) (PC): Is it not the case that the British Government would find themselves in an extremely weak and vulnerable position if they sought to negotiate the detail of our future relationship when outside the EU?

The Prime Minister: As I made clear earlier, we should be negotiating for sufficient detail of our future relationship, such that that will be clear at the point at which we are asking for agreement on the withdrawal agreement and before we leave the European Union.

Diana Johnson (Kingston upon Hull North) (Lab): At the weekend, Simon Stevens said that the NHS is now planning explicitly for a no deal Brexit scenario so that vital medical supplies can still get through. Will the Prime Minister explain how much that is costing the NHS and whether the money is coming out of the budget for treating patients?

The Prime Minister: It is entirely right and proper that, like every organisation, the NHS considers what future contingencies should be. The NHS is no different from any other organisation.

David Hanson (Delyn) (Lab): In this brave new world, does the Prime Minister expect us to remain a member of the European agency Europol?

The Prime Minister: As I have said in today's statement and previously, we are looking to negotiate a security partnership that enables us to maintain operational capabilities. I have previously cited Europol as one of the agencies of which we may wish to be a member. We are a significant contributor to Europol, and I think it is in the interest of the EU27 that we are able to continue to have a relationship with Europol in the future.

Stuart C. McDonald (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): Does the Prime Minister accept that future UK immigration policy will have to form part of the overall negotiations on the future UK-EU relationship? Will we finally see a decent outline of her immigration proposals in next week's White Paper?

The Prime Minister: One of the things people voted for when they voted to leave the European Union was to bring an end to free movement, and that will be the case. The hon. Gentleman may be aware that the Migration Advisory Committee has been asked to advise the Home Office on the question of the contribution made to our economy by workers from within the European Union, and it will be reporting on that later this year.

Stephen Timms (East Ham) (Lab): The Prime Minister has recognised that, in the national interest, we will need to continue to recognise the jurisdiction of the European Court of Justice in a number of areas after the end of the implementation period at the end of 2020. Does she agree that data privacy regulation is one of those areas—she has acknowledged the importance of that—and that Europol is another? Will she set out some of the other areas in which we will need to continue to recognise that jurisdiction?

The Prime Minister: As the right hon. Gentleman knows, I indicated in my Mansion House speech and subsequently that what he says may pertain in future where we continue to remain a member of a European Union agency, but the arrangements for that membership, that partnership, that association would still have to be negotiated.

Liz McInnes (Heywood and Middleton) (Lab): Like Northern Ireland, Gibraltar is an integral part of our country. Can the Prime Minister update the House on what progress has been made in negotiations on the Gibraltar border?

The Prime Minister: Negotiations have been taking place on Gibraltar, and we maintain our steadfast support for the people of Gibraltar. We have been clear that Gibraltar is covered by our exit negotiations. We are committed to fully involving Gibraltar as we exit the EU, and we have been involving the Government of Gibraltar in these matters. We are looking for a deal that works for the whole UK family, and it must work for Gibraltar, too. We support the territorial scope of the draft withdrawal agreement, which explicitly includes Gibraltar.

Jim Shannon (Strangford) (DUP): I thank the Prime Minister for standing firm. This morning, in the local press back home, the EU Agriculture Commissioner, Phil Hogan, stated that the Republic of Ireland is preparing

for a no deal Brexit. The Republic of Ireland has notified 70 stakeholders to ready themselves for just that. We would like an accommodation with the EU, but does the EU really want an agreement, or should we prepare for a no deal Brexit?

The Prime Minister: It is right that everyone should make contingency arrangements for all eventualities. That is what the Government are doing here, and it is what others will be doing, too. We are working to get that deal. As I said in response to my hon. Friend the Member for Ribble Valley (Mr Evans), I believe a deal that is good for the UK will be a deal that is good for the EU27, and we continue to work on that basis.

Infected Blood Inquiry

5.48 pm

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr David Lidington): On 8 February 2018, I announced the appointment of Sir Brian Langstaff to chair the infected blood inquiry. From the outset, Sir Brian has been clear that he is determined to put people at the heart of the inquiry and to ensure an inclusive and transparent process.

Sir Brian and his team conducted a public consultation on the proposed terms of reference for the inquiry, which ran from 2 March to 26 April. They invited contributions via an online questionnaire, email, written correspondence and telephone. The inquiry team also held 15 meetings with groups and individuals across the UK, and Sir Brian is keen for the inquiry to continue to do that as it moves forward.

The inquiry received almost 700 responses to its consultation and Sir Brian, having reflected on those consultation responses, wrote to me on 7 June to advise me of the outcome and of his recommendations for the terms of reference. The terms of reference are comprehensive and reflect the key points made during the consultation.

The geographical scope of the inquiry is UK-wide. The inquiry will look at issues relating to the whole of the UK, as well as regionally. Sir Brian expects the inquiry team to hold regular meetings across the UK. I have therefore consulted, as I am required to do under the Inquiries Act 2005, with the devolved Administrations of Scotland and Wales and, in the absence of a Northern Ireland Executive, with my right hon. Friend the Secretary of State for Northern Ireland who, in turn, consulted the permanent secretary of the Northern Ireland Department of Health. The Governments of Scotland and Wales, and my right hon. Friend, were content with Sir Brian's recommendations, and I am happy to accept his recommendations without amendment. I have written to Sir Brian to confirm this.

The terms of reference have been published and deposited in the Libraries of both Houses today. The inquiry can now formally begin its work; it will start today—2 July 2018. Sir Brian proposes to use groups of experts to assist the inquiry. Those groups would cover all the material fields relevant to the inquiry. Their evidence would be public, transparent and subject to scrutiny. People affected, and other participants to the inquiry, will be able to propose experts and put forward questions to the expert groups.

During the inquiry's public consultation, views were expressed both for and against the appointment of additional panel members. Some, noting the complex and difficult issues to be examined by the inquiry, wanted a panel of many experts to assist the chair. It is Sir Brian's view that his proposal for expert groups will achieve the objectives of those who have been in favour of panel members by providing legitimacy and transparency, a diverse range of expertise and, importantly, speed. Sir Brian's view is that experts will be able to progress work in parallel in a way that co-determining panel members could not and that, very importantly, everything the expert groups will do will be public. Sir Brian plans now to discuss this proposed approach with those who will most centrally participate in the inquiry, particularly survivors and the groups representing them, and to ask

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them whether, in the light of the proposed approach, there remains any significant wish for him to be joined by a decision-making panel. Sir Brian has asked me to defer a decision on panel members until core participants have been appointed and have had the opportunity to consider the proposed approach.

I am aware that when my right hon. Friend the Member for Ashford (Damian Green) met people affected before Christmas last year, many supported the idea of the chair sitting alongside other panel members. I have not lost sight of that, but I think it is only right that I allow Sir Brian time to consult core participants. I therefore do not propose to appoint other panel members at this time, but I will consider the issue once core participants have had an opportunity to look at Sir Brian's proposed approach. Of course, section 7 of the 2005 Act allows me to make further appointments to the inquiry panel during the course of the inquiry, with the consent of the chair. Speed is of the essence, and I have asked Sir Brian to report back to me as quickly as possible; I will then make my decision on panel members.

Many thousands of people from across the United Kingdom have been affected by this terrible tragedy. Sadly, a number of those affected have died since the inquiry was announced. One of the clearest messages from the inquiry's consultation was the need for speed. In his letter to me, Sir Brian noted that one respondent to the consultation had said:

"I really hope this Inquiry does not drag on as I would like to live long enough to see the result".

It is extremely important that the infected blood inquiry can complete its work as quickly as a thorough examination of the facts allows, and this is something that Sir Brian and his team are very aware of.

This inquiry is a priority for the Government, and I have assured Sir Brian that the Cabinet Office will provide all the resources and support that the inquiry needs to meet the demanding timescales that are essential in order to meet the expectations of people affected by this tragedy, who have already waited so long for answers. The inquiry will have much to do over the coming months, and I am sure it will waste no time in getting started. The first stages of the inquiry will be critical for obtaining evidence, including witness statements from people who have been infected and affected. The inquiry will use this evidence to help to uncover what happened and why. It will hold its preliminary hearings in September at Church House, London, where core participants will be able to set out their priorities for the inquiry. My exchange of correspondence with Sir Brian and the full terms of reference have been placed in the Libraries of both Houses, and I commend this statement to the House.

5.55 pm

Christian Matheson (City of Chester) (Lab): I thank the Minister for his statement and for giving me advance sight of it.

Today's statement is a sign of progress, but it is also an indicator of how delayed this whole process has been. It is a year since the inquiry was announced and six months since responsibility was, rightly, transferred to the Cabinet Office, yet we are only now getting details of its sittings and terms of reference. The unpleasant and inconvenient truth is that the longer the delays and

the longer the grass into which this matter has been kicked, the fewer victims will be around to see justice done—the Minister referred to the testimony of one survivor in his statement. Taken together with other inquiries such as that on Grenfell Tower, where the Government had to chop and change the format numerous times in response to public dissatisfaction, we are given the overall impression that when it comes to public inquiries on public safety or government malfeasance, this Government have wanted to give away as little as possible, as late as possible.

Nevertheless, today we have seen progress. We welcome the statement, the new terms of reference and the start of the inquiry. It will look at issues ranging from what happened at the outset to the response of the Government, the treatment of victims and their families, the question of whether evidence was deliberately destroyed and a possible cover-up mounted, and whether individuals or institutions are to be held responsible. Those terms of reference have been welcomed by those affected, their families and the campaigners supporting them. May I also welcome the Minister's recognition in his statement that speed is of the essence, given the previous delays?

We also welcome the fact that the inquiry is to be UK-wide, which will overcome the anomaly of previous inquiries or compensation schemes that were dependent on the jurisdiction in which the original contamination took place. We hope that the inquiry can now crack on with its work. Will the Minister confirm that it will be given the finance it needs to follow the evidence and complete its work so that it is unhindered and unrestrained by a lack of resources?

The responsibility in government for sponsoring this inquiry was transferred to the Cabinet Office because the Department of Health was at best conflicted and at worst possibly implicated, albeit perhaps historically. Will the Minister confirm that a clear instruction has gone out—or will go out—from Downing Street that full co-operation is expected from Ministers and officials at the Department of Health and Social Care? Have any mechanisms been put in place to support the inquiry by monitoring the Department's co-operation in this matter?

We welcome the fact that Sir Brian Langstaff will have expert working groups to advise him. Some campaigners feel that the Penrose inquiry in Scotland suffered from having Lord Penrose sitting on his own, and we note that Sir Brian will make a recommendation to the Minister on additional panel members after consulting the core participants. There had previously been a doubt about the provision of legal aid to the victims and their families for the earlier consultation, so will the Minister confirm that support will be available for those participating in the inquiry itself—both financial support and, where necessary, counselling?

Will the Minister confirm that any claims to commercial confidentiality made by the firms involved or their modern-day successors will not take precedence over the need for the inquiry to get to the truth on behalf of victims? This inquiry now passes into the independent control of Sir Brian. However, will the Minister indicate whether there will be a mechanism for interim reports to be given to this House, and so to those affected and their families?

Finally, will the Minister join me in paying tribute to the courage, resilience and determination of the surviving affected people and their families who have stayed in

this fight for so long? Will he also join me in paying tribute to hon. Members on both sides of the House in the all-party group on haemophilia and contaminated blood, and especially to my hon. Friend the Member for Kingston upon Hull North (Diana Johnson) for her leadership in keeping this matter in the minds of Ministers and the whole House?

Mr Lidington: First, I welcome the hon. Gentleman's support for the inquiry and for the direction of travel that I have announced today. I am happy to join him in paying particular tribute to the courage and tenacity of the survivors and the organisations that work with them. I also pay tribute to the hon. Member for Kingston upon Hull North (Diana Johnson) and my hon. Friend the Member for Worthing West (Sir Peter Bottomley), who have worked together in a compelling demonstration of cross-party unity and determination to secure justice for the survivors.

On the time taken since the inquiry was announced, I emphasise to the House that the Government have tried consistently to move this inquiry ahead as quickly as possible. It was right that we reflected on the criticisms of the initial idea that the inquiry should be sponsored by the Department of Health and Social Care, and that responsibility was therefore switched to the Cabinet Office. It was important to get a judge not only who had the right experience and expertise to take on the task, but who was willing to take it on and could free him or herself for up to two years, full time, to chair the inquiry. Finding the right judge with the willingness and ability to commit time is not always straightforward. Sir Brian has wasted no time: even ahead of his retirement from active duty on the bench in May, he took initial steps to understand the brief. Since his retirement, he has been active in ensuring that he talks directly to survivors' groups and others. There is no doubt in my mind that he is absolutely committed not only to getting to the truth and securing justice, but to doing so in as speedy a way as possible, given the need to ensure the proper examination of evidence.

Let me turn to the hon. Gentleman's particular questions. First, on finance, yes the Cabinet Office will provide Sir Brian and the inquiry team with all the resources that they need to do their job effectively.

Secondly, the Prime Minister has made it clear that the Department of Health and Social Care, the national health service and all branches of government should co-operate fully with Sir Brian and the inquiry. It is for the NHS in the devolved areas to take decisions in the light of the devolved Governments' views, but I wish to make it clear that I have no reason to expect anything other than full co-operation. I know that the Governments in Scotland and Wales are determined to ensure that there is justice and openness and that, at the end of the day, the truth is delivered for survivors.

The hon. Gentleman asked whether measures will be taken to monitor the Department of Health and Social Care. I assure him that were there to be—I do not expect this—the slightest suggestion of a failure to co-operate, the necessary instructions would be given. The Prime Minister's view on that has been absolutely clear.

The hon. Gentleman asked about legal aid, and I can confirm that we are making it available. We have said that people can claim for the costs of legal representation during the consultation. Under section 44 of the Inquiries

Act 2005, I am allowed to determine the power of the chair to make awards for legal funding. Given the exceptional nature and gravity of the infected blood tragedy, I have decided that it is overwhelmingly in the public interest that the Government provide such funding for applicants. Those applicants will not be subject to means-testing.

The hon. Gentleman asked about the Penrose inquiry. One problem with that inquiry to which the Scottish campaign groups drew Sir Brian's attention was that Penrose was assisted as chair by a single medical assessor. Sir Brian's proposal is for there to be panels of experts representing different areas of expertise that need to be brought to bear in our search for the truth. He proposes that that is the best way, commensurate with the speed required, to ensure that the survivors get to the truth as rapidly as possible.

Mr Philip Hollobone (Kettering) (Con): What is the Cabinet Office's central working assumption about how long this inquiry will take and how much it will cost?

Mr Lidington: Ultimately, such matters are for the chair of the inquiry, because the inquiry will be independent of Government direction once it has been established. Our working assumption is that it may take up to two years, but I do not want in any way to prejudge the decisions that Sir Brian will come to or where the evidence will take the inquiry.

Dr Philippa Whitford (Central Ayrshire) (SNP): The infection of patients with hepatitis C and HIV from contaminated blood products is the worst tragedy and scandal in the NHS's 70-year history in terms of the number of people infected, the ignoring of evidence, and the cover-ups on which we hope light will be brought to bear. As the Minister said, it is almost a year since the inquiry was announced, during which time, sadly, 90 people have died in England, Scotland and Wales and will therefore not get the answers for which they had hoped.

As the Minister mentioned, speed is of the essence, so what steps are the Government taking to avoid the end of the inquiry becoming entangled in a Maxwellisation process, as happened with the Iraq war inquiry? I am sure that the financial support available for legal counsel is welcome, but what financial support will there be to help victims and their families to attend the inquiry? I understand that it will move around the UK, but there will still be costs for families who are struggling.

Another limitation of the Penrose inquiry that was held in Scotland was that it was unable to force witnesses from the Department of Health to attend the inquiry, even though the scandal happened when that Department was responsible for healthcare right across the UK. The Minister referred to those who still work for the Government, but what about those who do not? Will the inquiry be able to summon witnesses and force them to give evidence? If the inquiry does not finally get to the bottom of what happened, the decisions that were made and the cover-up that may have happened afterwards, people will be very bitter.

Mr Lidington: I thank the hon. Lady for her support. She is right that there have been many allegations that there was not just an appalling degree of misjudgment

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and mistreatment of people, but then a subsequent cover-up. One of the specific terms of reference involves asking the inquiry to consider whether such concealment took place, who would have been responsible for it, and its extent, so that is very much something that Sir Brian and his team will look into. One problem with appointing co-determining assessors would be that that would almost inevitably slow down the speed at which the inquiry could progress, because we would need to find experts—there would be a question as to how many were required to cover the field—who were prepared to take off a year or two years, full time, to serve alongside the chair. That was one of the reasons that weighed heavily in Sir Brian's mind when he made his proposals on the terms of reference.

On powers to summon people, yes, the 2005 Act gives an inquiry of this kind the power to compel the attendance of individuals.

Andrew Percy (Brigg and Goole) (Con): In accepting Sir Brian's view about the work of expert groups, can we be assured that those expert groups and panels will be fully transparent and that everything will be publicly available to those with an interest?

Mr Lidington: Yes. In his letter to me, Sir Brian proposed that there should be expert groups covering a number of areas and expertise, and that those would range from clinical expertise, with that group itself needing to involve experts in haematology, hepatology and virology, and separate expert groups dealing with medical ethics, statistics, and the psycho-social impact of the infected blood scandal, to experts on public administration. It is certainly Sir Brian's intention that the deliberative sessions of those expert groups should be undertaken in public, and that the core participants in the inquiry should be able both to propose to the chair names for appointment to those expert groups and to ask questions of the experts during their deliberative sessions as well as during formal evidence given by the expert groups to the inquiry in plenary session. Clearly, given the way that these inquiries normally operate, our expectation is that that intervention on behalf of survivors and other core participants would be via their legal representatives, and that again reinforces the reasons why the Government have agreed, exceptionally, to offer legal aid.

Diana Johnson (Kingston upon Hull North) (Lab): I thank the Minister for making this oral statement today. The scale of the scandal is such that more than 2,500 people have already died as a result of this disaster. That is far more than all the other disasters from the 1970s added together, starting with the Moorgate tube disaster, running right through to Grenfell just last year—so more than all of those added up together. I want to pay tribute to all those who have fought, over many years, to get to this point. I am talking both about those who were infected and those who were affected. Madam Deputy Speaker, will you pass on my thanks to Mr Speaker for assisting Parliament in getting to this stage today by granting, I think, seven urgent questions, many debates, questions and statements in recent years, which has led to these terms of reference today? The terms of reference are comprehensive, covering many,

if not all, of the points that those who were infected and those who are affected have raised with Sir Brian. The Minister made mention of two years as a possible timescale for this inquiry. Does he think that that is realistic considering that Penrose took far longer than that, and is there a mechanism by which Parliament can be given reports on a six-monthly basis of the progress that is being made?

Mr Lidington: I join the hon. Lady in the tributes that she has paid to the campaigners. The two-year period is an estimate. It is very difficult to be more precise than that because so much depends on where the evidence leads Sir Brian and the inquiry team. The fact that the expert panels that he has proposed will be able to carry out their work in parallel with the inquiry proper will make it easier to progress at speed than was the case under Penrose where the medical experts sat as a co-determining member of the inquiry alongside Penrose himself.

I should have said in answer to the hon. Member for Central Ayrshire (Dr Whitford), but I am happy to say to the hon. Member for Kingston upon Hull North that the inquiry will be able to offer interim reports. Although I cannot promise reports to the House at particular intervals, because, again, the inquiry is independent of Government direction, the possibility of interim reports is something that I have emphasised to Sir Brian and it lies within his powers.

Stephen Kerr (Stirling) (Con): I welcome the statement from my right hon. Friend. May I also say how important it is for my constituents and the families of those who have been impacted by this that the inquiry is conducted in a speedy fashion, with answers and conclusions available as soon as possible? Can he confirm that the lessons learned from the experience of the Scottish inquiry will be fully taken on board by Sir Brian?

Mr Lidington: Yes, I can give that assurance. Indeed, when Sir Brian was consulting survivors' groups and campaigners prior to sending me his proposed terms of reference, he took note from what was said by, among other groups, the Scottish Haemophilia Society and the Scottish Infected Blood Forum about what had gone wrong in respect of the Penrose model. Sir Brian is very keen to avoid those problems occurring in this new inquiry now.¹

Frank Field (Birkenhead) (Lab): On behalf of those families in Birkenhead who have been devastated by death and those who may face a similar fate, may I thank the right hon. Gentleman for his statement today? When the Prime Minister established the Hillsborough disaster inquiry, she broke the rules so that truth would emerge. She ruled, or got the whole Government to agree, that the onus was on Government to produce all the relevant papers and that the inquiry would not have to go fishing in the hope of finding those papers. Will he please give the same undertaking for this inquiry?

Mr Lidington: I will happily give the right hon. Gentleman that undertaking. What is more, I know that my right hon. Friend the Secretary of State for Health and Social Care is utterly determined—

1. [Official Report, 4 September 2018, Vol. 646, c. 1MC.]

Frank Field: Not only the Health Secretary's Department but all the Departments involved.

Mr Lidington: My Cabinet colleagues are all very determined to get to the truth over this. It is important that the truth comes out both, and most importantly, to provide justice and transparency for the survivors and their families, and to ensure that any lessons about public administration can be learned and applied so that our constituents never have to go through such an experience again.

Huw Merriman (Bexhill and Battle) (Con): On behalf of my constituents who have been affected by this most horrendous situation, may I welcome the update that the Secretary of State has given? With regard to their ability to be able to propose experts and to put forward questions to expert groups, how will that opportunity be cascaded so that no one misses out?

Mr Lidington: It will be for the chair and his team to set out exactly how they plan to run the inquiry and how the expert groups, once appointed, will operate, but Sir Brian has demonstrated already his commitment to engage closely with survivors and campaign groups. I know that he will be very determined to ensure that nobody does inadvertently miss out on the opportunity to pose whatever questions they wish.

Mr Alistair Carmichael (Orkney and Shetland) (LD): On the question of additional panel members to sit alongside the chairman, the views of Sir Brian are obviously going to be very important and must be taken fully into account, but, ultimately, it will be the Minister's decision, and it is a decision that will have a very profound impact on the job to be done. Expert advisers will give expert advice, but it will be the chairman and/or the panel members who ultimately make the recommendations. As the Minister decides whether or not to appoint extra panel members, can he assure me that the views of all those who have campaigned so long and so hard to get to this point will be taken into full account?

Mr Lidington: I can definitely give the right hon. Gentleman that assurance. I shall be taking particular note when Sir Brian reports back to me in, I hope, a few weeks' time of the views that have been expressed by campaigners and survivors' groups in response to the proposals that he has tabled.

Eddie Hughes (Walsall North) (Con): A number of Members have commented on the importance of concluding this inquiry quickly, but will my right hon. Friend update us on the work that the chair of the inquiry has already done in preparing for the future stages?

Mr Lidington: Sir Brian has carried out a number of meetings with groups and with individuals across the country. He and his team have conducted a public consultation online, inviting letters, emails and telephone calls. He has demonstrated his commitment to take this matter forward rapidly and to do so taking very careful account of the views of survivors in particular. When I met Sir Brian, it was very clear to me that his involvement in the Bristol Royal Infirmary public inquiry of a few years ago had made a huge impression on him, and I

know that he wants to apply the lessons that were learned in that inquiry to deliver the very best possible inquiry into the infected blood scandal.

Catherine West (Hornsey and Wood Green) (Lab): Will the Minister reassure me that in the overall inquiry survivors will be able to make their own representations independently of third sector groups such as the Haemophilia Society? That is not to detract from the organisation's work in any way; it is simply that some individuals may not always have had a 100% positive relationship with such groups, and may want their representations to be considered completely separately from those of the society or other third sector groups.

Mr Lidington: In his letter proposing the terms of reference, Sir Brian Langstaff said to me that different groups had different views on how the inquiry should best be approached, and he will want to ensure that everybody gets their fair say. Obviously it is for the inquiry, not for Ministers, to determine who should be accepted as core participants.

Mike Wood (Dudley South) (Con): Will my right hon. Friend confirm that as well as direct legal expenses, related legal expenses in relation to responding to the consultation on the terms of reference will be met, so that the voice of victims and their families can be properly heard?

Mr Lidington: Yes, all reasonable expenses for legal representation to respond to the consultation on the terms of reference will be met, and any individual claims will be handled by the solicitor to the inquiry.

Chris Stephens (Glasgow South West) (SNP): When this issue is raised, I always thank my constituent Cathy Young, a leading member of the Scottish Infected Blood Forum who lost her husband to contaminated blood.

I have had constituents who were involved in the Chilcot inquiry and waited years owing to Maxwellisation. This comes back to the question asked by my hon. Friend the Member for Central Ayrshire (Dr Whitford). Will the Minister ensure that someone who is asked to be held to account or who is at fault for any reason will not unnecessarily delay the outcome of this inquiry due to Maxwellisation?

Mr Lidington: It is in no one's interests that this inquiry is delayed unnecessarily. It should take only as long as is required to establish the truth and come to appropriate conclusions. I believe that Sir Brian has the powers he needs to take forward an inquiry that is both thorough and speedy, and I very much trust him and his team to do that. He, as much as anybody else, is conscious of the agony that survivors and their families have already had to endure. He will not want the inquiry to last one day longer than is essential.

Stephen Kinnoch (Aberavon) (Lab): The Farrugia family in my Aberavon constituency have been treated in an absolutely appalling manner throughout this entire sorry affair, so they will certainly welcome today's announcement. Will the Minister provide a bit more assurance about the access to the updates—regular and detailed ones, I hope—that my constituents will receive as this process begins and goes on?

Mr Lidington: The question of whether there will be formal interim reports is a matter for the inquiry chair under the terms of the 2005 Act, but I can assure the Farrugia family, through the hon. Gentleman, that all proceedings of the inquiry and the expert groups will be public. I am sure that Sir Brian will want to ensure that the records of those proceedings are made widely available to all who are particularly affected.

Jim Shannon (Strangford) (DUP): I thank the Minister for his thorough replies to all Members. May I ask him, on behalf of my constituents—indeed, on behalf of all those across Northern Ireland, as a Member of Parliament for Northern Ireland—what plans the Government have to improve the financial support for people infected by contaminated blood and blood products, and their families? Also, what discussions has he had with the Northern Ireland Department of Health in the absence of a non-functioning Northern Ireland Assembly?

Mr Lidington: Clearly it is for the health service in Northern Ireland to improve procedures, as the health service has sought to do throughout the United Kingdom in the light of what is already known about the contaminated blood scandal. One of the advantages of having the proceedings of the inquiry in public—including those of expert panels—and having the possibility of interim reports is that it would enable the health service in Northern Ireland and elsewhere to make whatever additional changes might be needed in the light of the inquiry's emerging findings.

Estimates Day

[3RD ALLOTTED DAY]

MINISTRY OF JUSTICE

[Relevant Documents: Oral evidence taken before the Justice Committee on 26 June 2018, on Prison Population 2022: planning for the future, HC 483; oral evidence taken before the Justice Committee on 22 May and 12 June 2018, on Criminal legal aid, HC 1069; and oral evidence taken before the Justice Committee on 7 March 2018, on The work of the Ministry of Justice, HC 418.]

Motion made, and Question proposed,

That, for the year ending with 31 March 2019, for expenditure by the Ministry of Justice:

(1) further resources, not exceeding £3,673,299,000 be authorised for use for current purposes as set out in HC 957 of Session 2017-19,

(2) further resources, not exceeding £198,182,000 be authorised for use for capital purposes as so set out, and

(3) a further sum, not exceeding £3,635,304,000 be granted to Her Majesty to be issued by the Treasury out of the Consolidated Fund and applied for expenditure on the use of resources authorised by Parliament.—(*Paul Maynard.*)

6.26 pm

Robert Neill (Bromley and Chislehurst) (Con): It is a pleasure to start this debate. I thank the Backbench Business Committee for having facilitated it, my colleagues on the Select Committee on Justice for the work that they have done on the estimates and, more broadly, the work of the Ministry of Justice during this Parliament so far and beyond.

This is an important debate because although the Ministry of Justice is one of the smaller Departments in budgetary terms, its work is fundamental to the nature of a civilised society. Ultimately, justice is not a transaction; it is something that underpins the way in which we live our lives and the way in which we treat each another in a civilised society. Perhaps it should be measured more by its impact than purely in monetary terms. It has to be said that in that regard, frankly, we get our justice system pretty cheaply. Overall the Ministry of Justice is about 12th in terms of spending Departments. Its total expenditure, on the current form, is a resource departmental expenditure limit—a resource budget, in effect—of £6.9 billion. To put that in context, it is less than 2% of total Government resource DEL and about 1% of total public spending across the UK, which amounts to some £800 billion. We are talking about a small amount of money.

The problems that the Ministry faces are twofold. Within that amount of money, the Ministry has to deal with key issues. Some 50% of its budget goes on prisons and probation, some 20% goes on the courts services and related matters such as legal aid, access to justice and so on, and the rest is spent on a number of key agencies. The two biggest issues—prisons and probation, and courts and legal aid—are very much demand-led. At the same time as being a Department most of whose work and services are demand-led, the Ministry also has to cope with the difficulty of being an unprotected Department in terms of our necessary approach to reducing the deficit and public debt. That places particular pressures on those who work in the

Department and its agencies. I will be frank; as a former Minister, I know that it also places particular pressures on the Ministers, to whom I pay tribute. Over the years, many of them have been friends and they work really hard to deal with a difficult situation, but Parliament needs to take a look at whether we give adequate resource to the task required of them.

It has been very clear that the resources have been reduced considerably—and more than many other Departments—because of the Ministry's unprotected nature. The upshot has been that the resource DEL for 2016-17 is 29% lower in real terms than it was in 2010-11. The prison population has not declined since 2010-11. In fact, it spiked up initially and then stabilised only over the past couple of years. That is a significant cost pressure that has gone on. Because we do not seek, naturally, to inhibit the sentencing decisions of individual judges in individual cases, there is limited control over what can be done.

In addition, for reasons that we will perhaps touch on, there are costs to the public purse that go beyond some of the failures in our prison system. We imprison a higher number of people than many of our comparators, and unfortunately we have worse rates of reoffending. As the Department and the Government accept, reoffending has an economic cost to the United Kingdom of some £15 billion a year. So not only is there a squeeze on the attempts—the genuine attempts—that are being made to reduce reoffending, to rehabilitate and reform, but we are not getting the outcomes that we need from that. Equally, the failure to achieve all those outcomes creates a further cost pressure at the other end of the scale as well. That is why the reforms that the Government and Ministers are seeking to make are all the more important.

Moreover—other members of the Select Committee will touch on this in more detail—there are real pressures and difficulties within different parts of the prison system. Over the years that we have been a Select Committee, both in this Parliament and its rather short predecessor, we have delivered a number of reports on matters such as prison safety, the way in which we treat younger adults in the prison system—where there are real and specific difficulties—the recruitment and retention of prison staff, and morale within prisons. These issues are all interlinked.

Because the number of prisoners remains stubbornly high and because the resource available has declined, there has been a concerning deterioration in a number of key areas. Prison safety is an obvious example. Her Majesty's chief inspector of prisons, whose work we should all pay tribute to, has produced a number of reports that show, regrettably—despite a number of initiatives by Ministers to seek interventions to remedy the position—a considerable increase, over a period, in assaults, both inmate-on-inmate assaults and assaults on members of staff. There has been a 44% increase in prisoner assault incidents since 2015. The rate of assaults, which is perhaps the most telling figure, has increased from 190 per 1,000 in 2007 to 344 per 1,000 in 2017. Assaults on prison staff have increased from 43 per 1,000 in 2007 to 98 per 1,000 in 2017.

That has an impact on staff morale and staff retention. It also means—because of the need, naturally, to keep the prison regime safe—that only a very small percentage of prisoners are being unlocked for the 10 hours that is the expectation of Her Majesty's chief inspectorate. That is a problem because restricted regimes make it

much harder to carry out the reform and rehabilitation work that Ministers—and, I believe, every one of us in this House—want to see. Further budgetary pressures that currently seem to be the case for the Department can only make that harder without some radical change. We have to bear in mind not only that there are past budgetary pressures, but that the Ministry needs to reduce its annual spending by £500 million from 2015-16 levels to 2019-20 to meet the 2015 spending round.

That, in my judgment and that of many others, can be done in only two ways. Either we change those spending levels and put more money into prisons, at great expense to the taxpayer, or we—as a society and as a Parliament—seize the bull by the horns and make a determined resolve to reduce the prison population. That can be done, in particular, by releasing prisoners who are not a threat to society in a physical or serious financial sense and by finding robust and credible alternatives to custody that enable sentencers to deal with many more offenders in the community without the need for the extreme cost of imprisonment—some £23,000, on average, but much more for certain classes of offender, particularly young offenders. Unless we want to have a permanent bottomless pit, we have to make investment to make savings in the long term, not only in economic terms but in social and human terms.

Mr Jim Cunningham (Coventry South) (Lab): I am concerned about cuts to legal aid, because I have constituents who have domestic problems and need legal aid to fight their case in the courts. Will the hon. Gentleman say a little more about that, particularly with regard to the situation of women?

Robert Neill: I am trying to give an overview, so I will come on to legal aid and access to justice issues. I will deal with the prisons and probation part of the budget first, because it is the largest element and therefore the elephant in the room in financial terms.

There have been efforts to deal with this. The Ministry succeeded in getting the funding for 2,500 extra prison officers. That is admirable. It is worth noting that extra equipment has been provided by way of body-worn cameras. Real and valuable initiatives have been proposed such as the employment and education strategy and the female offender strategy. Those are all welcome, but what we really need to do is grasp the nettle and have a joined-up approach to looking again at our assumption about imprisoning people to a greater degree than most of our comparators. That decision has to be made now.

I turn to an issue that our Committee has touched on already in our inquiry into transforming rehabilitation—the costs of reforming the National Probation Service. What concerns us, from a budgetary point of view, is that the split between the National Probation Service and community rehabilitation companies was clearly not fully costed. Instead of making the savings that had been intended, some £400 million more has had to be put in to shore up those companies and those contracts. We do not regard that as sustainable. We need a clear plan from the Government on how this will be rectified. We have published a report to that effect. I welcome the Minister's robust approach in saying that nothing is off the table, including removing contracts from failing providers if necessary. It is important that that is tackled urgently.

Gareth Johnson (Dartford) (Con): My hon. Friend makes a valuable point. While there are challenges in the new system of probation supervision, does he agree that it is very welcome that we are now supervising short-term prisoners, which for many years we did not do?

Robert Neill: That is an admirable objective, but I regret to say that the evidence of our inquiry is that it seldom happens adequately in practice. One of the findings, which is for another debate, is that in many cases the level of supervision has in fact declined. Sometimes, it happens purely by phone calls once every six weeks, and in many cases the involvement of the voluntary sector and other local agencies has declined. The objective was absolutely laudable, but I fear that there are serious question marks about how it is being delivered in practice. It is very patchy across the country, to be frank.

I turn to matters to do with the Courts and Tribunals Service. The question of legal aid is a vexed one. We have reported on that, too. There have been reductions to legal aid. I understand the pressures that the Department was under, and the whole Government were under, when the coalition came in in 2010 and the consequent need reduce public indebtedness, with everything having to bear a share of that. My personal conclusion is that we went too far in those matters and that we now have a situation where cuts to legal aid are becoming counterproductive. For example, there have been attempts to raise extra—

Mr Jim Cunningham *rose*—

Robert Neill: I really cannot give way again because time presses, and I know that others will touch on this issue.

There have already been concerns about certain cost-raising measures. Increasing fees and reducing eligibility were found to be unlawful by the courts, so those measures have had to be revisited. Withdrawal of legal aid in some areas has created a significant increase in litigants in person. Litigants in person are an undesirable feature, for a number of reasons. The obvious one is it damages equality of arms, which is central to a justice system, but also, in practical and budgetary terms, cases involving litigants in person take longer to hear. There is much greater likelihood that, without early legal advice, litigants will pursue unmeritorious claims that have to be litigated in court rather than siphoned off with robust advice from lawyers.

In family court cases, rather than seeing an increase in mediation, as was anticipated, mediation has fallen through the floor. That sharp decline, all the evidence now shows, is because it is early advice from experienced family lawyers that signposts mediation to people. I believe there is a very strong case that reinvestment in early legal advice through legal aid would save money and save social damage.

Bim Afolami (Hitchin and Harpenden) (Con): Will my hon. Friend give way?

Robert Neill: I will, but this really must be the last time.

Bim Afolami: I thank my hon. Friend for giving way. On mediation, does he agree that what might be needed from the Government is more publicising of that method of dispute resolution, because a significant number of people do not know that it exists?

Robert Neill: That is an entirely fair point, and I welcome it. There needs to be more publicity generally for public legal education, and mediation is an important part of that, but even then, it is important to realise that many people—particularly those going through a family breakdown—will not feel able or confident to go to that on their own initiative without some assistance. Early legal advice will get them into the mediation process, rather than drawn-out litigation in front of a family court judge. That will be a cost saving.

The other point is that this is one of many burdens that are affecting judicial morale. In the statement earlier today, the value of our judiciary was highlighted by the appointment of a High Court judge, Sir Brian Langstaff, as is often the case, to head an inquiry into important and grave matters of public concern. We do that because of the high reputation of the integrity and quality of our judiciary, but there are now real concerns from the senior judiciary about how we sustain that. Recruitment to the High Court bench and now to the circuit bench is struggling. That used not to be the case.

There is a raft of reasons. First, it is partly a question of pay. The truth is that we are often asking people to give up highly lucrative practices to undertake public service. The second is the pensions regime, and the third is the working conditions. Part of that is due to the growth in pressure that litigants in person brings, particularly at the district judge and circuit judge level. There is also the additional administrative work that is forced upon us, and the lack of investment on the capital front in the court estate means that the working conditions are not those that one would expect of senior professional people. That is an argument for looking again at the capital budget.

There are a number of other matters that one could readily touch upon, but time does not permit it. I know and respect the Ministers in the Department. I know that they seek genuinely to reform and to find a cost-effective justice system that delivers, but they need the help of the House and far greater public awareness of the pressures upon the system, they need to be radical with the resources that we have and they need to be prepared to invest for the future. Ultimately, justice is not a transaction; justice is central. The more that that is said in such debates and elsewhere, the better, and this debate is an opportunity to say precisely that.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. There is some pressure on time this evening, but I would prefer not to impose a time limit. If Members could stick to eight minutes, that would be very helpful.

6.43 pm

Ian C. Lucas (Wrexham) (Lab): It is a pleasure to take part in the debate and to follow the hon. Member for Bromley and Chislehurst (Robert Neill), the Chair of the Justice Committee; I will touch briefly on the Committee's "Transforming Rehabilitation" report. I also welcome the relatively new Ministers—one of them is very new—to their places.

I want to begin with a positive, which is the construction in my constituency of the largest prison in western Europe, HM Prison Berwyn—a proposal the size of which concerned me deeply, to such an extent that I

initially opposed the construction of the prison. However, I have worked very closely with the Ministry of Justice over a considerable period and have benefited from that. I would particularly like to thank Amy Rees, the current leader of the Prison and Probation Service in Wales, and the governor, Russ Trent, with whom I met on Friday and with whom I have developed a close working relationship.

I never had a prison in my constituency until this prison was opened, so this is new to me and there are real challenges relating to it. However, I say cautiously that I think the prison has been welcomed in Wrexham, and positive work is taking place there, which we all want to support. Wrexham's community has been working hard with the local prison, and the prison has been very good at engaging with business and local voluntary organisations. At this stage, the prison is around half full—perhaps a little more—and the close relations between the community, me as the Member of Parliament and the prison have been very positive. I would like to thank those working at the prison for their engagement.

On probation, I was interested to read the “Transforming Rehabilitation” report to which the Chair of the Select Committee referred. I will not rehearse what I said last week, but there has been an extremely serious case in Wrexham involving the murder of one of my constituents, Mr Nicholas Churton, which appears to have been the result of a failure to adequately supervise an individual who was under supervision and on licence from prison. That is currently the subject of two Independent Office for Police Conduct investigations. I have spoken in detail with the probation service about it but unfortunately have not had the same level of co-operation from North Wales police. That causes me profound concern about the current probation regime. The incident that led to the murder of my constituent happened well over a year ago. We are still awaiting the outcomes of the inquiries, and I will watch those extremely closely. I have profound concerns about the resourcing of the current system. I hope that when the reports come back to the Ministers, they will look at them extremely closely and ensure that there is no repeat of the appalling failures that appear to have happened.

The third area that I want to raise is the court system. In a previous life, I was a solicitor, and for a time I worked as a practising solicitor in the criminal courts. That was so long ago that if there was an issue at Wrexham magistrates court that concerned me, I would speak to the local clerk to the justices face to face and receive a response on the issue. I regret that the court system today is, to my mind, entirely unresponsive to the local communities that it is supposed to serve. Wrexham is the largest town in north Wales. It is administered within the court system in Wales by someone who I believe is based in Llanelli, which is a long walk away and has no affinity or contact with the local area in Wrexham.

I will raise a single case, with which the Ministry of Justice will think I am obsessed: the cells at Wrexham magistrates court. This is an example of how detached the court system is under the present Government. I have commended the Ministry of Justice thus far for the close relations that I have had with the Prison and Probation Service, but I am afraid that my contact with the Courts Service has been very bad indeed. The cells at Wrexham magistrates court are important, because

at present they are served by the local police station, which is in the process of closing. I raised the closure of the police station because I knew that when the police station closed, the custody facility at Wrexham magistrates court would also disappear. Towns are very important places, and solicitors' practices in towns that serve places such as magistrates courts are also very important.

None of that appears to have occurred to the Ministry of Justice or, indeed, North Wales police, which clearly had not thought about what would happen to the cells at Wrexham magistrates court until I raised the issue some years ago. That began a sequence of correspondence with the Ministry of Justice and with Ministers concerning the magistrates court and led me to secure in 2016 what I believed was an undertaking from the then Minister that criminal cases would continue to be heard in Wrexham—the largest town in north Wales—and that custody facilities would be developed and built to serve the court. I was therefore very upset last week to receive a notice that I believe was sent to magistrates in Wrexham, saying:

“As you are aware, the closure of Wrexham Police station has led to the loss of the shared custodial facilities at Wrexham Magistrates Court. As such, from Friday 17 August, cases that have a custodial requirement will be listed at Mold.”

That is exactly what I have been working for a number of years to avoid. My objective has been to ensure that there continues to be a fully functioning and effective working magistrates court in the largest town in north Wales.

The decision that appears to have been made thus far by the Ministry of Justice or its officials in the local area is that the court will cease in August. We do not know at this juncture—there has been no discussion with anyone that I am aware of, and certainly not with me—what the proposals are for the magistrates court in Wrexham. The local administration of the magistrates court knows very well that I have been following this extremely closely, and that I have intervened a number of times to obtain information about the case. At no stage, however, has there been any attempt to contact me concerning the present circumstances at the court.

It seems to me that this is a microcosm of how the court system is now operating certainly in Wales and, I am sure, across England too. The remoteness of the court system and the administration from Members of Parliament and from their local communities is the absolute antithesis of what a local system of justice should be. I, as the Member of Parliament, have no idea what the correct point of contact is. I would therefore welcome a complete rethink by Ministers on the Front Bench as far as the courts are concerned, and I would welcome a re-engagement with elected Members of Parliament about the future of their local magistrates courts and the local justice system.

Local justice is hugely important, and towns need the thriving local businesses—for example, solicitors' offices—that serve the magistrates court in civic centres such as Wrexham. The way in which the Government and the Ministry of Justice are operating at the moment is that they have scant regard for those towns, for the Members of Parliament and for the people that I represent. That needs to change fundamentally, and I would really welcome such a change from the Ministers who have been listening to me so courteously.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton):

Order. I am afraid that I will now have to put on an eight-minute time limit.

6.53 pm

Gareth Johnson (Dartford) (Con): It is pleasing to be able to contribute to this estimates day debate. It gives me the opportunity to cover some general issues concerning the criminal justice system, and also a couple of specific ones. I think we would all agree that it is of course the first obligation on any Government to protect their people. We often hear that said in a defence context, but it is just as pertinent in a civilian one. We have to recognise that crime has the ability to undermine the very fabric of our society.

I was pleased to hear just that point made by my hon. Friend the Member for Bromley and Chislehurst (Robert Neill), who is a very competent Chairman of the Justice Committee. I was a member of the Committee under his predecessor, Lord Beith, who was also a very competent Chairman. My hon. Friend is absolutely right to highlight the importance for the whole of society of having a strong justice system. He is also very correct to point out where there are failings in the system. I do not always agree with him on the points that he and his Committee makes, but it is incumbent on the Chairman of a Select Committee to make such points well known.

My hon. Friend raised the issue of the supervision of short-term offenders, and it is very correct that he should point out failings where there is a lack of resource and where we can improve that supervision. Ever since probation officers started to supervise offenders, failings have always taken place. I would not argue against that perhaps still being the case today, and there are some improvements that can be made. Where I would depart from him, however, is that I very much welcome the fact that short-term offenders or prisoners are getting some assistance. That assistance may well need improvement, but it is right to have introduced a system to end the frustration of seeing people leave prison after a few weeks—they are given a small amount of money and sent on their way—and somehow being surprised when those individuals come back into the penal system again. It is a huge step in the right direction that we are now supervising those individuals. Even if that supervision needs improvement, it is welcome that we are supervising those individuals for the first time in many years—perhaps for the first time ever.

Generally speaking, I believe that the issue of law and order is not perhaps given the prominence it should have. We all want good schools, hospitals and public services, and we want a good strong economy, but if we allow crime to take over a particular area, we undermine the very fabric of society and everything else that we are trying to achieve. It is good to have an opportunity to have this debate on the criminal justice system to highlight just how important the system is for the very bedrock of our society.

Robert Neill: Like me, my hon. Friend has a long background in the criminal justice system as a practitioner. Does he share my concern that there has been a marked decline in the availability of duty solicitors and other

legal aid solicitors to attend police stations and courts, and that the average age of a duty solicitor is now about 47-plus?

Gareth Johnson: As a 48-year-old, I instinctively have sympathy with the point my hon. Friend makes. While the prosecution must be represented, it is absolutely essential that the defence has representation as well. That is in the interests of justice.

It is fair to say that this country, compared with the rest of the world, spends a favourable amount of money on legal aid. I concede that it is always difficult to compare the justice system with others internationally—it is not always an easy comparison to make—but if we look at the overall amount that this country puts into legal aid, we can be reasonably proud of it. However, I concede that there are huge frustrations among some of my former colleagues in the criminal justice system about being unable to represent their clients and pursue matters in the interests of justice in the way they were perhaps once able to do.

My hon. Friend is quite right that I spent some 20 years in the criminal justice system as a duty solicitor. I do not have the experience of the hon. Member for Wrexham (Ian C. Lucas) of going into the cells in his area. However, I had the experience of trying to administer justice on the frontline, which is undoubtedly what happens for duty solicitors and solicitors who work in the criminal justice system. What I learned during that time is that crime is a very complicated thing. I do not believe that there is a simple solution to any of the problems we face with crime in this country. We cannot tackle it from one single angle; it needs a multifaceted approach.

I believe very strongly that criminals tend to have one thing in common, which is a selfish failure to take responsibility for their own actions, but the reasons behind that are often very complex. This sticks in my throat a bit, but to be fair, Tony Blair was actually going in the right direction when he said, “Tough on crime, tough on the causes of crime”. Whether or not he took that approach is open for debate, but it is the one we need. We need to take a holistic approach to tackling crime. We cannot deal with it simply by locking up more and more people. Equally, we cannot deal with it by trying to cuddle people and to help them on their way. As I say, this needs a multifaceted approach.

It is good that on this estimates day we are concentrating on how we can ensure that society is protected, and that we do not end up trying to regain lost causes because the system has failed, which is much harder to do. Part of that is about ensuring that criminals receive the right sentences for the offences they commit, which is why I advocate expanding the scope of the unduly lenient sentence scheme. We have already taken some steps in that regard. It is right that the defence should be able to appeal against sentences that are too harsh, but in my opinion it is wrong that in so many instances the prosecution cannot appeal against sentences that are unduly lenient. For malicious wounding, actual bodily harm, child cruelty, distribution of child abuse photos, burglary and even rape, when dealt with in the youth court, the prosecution cannot appeal against the sentence handed down, however unduly lenient, because those crimes are not covered by the current scheme. That needs to change.

We all agree that the punishment should fit the crime. When it does not, there should be a mechanism in place to allow appeals.

We also need the Government to be flexible in their approach to law and order issues. Government attitudes have to change in accordance with society's attitudes. I welcomed the announcement that it will now be possible to impose a life sentence for death by dangerous driving, because too often we have seen the courts impose inadequate sentences for some of these incredibly serious crimes. I would also like to see the Crown Prosecution Service making more use of manslaughter charges in the most serious cases.

A lot of work needs to be done in this area. I congratulate the Government on some of the things they are doing to ensure that law and order are at the top of the agenda. I think that we should give this area greater priority. If we do not get our approach to law and order right, we undermine the whole fabric of our society.

7.2 pm

David Hanson (Delyn) (Lab): I thank the Chair of the Backbench Business Committee for agreeing to the debate and the hon. Member for Bromley and Chislehurst (Robert Neill) for introducing it. The debate is about the Ministry of Justice's estimates. In practice, that means that it is about how we protect the public; how we turn around the lives of offenders by rehabilitating them so that they can go back into society; how we have a proper through-the-gate system to ensure that people leave prison in a better state than when they went in; and, in particular, how we reduce reoffending by ensuring positive inputs in prison.

The challenge for the Minister today—I will be particularly interested to hear his contribution—is to explain how he will do all that against the backdrop of the challenges we have faced over the past eight or nine years, and the funding regime over the next three or four years of the current cycle. He will know, although it is still important to remind him, that there are some serious funding challenges. We have seen a 40% decrease in funding for prisons and probation, which are the areas I will focus on today. The annual budget will have fallen from £9.3 billion in current prices in 2010-11 to £5.6 billion by 2019-20, and we are facing potential cuts of £800 million from April 2017 to April 2020. The funding challenge is important because, as the hon. Member for Bromley and Chislehurst explained, prisoner numbers have not fallen. If anything, the seriousness of offences has increased, the age and infirmity of prisoners have risen and the number of prisoners reoffending in under 12 months has risen. The level of violent crime in our prisons today is a serious challenge.

The Minister's first challenge today is therefore to explain to the House how he will achieve what I know he believes to be laudable objectives over the next few years, despite the massive reduction in funding to date and in the future. He needs to explain how he will manage the challenges resulting from his Government's decision to outsource some of the services that he wants to improve as part of his back to basics campaign on prison conditions.

John Howell (Henley) (Con): I share the right hon. Gentleman's desire to get prisoners back into work. Does he agree that the changes that can be made to

achieve that are actually quite small? The previous Justice Committee saw during a visit to Denmark how communal cooking by prisoners of food that they had bought was a very good marker for getting them to move on in life after prison.

David Hanson: There are a number of things that we can do, and I know that the Minister is interested in how we can make the things that happen in prison relevant to the things that happen outside prison, so that skills, training and communal activities prepare prisoners for life outside in a positive way.

The Minister needs to focus on the consequences for probation, which was mentioned by my hon. Friend the Member for Wrexham (Ian C. Lucas), because every indicator over the past seven years has proved difficult for the Government. The Minister needs to explain how he will turn that around, given the current estimates. Let me give just three examples. There are still 7,000 fewer prison officers today than there were eight years ago. The Government are now trying to increase the number of prison officers as a whole, but however many they increase it by, there will still be fewer officers to deal with the same number of prisoners we had eight years ago. The number of assaults on prisoners increased last year by 11%—to over 29,000. At more than 80 per day, that is the highest number of assaults since records began. The number of serious assaults on prisoners increased by 10%, which is the highest level since records began, and the number of assaults on staff increased by 23% over the past year. The number of serious assaults on staff reached 864 in 2017, which is the highest number since records began.

Those indicators are in part the result of underfunding, so it is important that the Minister explains how he will turn the prison system around, particularly with regard to prison numbers, prison officer engagement, training and employment schemes, and meeting his aspirations of having a cohort of six prisoners per officer. The budget is already down by 40%, and it will decrease still further over the next few years. The rate of self-harm—there were 44,651 incidents in 2017—is now at its highest since records began.

What is the Minister going to do to turn that situation around at a time of less resources? Eight prisons are currently in special measures. Within those cohorts—given the time available, I will not expand in great detail—we face some real challenges. He talked last week about the potential expense of Carillion's collapse for the Ministry of Justice. We have heard about his back to basics campaign, in which he wants to increase investment and focus on the condition of cells and maintenance, but I would like to know how he will do that within the terms of the estimates.

A little over a week ago, the Justice Committee, ably chaired by the hon. Member for Bromley and Chislehurst, published its "Transforming Rehabilitation" report. It is particularly important that in this estimates debate the Minister touches on what he will do about probation through-the-gate provision, community rehabilitation companies and transforming rehabilitation. I could spend the next hour reading the recommendations of "Transforming Rehabilitation", which points to massive failures of contract management, massive subsidies of public money for no definitive outcomes, and massive

[David Hanson]

mistakes by Minister in managing contracts. The question prompted by the estimates is: what is the Minister going to do about that?

When the Minister was questioned by the Committee last week, he teased us by saying he might reduce the number of community rehabilitation companies in the next few months and would make an announcement before the end of July. Press speculation last week said the reduction would be from 21 to 14. Current contracts for community rehabilitation companies last until 2022, and the Minister teased us with the possibility of the end of those contracts in 2020.

It does not take a genius to know that the contracts are not performing well. The Minister's Department bunged the companies more than £400 million last August to shore them up because of failures of the contract mechanism. This is an estimates debate, so the Minister needs to explain to the House what he sees as the future of community rehabilitation companies, how he sees the funding mechanisms, whether those funding mechanisms impact on the estimates before us, and how the companies will operate in the period up to the next comprehensive spending review. He needs to set out to the Committee what he will say to the Treasury about the estimates that he and his own chief financial officer admitted last week are difficult, but are not yet cemented down for the comprehensive spending review from 2018 to 2022.

This matters because it is, as the hon. Member for Dartford (Gareth Johnson) indicated, about public safety. It is about preventing crime, rehabilitating offenders, reducing offending and making our society safer. This is not so much an estimates debate as a "how are we going to do it?" debate. How are we going to make the improvements the Prison Service needs? How are we going to make the necessary comprehensive improvements to CRCs? The Minister has a duty to the House to set that out now in this debate.

7.11 pm

Alex Chalk (Cheltenham) (Con): It is a pleasure to follow the right hon. Member for Delyn (David Hanson).

Justice could not be more important and it is fundamental to what it means to be British. Why do I say that? One only has to look at Department for Education guidance on the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect of and tolerance for those with different faiths and beliefs. If we look further at the understanding the Department wants to promote and the values it wants to engender in young people, it states:

"An appreciation that living under the rule of law protects individual citizens and is essential for their wellbeing and safety".

In other words, the rule of law is not just some arcane phrase beloved of lawyers; it is about concrete rights that ordinary human beings and citizens in our country are entitled to enforce.

The rule of law and the principles we hold dear represent one of our most precious exports: the common law system. Yet surely there has never been a greater gap between the importance of an issue and its political profile—not under this Government or any other Government specifically, but as a general position. Issues of the law

do not tend to move the dial politically in the same way as the NHS or education. That is a really important point, because it is incumbent on us in this place to make those arguments. The truth is that respect for justice is culturally ingrained through such things as the strength of our jury system. There is a collective common sense among the British people that rails against injustice wherever they see it, whether it is in the cases of the Birmingham Six, the Guildford Four or, more recently, Liam Allan. The British people are appalled when they see injustice, yet there is a disconnect because it does not seem to enjoy the political profile that it should.

As this is an estimates debate, it is important that we consider funding. Governments must live within their means—that is absolutely right—but it is important to observe the total allocated for this budget, which we all recognise as so vital. The total annual managed expenditure of £7.36 billion for 2018-19 will be reduced in 2019-20 to £6.89 billion. To put that into context, the Treasury Red Book states total UK Government expenditure for the first of those two years as £809 billion. By my calculations, £7.36 billion out of £809 billion is less than 1%. The Department for Work and Pensions spends the equivalent of the entire Ministry of Justice budget in about 10 days. The total Department for International Development budget is about double the MOJ budget. The amount spent on aid to Syria alone—one country—of £2.3 billion is more than the entire legal aid budget. Those are sobering figures. I do not for a second doubt the Government's sincerity when they say they want to prioritise the rule of law and access to justice, but that is none the less a startling suite of statistics. It is important that although this area does not necessarily have support within the media, it has its champions here in Parliament.

Bim Afolami: I just want to take issue with my hon. Friend slightly on the political saliency of some of these matters. I think all Members know that prisons, prison reform, rehabilitation and legal aid do carry weight with the public. What would he say to those who suggest that this area does have political significance, and that we need to make sure that Conservative Members are making the arguments for the reforms that we want?

Alex Chalk: The point is that it has significance when it goes wrong. People will assume that our justice system and our prisons are working absolutely fine, but if there are occasions when that is shown to be wrong, people have a sense of utter outrage. I do not think it is too grandiose to say that we have an instinctive respect for justice in this country. It is considered to be a British value, and people want to see that value in practice.

I want to make a few simple points. Without proper legal aid, rights become meaningless and the laws that frame them become redundant. We might metaphorically slap ourselves on the back and say we have done a wonderful job when we enact legislation, but unless rights can be upheld, they become redundant. As the Supreme Court put it:

"laws are liable to become a dead letter, the work done by Parliament may be rendered nugatory, and the democratic election of Members of Parliament may become a meaningless charade."

That is why it is vital that we ensure there is sufficient legal aid so that individuals are able to prosecute their rights.

When this Government came to office in 2010, it was entirely appropriate for them to have a look at the Ministry of Justice's funding. It is also the case, however, that we must do what we can to ensure that access to justice is truly maintained. I know that a review into the Legal Aid, Sentencing and Punishment of Offenders Act 2012 is taking place. That review will be led by evidence, and I have every confidence that the Government will look at the matter with the seriousness it deserves, but it is important that by the end of the process we ensure that individuals are able to access justice and defend their rights. To be clear, this is not about esoteric high-falutin' rights. This is about ensuring that individuals who have been wronged are able to get redress in the courts because, heaven forbid—I am not suggesting that this will come to pass for a moment—if people start to lose faith in their ability to seek redress in the courts, we can be absolutely sure what will happen: they will take their dispute outside the courts and that is the last thing we want.

I commend the Government for taking an extremely enlightened approach and ensuring there will be additional funding for criminal legal aid. That is important because it is such a precious resource to maintain. I declare an interest, for obvious reasons, but if ever there was a system that was properly set up to incentivise people to work hard, the Bar is it. People realise that if they want to get that next brief, they have to work to the nth degree to ensure that they are doing the best possible job, whether they are instructed by the CPS or defence solicitors.

Robert Neill: Does my hon. Friend agree about the importance of the objectivity that properly experienced counsel on both sides bring to these matters, as has been seen demonstrated in a number of recent cases? That cannot be got on the cheap—and I must declare my interest as well.

Alex Chalk: Of course that is absolutely right. People who serve on a jury want to be satisfied that there is proper equality of arms. Again, that is not a high-falutin' principle. They want to ensure that there is a proper prosecutor and proper defence counsel, because juries have an excellent way of providing justice if they think that others will not. What do I mean by that? Anecdotally, prosecuting counsel will say that the worst thing that can happen to them is to find that the defence counsel is simply ill-prepared or has been inadequately resourced, because juries may then seek to acquit defendants who ought otherwise to be convicted because they perceive that that individual has not had a proper defence.

The right hon. Member for Delyn made some pointed remarks about the conditions in our prisons. He was absolutely right to do so, but we have to recognise that keeping people in custody is an immensely expensive business. We want to ensure that we can do all the things that are important—ensure that there is access to justice and that people can properly safeguard their rights—but we have to recognise that if there is a shrinking budget and a similar number of people in custody, there is every risk that what gets squeezed is the remaining parts of the budget, which covers issues such as legal aid.

The UK—I refer to that country specifically, rather than England and Wales—incarcerates in the order of 95,000 people. In Germany, the figure is a little over

60,000, as is the case in France. In other words, compared with other countries, apart from Russia and a small number of others, the United Kingdom incarcerates a higher proportion of people, so we should do away with the argument that is sometimes peddled in certain newspapers that we are somehow soft on crime. Nothing could be further than the truth. We incarcerate a high proportion of our citizens, relatively speaking.

We have to deal with some hard truths in this estimates debate, and one of those is how many people this country can afford to put in prison. It is all very well for politicians on both sides of the House to talk tough, but we have to recognise that a cost comes with that. If that cost is too high, it will crowd out something that is intensely precious to who we are as a country: the rule of law, access to justice and the freedom of individuals. Those are principles worth preserving.

7.22 pm

Kate Green (Stretford and Urmston) (Lab): It is a pleasure to speak in this debate and particularly to follow the hon. Member for Cheltenham (Alex Chalk), who said a great deal with which I agree. As we have heard, the cuts that the Ministry of Justice has suffered over the last eight years have been particularly harsh and have led to a crisis of safety in some of our prisons, and, given the scathing report that the Justice Committee produced last week on the transforming rehabilitation programme, there is much to be very concerned about.

However, I want to welcome the announcement last week of the female offender strategy, with its focus on the complex factors that act as a backdrop to female offending. I particularly welcome the decision not to build new women's prisons. Many of us, including campaigners and others in this House and in the other place, repeatedly pleaded with Ministers not to do that, and it is really encouraging that they have taken the decision to concentrate on community solutions, which have been shown to be more effective in reducing reoffending and do less damage to women, families and communities.

The whole-system approach that Ministers wish to take offers a real opportunity to see women not through the lens of "offenders", but as women who have a complex range of social and economic needs that require multi-faceted solutions. If the strategy is to be effective, it is absolutely vital that they are seen in that way, because key to the whole-system approach's success is bringing on board all the agencies, not just from the criminal justice system but from local government, health, education, employment and so on. If we look at women through that lens—that they have a complex range of needs that need to be met by a range of agencies—we will have a more effective strategy.

I have to say, having welcomed the strategy, which I do, that the funding for the women's centres seems on the low side, especially compared with the savings that the Department will now make by not building the new prisons. Sadly, those savings appear to be flowing right back into the Treasury for the most part, which is a real missed opportunity for justice reinvestment. Although I welcome the fact that the settlement will benefit new provision in the women's centres, it is very important that Ministers place on a sustainable basis, now and for the future, funding for all women's centres—existing and new, and those with residential accommodation and those without it. Up to now, we have seen a patchwork of

[Kate Green]

charitable, local and some community rehabilitation company funding. We really need a funding model to ensure that the women's centre model is secure and stable if it is to succeed, as it can, into the future.

We have heard quite a lot about the transforming rehabilitation programme this evening. I was particularly interested that the Justice Committee declined in its report to say very much about women's experience of transforming rehabilitation, pending the publication of the female offender strategy. I can say, however, from what I have heard from my women's centre in Manchester, that funding women's centres through the CRCs is unlikely to be a very effective way of spending money. It will not foster good practice because we can see already that the CRCs are struggling to offer very well designed and specialist programmes for women.

Indeed, the evidence that I have seen so far suggests that transforming rehabilitation has not been very effective for women offenders. A lack of specialist programmes means that if one programme does not work, there is no alternative to try that has been particularly designed for women. There is often an emphasis on group work, which, while it has its place, is not suitable for all women in all circumstances. Not all CRCs are willing to work with or commission provision from their local women's centres, and as we also know, the certainty about the future contracts held by the CRCs is now in question. The Minister has indicated that he will review those contracts early, so it is not even clear that all these CRCs will continue to the end of this estimates period. I therefore urge Ministers to look carefully at putting this new funding directly into women's centres and not through the medium of the CRCs, because I think that will prove more effective.

The hon. Member for Dartford (Gareth Johnson) raised the issue of post-release supervision, of which I was originally a great fan—it is probably the only aspect of transforming rehabilitation of which I was a great fan—but which I have to say, for offenders being released after short custodial sentences, has really not worked out in practice. The incidence of breaches and recalls has been much higher than we expected. That is putting more pressure on the prison system. Women again face particular challenges with a model that makes it more likely that they will not comply and face breach proceedings—for example, childcare may break down or they may be coerced into not attending an appointment. That means that we are seeing a higher incidence of women being returned to custody because of a breach. Will the Minister look carefully at what opportunities there may be to revisit this model? I do not think that anybody's intention could have been that more supervision post-release would result in more women being returned more often to prison. That cannot have been the intention.

In support of what other colleagues have said, I think there is much more work to be done on the through-the-gate model. Indeed, it is often non-existent at present. The Minister suggested in his evidence to the Justice Committee that through-the-gate had never been seen as being anything more than some signposting of other services in the community. I do not think that is the impression that any of us was given when the transforming rehabilitation model was first proposed to us. We were led to expect something much richer, but in any event,

it will be a real missed opportunity if Ministers do not now design women's centres not just to be places of diversion away from custody but to have a key role as reception institutions for women who are released from custody. This happens now with my women's centre, which has a very close relationship with Styal prison. It is really important that Ministers now define very clearly and carefully how they see that women's centre function meeting at the gate, and working through the gate, women who are being released from short sentences.

I have two final points. First, I welcome the further work that is to be done by Lord Farmer on family visits, but I just mention to Ministers that if it is correct that, as I have been told, family visits to approved premises are not being facilitated in the way that they are to prisons, that is ridiculous and nonsensical. Finally, the female offender strategy says some women would prefer video links to returning to court, and that may be true, but we should proceed with caution. As Transform Justice has shown, understanding, engagement and interpersonal dynamics are all affected when the offender is not present in the court room.

In conclusion, I hope that the courts Bill, which we still await, will properly address those concerns. There are issues that the all-party group on women in the penal system, in particular, would like to discuss further with Ministers.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Rosie Winterton): Order. I am sorry but I have to impose a five-minute time limit on speeches.

7.30 pm

Eddie Hughes (Walsall North) (Con): My hon. Friend the Member for Dartford (Gareth Johnson) said it was the duty of a Government to protect their people, and obviously that is the case with prison, which ultimately serves two purposes: to remove freedom from criminals and therefore their opportunity to reoffend, and then to work with them so that they do not reoffend after they leave.

I spent the first 35 years of my life at one end of the spectrum, firmly believing that prison worked simply by removing criminals from circulation, and I thought it the best place for them. Immediately before becoming an MP, I went to work for YMCA Birmingham, which has accommodation for 300 formerly young homeless people and a 72-bed hostel in Northfield that typically serves as a place for people leaving prison to stay. We always ensured that senior members of staff were based at our various accommodation sites across the city, where we had an opportunity to meet residents every day, speak to them and understand their stories.

From that experience, it became much clearer to me that this was a more complex problem. My boss decided it would be appropriate for me to attend the Meridian course with an organisation called Common Purpose, and that gave us the opportunity to go into prisons and see the problem at first hand. We visited Featherstone Prison and Leicester Prison. It was at Leicester Prison in particular that I became aware of the challenge. Ralph Lubkowsi, one of the deputy governors at the time, took us round the prison and explained some of the challenges—for example, preparing the menu for Christmas day: if it sounds too indulgent, the press say,

“These dreadful prisoners are being looked after too luxuriously”, and on a budget of about £2.20 per inmate per day for three meals.

Not only does the governor have the complex task of managing behaviour and rehabilitation, but he has to run a small town on a very tight budget. Leicester Prison, which was opened in 1828, has 300 inmates—a very small village, shall we say; it is clearly a restricted site in the middle of Leicester. What are the challenges facing the governor? I understand that about 24% of the prison population has been in the care system, compared with a figure of 2% nationally, and that the typical reading age of a prisoner is 11. Clearly, this is very challenging stuff.

What are the Government going to do about it? For one, they are investing in the unlocked graduate programme, which is trying to entice the brightest and best graduates into the prison service to work as prison wardens and with prisoners to understand how they might break that cycle of reoffending. The idea is that they study for a two-year masters degree, fully funded, so that they might apply their thinking to a problem that has caused some difficulty. The reoffending rates of 44%, rising to 56% for those with less than a 12-month sentence, are not new; historically, they have remained largely unchanged.

The other thing we can do to check reoffending is to support the “Manifesto to Strengthen Families”, which has a specific item in it about how prisons should put families at the heart of breaking the reoffending cycle. We know that those who leave prison with families to go back to are much less likely to reoffend. I completely understand the maxim “tough on crime, tough on the causes of crime”, but let us understand that the causes of crime can go back some 20 years before an offence is committed.

7.35 pm

Mike Wood (Dudley South) (Con): The primary role of prison must be to keep the public safe, and to achieve that sustainably we must keep prison officers and prison staff safe, but, as was highlighted by the right hon. Member for Delyn (David Hanson), since 2007 the number of assaults on prison staff has more than doubled while the number of prosecutions has remained very small. We need to put the law firmly on the side of those who protect us, whether through the private Member’s Bill being steered through the House by the hon. Member for Rhondda (Chris Bryant), the Assaults on Emergency Workers (Offences) Bill, or another legislative vehicle.

As this is an estimates day debate, I should mention that we must also consider ways in the current legislative framework to protect prison officers and prison staff and to reduce the number of assaults, whether on staff or other inmates. Evidence shows a strong correlation, at the very least, between the rise in the number of assaults and the increase in the use of psychoactive substances in our prisons, so I welcome the investment in tackling access to such substances and—linked to that—the threats posed by mobile devices in prisons and the use of drones around them.

Ultimately, our prisons should be places where staff and offenders are safe and prisoners are challenged and supported to make the most effective use of their time in custody and to better prepare themselves for when they leave prison. The £100 million investment in recruiting

2,500 extra prison officers will make possible the roll-out of the new offender management in custody model, which will improve how offenders are managed from the moment they enter prison until their release. The scheme will tackle reoffending and should help to keep staff in our prisons safer. Similarly, a key workers scheme has been developed to enable prison officers to case-manage between six and 10 prisoners, supporting and encouraging them to address their offending behaviour and to lead productive lives both while in prison and particularly once released.

Prisons need to be places of reform and rehabilitation, but we should remember that incarceration is a punishment for people who commit serious crimes. The people who work there must be protected and any risk to them minimised. While there will never be such a thing as low risk in our prisons, there is certainly such a thing as lower risk, and that risk must always be managed and, where possible, reduced. Our jails must become places of safety, discipline and hard work, places where people are helped to turn their lives around. To achieve that, we must protect those who dedicate their lives to keeping us safe.

7.38 pm

Joanna Cherry (Edinburgh South West) (SNP): In preparing for this debate, I went to the Ministry of Justice website to look at its strategic priorities, and one of them is for a global Britain that promotes the rule of law.

Those of us interested in the rule of law know that Lord Bingham’s eight principles of the rule of law include that it must afford adequate protection of fundamental human rights. Last Thursday, I attended a workshop in Geneva under the auspices of the Inter-Parliamentary Union and the Office of the United Nations High Commissioner for Human Rights. The purpose of the workshop was to discuss and share experiences of human rights monitoring within Parliaments across the world. My remit was to speak about the work of the Joint Committee on Human Rights in this Parliament, of which I am a member, and the Equality and Human Rights Committee at the Scottish Parliament.

I regret to say that it was clear to me from some of the soundings that I took while I was in Geneva that the UK’s impending withdrawal from the European Union, this Parliament’s rejection of the charter of fundamental rights and the Windrush scandal had severely dented international opinion about respect for human rights in the UK. I know that those concerns are shared by my colleagues in the Scottish Parliament, which, unlike this one, has voted to keep the charter after we leave the EU. I also know that they are shared by Members from all parties in the House. Indeed, last week’s damning report from the Joint Committee on Human Rights on the detention of the Windrush generation is an important example of Members on both sides of the House—from all parties and, in the case of peers, from no party—coming together to draw attention to an abuse of human rights that was perpetrated in this country by a Department.

Today, however, we must focus on finance and budgets. Another facet of the rule of law is access to justice. Lord Bingham said that the law should provide that access, especially when people could not resolve interpersonal disputes themselves. Others who have spoken today

[Joanna Cherry]

have touched on the provision of legal aid in England and Wales. I want to take the time that I have left to draw attention to a recent review of the legal aid system in Scotland, which was commissioned by the Scottish Government. It was not an internal review, like the UK Government's review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012, but an independent strategic review that looked at the current system and made recommendations for the future.

The review found that although the Scottish Government spend less per capita on legal aid than the UK Government spend in England and Wales, the scope of legal aid in Scotland is broader and a larger percentage of the population is eligible. At this point, I should perhaps declare an interest. At present, I am a non-practising member of the Scottish Bar, but I have done a great deal of legal aid work in the past. I know that lawyers like to moan from time to time that the rates are not as lucrative as they may be in other fields of work, but that is probably inevitable.

The report of the review shows the contrast between what is done with a smaller budget in Scotland and what happens in England and Wales. According to last year's figures from the Ministry of Justice, legal aid expenditure in England and Wales has been cut from £2.51 billion to £1.55 billion in real terms in a few short years. In England, that has led to a substantial reduction in the scope of family, social welfare, debt, housing and immigration cases. We do not have the same problem in Scotland: although we are spending less per capita, legal aid is still available for such cases.

The report compares publicly funded legal assistance in Scotland with that in other European countries. On page 16, the author explains that it is difficult to do that, because legal systems are different in different countries, and there are differences between jurisdictions. However, it is possible to provide a general comparison between the Scottish legal aid programme and those in other European countries. In 2002, the Council of Europe established the European Commission for the Efficiency of Justice, which publishes biennial detailed comparisons of the justice systems of the 47 Council of Europe members.

The review examined three key areas of legal aid to compare the service in Scotland with those in other jurisdictions: scope, eligibility and cost. In relation to scope, it found that the provision of criminal legal aid in Scotland compared very well with other systems. In almost all criminal cases prosecuted before a jury, the accused will receive legal aid, which, potentially, will pay for the best criminal defence lawyers available. When it comes to civil legal aid, the scope in Scotland is broader than those in many other jurisdictions, with comparatively few areas excluded. As for eligibility, approximately 70% of the Scottish population are eligible, on the basis of income, for a degree of civil legal aid to fund at least part of their actions. That is one of the highest levels of eligibility in Europe. As regards cost, Scotland's expenditure per capita exceeds €30. The European average is €9, and the median is €2. The figure in England and Wales is €38.14, and in Scotland it is €33.28.

Scotland is one of the leading jurisdictions in Europe in the provision of legal aid on the basis of scope, eligibility and expenditure. Internationally, its legal aid

programme is also recognised for its independence from the Government and the public accountability of its legal aid authority. I draw attention to that because, sadly, in the past few years—there have been many speeches about this in the House, and I am sure that there will be more during the evening—there has been much criticism of LASPO. In 2016, Amnesty International said that cuts under the 2012 Act had created a two-tier justice system in England and Wales. Earlier this year, a Ministry of Justice report, leaked and then reluctantly released, told of judges' concern about the number of people facing criminal charges without a lawyer in England and Wales.

I have drawn attention to the legal aid system in Scotland not because it is perfect—indeed, the independent strategic review suggested changes—but because it shows that with less spending per capita, it provides wider eligibility and a far wider scope.

Alex Chalk: Is the hon. and learned Lady's experience from Scotland that broadening access to early advice and assistance can help litigants to understand the strengths and weaknesses of potential litigation and perhaps even to decide not to pursue it?

Joanna Cherry: Absolutely. I think that in any system, early access to a lawyer, before the litigation stage and before parties become entrenched, is vital.

I must draw my speech to a close, because I am conscious of time. I have three questions for the Minister. Does he agree that the Scottish experience shows that, with less spending per capita, it is possible for legal aid to involve a wider scope and more eligibility? Will he look to the Scottish example? Will he consider commissioning, rather than an in-house review of LASPO, an independent strategic review of legal aid in England and Wales similar to the one commissioned by the Scottish Government?

7.46 pm

Richard Burgon (Leeds East) (Lab): I thank the Backbench Business Committee for making the debate possible.

The House needs to give much more scrutiny to the Ministry of Justice. The changes that are under way are unprecedented, threatening access to justice and even to the rule of law. Our justice system has two key functions: to defend our hard-won rights and the rule of law and to help to keep communities safer with fewer victims of crime. Tory cuts are undermining both those functions. By the end of this decade, the Ministry's budget will have been slashed by 40%, more than the budget of any other Department. In cash terms, that is nearly £4 billion a year, and it explains the crisis that is afflicting our justice system.

The estimate that we are debating shows that cuts amounting to hundreds of millions more are to come. That risks turning the current crisis into a full-blown emergency. Much of what we value in our justice system is being sacrificed on the altar of free-market dogma, austerity and privatisation. No doubt, we will hear excuses for the cuts this evening, but it was a political choice. We have just marked the eighth anniversary of the infamous emergency Budget from the now editor of the loss-making *Evening Standard*, which led to tax cuts for corporations worth £110 billion alone, but to public service cuts for everyone else.

The Tories thought that the MOJ cuts would be cost-free—out of sight, out of mind—but that is not true. There are real human costs. A single mother battling a dodgy landlord can no longer obtain legal support. A young family who are forced to skip meals after a flawed benefits decision can no longer get help from their law centre, which has been shut down. A migrant—or even a person who looks like a migrant to some—faces deportation without legal advice. A young worker cannot afford to take an exploitative boss to an employment tribunal because of the unlawful fees imposed by the Tories.

Alex Chalk: I am sure that we are all enjoying the debate, but must the hon. Gentleman not accept that in 2010 his party's Government left the country with a deficit of £150 billion—which, by the way, is about 20 times the entire Ministry of Justice budget? Does he not want to take some responsibility for that?

Richard Burgon: The Conservatives need to take responsibility for their giveaway to billionaires. If balancing the books is so important, why give billions away to those people?

Whole communities are affected by rising crime, because under the privatised probation system offenders are bizarrely dealt with over the phone. Young people are threatened by street violence because of the Government's decision to cut Youth Justice Board funding in half. On this side of the House, we will be fighting every single one of the cuts that the Government plan for the justice system over the next period, because we cannot do justice on the cheap. Our communities should not pay the price.

Turning to prisons, the Conservatives recklessly axed nearly 7,000 prison officers from 2010. These layoffs are the root cause of much of the unprecedented levels of violence and chaos in our prisons. Faced with a crisis of their own making, the Government have recruited 3,000 new officers over the past 18 months, yet there are still over 4,000 fewer frontline officers now than in 2010.

There is no clarity on whether there is extra money to recruit any more officers. If so, how much? Are the Government committing to reversing all the prison officer posts cut since 2010? If not, how many new officers will be recruited by 2020, and when will they be on the landings? In short, when will there be sufficient staffing to keep both inmates and staff safe?

This is not just a simple numbers game. Officers with many tens of thousands of years of collective experience have been lost since 2010. That is creating a dangerous cocktail of inexperienced officers and experienced prisoners. What is the Government strategy to end this exodus of experienced officers from our prisons? This year's real-terms pay cut of £980 a year will only make retention more difficult. Do the Government have any intention of ending below-inflation pay awards for prison officers? Labour would do so.

What about the new female offender strategy? Good ideas, and even good intentions, are not enough. Even the Minister's former ministerial colleague has said this strategy is not properly funded. The Government's own advisers say this plan faces a £15 million shortfall. With no serious funding, it risks being yet another missed opportunity for reform. Likewise, the Government's

new education and employment strategy seems to be based on governors doing more with less—another recipe for failure.

As the prisons budgets are cut, the push for outsourcing and privatisation increases. Some people might even suggest that that is the intention. It is clear that we cannot hand over huge swathes of the justice system to mega-corporations and expect anything other than profit to be put first. We need only look at Serco's role in ripping off the public by overcharging for tagging prisoners, including dead prisoners. That is so serious that there is an ongoing Serious Fraud Office investigation against Serco, yet it somehow continues to have £3.6 billion-worth of contracts with the Ministry of Justice; given the new Justice Minister's previous role as spin-doctor-in-chief at Serco that is something we will all need to be shining a light on.

Beyond Serco, public cash was thrown at Amey and Carillion for prison maintenance works despite cells being rat-infested and left in disrepair. And beyond Serco, the Sodexo-run Peterborough Prison recently became the first women's prison in years deemed not safe enough by inspectors, and the G4S Oakhill child prison is no better, yet last week the Government announced yet another privately financed prison and are preparing the ground for more to follow. So I want to make one thing clear to the Government and to those who wish to bid for any new private prisons: a Labour Government will end the discredited outsourcing of prison maintenance works and bring them back in house. We will oppose the building of more private prisons. We will put an end to the wasteful scandal of PFI in our prison system. And we will use every power possible to bring the work of underperforming private sector companies in our prisons back in-house at the earliest opportunity.

Of course, the Tory privatisation of probation has not just put the public at greater risk, but has left the taxpayer out of pocket, just as we warned it would. The Select Committee on Justice recently labelled this part-privatisation a "mess", yet the companies delivering this mess received £342 million in a bail-out last year. Imagine what we could have done to transform our justice system with those resources, instead of giving them to line the pockets of private companies.

Press reports suggest even more changes to the contracts to boost the profits of the private companies. We in the Opposition will oppose that all the way. The Government should stop rewarding failure. They should commit today that not one penny more will go on bailing out these failing companies, and then they should terminate their contracts. Probation should be brought back in-house where it can focus on reoffending rather than making profits for private companies.

Justice and access to justice have been seriously undermined by the Tory cuts agenda. With sweeping cuts to legal aid, this cruel Tory Government are not only attacking people's living standards but deliberately undermining their ability to defend themselves against those very same attacks. When people cannot afford to enforce their rights, those rights are worth nothing more than the paper they are written on—so much for equality before the law.

At last, the Government have launched a review of their legal aid policies, but if they are serious about reversing the damage, proper funding is needed. That means

[Richard Burgon]

new Treasury money, not more rearranging of the deckchairs. We need to fund legal aid properly; we need to value legal aid and access to justice.

Finally, I raise our concerns about the funding of our courts. A £1 billion-plus courts reform programme is under way that will fundamentally change the way justice is delivered in this country, but it is being done with no real piloting, with no parliamentary or public scrutiny, and without legislation, and with financial decisions that could lead to long-term costs for our justice system—and it seems that it is in danger of coming off the tracks.

7.56 pm

The Minister of State, Ministry of Justice (Rory Stewart):

May I begin by thanking colleagues for their contributions? It is very striking in justice debates how much learning and experience there is around the House; almost every Member who has spoken is either a distinguished ex-prisons Minister or has worked as a solicitor or criminal barrister, and brings deep passion to their work. I also want briefly to pay tribute to the fact that this debate has generally, with perhaps a single exception, been conducted in a very practical, non-ideological, focused fashion, with great charm and commitment and a deep and pragmatic understanding of the individual issues, without lapsing in any way into lazy clichés or any slogans prepared perhaps for YouTube. I also want to thank the officials whose work underlies most of this debate. We owe a huge debt of gratitude, as many have pointed out, to our judiciary, in particular the criminal Bar, which underpins a lot of the respect in which Britain is held throughout the world.

On prisons, I pay tribute to the hon. Member for Wrexham (Ian C. Lucas) who kindly picked out Amy Rees and Russ Trent for the work they have done in communicating their work in Berwyn, and also to the prison officers on the landing, who my hon. Friend the Member for Dudley South (Mike Wood) pointed out are taking on the most extraordinarily challenging and often very dangerous job, day in, day out.

The core of this debate, however, was set out by my hon. Friend the Member for Bromley and Chislehurst (Robert Neill): the fundamental paradox at the heart of this discussion that, on one hand, justice is not a transaction, but on the other hand, it is demand-led. Somewhere between the deep values of justice—the values that my hon. Friend the Member for Cheltenham (Alex Chalk) connected so exactly to our national identity—and the constraints imposed by population and funding lie many of the problems that Members have touched on today.

The right hon. Member for Delyn (David Hanson) talked, in a very valuable speech, about many of the problems and challenges in our justice system; my hon. Friend the Member for Cheltenham extended them to the courts system; the hon. Member for Stretford and Urmston (Kate Green) found many of those issues within probation; and again the right hon. Gentleman connected this forensically to the questions within both the main estimates and the supplementary estimates over the past four years. I would of course, as expected, want to point out that there have been some elements of progress and some things we should be proud of, but I will come back to the challenges towards the end of my speech, and in particular to the comments of the right

hon. Gentleman, who rightly asked how we are going to deal with them; I will wish to finish on that practical question.

First, however, I want to talk about the achievements. A number of things have happened. One of them, as my hon. Friend the Member for Dartford (Gareth Johnson) pointed out, is the transformation in the supervision of offenders on short-term sentences, and in particular, in the supervision of an extra 40,000 offenders during the first 12 months after leaving a short-term custody. The hon. Member for Wrexham used the example of Berwyn to highlight the development of the new prison programme and the 10,000 new places that will be provided through those prisons, with public capital coming forward for the prison in Wellingborough and a private finance initiative for the prison at Glen Parva. Those new prison places, which will ultimately house 20,000 prisoners, will make a huge difference. It is often tawdry buildings—some of them Victorian, some of them more recently built—that underlie the real problems relating to dignity, cleanliness and everyday life that contribute directly to violence.

Ian C. Lucas: May I point out to the Minister that Berwyn is a public sector prison that was delivered on budget and on time, and in which a lot of hope is invested? Why have the Government excluded the public sector from tendering for the new prisons that he is referred to?

Rory Stewart: Wellingborough will be built with public capital. Glen Parva, on the other hand, will be a private finance initiative. We believe in having a mixed economy. That is partly because we think that there are things we can learn from the private sector. The public sector remains the core of our prison estate, and we owe the sector an enormous debt of gratitude, but in Thameside, Altcourse, Park and elsewhere, we have learned about family centres and about technology—particularly in Thameside, with the use of in-cell telephony and computers. At Altcourse, we have learned a great deal about workshops and employment. There is a great deal that we can learn from each other.

The hon. Member for Stretford and Urmston was kind enough to pick out some of the positive elements in the female offender strategy, and I would like to take this opportunity of welcoming the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar), to his place. I think that he will do an enormous amount for the youth estate, for female offenders, and for the general principle, which we all support across the House, that women should not be in custody unless it is absolutely necessary. We have also made progress, through Lord Farmer, in our approach to families. In the past two weeks, we have achieved smoke-free prisons, and we have now managed to announce new policies on scanners for intercepting drugs, of which I am proud.

We also have 2,500 extra prison officers, which we have perhaps spoken about too much in this House, but they are important because they drive our ability to deliver the key worker system. That system will involve a relationship between one prison officer and six prisoners, and for at least 45 minutes a week, an individual conversation about a prisoner's sentence plan and education plan. That will be an important element in bringing

decency and reducing violence. Body-worn cameras and doubling the sentences for people attacking prison officers will also be an important part of restoring some of the civility and decency that we need in order to bring about rehabilitation, as my hon. Friend the Member for Dudley South pointed out.

I wish to conclude by addressing the question posed by the right hon. Member for Delyn. He asked how we were going to do all that in a tight financial situation. From my point of view, the answer is that there are of course no silver bullets. Everyone in this Chamber, on both sides, has enormous experience of the system that has existed in this country for a very long time. In fact, there is a prison in my constituency that is almost 2,000 years old; it is a Roman prison. There are no simple answers to the question of how we balance punishing someone and isolating them from the public with doing the difficult work of turning around their life and preventing reoffending.

However, the central lesson—which my hon. Friend the Member for Walsall North (Eddie Hughes) put his finger on—is training. In the end, this is going to come down to the individual relationship between the prison officer and the prisoner. It is going to come down to the confidence they have to unlock their prisoner, to how they deal with violence and assaults, to how they push towards reoffending and to how they develop in their everyday engagements such as a decision on a telephone call, on a blanket or on a family visit. It is going to come down to the sense of trust and predictability that will ultimately turn around the lives of prisoners. More than 40% of our prisoners have come out of care. More than 50% have been excluded from school. Similarly, more than 50% have not achieved the reading level of an 11-year-old. It is going to take patience and resilience to turn that around.

This training cannot just be about super-governors parachuting in to turn around troubled prisoners and then leaving, only for the system to collapse again. A resilient system is one in which the uniformed prison officers at band 3, band 4 and band 5, in their pride,

their purposefulness and their courage, will demonstrate that they can achieve remarkable things. The hon. and learned Member for Edinburgh South West (Joanna Cherry) highlighted this achievement in Perth prison, which is an extraordinary example of a decent regime being run in a tough local prison in Scotland. Prisons in this country are already achieving remarkable things in places such as Dartmoor and Altcourse, and even in some of the toughest prisons such as Leeds. If we can get those elements of training and leadership together, I believe that even in a tough financial climate, with all the pressures of the financial crisis and with all that we owe the national health and education systems, we can deliver a prison system that works for prisoners and ultimately protects the public.

8.6 pm

Robert Neill: This has been a most useful and well-informed debate. I am grateful to the Minister for his response, and we will undoubtedly return to a number of these matters, both with him and with the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar), whom I and my Committee members also welcome. I value the comments that have been made. It is right that we are ambitious and bold and have breadth of vision, and it is also right that we are practical. My hon. Friend the Member for Walsall North (Eddie Hughes) referred in his powerful speech to the importance of family. As a practical measure, to demonstrate breadth of vision, and relating to estimates, perhaps the Ministry will look again at the reduction of £250,000 in support for the family drug and alcohol court's national unit, which has been described by Sir James Munby, the president of the Family Division, as the most significant development in family law for 40 years. For the sake of saving £250,000 out of the departmental spending limit of £6.9 billion, it would be a shame to lose the vision that those courts and other initiatives bring.

Question deferred (Standing Order No. 54(4)).

Department of Health and Social Care and Ministry of Housing, Communities and Local Government

[Relevant Documents: First Joint Report of the Health and Social Care and Housing, Communities and Local Government Committees, Long term funding of adult social care, HC 768, Eighth Report of the Communities and Local Government Committee, Session 2016-17, Adult social care: a pre-Budget report, HC 47 Ninth Report of the Communities and Local Government Committee, Session 2016-17, Adult social care, HC 1103.]

Motion made, and Question proposed,

That, —

(1) for the year ending with 31 March 2019, for expenditure by the Department of Health and Social Care:

- (a) further resources, not exceeding £61,592,567,000 be authorised for use for current purposes as set out in HC 957 of Session 2017–19,
- (b) further resources, not exceeding £3,634,818,000 be authorised for use for capital purposes as so set out, and
- (c) a further sum, not exceeding £62,184,741,000 be granted to Her Majesty to be issued by the Treasury out of the Consolidated Fund and applied for expenditure on the use of resources authorised by Parliament; and

(2) for the year ending with 31 March 2019, for expenditure by the Ministry of Housing, Communities and Local Government:

- (a) further resources, not exceeding £17,571,313,000 be authorised for use for current purposes as set out in HC 957 of Session 2017–19,
- (b) further resources, not exceeding £4,003,853,000 be authorised for use for capital purposes as so set out, and
- (c) a further sum, not exceeding £12,311,628,000 be granted to Her Majesty to be issued by the Treasury out of the Consolidated Fund and applied for expenditure on the use of resources authorised by Parliament.—
(Rebecca Harris.)

8.7 pm

Dr Sarah Wollaston (Totnes) (Con): It is an honour to speak in this estimates day debate on the 70th anniversary of the NHS. I am privileged and proud to have worked in the NHS for 24 years before coming to this place, and I would like to start by saying thank you to all those who work in the NHS. The principle behind it is as strong now as it was on the day it first opened its doors: it should be free at the point of delivery, available to all, and based on need, not the ability to pay. That is as important now as it ever was; it is truly the thing that makes us most proud to be British. This is not just the anniversary of the NHS, however; it is also the 70th anniversary of the National Assistance Act 1948, which swept away the poor laws and introduced our system of social care, so it is absolutely right that we should be having this joint estimates day debate.

I absolutely welcome the uplift in funding announced by the Prime Minister, but I would like to talk about how we will get the most from those funds, and also how we will pay for this. One of the key challenges that we have long faced is that although the NHS is free at the point of delivery, social care has been means-tested from the outset. That has created a huge challenge in bringing the systems together and providing the integration that patients expect but often find, to their surprise, is not there. Moving towards more integration would have great benefits for patients, and would create savings and

a much more logical, patient-centred approach for both systems. I urge the Minister to look closely at the report of both Committees into social care, in which we touched on that issue and made recommendations, which I will talk more about later.

Kevin Foster (Torbay) (Con): My hon. Friend is providing an excellent introduction to this debate. Does she agree that both Front-Bench teams could look at the example of Torbay Council—the local authority we share—which now has an integrated care organisation that brings together adult social care and the NHS for the benefit of our local residents?

Dr Wollaston: Indeed; Torbay has led the way. When the Health and Social Care Committee visited Norway and Denmark, we were shown slides from Torbay, because its approach, referring to a Mrs Smith and actually trying to envisage how everything would work around the patient, has been hugely influential abroad as well as at home.

Chris Green (Bolton West) (Con): Health and social care within Greater Manchester has been devolved to the Mayor. Does my hon. Friend agree that Greater Manchester will hopefully lead the way in demonstrating the opportunities presented by combining health and social care?

Dr Wollaston: Yes, and I am going to say more about that, because Manchester has benefited from transformation funding. I want to talk about not only the benefits of integration, but how we can ring fence transformation funding. I welcome my hon. Friend's comments.

Returning to the recent announcement, a £20.5 billion a year uplift by 2023-24 for NHS England is welcome and represents a 3.4% average increase over five years. Importantly, it is front loaded, with 3.6% in the first two years, and comes on top of £800 million that has already been promised to fund the Agenda for Change pay rises. However, the announcement should not be the end of the story, because it refers only to NHS England and does not include social care, public health, capital or, importantly, training budgets—staffing is crucial to making all this work.

Of course, the Prime Minister acknowledged that and promised to come forward with a settlement for social care and public health in the autumn. However, we need to be clear right from the outset that we must have a social care settlement that reflects demographic changes, because we will need an increase of 3.9% in funding just to stand still. If we want to do something to address quality and to allow social care to do more, we need to go substantially further. That will be essential if we want to get the most out of the settlement that has already been announced for NHS England.

Diana Johnson (Kingston upon Hull North) (Lab): Returning to the hon. Lady's point about public health not being part of the recent announcement, has she seen the 2017 review that highlighted that there is a return of over £14 for every pound spent on local and national public health policies? It therefore makes economic sense to invest in public health, not to cut it in any future announcement.

Dr Wollaston: I absolutely agree. This is about not just funding for public health, but the policy levers. We do not need lots of talk about the “nanny state” that denigrates important national public policy drivers,

because although we need funding for local services, as the hon. Lady says, this is also about the policy environment that is necessary to make important changes. Investing in public health makes a huge difference for people.

One of the problems here is that when the public are asked where they would like the priorities to fall, we often hear, understandably, about the importance of cancer outcomes, mental health and emergency waiting times. Public health is often bottom of the list because nobody necessarily knows when their life has been saved by a public health policy. The reality is that the major changes and achievements relating to life expectancy have arisen largely thanks to public health policy, but we rarely turn on the television and see a programme called “24 Hours in Public Health”, which is a shame.

Dr Philippa Whitford (Central Ayrshire) (SNP): In the air quality debate last Thursday, I touched on the need for health in all policies. From active transport to quality of housing, is that not where we need to drive public health?

Dr Wollaston: The hon. Lady is absolutely right. Health in all policies means using every opportunity to maximise public health. When Departments work together, such as on the childhood obesity strategy, we need maximum engagement across the whole of Government to make that effective. The way it was put to us when the Committee visited Amsterdam was that it should be viewed as a sandbag wall, and if any part of it is missing, we are not going to achieve what we want. That applies to all of public health.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): To echo the point that has just been made, the hon. Lady will be aware that I presented a ten-minute rule Bill in April about having health in all policies. Does she agree that the Government should reinstate the Cabinet Office Sub-Committee on public health so that the entire machinery of government can come together to ensure that we do everything possible to keep people well, rather than having a service that treats people when they are sick?

Dr Wollaston: Absolutely. It is essential that we use every mechanism at our disposal to ensure that Departments work together. Public health is mostly delivered in the community, so we need that to happen at the local level, too. Councils should be reaching out into their communities and ensuring that they use every opportunity to deliver health in all areas when it comes to prevention.

One of the most welcome aspects of the funding settlement is that it is long term. For too long we have limped from one short-term sticking plaster to another, so I particularly welcome the fact that we now have certainty over five years combined with a 10-year long-term plan. In the Minister’s response, I ask her to reflect on the recommendation from the House of Lords Select Committee on the Long-Term Sustainability of the NHS for an office of health and care sustainability to do long-term horizon scanning. That means not just future demographic challenges, but long-term workforce planning, which has always been a huge challenge within the health service. Brexit, for example, has implications for not just the workforce, and there are many other challenges ahead, so it would be helpful to have an independent body that could consider such things and help to work out the necessary long-term funding.

My final points are about how we fund the new system. I would be delighted if there was a Brexit dividend, but I am afraid that I do not believe that there will be. I think there will be a Brexit penalty. The difficulty with people thinking that everything might be solved by a mythical future fund means that we are not levelling with them right at the outset that we are all going to have to pay for it. The challenge should be about how to distribute the cost fairly. That is the key point here.

I want to stop here to thank the citizens’ assembly that worked with my Committee and the Housing, Communities and Local Government Committee. I also thank the Chair of that Committee, the hon. Member for Sheffield South East (Mr Betts), for the Committee’s diligent work on this issue.

Going back to fairness, when I was in practice, it always came as a huge shock to my patients when they realised that if they had what might be really quite modest assets, they would have to fund all their social care. That shock was striking when the citizens’ assembly considered the matter. If we are to move to a properly funded system, it must look at the quality of social care, which is precarious in nature, and at the provider challenge. We must be realistic, and we have to make it clear that somebody has to pay. We cannot just put it off to future generations; we have to think about it and explain to the public what that means.

That is why, unusually, our Select Committee makes recommendations to both Front-Bench teams, because the failure to address this has been a political failure. On the one hand, measures suggested by the Labour party have been denounced by my party as a “death tax” and, on the other, my party’s suggestions have been denounced as a “dementia tax”, and that means we get nowhere.

If we are to avoid having the same discussion in five years’ time, we need to be clear about how we will get this across the line. That will require, particularly in a hung Parliament, the co-operation of both sides of the House. I therefore urge both Front-Bench spokespeople to commit to working together.

Members on both sides of the House have repeatedly said that we are prepared to form a parliamentary commission to go out and engage with the public, rather as Adair Turner did on the difficult issue of pensions, regarding what fairness means. We cannot offload this entire cost on to a relatively shrinking pool of working-age employed adults. We need to have a conversation that reaches out to everybody and asks, “What is the fair payment?”, and in return we must make sure those extra payments are earmarked for the NHS and do not just disappear into wider Government funding.

How we do that will mean conversations about national insurance with the self-employed, and it will mean conversations with people in retirement about their own contributions. We cannot put the cost entirely on to young people, many of whom are already, in effect, paying a graduate tax of 9% on everything they earn over £25,000. That would not pass the fairness test.

I am afraid that least fair thing of all would be for us to duck this challenge and leave even more people without the care they need, with disastrous consequences for them, for their loved ones and for their carers,

[Dr Wollaston]

because it falls into the “too difficult” box. This is difficult, but we need to grasp it, explain it to people and come to a decision.

Several hon. Members *rose*—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order. I just say to Members that they have six minutes each.

8.22 pm

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): It is an honour to take part in this debate in the week we celebrate the NHS’s 70th birthday. I thank the hon. Member for Totnes (Dr Wollaston), the Chair of the Health and Social Care Committee, of which I am proud to be a member, for all the important work she does.

Many of us have been active, particularly in the past week, in doing lots of work on our local health services and in campaigning on national things. Today’s debate is important because it comes in the wake of a number of reports. We have obviously had the report from our Select Committee, which considered the long-term funding of adult social care. In the past few weeks alone, my colleagues on both sides of the Committee and I have attended the presentation of reports on the funding of health and social care from the Institute for Fiscal Studies and the Health Foundation, co-ordinated by the NHS Confederation. We have seen reports from the Institute for Public Policy Research and a number of others.

Collectively, all those reports, including our own, have raised the challenges that our health and social care system faces, and those challenges are not news. We are not sharing a new story, and, in the context of this debate, it is not just about the money that is available for our NHS. Ultimately, we are all here because we want to ensure that we continue to have a national health service that is free at the point of use for all who need it, and that goes hand in hand with the provision of social care.

In my city of Liverpool, we have seen social care devastated in the eight years since 2010. We have seen our Government grant slashed by 60%. Social justice is a real issue, because we know that the north of England has been particularly and disproportionately hit by cuts to local authority budgets. Those cuts have been larger in the most deprived areas. Looking at the figures, we see that the 30 councils with the highest levels of deprivation have made cuts to adult social care of 17% per person, compared with 3% per person in the 30 areas with the lowest levels of deprivation.

That cannot be right, and it pains me, particularly when I speak to constituents on a weekly basis who are affected by this, because they have seen their social care packages taken away, or now cannot access them, or they have seen family members stuck in hospital because there is no social care package for them when they are ready to leave, and/or they are turning up at the doors of A&E because they are not receiving social care in their home.

Diana Johnson: Will my hon. Friend comment on the social care precept that local authorities can use to raise additional funding? In the poorest areas, because the

council tax base is so low, the precept does not generate sufficient money to fill the gap and provide social care.

Luciana Berger: I thank my hon. Friend for that important contribution. To give an idea of what it is like in Liverpool, we do not raise enough in council tax to cover our social care bill alone. That is before we consider all the other services that our local authority has a responsibility to provide in our area. This is a critical issue. The onus has now been transferred to local authorities, with all the costs that come with it, and it is particularly difficult. We have seen a reduction of 7% in the total number of people in receipt of a care package, yet in the same period we have seen demand for support—measured by the number of referrals and requests for help—rise by 40%.

It is important that in this debate we are considering not just the funding that goes to health—we have heard the hon. Member for Totnes speak eloquently about the funding announcement and some of the challenges in what is not included. In particular, we are waiting to see what funding there will be for social care. We cannot divorce social care funding from the NHS. The two go hand in hand, and this is a critical issue—our Select Committee heard evidence on that only today.

The Minister has heard about this on many occasions—one of my hon. Friends will be raising this later, too—but the sleep-in care crisis is a particular issue for social care. Not only do we have this chronic underfunding in the care sector but we are also seeing a complete lack of Government guidance on payments for historical sleep-in care shifts. Social care providers, many of them in the charitable and voluntary sector, are facing a back bill of £400 million, and one provider has already been forced to close. A recent survey found that two thirds of those charities are now at risk of going out of business, and the Government urgently need to address the situation.

I listened closely to what the Minister had to say at Health and Social Care questions, and I hope she might have a new answer for us today, because this situation cannot continue. We had a meeting in Parliament where we heard at first hand from not only providers but people in receipt of care, some of them personal budget holders who will be personally liable to Her Majesty’s Revenue and Customs when they are expected to pay back this historical claim. I hope that the Government and this Minister will share with this House exactly what they are going to do on that, because time is ticking by and by March of next year these providers are expected to pay, as I understand it, £400 million. That could be a serious further detriment to the care sector.

I wish to finish by talking about something a little different, although echoing some of what we have just heard, on the issue of prevention and how we keep people well, which is important in the context of this debate. As I have said, many things have not been included in the Government’s announcement of the funding that is coming to our NHS. We do not know about transformation funding, capital spend or funding for Health Education England for the education of staff. All these elements are very important, but of particular importance is public health spending, which has been decimated over the past few years, to the extent where, as we have heard just today, smoking cessation services have been cut by

more than 30% in the past year alone. That is just one example and it is not commensurate with the reduction in people smoking in our country. We need to think actively and urgently about how we have a wholesale reappraisal of how we keep people well in this country.

I want to ensure we have a national health service in 70 years' time. It is all very well celebrating the anniversary today, but when it is increasingly contending with lifestyle-related disease, we have to be doing everything possible to keep people well, and that starts from conception. We have to address the whole area of what we do for the under-fives, as that is completely ignored at the moment and its funding has been decimated again. I urge the Government to share with the House what they are going to do to keep people well.

8.30 pm

Mr Mark Prisk (Hertford and Stortford) (Con): I, too, wish to address the issue of adult social care and the excellent joint report—admittedly, I say that as a Committee member who helped to produce it. The issue is of immense concern to many of my constituents, not least the poor souls I have had to help, who were trying to fight this battle, which Members will recognise, somewhere between NHS funding and social care. May I also strongly support the remarks made by my hon. Friend the Member for Totnes (Dr Wollaston) about the principle of our bringing our Committees together? That collaborative principle, which we have shown in Committee, is one I hope both our Front-Bench teams, Labour and Conservative, will now follow. Frankly, the public are tired of party political point scoring on this issue.

I wish to touch on two subjects in the five and a bit minutes I have: integrated healthcare and funding. The Secretary of State has rightly highlighted one principle, namely that we should have whole-person, integrated care, with the NHS and social care systems operating as one. I strongly agree with that. I have seen too many people caught in that system I described, somewhere between NHS funding and social services, and trying to fight that battle with those two fundholders. That binary system has to end. It will not be easy, but the report highlights a number of practical steps. However, I say to the House that for the process of integration to work properly, those two separate funding streams have to become one. Whatever operational or managerial changes are made, if there continue to be two separate funding streams, patients will not experience the benefits. If one accepts that principle of a single funding stream, it is only logical that both clinical and social care be delivered free at the point of use.

I know that that is a major decision and a major financial commitment, but it is essential if the public are to see integration as being of practical benefit. After all, at the moment they see a lottery of disease. They see that if someone gets a major heart problem, the NHS will pay, no questions asked, but if they get dementia and need personal care, the state will look to them and their family first before considering whether or not it should contribute. People feel that that is wrong, and I agree with them.

Let me turn to the vexed question of funding. I am a natural low-tax Conservative. I always think we should remember that when we talk about public spending,

we are deciding how to spend other people's money. But on this occasion if we are going to reset this system for the long term, we have to be honest: these changes will involve paying more, one way or the other. No single tax can solve this problem, as my Committee discovered. That is partly because of scale: the health budget alone is £121 billion. Secondly, the revenue generated needs to be flexible enough to cope with the periods of boom and bust, so drawing revenue from a range of sources is wiser. Thirdly, the current system operates at both a national and local level. That is why the Committee rightly looked at things such as council tax at a local level, where we need to replace the temporary surcharges with a complete overhaul of council tax, including re-banding. The current bands and the fact that, for the most part, the valuations date back to 1991—both the Minister for Care and the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for Richmond (Yorks) (Rishi Sunak), who are here today will understand that—show how overdue that reform is. Using council tax as a local element to this would generate additional revenue and would do so on a year-by-year basis. Of course, council tax is also adjustable to meet local demands, so council tax is one element of this.

The second element would be at a national level, because tax revenue will be needed to counterbalance the local council tax charges. That is why I strongly support the notion of a social care premium, which is in the report. Its sole purpose would be to transform and integrate our current health and social care systems. The Committee looked at two options in that regard, and Ministers may wish to look at how broad our consensus was, as it was an encouraging thing to see. One option would be for collection through the existing national insurance system, but separately identified on people's payslips, with this charged to those 40 and above, including those over 65. That would be relatively easy to set up and run and it would be transparent for taxpayers.

The second option for a social care premium is a social insurance system like the one in Germany. The private sector—probably the not-for-profit insurers—would operate it, with all workers contributing to a pooled fund. I would like the flexibility of a German system, which would, for example, permit cash payments to families which better reflect individual needs in care.

The central point about a social care premium is that it would be acceptable to people if they could see that it would deliver the extra funds needed to integrate clinical and social care; address the rising demand, not least because of the increase in the number of those over 65; and end the healthcare lottery that people currently face. The report offers good ideas that will enable us not only to improve social care but to integrate it with clinical care. The key issue will be whether Ministers and their shadows are prepared to explore a collaborative approach to delivering those improvements.

I really do hope that Ministers will reflect on the report's principles and individual proposals and that they and their Labour Front-Bench opposite numbers will step forward, perhaps in this debate, and spell out their willingness to work on a collaborative basis. If they do that, the report will have provided a lasting opportunity for real change.

8.36 pm

Karin Smyth (Bristol South) (Lab): The first thing that I wish to highlight is my continuing concern about how wholly owned subsidiary companies are being established in the NHS largely to avoid the payment of VAT, which is not what Parliament intended. Although I recently spoke to people at the Treasury about this matter and they did not seem too concerned about the loss of VAT, it is not what Parliament intended in the estimates. It should be of concern to many Members that trusts are being forced down that route.

I also wish to highlight the tremendous work that has been done in the past few years by many of the Select Committees—some of the Chairs are present—including the Public Accounts Committee, on which I was proud to serve for two years. They have drawn attention to the dreadful state in which the NHS has been left over the past eight years, with the lowest growth in spending in any comparable period in its history. That has left a huge backlog of issues.

After several years of warning, tremendous hard work by Committees and scrutiny in this place, we have the welcome announcement on funding. It is just short of the average rise of 3.7%, but we are grateful for what we have got. The Secretary of State has set five tests to “show how the NHS will do its part to put the service onto a more sustainable footing”.

He has tasked the NHS with improving productivity, eliminating deficits, reducing unwarranted variation, getting better at managing demand and making use of capital. As well as those five tests, he also said that the NHS needed to be back on track on agreed performance standards, on locking in and further building on safety and on transforming care. He went on to say that the Government will transform cancer care and move money into mental health to deliver parity of esteem. That is quite a list.

Fiona Onasanya (Peterborough) (Lab): Does my hon. Friend agree that mental health has not been given parity of esteem, despite the 2012 legislation?

Karin Smyth: I do agree, as would most Members, I think. There is a strong willingness in the NHS and in the Department to make it happen, but it is very hard to see it happening on the ground.

The Secretary of State said two interesting things in the interviews that followed the NHS funding announcement. First, he said that the money is contingent on the NHS's delivery of a plan based on the issues that I just outlined. Secondly, he said that the Government would tell us, the taxpayers, in the autumn how we were going to pay for it. I am not a great fan of the monumental paternalism that seems to have overtaken the Government.

This is a huge missed opportunity to talk to the public about the service that they wish to have in this country and how much it costs—and I mean in respect of the entire NHS budget, not just social care. This could be an opportunity to share with MPs the reality in our health economies. Which areas are doing well? Which area is an outlier in costs, in meeting targets, in safety or in other health outcomes? I do not want any more dashboards or league tables, but I do want a way to improve the debate. I want to be armed with information and for us scrutineers to be able to use this opportunity

to take what we know from the estimates and the Select Committees and translate that back into our local health economies.

In this debate, we will be talking about billions of pounds. We are having a very amicable debate here this evening; normally, we trade points over who would do better and how we would spend different parts of the money. Even those of us who are MPs and who are experienced and understand the funding and service planning struggle through the local architecture and the decision-making to know what money we need, where it should be targeted and how on earth our constituents will pay for it.

I tried to look at the issues in my own health economy. Members will be pleased to know that I will not have time to go through all its accounts, which I looked at over the weekend. Bristol has been in balance over the past few years, but, unfortunately, our neighbours have not, and the solution has been to join us together, so now we are all suffering under a huge deficit. It was another £30 million last year. We have an £83 million historic deficit—not in Bristol, but in our neighbouring authorities for which we are now responsible. If we run forward with that deficit over the next five years, that is another £150 million, plus, possibly, the £83 million that we already have. We are then getting very close to the £300 million that the £20 billion equates to in our local health economy.

All hon. Members can take the £20 billion and equate it with their own health economies and start to see what that money will really buy. The £300 million that this may equate to is also roughly equivalent to what the sustainability and transformation partnership said two years ago that it would be short of. This is a long way round and I excuse hon. Members for not keeping up with the numbers, but what I am essentially saying is that the money will allow us to stand still and not much else.

The coalition Government wanted to liberate the NHS, but instead they put a torpedo in the middle of it, fragmented it and then threw it all up in the air. People have done a remarkable job in keeping it going over the past few years. Why not try a different approach? Why do we not liberate the frontline to talk to us about what this money means? Why do we not look at the real demand in our health economies, what that money is and try to make sense of it for local people? Then we should talk to them about how much it would cost to have the level of service and treatment that they think they want. That would be a really liberating thing to do for all those managers and clinicians on the frontline. Local transparency, local accountability, is the only way to go in starting to square the circle of demand, quality and cost. MPs should not be let off the hook and kept outside the production of this new NHS plan and the way that it will be funded by our constituents over the next five months.

In this 70th year, the best present that politicians could give to the NHS would be to stop piling on the priorities, knowing that the money is not enough to meet them all, and to front up the political choices that we have asked people to make and our constituents to pay for.

8.42 pm

Nigel Huddleston (Mid Worcestershire) (Con): It is a pleasure to follow the hon. Member for Bristol South (Karin Smyth). In fact, all the speakers so far this

evening command the respect of both sides of the Chamber for obvious reasons given what they have said. I, too, agree with a large amount of what has been said. It is also a pleasure to speak in this very week of the 70th anniversary of the NHS.

We are talking this evening—it is in the Order Paper—about NHS expenditure summing to greater than £120 billion. That is a staggering sum and it just shows how important the NHS is not only to the Treasury and the Government, but, perhaps most importantly, to the public. Certainly, this is the top topic of interaction for my constituents. It is very, very important to them. The NHS is right up there with the royal family and the armed forces in making the Brits proud to be British, and for understandable reasons. I therefore very much welcome the £20.5 billion increase in real terms spending on the NHS. It is not only obviously needed because the population is ageing and the cost of healthcare is growing, but also desired by the British public. Some 86% of the British public say that they feel the NHS needs more spending. They are also willing to pay for it. It is very important that we listen to the public very carefully when they say that they need more spending on the NHS and that they are willing to pay for it. We will come in a moment to how they should pay for it. The British public are not stupid. They are fully and well aware that Government expenditure all comes from taxation, either now, immediately, or in the future in terms of debt. That is important, as they recognise that we cannot magic money out of thin air. We must also be very responsible and careful as politicians that we respect the fact that, whenever we decide that we wish to increase Government expenditure, what we are effectively doing is reaching into the pockets of hard-working people in this country and saying, “We’ll take some of that out, thank you very much.” We have to be really respectful of that and explain why we are doing it and what we are doing it for. The laziest thing to do in politics is pretend that other people are going to pay for all this and to promise the world to everybody. It is a dangerous route to go down and the British public will eventually see through that approach.

If we are going to be straight with the British public, how will we achieve this increased expenditure? I am sceptical, but not as sceptical as my hon. Friend the Member for Totnes (Dr Wollaston), about the Brexit dividend. I do, however, like to talk about a deficit dividend; as we reduce the massive amounts of interest that we are paying over time, there will be a benefit to the UK population. We have to be honest about where the money could come from, and hon. Members have mentioned other ideas about how it could be generated, including by looking at council tax, tax-free allowances and the pension age.

We do need to look at the pension age very carefully again. We have already increased the pension age to 67 and 68, but as the population ages and we all live longer, it is not unreasonable to expect us all to work longer. As we work longer, we generate more taxes during our lifetime, and that is pretty important. We have to consider whether it is reasonable that we should all be living 15 or more years after we have retired without paying more tax.

Dr Whitford: Is the hon. Gentleman aware that the increase in life expectancy is actually stalling and not continuing to soar? Unfortunately, it is another inequality

between richer areas and poorer areas, and the danger is that people in deprived areas will get no retirement at all.

Nigel Huddleston: The hon. Lady makes a perfectly valid point. The differentials in life expectancy concern me greatly, but we have come such a long way. Pensions were first introduced in 1908 for people aged 70, when the average life expectancy was 48 for men and 52 for women. Life expectancy increased slowly as the century went on, but I believe that it is now—quite staggeringly—78 for men and 82 for women. This is well beyond the average age at which we retire, so we have to look at the situation carefully.

Rather than directly tax people more, I would like to see economic growth, which was mentioned earlier. Every 1% increase in economic growth adds £7 billion to the economy, whereas every 1p increase in income tax raises just £5 billion. We have to look at having a good mix. The more that we can grow the economy the better. Owing to the growth in the economy, HMRC receipts actually increased from £414 billion in 2010-11 to £594 billion last year, so the more that we can do for economic growth, the better for us all.

Alternatively, we could shift Government expenditure from one Department to another, but that is very difficult to do in the age of austerity and perceived austerity. As a Conservative, I believe in Government spending that is as small as it can be, but as large as it needs to be. The message that I heard from my constituents at the last election is that they believe that it probably needs to be just that little bit bigger, particularly for health, social care and education.

The British public are now respecting and accepting the fact that Conservatives are very careful with their money and are respectful of taking tax and money out of their pockets. They know that we are not going to spend money willy-nilly. More than 60% of the British population—across all demographics, including party political persuasions, age groups and income groups—support a taxation increase to spend more money on the NHS, and we need to listen to that.

But we need to move the conversation away from being all about inputs. Everyone in this House needs to commit to avoiding this kind of arms war, whereby there is always a debate and a fight about who can spend most. Instead, we need to put much more focus on the outputs, such as improving diagnoses, treatments, survival rates and other matters in the NHS. That is part of the debate. I was glad that the Health Secretary focused on that while introducing the additional spending. It is an important factor to consider; productivity very much needs to be part of the deal.

We need to continue focusing on an NHS that is free at the point of need, but we need to be clear with people that it is not free. The NHS never has been free and never will be free. It comes at a cost and we all have to pay for it. We need to ensure that we keep focusing on cost, look at other areas of savings and educate the public that there is a cost when they miss an appointment, when an ambulance goes out unnecessarily and when people go to A&E but do not really need to do so. We should all play our part in ensuring that NHS money is spent as wisely and carefully as possible.

There is still a lot of work to do on social care and public health, as my hon. Friend the Member for Totnes said. We should try to put together a cross-party

[Nigel Huddleston]

royal commission, as other have said, and investigate moving the NHS out of party politics as much as possible, but that is a debate for another day.

8.49 pm

Helen Hayes (Dulwich and West Norwood) (Lab): It is a pleasure to follow the hon. Member for Mid Worcestershire (Nigel Huddleston) and to speak in the estimates day debate to mark the 70th anniversary of our NHS—the most remarkable achievement of a Labour Government to provide free healthcare for all, free at the point of delivery.

I want to speak about King's College Hospital—a major teaching hospital, tertiary referral hospital, and local district and general hospital in my constituency. There is a strong bond between local residents and King's. I am proud that my mum worked at King's as an occupational therapist for 10 years. Like so many local residents, I owe a personal debt of gratitude to the tremendously hard-working staff at the hospital. I was a surgical in-patient at King's in my 20s, gave birth to both of my daughters there in my 30s, and have subsequently been an out-patient. My family rely on the A&E to be there when we need it. As we celebrate the 70th anniversary of the NHS, I pay tribute to the staff at King's for their skill and professionalism, commitment and dedication, care and compassion.

King's went through very challenging times during the 1980s and '90s, but was completely transformed by Labour's investment and NHS reforms. By 2010, the hospital had achieved a balanced budget every year and was meeting all its major targets. Since 2010, however, King's has faced very significant and substantial challenges, driven principally by chronic underfunding and an enforced decision in 2013 to take on the management of Princess Royal University Hospital and Orpington Hospital when South London Healthcare NHS Trust failed. King's now finds itself in special financial measures, with an annual deficit of £140 million.

While there are some areas where the trust can make improvements—and I know that staff are working as hard as they can to do so—many of the problems that it faces are outside its control. The Government's funding model rewards elective surgery and penalises emergency work. King's has a regional trauma centre and a stroke centre. It is one of a small number of London hospitals with a helipad. It has a busy accident and emergency unit and will soon open a new critical care unit. These specialisms save lives daily, but the funding model does not recognise this work. As a result, the hospital is grossly underfunded, even though London needs centres of emergency excellence such as King's—no more so than during the Westminster and London Bridge terror attacks and the Grenfell Tower fire last year, when the team at King's were at the forefront of the emergency life-saving response.

Last year the Government refused to allocate sustainability and transformation funding to King's, in contrast to many other hospitals, resulting in the hospital's already challenged financial situation becoming significantly worse. In the context of a spiralling financial decline, the Government then decided to fine King's for not achieving its already impossible financial control targets—even though it was the Government's failure to provide

adequate funding that led to the inability to meet these targets in the first place. Since King's has been in special financial measures, the trust has been charged penal rates of interest on the money it has had to borrow to tackle the deficit it faces.

King's does not have access to the capital funding it needs to undertake routine buildings maintenance and to invest in the infrastructure it needs to be able to be as efficient as possible. The Government love to recommend efficiency improvements. At King's, efficiencies can be delivered if the buildings and outdated equipment are fit for purpose for the needs of patients in the 21st century. Both King's and Maudsley Hospital across the road urgently need more funding to meet mental health needs in our communities. Too many local residents are ending up in mental health crisis because early intervention is not there, and too many of those patients spend far too long—often days at a time—waiting in accident and emergency at King's for the mental health support that they need.

I raise these issues today because while any additional funding for the NHS is welcome, the problems at King's cannot and will not be solved by 3.5% a year for five years. King's needs new funding now to overcome its current challenges. It needs an end to the perverse policies of financial penalties for failing to meet impossible targets. It needs urgent capital funding to enable the Denmark Hill site in my constituency to be fit for purpose to meet patient needs. It needs revenue funding to enable it to recruit and retain the staff that it needs to run the hospital.

It is an appalling and unacceptable fact that as we mark the 70th anniversary of the NHS this week, one of the biggest teaching and research hospitals in the country, with such world-class life-saving and enhancing expertise, is in such a perilous financial state. This must be stopped. We owe it to the staff; we owe it to the patients. There is no way around the need for additional funding now. I call on the Government to acknowledge this challenge—to acknowledge the impossibility of the current situation at King's with the current financial settlement and to step in to provide the funding it so desperately needs.

8.54 pm

Andrew Lewer (Northampton South) (Con): I draw Members' attention to my entry in the Register of Members' Financial Interests; I am a vice-president of the Local Government Association. I am pleased to take this opportunity created by the estimates to discuss adult care funding, given that a large percentage of the funding that local government administers relates to it.

I have been part of the joint Select Committee inquiry on the future of adult care. Before that, I led a county council with responsibility for adult care that had an adult care budget alone of around a quarter of a billion pounds. I then arrived as an MP just in time for Northamptonshire County Council to fall over financially, due in no small measure to adult care costs; addressing local versus national responsibilities for that are perhaps for a different time.

Adult care funding is a very important issue, and the solution to it requires bold thinking. Although the better care fund and the general funding in the estimates are welcome, they do not represent a solution; rather, they represent a temporary patch. When I was deputy chairman of the LGA, we had a presentation from the

King's Fund in which it showed us reports that it had produced every year since 1999—this is very much a cross-party issue—saying, “This year must be the year that there is a solution to adult care funding.” That was in the last century. Integration is not the same as the NHS taking over. There will always be lines. With adult care, the next line would be housing, and I do not think anyone is suggesting that the NHS take over housing.

Colleagues have mentioned parity of esteem. Parity of esteem for employees is important institutionally. We speak a lot about the NHS. We are proud of it, and we are talking about its birthday, but often the NHS workers shade out the esteem that we need to give to social care workers and people who work in local authorities providing essential local services, particularly to the elderly.

Mr Clive Betts (Sheffield South East) (Lab): I thank the hon. Gentleman for the part he played in the joint Select Committee report. He is absolutely right about that. Figures in the inquiry showed that for the same work, social care workers were paid about 29% less on average than workers in the NHS.

Andrew Lewer: I thank the hon. Gentleman for that comment. It is about pay, but it is also about conditions and remembering that the health economy is much more than the NHS.

I believe, however, that more tax is not the solution, even if hypothecated and ring-fenced as road fund licence and national insurance were in their time. It is not wholly in tune with Conservative philosophy to suggest that higher tax rates equal higher tax revenue, and there is economic theory to back that up. The Laffer curve, for which the British economy in the 1970s was in many respects the laboratory, indicates that when a certain tax rate is reached, revenue goes down, not up. We are high on the Laffer curve already: 41% of GDP is Government spending in the last recorded figures, compared with 38% in 1988-89 and 34.5% in 2000-01. This is not about whether we need more—we do—but how to get it.

In general economic terms, productivity gains, as my hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) said, and GDP growth per head are key to more funding going into adult care. In specific terms, an insurance approach with some elements of the German model has a great deal to commend it. I was very pleased to see that option retained in the recommendations of the joint Select Committee report.

8.59 pm

Laura Smith (Crewe and Nantwich) (Lab): It is a pleasure to follow the hon. Member for Northampton South (Andrew Lewer).

One thing I think we can all agree on is that we take our health for granted. We all get bogged down with everyday worries and problems, and all too frequently we hear the phrase, often from those who are more experienced, “Your health is the most important thing. Don't take it for granted.” Of course, everyday life—education, work, family, bills and so on—are very real challenges that we all face, and it is sometimes easier just to hope for the best and go for the line, “Fingers crossed, it won't happen to me.” The reality, however, is that at some point every one of us will experience either poor health or the likelihood of having to care for a loved one who is suffering.

My real concern is that our health and social care system is built on shifting sands, and there seems to be no long-term strategy from the Government for dealing with the challenges we face as a nation. We have an ageing population, a growing population and a population with more complicated health needs, yet we lack forward thinking and planning.

At the time of my election last June, the Care Quality Commission had found that one in four social care services was failing on safety grounds, with at least one care home closing every week, while only 2% of providers were regarded as outstanding. Our Prime Minister acknowledged that our social care system was not working, and promised to fix it—it was even in the Conservatives' manifesto—but that promise has been broken. Since then, the Chancellor failed even to mention social care in the autumn Budget, and he missed another opportunity in the spring statement. The single departmental plan of the Health Secretary's Department of Health and Social Care has failed to acknowledge the social care workforce. The result is that care providers up and down the country, including in my constituency, have been placed in special measures and face closure.

It is devastating to see people at breaking point because of this undignified and broken system. It is not just those in need of care who suffer, but their families. I recently visited a very good care home in my constituency, and I spoke to a gentleman who told me how wonderful his care was at that home. He also stated that he had now spent his life savings on his care, and would more than likely have to sell his home, which his children live in, to be able to continue to fund his necessary care. He expressed his regret at an unfair system, in which dignity in old age is determined by the amount of money people can pay.

I wish to draw on one particular issue that has not had the publicity it deserves, even though it threatens the viability of the care sector and could jeopardise the care of the most vulnerable people in our society. It is the Government's mismanagement of the sleep-in crisis. I first learned about this issue when a senior council worker at Cheshire East Council was sacked after raising concerns about dozens of careworkers who had been paid less than the national minimum wage by the Conservative-run council, which had pledged to pay all its workers a living wage. Since then, one of the Conservatives' own councillors has said that the council knew it was underpaying careworkers as early as 2014, adding that he would resign if he was proven wrong.

Unison brought a successful claim to an employment tribunal, where it was ruled that careworkers who sleep overnight in care homes are entitled to the national minimum wage for each hour that they are at work in what are referred to as sleep-in shifts. In February 2015, the Department for Business, Energy and Industrial Strategy updated its guidance to reflect the court ruling, and this should have been the end of it. The Government, now knowing that their previous guidance was wrong, should have taken swift action to ensure that all careworkers received the back pay they were owed and were paid the national minimum wage.

Yet freedom of information requests have revealed that HMRC was instructed in February 2016 that staff were not entitled to the national minimum wage during sleep-in hours. In my opinion, this mistake is unforgivable. Over a year later, HMRC has finally started enforcing

[*Laura Smith*]

complaints made by workers, who are in addition seeking six years of back pay to make up for missing wages. However, the Conservatives stopped this by delaying in July 2017, and again in September 2017. Incredibly, local authorities were not instructed to pay the national minimum wage for these sleep-in shifts until October 2017. From 2015 to 2017, careworkers were ignored.

A careworker in the constituency got in touch with me because he did not know where else to turn. He described how staff morale was at rock bottom, with many careworkers suffering from poor mental health, worrying about their job security, relying on food banks and payday loans, and being too scared to take time off sick and unable to afford going on annual leave.

Fiona Onasanya: Does my hon. Friend agree that we must not allow the sleep-in crisis to be kicked into the long grass? We must draw attention to it, and the Government must do something about it.

Laura Smith: I absolutely agree.

The careworker who contacted me described how careworkers feel that they have no voice and no respect. Is it any wonder that more than 900 careworkers leave their job every day? The way that this crisis is being handled is utterly disgraceful, and the Government have missed opportunity after opportunity to put things right. How can we expect the care sector to function, given all this uncertainty?

After years of continued mismanagement, the careworkers' back pay bill is due in November. The reality is that the Government have never paid local authorities enough money to allow them to provide sleep-in shifts at the national minimum wage. We know from sector surveys that care providers cannot afford to pick up the Government's tab. If they are made to do so, some will close and some will hand back contracts, leaving the vulnerable people they support to find new carers and local authorities to struggle further. Some will be forced to cut the additional services they provide, such as those that help disabled people live more independent lives. Blackpool has already seen one care provider close. We do not have long until we start seeing the effects across the UK. It is vulnerable people and low-paid carers who will suffer.

The Government have had three years to get to this point, so where are their proposals for safeguarding the viability of the care sector? I ask the Government please not to wait any longer. The careworkers deserve better, the providers deserve better, and the citizens of this country deserve better.

9.6 pm

Mr Marcus Fysh (Yeovil) (Con): It is a pleasure to follow the hon. Member for Crewe and Nantwich (*Laura Smith*), who made some interesting points about adult social care. I have similar issues in my constituency, where one of the main care providers increasingly sees private clients effectively subsidising local authority provision. The gap between the costs has been getting wider and wider. The concern of many of my constituents is whether they will be able to afford private care if public provision is not forthcoming.

It is also a pleasure to follow the hon. Member for Dulwich and West Norwood (*Helen Hayes*), who spoke about King's College Hospital. My father was a registrar in neonatology—he is a paediatrician—at King's in the 1980s, so it is a hospital that I know well, and I am sympathetic to the challenges of an inner-city area. In my area we have a rural district hospital, which is very high quality and gets very good results, and the people there do an outstanding job. The hospital is in deficit and has been part of the vanguard transformation initiative, which has meant extra costs. Sometimes the benefits of working in new ways do not show in the money saved initially, because we have to wait for wider population health outcomes to be able to judge that.

Luciana Berger: The hon. Gentleman raises the important issue of how we transform care to ensure that we do the very best for patients. Does he share my concern—this was raised by the National Audit Office only last Friday—that the vanguard programme has not delivered the depth or scale of transformation in service that was intended? Part of the reason is that there are not enough funds in the rest of the NHS to ensure that the transformation that we want to see can actually occur.

Mr Fysh: The hon. Lady makes a good point. It is about trying to understand when the effects will show up. Often what we have to do in the meantime is to run two parallel systems, in order to get one up and running, and that can be challenging. I welcome the extra money for healthcare but, as I said on Wednesday, we really should not allow it to crowd out other types of spending, particularly local government spending, which we have heard about in relation to social care.

In Somerset, the Conservative county council has undertaken nine years of efficiency savings. It has cut a lot of money out of its budget, but we are getting to the point where further cuts will make a significant difference to people's lives and the provision of services. The Liberal Democrats left the county with nearly £400 million of debt. The repayments are £100,000 a day, which is really disappointing because we would much rather spend that money on services for the public. The county really needs about another £20 million. Ministers should look at whether the virements in the estimates are enough. I would like the amount in paragraph (2)(c) to be increased by £20 million to fund the very serious gap the county will otherwise have to make up through serious cuts to real people's services.

It is worth highlighting the plight of children's social care. The county has made great strides to deal with issues and modernise the service—it has spent a lot of money doing so—and that is an ambition we should all espouse. The difference between children's social care and adult social care is essentially that adult social care gets cross-subsidised by private clients, as I said, and to some extent by its integration with the healthcare system. What does not really happen in children's social care is the same level of integration or thought about how the education service integrates with it. In Somerset, we have very high transport costs for children who wish to be educated in Somerset but are placed outside it, for example in Bournemouth. That is something that we need to address.

The reality is that overall Somerset needs more funding. It needs fairer funding, because it is still massively underfunded relative to urban and other areas. On how

to pay for that, we have heard good points about why we should not automatically look to tax rises. Public spending has come in under estimate, so there is scope at the moment for a bit of extra deficit funding. Given the fiscal and monetary tightening around the rest of the world that is taking some of the heat out of western economies, I think that would not be frowned upon. Local government funding in Somerset would be a very worthy recipient of such flexibility.

9.13 pm

Mr Clive Betts (Sheffield South East) (Lab): It is a pleasure to follow the hon. Member for Yeovil (Mr Fysh). I concur at least with his points about local government funding and the pressures on councils in general with regard to their social care responsibilities. I want to address the points made in the joint Select Committee report. I thank the hon. Member for Totnes (Dr Wollaston)—she is my hon. Friend on this occasion—for her contribution to the report. Everyone worked together on it.

I do not think there is any doubt at all that funding is needed for social care. We cannot carry on trying to get this sorted out on an as-and-when basis every year. We need a long-term solution that people, and particularly the local councils that have to deliver the services, can rely on. Politicians are often good at identifying what needs to be done, but not very good at saying how it should be done. A great strength of the report is that I think it actually does say how this should be done. We say that we cannot carry on providing care in the same way and to the same level as has been the case over the past few years. We are say that, yes, there is a gap here and now, as identified by the Local Government Association, the King's Fund and the Nuffield Trust. There are clearly demographic issues that are pushing costs upwards with regard to not merely the elderly, but people of working age with disabilities—there are demographics in both. We also have to accept that if we broaden the scope of people who get care, including people who have moderate needs, that will mean prevention and taking people out of the national health service. That is one way in which we can join up the two services very effectively.

We then have to look at quality. We all know of examples of quality failing at present. We know that the workforce are often on zero-hours contracts and the minimum wage—the same wage someone working on a supermarket checkout can get. We need to look at the long-term stability of the workforce, as well as their pay and conditions. We need to consider the viability of care providers, which are often giving contracts back or going out of business. All those issues require money. That is why, in the end, I have to say that although I very much support the long-term principle of care that is free at the point of delivery, according to need—that is one way in which we can join up health and social care in the long term—all the issues that I listed immediately need extra funding. It will therefore perhaps be some time before we can move to that free care system, but we can deal with clinical needs much earlier.

We can ensure that any money that is raised, whether through the national insurance funding model or the German model, is earmarked so that people can see that if they have paid extra, it goes towards social care. That came out very strongly from the citizens' assembly. It is also about fairness and pooling risk, so that if

everyone who can afford it pays a bit of inheritance tax, no one needs to find that the vast majority of their assets, including their home, has to go towards paying for their care. That really upsets people—it is the lottery of life, is it not? If someone has dementia and ends up in care for a long period of time, their home simply goes to pay for that. Most people feel that is really unfair, so if everybody pays a bit when they can afford it, no one would risk losing everything in the way that they do under the current system.

One of the strengths of our report that we have perhaps not made enough of is the fact that this is doable. It is practical and can be delivered in a reasonable period of time. As we have said, if business rates—75% of which are going to be retained by local councils in 2020—were kept in the local government system, that could address the local government problems to which the hon. Member for Yeovil referred. That can be done. We know that there can be a simple switch from the current intention of replacing public health grants and other things. If we consider the basis of a social care premium, either through national insurance or the German model, the structure is there to collect the money and would be relatively simple to adapt. As for the change to inheritance tax, again the system and framework are in place. They would be relatively easy to adapt and it could be done in a fairly short time.

Integration is a really important issue. We have not started from scratch and called for a whole new national health and care system, which could take years to bring about. We have said that, yes, health and social care need integrating and bringing together, as do housing services—most people who get social care do so in their home—and the link with public health, but that can be done within existing frameworks locally. The integrated care plans have been mentioned as one basis and there are the health and wellbeing boards. We have also heard about the Manchester model. All those models already operate and we can use them to bring about this practical integration at the point at which people need the service. This is not about a new bureaucratic framework, but about delivering services better for the individual.

Yesterday I was pleased to go on a 10-mile walk, raising funds for the Sheffield Hospitals Charity—that perhaps says something in itself. I went with my excellent consultants, Professor John Snowden and Dr Andy Chantry, together with their team from the haematology department at the Royal Hallamshire Hospital in Sheffield, who have given me such excellent care and treatment over the last year. I thank them all very much for that. There is a little secret that I have to let out though: John Snowden and Andy Chantry did a 50-mile walk over two days, and I just came on the last 10 miles of it. The commitment that they showed with members of their team demonstrates and is symptomatic of the approach that so many of our NHS staff have to the job they have to do—a job that we rely on them so much for.

9.19 pm

Helen Whately (Faversham and Mid Kent) (Con): It is a great pleasure to follow the thoughtful speech of the hon. Member for Sheffield South East (Mr Betts). I really enjoyed listening to it.

Everybody has an NHS story, whether a child born, a disease cured or a life saved. I have seen the NHS at its best—when my five-year-old son got appendicitis on

[Helen Whately]

Christmas day and three days later was home and happy, without his appendix. I have also seen it at its worst, however—when my fiercely independent grandmother tripped over and bruised herself. What followed included misdiagnosis, mis-medication, a morphine overdose, a six-month stay in hospital and enormous frustration trying to access social care. She returned home only to die. I suspect that my experiences reflect a national picture, of many, many lives saved against the odds and huge public support, rightly, for the NHS, but also of the tragedy of lives lost through omissions and errors.

I would like to take a step back in this the NHS's 70th birthday year to say there is much to celebrate in our national health service: 44 million babies born, millions more treated, cancers cured, thousands of people alive who would not have been without its help, and long-term conditions such as diabetes much better managed, with much improved quality of life as well as life expectancy. Our health service is renowned around the world for providing the most equitable access to healthcare, and for this it is the envy of the world.

But we must not be misty-eyed about the NHS. Even on access, in my area of Kent there are some terrible A&E waits, while 1,500 children are waiting for mental health treatment, over 100 of them for more than a year. In some areas, NHS outcomes are not what they should or could be. There is still far to go to join up parts of the health and social care systems, as others have said this evening, and too little emphasis on public health and ever rising demand. I welcome the recently announced £20.5 billion of funding for the NHS, and also the forthcoming social care settlement, which is really important, because funding the NHS will not work if we do not also give social care the funding it needs.

The NHS has a huge opportunity to make the funding go further, and I do not mean through salami-slicing, penny-pinching and cost-cutting, through saving on biscuits and paper clips—I actually think a little more should be spent on enabling staff to eat together. I just want to touch on three areas of better spending. One is technology. There is a huge opportunity here. It has been said many times, but should be said again, that there is much further to go to improve the use of technology in the NHS, whether that is just updating systems so they work—so that doctors do not spend time cutting and pasting patients' information or waiting for a system to turn on after it has turned itself off; having a fully functional single patient record that brings together mental and physical health, dental records and end-of-life instructions; or giving patients far more opportunity to use technology. In that regard, I welcome the recently announced app for booking appointments online. There are many other tools for better self-management. We must drive forward the potential for big data, artificial intelligence and personalised medicine, which could make such a difference to what we get from our NHS.

Secondly, on the workforce, it is fantastic that we are training and recruiting more doctors, including 100 more in a medical school in Kent, but with vacancy rates too high, particularly in mental health, and high staff turnover, we know that for parts of the workforce things are just not working. Junior doctors have told me they feel like cogs in a machine, and so too often do nurses, therapists, healthcare assistants, porters—you name it. So often I

have heard them say things like, "Nobody ever listens". In some parts of the health service, command and control has unfortunately dehumanised the experience of working in the NHS—a job that should be so full of satisfaction. The NHS has much to learn from itself, and from other systems and other sectors, about how to be a better place to work and to make the most of its fantastic workforce in order to provide the care we aspire to.

Thirdly, it is time to end the divide between physical and mental health. We need to give a greater share of the funding pie to mental health, as the Government have recognised, and knit together mental and physical health. When the two are joined together, it improves outcomes for patients and provides better value for the NHS—better outcomes at lower cost, which is exactly what we need and want.

We need to talk about the funding of the NHS and social care, as many Members have done so eloquently this evening. We need to talk about how much money is needed, and about the big question of where we are to find that money. Those are not difficult conversations, and they do not involve difficult decisions. However, we also need to talk about how to make the best use of the money, so that we can have the health and care system that we want for years to come.

9.25 pm

Craig Mackinlay (South Thanet) (Con): We have heard some fantastic speeches from Members on both sides of the House about adult social care. I am not sure that we have been given the solution, but I think we have realised that there is a problem that needs to be solved.

Housing represents, potentially, a great asset for people in later life, which can help to pay for adult social care and other services that people need as they age. My worries are about house-price-to-earnings ratios and house price inflation. In 1996 the Nationwide house-price-to-earnings ratio was just 2.8, which means that 2.8 times someone's earnings could buy that person the average house in the United Kingdom. Over the past 40 years, house price inflation has averaged 5% a year. That affordability gap is now extremely wide throughout the country. It is bizarre. One would have thought that the areas with the highest house prices would have the lowest ownership, but the reverse is the case. In the north-east, 60% of people are owner-occupiers, and the house-price-to-earnings ratio is just over 5. In the south-east, where house prices are obviously higher, 70% of people own their homes, but the ratio is now close to 10. That does not quite follow the pattern that we might expect.

Back in 1995, it would have cost first-time house buyers 17.5% of their incomes to service their mortgages. According to the figures that are available, in late 2016 the proportion was 33%. At the peak in 1989, base rates were approaching 14%, and it was costing 56% of income to maintain a mortgage, so we are not living in unusual times.

Thankfully, we are narrowing some of the gap between housing requirement and provision. It has been running at an estimated rate of 230,000 a year for some years, and will continue into the future. We built 217,000 houses last year, which is all to the good, but we have a fundamental problem: we do not seem to want to live together as generations any more. We seem to want

independent living, and that can often lead to lonely living. There is a potential solution there, which might also solve some of the adult social care problems.

Is it time that we had a debate about a further loosening of planning law? Let me put some questions—not solutions—on the table. Are we allowing a degree of timidity in relation to development? Are we just trying to add little bits to existing conurbations, thus increasing pressure? Are we not thinking clearly enough about the building of completely new towns, with proper infrastructure—road, rail, health provision and schools—as part of the plan, rather than simply adding to the edges of existing communities?

Should we be trying to unlock brownfield sites? I can think of a perfect 5-acre derelict site that used to be the gasworks in the middle of Ramsgate. No one wants to develop it because of the remediation costs. Should legislation be introduced to force what are often utility companies to regenerate on pain of, perhaps, an additional business rate charge, or should the Government provide loans with a clawback provision to inject the seed capital to get developments moving?

We do have an existing stock, and I think that two measures would be helpful. Capital gains tax and inheritance tax are a problem, particularly for older people with holiday homes. Let us suppose that an elderly couple have had a holiday home for many years. One of them might become a widow or widower. They have fond memories, and do not want to rent out the property because of the aggravation that it would involve. Most people will not face an inheritance tax charge. Why on earth would they want to sell an asset that is hugely pregnant with gain, paying capital gains tax at 18% or 28%? They would rather leave it in their estate until they die, and perhaps pay nothing at all. As for those with a chargeable estate, why should they pay a 28% capital gains tax charge, and then a 40% inheritance tax charge on the £72 that is left in cash after that tax has been paid, which would represent a total tax charge of 57%?

The second measure I present is downsizing relief for stamp duty. Often, again, this would affect the elderly person, perhaps on becoming widowed. There is a north-south divide in this of course: in parts of the country it will be perfectly possible to buy that downsized smaller property for within the £125,000 stamp duty threshold for paying zero, but for many in the south, particularly in London, there will be a huge stamp duty to pay. My proposal is that we should have a downsizing relief for people moving to a smaller floor-area property—the threshold could perhaps be 75%. The Treasury might say it would lose money, but it forgets that for every seller there would be a new purchaser, so we would be creating stamp duty on purchases that might not otherwise have happened at all.

Liz Twist (Blaydon) (Lab): Does the hon. Gentleman agree that housing is also a key determinant of health and that is an additional aspect that we must think about, especially in housing for older people? We must see housing as part of that bigger picture in creating a healthy nation.

Craig Mackinlay: Older people often stay stuck in a house that is not right for their future needs and is further from help they would so desperately require in their later years.

To conclude, housing is a scarce resource, particularly in some parts of the country, and we must maximise its use and maximise mobility.

9.31 pm

Dr Philippa Whitford (Central Ayrshire) (SNP): As many Members have mentioned, we are approaching the 70th birthday of both the NHS and the social care system. I was shocked to work out that I graduated in the first half of that period, when the NHS was a youngster of only 34. That was a bit depressing; how did I get so old?

Most patients in all four UK health systems will have a very good experience, because they interact with dedicated and caring staff. But all four systems face three big challenges that we have talked about before: tight finances, workforce shortages and increasing demand. As others do, I welcome the £20 billion extra funding that will be there by 2023. Over the next five years, that equates to a 3.4% uplift each year. That is double the 1.2% that the NHS has been experiencing over the past eight years, but it is below the 3.7% that has been the average since 1948. So it is welcome, but to call it a windfall can make people complacent that the challenges within the NHS and social care have simply gone away.

I agree with the hon. Member for Totnes (Dr Wollaston) that it is very disappointing that this is again only NHS resources, with no money for public health, for training or for capital or maintenance and, most importantly, no funding for social care. Trying to fund a health system without supporting social care is like trying to fill a bath with the plug out.

The other question is of course: where is the money coming from? I am afraid that I am also in agreement with the hon. Lady that I do not see much chance of a Brexit dividend; I know that I am Irish, but I do not really believe that there is a pot of gold at the end of the rainbow.

The Secretary of State for Health and the Secretary of State for Scotland have both mentioned that Scotland will get a £2 billion windfall through the Barnett consequential, and that would of course be hugely welcome, but in fact no detail has been sent back in response to the letter from our Finance Minister, and we will simply have to wait for the autumn statement, because the Barnett consequentials are not always as they appear. When NHS England got £337 million to prepare for winter pressures, naturally NHS Scotland was hoping for £32 million; in fact, by the time all the other cuts were applied to it, £8.4 million made it over the border.

The Scottish Government have increased health funding by 45% since coming to power in 2007, and despite an 8% cut in the Scottish budget since 2010, we still invest £163 a head more than is invested in people in England. We focus on things like quality improvement, and we have the first national patient safety programme. That has reduced costs, and it has a massively reduced mortality. It also helps to avoid litigation, which is at a much lower level in NHS Scotland than here in England.

The next issue is the workforce. There is no extra funding for Health Education England, although it is expected to educate 1,500 more medical students and train 5,000 more GPs. Despite 36,000 nursing vacancies, the nursing bursary has been removed, and this House

[Dr Philippa Whitford]

voted to remove the postgraduate nursing bursary just last month, so it is difficult to see how we will tackle those challenges. Even before Brexit, we are losing EU staff. In the NHS in England, 19% of its EU doctors are in the process of leaving. Unfortunately, Scotland is also seeing 14% of its EU doctors going. We have registered a drop of 90% in the number of EU nurses willing to come to work in the UK system, and we have had the issue involving more than 2,000 non-EU doctors being turned away and refused tier 2 visas in the first five months of this year. I welcome the fact that that situation has now changed, but this is about the message that that sent out. It is about the need to have an immigration policy that will deliver the people we require. Social care workers will be a particular issue, because they will not qualify for tier 2 visas. They will not be classed as highly skilled enough, and they will not earn enough.

A further challenge is increased demand. Public health has received no extra money, and it has already faced cuts. That has resulted in cuts to services such as smoking cessation and tackling addiction, inactivity and obesity. I called earlier for health in all policies, and tackling issues such as poverty and adverse childhood experiences is really important. They drive a huge amount of mental and physical ill health. We often blame increased demand on the ageing population, but I would point out, having graduated in 1982, that I worked in Victorian hospitals, on Nightingale wards, and I remember the first CT and MRI scans. Since then, we have modernised not all but many of our hospitals and increased the availability of technology and expensive new treatments. We are now entering the age of gene therapies, which will be incredibly expensive. The chief medical officer in Scotland has formulated a policy called realistic medicine. It advises that, as doctors, we should not presume that every patient always wants the latest brand new treatment or to be put through an operation. We should not presume; we should just ask them what is important to them.

One of the things that is important for everyone is keeping their independence. I do not just believe in independence for Scotland; I believe in independence for older citizens. That involves not rationing hip, knee and eye operations, as is still happening here in England, but investing in them. If we delay people's hip or, particularly, knee replacements, their muscles waste, the end result is poorer, and they will have become more dependent in the meantime. Rationing cataract operations, as is happening in two thirds of units in England, increases the risk of falls. That will simply cost more in the long term. We are trying to get people operated on at an earlier stage, so that they can stay more independent. If people can see and walk, and if we give them a bus pass and get them out and about, they will cost us less in the long term.

The most important missing item in the statement on NHS funding was, as has been said, funding for social care. The hon. Member for Hertford and Stortford (Mr Prisk)—I used to live there when I was a teenager—talked about providing free personal care. That is something that we do in Scotland. Someone in a care home there will pay accommodation costs, which are means-tested, but regardless of whether someone is in a care home or at home, we provide free personal care. That might seem more expensive, and indeed it is—we spend £113 a head

more in Scotland than is spent here—but by comparison to being in hospital, it is incredibly cost-effective. Over the past five years, Scotland has seen just one third of the rise in A&E attendances and emergency admissions that has been seen in NHS England, and that is a cost that is worth getting back.

Members have talked about funding the service and the need to look at interesting ways to do so, and I agree that national insurance needs to be reconsidered. It used to be called national health insurance, but it of course covers many other things, such as benefits, pensions and so on. However, it is something to consider, because the threshold actually starts quite low when people are earning poorly and then starts to thin out when people are earning well. That does not seem fair. It is the same for retired people who have a generous pension and do not really go on paying national insurance. That cannot be right when they are entering the most important years.

In Scotland, we believe in integration, not competition. It is estimated that the healthcare market in England wastes £5 billion to £10 billion just in administration. The NHS in England faces reorganisation anyway as it moves through sustainability and transformation plans into accountable care organisations or systems or whatever they are to be called. Perhaps the Government should consider getting rid of section 75 of the Health and Social Care Act 2012 that forces services to be put out to tender, resulting in outsourcing and fragmentation. England needs integration and co-operation, not financial competition. Tariffs that reward a hospital only for admitting someone instead of trying to keep them home are counterintuitive.

I agree that place-based planning is the best approach for reorganisation, but it must be centred on patients, not budgets. It must start with designing what is required for the long term, not at the bottom line and then working back. In this next reorganisation, the Government should be radical and get rid of the healthcare market and, as the NHS turns 70, think of moving to a unified, public national health service.

9.41 pm

Barbara Keeley (Worsley and Eccles South) (Lab): As hon. Members have said, today's debate comes in the week of the national health service's 70th birthday. It is fitting that we should celebrate the NHS, which is one of this country's most cherished organisations, but this week also marks another less-celebrated 70th birthday: that of social care. It is only right that we recognise the vital role that social care plays in keeping people independent and in supporting them with daily activities. Many hon. Members focused on social care in their contributions, but it is in a worrying state of decline at a time when it has never been more needed.

The joint report by the Health and Social Care Committee and the Housing, Communities and Local Government Committee, which is chaired by my hon. Friend the Member for Sheffield South East (Mr Betts), described a system

“under very great and unsustainable strain.”

The report found that the care system is not fit to respond to current needs, let alone to meet future needs. The Association of Directors of Adult Social Services said in its most recent budget survey earlier this month that the present situation “cannot go on”. The King's

Fund says that progress is “desperately needed” and that the system needs an urgent injection of cash just to maintain things as they are.

The projected growth in demand for services from our ageing population, with its ever more complex care needs, is set to rise substantially. I ask the hon. Member for Mid Worcestershire (Nigel Huddleston) to look at the years of healthy life expectancy, which end in someone’s 50s or 60s in many deprived areas. At the current rate of spending, the system will face a funding gap of £2.2 billion to £2.5 billion by 2019-20, and as we have heard, grant funding from central Government to the budgets of councils that have a statutory responsibility for delivering care has been cut by around 40%. As we heard from my hon. Friend the Member for Liverpool, Wavertree (Luciana Berger), the budget has been cut by 60% in Liverpool.

As the Select Committees’ report notes, local authorities have also faced other cost pressures, such as the apprenticeship levy, increased national insurance contributions and the so-called national living wage, which has had the most significant impact. Cost and demand pressures on councils are growing, but ADASS reports that £7 billion has been cut from adult social care budgets since 2010. With the Government’s Green Paper now delayed until the autumn, a funding settlement for social care sadly does not seem imminent. According to ADASS, recent Government funding simply is not keeping pace with demand, and the result is that councils are plugging the gap in any way they can. Over half of local councils are unsustainably raiding council reserves, while others are making cuts elsewhere, so other important council services suffer. Local authorities, to their credit, are doing their best to protect budgets for adult social care services, but the increasing financial pressure on councils has meant that both the quality and the sufficiency of care have fallen and are anticipated to fall further.

Care providers’ dependency on dwindling local authority fee levels is leading to the care market becoming increasingly fragile and even failing in some parts of the country. A recent report from Age UK described the emergence of “care deserts” where care is wholly unavailable. Forty-eight directors of adult social services report that they have seen care providers closing or ceasing to trade in the past six months, 44 have had contracts handed back by homecare providers and 58 have seen care or nursing home closures, involving 2,000 people, with 135 care homes ceasing to trade in the past six months—this is from my hon. Friend the Member for Crewe and Nantwich (Laura Smith)—which is more than five a week.

Care homes with predominantly council-funded placements are at most risk of failure. Indeed, some care providers are now rejecting local authority-funded placements because of that funding shortfall. Continued failures of that type would be disastrous for publicly funded care, because councils would have to find care placements with a shrinking pool of providers.

As we have heard, the most serious imminent threat to the viability of the care sector is the unresolved sleep-in care back pay crisis, which my hon. Friend the Member for Crewe and Nantwich referred to comprehensively. As she said, this issue has been going on for several years since a tribunal ruled that overnight care shifts should be paid at the national minimum wage, rather than at a flat rate. Care providers, mainly charities, are facing a six-year back pay bill, which many say they

cannot afford without having to withdraw services or close altogether. In a recent survey, 70% of learning disability social care providers said they would cease to be viable if they had to pay this bill. As hon. Members have said, this issue has been handled badly.

Having admitted that previous guidance to care providers had been misleading, Ministers seem to be continuing to ignore warnings that the combined liability of providers—some £400 million—could cause the collapse of parts of the care sector. Perhaps even worse, an estimated 100,000 personal budget holders will be liable to pay thousands of pounds in backdated pay. I join other hon. Members in saying that I hope the Care Minister will tell the House what plans are in place in the event that those care providers go to the wall and what help there will be for personal budget holders.

As we have heard, the Government seem to have no grasp of the urgency of this problem, which could derail the Transforming Care programme and could see large numbers of the most vulnerable people go without care services. Where people are able to get care, it is not always of the best quality. A fifth of care facilities have the worst Care Quality Commission rating. I am concerned that worrying pockets of poor quality are now emerging across both residential and home care, particularly in the north-west and the north-east, with nursing care among the worst affected.

I recently met a group of care staff from different parts of the country, and some of their stories of their current work experience are horrifying. Overworked, underpaid and undervalued care staff are under pressure as never before. Care providers are trying to meet increased demand for care with diminishing fee levels and are even reducing care packages to win procurement bids in the horribly named “reverse auctions.” That has led to staff with many years’ care experience being stuck on zero-hours contracts, with the constant threat of extra hours of work being withheld.

Staff are turning up to work ill because they are not paid sick leave or because they fear having their pay docked. Young apprentices are being left in responsible care positions for which they have no training or experience. Most troubling was to hear of lists showing staff on care rotas when they are actually on long-term sick leave or maternity leave, or rotas including managers and staff who do not provide care.

It is only the experience, dedication and devotion of care staff such as those I met that has stopped care quality sliding even further. The CQC has warned that the resilience of care staff is not inexhaustible. Under such pressure, with no training and little support, the recruitment and retention crisis will get worse.

We know that the impact of cuts to social care budgets is most keenly felt by people who need care and their families, and we know that 1.2 million older people who need social care have unmet care needs. People are not getting the help they need with the basic tasks of daily living, which is robbing them of their dignity. The fragility of the care system is also heaping great pressure on many unpaid carers who have to pick up the slack when formal care is unavailable. Carers are coming under unprecedented pressure, with little opportunity for respite, because most councils now have to charge for care breaks, as Labour research has shown. Four in 10 carers have not had a day off in a year, while one in four unpaid carers have not had a day off in five years.

[Barbara Keeley]

That is taking a heavy toll on their health; almost three quarters of carers told Carers UK that they had suffered mental ill health as a result of caring, while well over half said their physical health had worsened.

Despite the great contribution that carers make to the economy, the Government's recent carers "action plan", published in place of a promised national carers strategy, sadly offered no financial commitments to increase support for carers or to increase carer's allowance, which is still less than jobseeker's allowance. That is an insult to people whose care is estimated to be worth over £130 billion per year to the economy.

NHS sustainability depends on an effective and properly funded social care system. As we have heard in this debate, there was no money for social care in the Prime Minister's recent NHS announcement. The announcement also excluded public health budgets, at a time when childhood obesity is reaching epidemic levels, and when there have been cuts to sexual health and addiction services. Just as with social care, underfunding those important preventive services is a false economy and will end up costing the NHS. There is now broad agreement that the need for investment in social care has never been more urgent and doing nothing is not an option, yet all we have from this Government is a proposed Green Paper, now delayed until the autumn, setting the timetable for dealing with the funding crisis in social care back even further.

I want to say in conclusion that that is not good enough. Social care needs funding now to ease the crisis and to stabilise the care sector. It is time this Government showed leadership and acted in the best interests of all the people across the country who need care.

9.51 pm

The Minister for Care (Caroline Dinéage): I would like to start by welcoming the recent joint report from the Health and Social Care Committee and the Housing, Communities and Local Government Committee on long-term social care funding. I am extremely grateful for their incredibly collaborative approach to working on this report, which captures a number of important voices on the subject of social care funding, not least the citizens assembly. The Government will of course respond to the report fully in due course. I agree that it is time to set political differences aside in addressing these issues, and we welcome the involvement of parliamentarians from across the House, as well as that of leaders, professionals and experts from the health and care sector, in doing so.

This has been a wide-ranging report, which has mainly been constructive and collaborative. In the time left to me, I will try to cover as many points as I can, but if I do not get to some of them, I will write to the Members concerned. The Government recognise that demands on our health and social care systems continue to grow, as people live longer than ever before, often with multiple complex conditions. For that reason, we have increased the funding available to the NHS in real terms every year since 2010 and given councils access to up to £9.4 billion more dedicated funding for social care over three years.

My hon. Friend the Member for Totnes (Dr Wollaston) spoke about integration and how Torbay is a great shining beacon of integrated care. The Government

also recognise that the health and social care systems are intimately linked, and we have set out our intention to pursue a major drive towards better integration in order to achieve person-centred, co-ordinated care. We are committed to increasing the NHS budget to ensure that patients can get the care they need in a financially sustainable system. Our NHS now has in real terms about £14 billion more to spend on caring for patients than it did in 2010-11. With our NHS funding at record levels, that means more patients are being treated, and more operations are being carried out than ever before, by more doctors and nurses; this represents more than 14,500 more doctors and almost 13,300 more nurses on our wards. But we recognise, as so many Members from across the House have said, that NHS and social care provision are two sides of the same coin.

The long-term funding report mentions the current state of the social care system, and it is important to be clear about what the Government have already done to support local authorities in England. We understand the pressures on the system, which is why at the spring Budget in 2017 we gave councils access to £2 billion more funding. We are committed to creating a sustainable system of social care in England, which is why, as a starting point, the Government gave councils access to £9.4 billion more dedicated funding for social care over three years.

So many Members have set out the importance of early intervention to manage the demand for crucial health services and improve people's wellbeing. The 2015 spending review made available £16 billion of funding for local authorities in England for public health. That was in addition to the money that the NHS spends on prevention, including our world-leading screening and immunisation programmes and the world's first national diabetes prevention programme. Our investment is making a real difference, including to social care services throughout the country, with a 39.6% reduction in delayed transfers of care attributable to adult social care between February 2017 and April 2018.

We are taking additional steps to ensure that those areas that face the greatest challenges improve services at the interface between social care and the NHS. That includes the establishment of a series of local system reviews led by the Care Quality Commission, to evaluate the boundary between health and social care's functionality. It is absolutely right that future social care funding is agreed alongside the rest of the local government settlement at the forthcoming spending review. The settlement will of course apply to older and working-age adults as well.

We recognise that an ageing society means that we need to reach a longer-term sustainable settlement for social care. An ageing society puts pressure on local authority budgets, on providers and on local services, which is why the Government have committed to publishing a Green Paper to outline our proposals for change. We recognise that decisions on future reforms of the NHS and social care must be aligned, which is precisely why we will publish the Green Paper at the same time as the NHS plan, to ensure that the system is sustainable going forward.

As the hon. Member for Sheffield South East (Mr Betts) so eloquently said, a priority for reform is making sure that people are better able to plan ahead and protect themselves against the highest care costs. It is not fair that some people in our society currently stand to lose

the majority of the savings and wealth that they have built up over a lifetime. The Select Committees' report highlights that issue powerfully.

Many Members spoke about the drive towards the integration of health and care services. The better care fund is our programme for joined-up health and care services, which will allow people to manage their own health and wellbeing and live independently in their communities for as long as possible. In 2015-16, some 90% of local area leaders said that the better care fund had already had a positive impact on integration locally. Nobody underestimates the pressures that local authorities and health providers are under, but working collaboratively, communicating better and avoiding duplication of effort is a good way to use resources.

In advance of the NHS's 70th anniversary later this week, the Prime Minister announced her intention for the Government to work with the NHS to develop a 10-year plan for the future of the health service. That is underpinned by a five-year funding offer, which will see the NHS budget grow in real terms by more than £20 billion a year by 2023-24. That funding growth is significantly faster than for the economy as a whole and reinforces this Government's commitment to the NHS as our top spending priority. Such intervention is possible only because of the difficult decisions that the Government took to get our nation's finances back in order.

My hon. Friend the Member for Mid Worcestershire (Nigel Huddleston) spoke about how we must be really honest about where the funding is coming from. My right hon. Friend the Prime Minister said that we will listen to views about how we will do that, and my right hon. Friend the Chancellor will set out the detail in due course.

In return for the new investment, the Government will now ask NHS leaders to produce a new 10-year plan, led by clinicians and supported by local health and care systems throughout the country. The plan will set a vision for the health service, ensuring that every penny is well spent and focused on improving outcomes for patients. We welcome parliamentarians' continued contributions to informing the debate across health and social care. I commend the estimates to the House.

9.58 pm

Dr Wollaston: I again thank all the staff who work in health and care, and the carers and volunteers who work as partners with our health and care service. I thank the Minister for her constructive response to the debate and colleagues from all parties for their contributions.

We are all looking forward to seeing the detail of the 10-year plan in November, and we look forward to that plan being worked up with those working in the service

and those who represent patients, so that we get the very best from the funding we have. May I leave the Minister with some thoughts? I really hope that transformation funding will be ring-fenced. It is about not just the money that we put into social care but how we make sure that when we change the packages of care better to suit individuals, the transformation is there. We have seen how effective that is in areas such as Manchester. I hope that the Minister recognises that the workforce lies at the heart of everything that is delivered in health and social care. In thanking again the health and social care workforce, in this 70th anniversary year, I ask the Minister to put them at the heart of everything that we do.

Question deferred (Standing Order No. 54(4)).

Business without Debate

BUSINESS OF THE HOUSE (4 JULY)

Ordered,

That, at the sitting on Wednesday 4 July, business in the name of Ian Blackford shall be treated as being taken on an allotted half day provided under paragraph (2)(b) of Standing Order No. 14 (Arrangement of public business); notwithstanding paragraph (2)(c) of Standing Order No. 14, such business may be entered upon at any hour and may be proceeded with, though opposed, for three hours; proceedings shall then lapse if not previously disposed of; and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Mims Davies.*)

BUSINESS OF THE HOUSE (5 JULY)

Ordered,

That, at the sitting on Thursday 5 July—

(1) notwithstanding the provisions of paragraph (4) of Standing Order No. 14 (Arrangement of public business), the Motion in the name of the Prime Minister relating to the matter of the Principle of Proxy Voting shall have precedence over the business determined by the Backbench Business Committee, and proceedings on that Motion may continue until 2.30 pm and shall then lapse if not previously disposed of, and

(2) notwithstanding the provisions of paragraph (2)(c), as applied by paragraph (4), of Standing Order No. 14, the business determined by the Backbench Business Committee may then be entered upon.—(*Mims Davies.*)

INTERNATIONAL TRADE COMMITTEE

Ordered,

That Stephanie Peacock be discharged from the International Trade Committee and Sir Mark Hendrick be added.—(*Bill Wiggin, on behalf of the Selection Committee.*)

Persistent Rough Sleeping in Nottingham

Motion made, and Question proposed, That this House do now adjourn.—(*Mims Davies.*)

Mr Speaker: Colleagues are beetling out of the Chamber. I am sure that the hon. Member for Nottingham South (Lilian Greenwood) will not take it personally, and that there will be a respectful audience for her oration.

10.1 pm

Lilian Greenwood (Nottingham South) (Lab): May I begin by sending my best wishes to the Under-Secretary of State for Housing, Communities and Local Government, the hon. Member for South Derbyshire (Mrs Wheeler), and her husband? I know that the Under-Secretary of State for Housing, Communities and Local Government, the hon. Member for Selby and Ainsty (Nigel Adams), is supporting her at present, and I am sure that he will share the information from this debate with her when she returns.

According to homelessness charity St Mungo's, the average age of death for a man who dies while homeless is 47; for a woman it is just 43. Rough sleeping is the most dangerous form of homelessness. It can be lonely, frightening and violent. For some, it is quite literally a death sentence. Holly Dagnall, Nottingham Community Housing Association's director of homes and wellbeing, describes homelessness as a human emergency and who could disagree?

Until 2015, the snapshot figure of people sleeping rough in Nottingham was almost never in double figures, but the latest official estimate, in November last year, was of 43 rough sleepers. Six months on, that figure has not fallen. Nottingham is not an exception; the city ranks 56th of all local authorities for the rate of rough sleeping. Official figures recording a 169% rise in rough sleeping in England since 2010 will surprise no one. We have all seen the evidence of the growing crisis with our own eyes on the streets of Westminster and in many of our constituencies every night.

Jim Shannon (Strangford) (DUP): The hon. Lady is absolutely right that we have homelessness across the whole of the United Kingdom of Great Britain and Northern Ireland. Does she agree that perhaps it is time for a dual strategy that addresses not only homelessness, but the issue of helping people to get employment? We have to give them vision, we have to give them hope and we have to give them a future. The Government need to look at both things together.

Lilian Greenwood: The hon. Gentleman is quite right that this is about providing people with not just a home, but the means by which they can sustain themselves in a home.

The reasons for the increased numbers are far from a mystery. Crisis cites the impact of welfare reform, rising rents and the housing crisis. People become homeless and sleep rough for many reasons, but the single biggest cause of statutory homelessness is now the end of an assured shorthold tenancy. The cost of private rented accommodation has risen three times faster than earnings in England since 2010, and real earnings are still lagging behind 2008 levels a decade on.

Although I firmly believe that the Government bear a great deal of responsibility for the rise in homelessness and fear that their target of halving rough sleeping over the course of the Parliament and eliminating it altogether by 2027 lacks the urgency that the situation demands, I do very much welcome the Homelessness Reduction Act 2018 and the Government's decision to develop the national rough sleeping strategy. My reason for seeking tonight's debate is to address the content of that strategy.

Concern about rising levels of rough sleeping in Nottingham was one of the drivers behind a new investigation commissioned jointly by Framework Housing Association and Opportunity Nottingham, the Big Lottery-funded programme supporting people with multiple needs. "No Way Out: A Study of Persistent Rough Sleeping in Nottingham" was produced by Dr Graham Bowpitt from Nottingham Trent University and Karan Kaur from Opportunity Nottingham, with help from Nottingham's street outreach team.

The study sought to discover how far the recent increase in rough sleeping might have arisen

"not just from more people coming on to the streets, but also from people remaining there longer or repeatedly".

It sought to identify

"the characteristics that distinguish persistent rough sleepers from the wider street homeless population, and any common features in their circumstances that might help to explain persistence."

In the remainder of my speech, I will focus on the study's key findings before commenting on wider issues in Nottingham and at a national level.

For the purposes of the report, and therefore this debate, the definition of persistent rough sleeper is

"someone who was recorded sleeping rough on at least 10% of nights between 1st April 2016 and 31st March 2017, i.e. 36 nights (the 'sustained'), or who has been seen sleeping rough in at least three out of the six years between 2012 and 2017 (the 'recurrent')."

The report says:

"There were 72 persistent rough sleepers who met the above definition...7 who were both sustained and recurrent, 33 who were sustained and 32 who were recurrent. Of these...10 were women...and 62 men...58 were recorded as of White British ethnicity...most of the others being White (Other)...13 were recorded as having a disability (18%)."

According to the report, Opportunity Nottingham's beneficiaries are recruited to the programme because they are assessed as having

"at least three of the four prescribed complex needs: homelessness, substance misuse, mental ill-health and offending."

Of the 72 persistent rough sleepers, 67—that is 93%—had problems with substance misuse. Some 49 were offenders or at risk of offending, and more than half had mental health problems.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): I commend my hon. Friend for securing the debate, and Opportunity Nottingham and NTU for producing the report. My hon. Friend mentioned that over half of those persistent rough sleepers had a mental health issue. Is it not hardly startling that there is a correlation with the reduction in the number of overnight mental health beds—not just nationwide, but specifically in Nottinghamshire? We have lost 176 mental health overnight beds since 2010, and that is one of the core drivers putting people back on to the streets.

Lilian Greenwood: My hon. Friend is quite right to highlight the way in which cuts to our health service and other services are having an impact on the prevalence of rough sleeping.

Of the 38 Opportunity Nottingham beneficiaries, 32% had spent at least two weeks in prison since engaging with Opportunity Nottingham, 42% had experienced at least one eviction from accommodation, 42% had been excluded from a service because of unacceptable behaviour, and 24% reported begging as a source of income. In each case, those proportions are much higher than among the whole beneficiary cohort.

The study also identified common themes in the narratives provided by the street outreach team and Opportunity Nottingham personal development co-ordinators in relation to those persistently sleeping rough, stating:

“rough sleepers...and those who work with them are encountering a diminishing range of options when seeking to leave the streets, arising from cuts in public funding and adverse changes in the housing market. Hostels have closed, Housing Benefit availability is more restricted, affordable tenancies are more limited in terms of quantity and quality, and the supply of tenancy support has all but dried up.”

Alex Norris (Nottingham North) (Lab/Co-op): I congratulate my hon. Friend on the powerful case that she is making on behalf of our city. I served on the council in our city at a time when we virtually eradicated rough sleeping, and now we are back to where we are today. Does my hon. Friend agree that this situation has been caused by a toxic combination of under-employment, poor housing supply, cuts to drug and alcohol services, inadequate mental health services and other eminently tackleable issues?

Lilian Greenwood: My hon. Friend is absolutely right. These issues were preventable and they are preventable. The last Labour Government did a great deal to tackle rough sleeping and it is very disappointing that we find ourselves where we are today.

Financial issues obviously loom large in the lives of many rough sleepers. This was found to be particularly true of migrants with no recourse to public funds, but many local rough sleepers also encountered restricted access to welfare benefits. The system can simply be too hard to negotiate, resulting in a preference for begging. Of course, that is an unreliable source of income, and it puts accommodation at risk, which is particularly relevant to the recurrent group.

The high proportion of persistent rough sleepers who have been in prison find that a lack of support on discharge frequently precipitates a return to a previous chaotic lifestyle. The operation of homelessness legislation itself can act as a barrier in some cases. For instance, rough sleepers fleeing from another locality, perhaps because of domestic violence, can be interpreted as having no local connection to Nottingham, while others vacating accommodation because of intimidation may be viewed as having become intentionally homeless.

The level of complex need generates particular problems, with many specialist facilities having been lost, as we have heard. As a result, many rough sleepers carry the baggage of past evictions and negative risk assessments, leaving them barred from many facilities and making them harder to accommodate. They often miss out on mental health or other assessments that might otherwise have opened up access to specialised support.

Ambivalent relationships with hostel accommodation are frequently mentioned, with stories of evictions for rent arrears or inappropriate behaviour, perhaps because of a lack of support. There are also stories of intimidation or financial exploitation by other residents, resulting in many refusing offers out of fear or trying to avoid being lured into a lifestyle they wish to escape. Personal relationships may have a toxic effect on the lives of persistent rough sleepers. Women, in particular, can be trapped in exploitative and abusive relationships that impede solutions to their housing problems.

When those factors are combined, it can often create disillusionment with what is perceived as a hostile system, making the option to live on the streets attractive. Experiences of repeated failure, the sense of there being no alternative, and the effect of growing numbers of rough sleepers in generating a mutually supporting community create an inertia in engaging rough sleepers to pursue better options.

While this was a limited study of rough sleeping in one locality, I hope that it will prompt the Minister to consider initiatives that are worthy of further research and experimentation. The report recognises how an ambivalent relationship with hostels can leave rough sleepers stranded, calling on the city council and other social housing providers to adopt schemes such as Housing First that bypass hostels and accommodate rough sleepers straight from the streets with appropriate support. Housing First is being piloted in Birmingham, Manchester and Liverpool—places with a devolution deal. What resources exist to develop Housing First as part of the solution in areas with high levels of persistent rough sleeping where there is not a directly elected mayor?

The complexities of human relationships should be acknowledged when drawing up personalised housing plans. For example, requirements such as a local connection and intentionality rules should not be applied too harshly to people who have a genuine need to escape a damaging relationship. Couples in a valued relationship should be able to be accommodated together.

As has been said, mental health problems have been shown to feature prominently among Nottingham's homeless population. The Care Act 2014 was introduced to make social care assessments more readily available, but there is evidence to suggest that homeless people struggle to access this provision. Some councils have taken the view that rough sleepers with poor mental health or alcohol and substance-related problems have no entitlement to a needs assessment under the Care Act because, it is said, their need for care or support is caused by “other circumstantial factors” such as homelessness or rough sleeping rather than an underlying health condition. Can the Minister confirm that that interpretation of the Act, which has the effect of excluding rough sleepers from an entitlement that exists for the rest of the population, is incorrect? Will the Government issue guidance to clarify that people sleeping rough are entitled to a needs assessment under the Care Act on the same basis as everyone else? Does the Minister agree that when an individual who appears to have support or care needs presents to a local authority for assistance under the Homelessness Reduction Act, a referral should be made to the appropriate authority for a care needs

[Lilian Greenwood]

assessment, with the outcome of that assessment taken into account when developing any personalised housing plan?

The correlation between persistent rough sleeping and recent spells in prison reflects a failure in offender rehabilitation. That was supposed to have been remedied by the Offender Rehabilitation Act 2014, but there is evidence that despite the passing of this Act, short-term prisoners are still being discharged to no fixed abode. What measures will the Government take to ensure its more effective implementation?

I first started applying for my Adjournment debate on this subject many weeks ago but, as so often happens in this place, the timing of today's debate has proved incredibly fortuitous, because earlier today St Mungo's launched a new report here in Parliament entitled "On my own two feet". That peer research, which I am sure the Minister is aware of, examines why some people return to rough sleeping after time off the streets. It identifies a range of factors that can push people away from housing or services, and also pull factors that can draw people back on to the streets. When push and pull factors work together, they can lead someone to choose to return to rough sleeping or to see no alternative when a crisis comes along. The research also considered how holes in someone's personal safety net can put them at greater risk. I hope the Government will look carefully at the recommendations in the St Mungo's report before publishing their rough sleeping strategy next month.

I do not have time to talk at length about the excellent work being undertaken in Nottingham to tackle homelessness over decades. Since 2010, the Framework street outreach team has been identifying rough sleepers and linking them into assessment, support and accommodation. In 2016, Nottingham was successful in bidding for the Government's £40 million homelessness prevention programme, and it used that to extend the reach of the outreach team across the rest of the county for two years.

Nottingham City Council and Framework have continued to resource and implement a "No second night out" policy after Government funding ended. Since 2016 the city council has committed more than £240,000 in additional funding to enhance its winter measures and ensure sufficient provision to meet the council's pledge that no one needs to sleep rough in Nottingham. Their co-ordinated approach has formed part of the sound basis for their bid for the new £30 million rough sleeping fund announced by the Department in March 2018 for enhanced year-round support. I hope that the Minister can clarify whether the £30 million announced can only fund emergency measures, or if it can be used to support long-term resettlement for persistent rough sleepers. Is the fund a one-off measure to produce a short-term temporary outcome, or will there be further allocations for future years?

In the 2016 Budget, the Chancellor announced £100 million of capital funding to assist with the cost of developing Housing First and move-on units for people who have been sleeping rough. Some £50 million of that was allocated to the London Mayor, who now has the programme up and running. The other £50 million was for the rest of the country, where rough sleeping has risen more quickly than in the capital. When will it be

possible for providers outside London to bid for some of the remaining £50 million, and what is the process for them to do so?

Alongside the city council and housing associations, including Framework and NCHA, there are many voluntary organisations and faith groups that make a huge contribution to supporting fellow citizens in Nottingham via food banks, day centres, night shelters and many other support services. We would not be without them. For some rough sleepers, particularly those with few options, they are a lifeline. What advice does the Minister have for local authorities dealing with long-term rough sleepers who have no recourse to public funds? What accommodation and support options are available to them, and how can they be funded?

Homelessness is a human emergency, but ending it is not an impossible task. The Government say they have a target to reduce rough sleeping by half by 2022, and to eliminate it entirely by 2027. If they are not to fail, Ministers must ensure that their strategy addresses the needs of all rough sleepers, including those who are hardest to identify, reach, support and sustain.

10.18 pm

The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Nigel Adams): First, I would like to commend the hon. Member for Nottingham South (Lilian Greenwood) for securing such a worthwhile debate. I am sure the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for South Derbyshire (Mrs Wheeler), will have heard her kind words.

Homelessness and rough sleeping is an issue that I am sure is close to all our hearts. It goes to the heart of who we are as a people and as a society. The Government recognise the challenges in Nottingham and across the country in tackling rough sleeping, and we are absolutely committed to tackling it. That commitment is enshrined in our manifesto pledge to halve rough sleeping by 2022 and end it altogether, more importantly, by 2027. The hon. Lady rightly mentioned the report by Dr Bowpitt and Karan Kaur about the persistent rough sleeping in Nottingham, and I know that our officials will have noted it with interest. I will certainly be following that up with officials with some form of response.

As many right hon. and hon. Members will be aware, we are doing a significant amount of work in this area, and we will be publishing the strategy shortly. First, if I may, I will outline some of the work we are doing in this area nationally, as well as what we have been doing in Nottingham, to tackle rough sleeping. This March, we announced our new rough sleeping initiative, which has been mentioned. It comprises tried and tested measures designed to bring down the levels of rough sleeping in the immediate term. A key part of this is the £30 million that the hon. Lady mentioned, which we have provided to the 83 local authorities that are the most challenged by rough sleeping.

I know that the hon. Lady and other hon. Members from that fine city will welcome the fact that, as part of this fund, we have allocated it just over £420,000 from the rough sleeping initiative. This will enable the council to bring down rough sleeping numbers this year, before the annual count, and we are providing help through our new rough sleeping team. The team is made up of

experts from the sector, as well as from charities and local authorities. It is part of our initiative to ensure that our ambition comes to pass. Nationally, the rough sleeping initiative funding will allow local authorities to recruit over 500 new staff focused on the problem. Crucially, that will include more outreach workers to engage with people on the streets, specialist mental health and substance misuse workers—they have been mentioned—and dedicated co-ordinators to drive efforts to reduce rough sleeping in their areas.

Lilian Greenwood: I want to record that I did not include in my speech reference to a new service in Nottingham, Edwin House, set up by Framework and the Recovery Nottingham Network. It is specifically providing residential detox, but also residential care in a controlled environment for people with a record of substance misuse. Would the Minister like to come and visit the service, which has opened only very recently, to see for himself the work that is being done in Nottingham?

Nigel Adams: I certainly would—any excuse to go back to Nottingham. I remember going there very often as a child to visit family, and I would very much like to do so. I am sure my diary secretary will be scribbling down something to ensure that we get it in the diary in the near future.

This initiative will also provide over 1,700 new bed spaces, including in both emergency and settled accommodation. As I mentioned briefly, another key part of the initiative is the rough sleeping team that we have established. It comprises experts from local authorities across the country, Government agencies and charities. They will support this work and ensure that resources are applied effectively. They are continuing to work in partnership with staff in each area to support local authorities, voluntary sector partners and others to ensure this work delivers the real change we need.

We were delighted to announce recently that the rough sleeping initiative will be led by Jeremy Swain. I am sure the shadow Minister, the right hon. Member for Wentworth and Dearne (John Healey), is very aware that he brings with him 30 years of valuable in the sector, most recently as chief executive of Thames Reach.

While the initiative is focused on bringing down rough sleeping numbers this year, there is an existing project, now in its second year—the hon. Member for Nottingham South referred to it—which has focused on Nottingham and neighbouring local authorities. The £20 million rough sleeping grants, announced in December 2016, have seen 48 local authorities take forward bespoke projects that are relevant to their area's needs. In Nottingham, the city council has received £371,000 to establish a rough sleeper prevention service. As we have heard, this includes the roll-out of “No second night out” beyond the city and multi-disciplinary outreach services, such as the provision of health support. This has enabled support for more entrenched rough sleepers with complex needs. As hon. Members from the city know, the programme in Nottingham is now in its second year, and I am delighted to say that it supported more than 300 rough sleepers in the first year.

More broadly, to support local authorities to tackle homelessness and rough sleeping generally, we have committed £617 million in funding in the form of our flexible homelessness support grant. This ring-fenced

fund gives local authorities more control and flexibility in managing local homelessness pressures. The hon. Lady will be encouraged to hear that, as part of that support grant allocation, Nottingham City Council has received £623,000.

As I have noted, tackling rough sleeping is a key priority not only for me, but for the Prime Minister and her Government. In order to meet our manifesto commitment to end rough sleeping for good, we are developing a cross-Government strategy that will make clear how we will achieve that. The development of the strategy is being overseen by a ministerial taskforce comprising relevant Ministers from across Whitehall. The taskforce is being supported by a group of experts, in the form of our rough sleeping advisory panel. We are grateful to St Mungo's for being part of the panel—I had the pleasure of speaking to its representatives this afternoon at the launch of its latest report. The strategy will set out the Government's course of action for working with local authorities, the voluntary sector and the wider public sector to meet our aim of eliminating rough sleeping by 2027. We will be setting out further details shortly, but I can tell the House that our focus will be in three core areas—prevention, intervention and recovery—so that by 2027 nobody should have to sleep on our streets.

Before moving on to the other action that the Government are taking to tackle rough sleeping, I want to draw Members' attention to the recent decrease in the number of people recorded as sleeping rough in London. Data from the combined homelessness and information network shows that there has been a decrease of more than 600 since last year. That is an encouraging sign, and we are committed to ensure that it continues, and at an increasing rate.

In pursuit of that objective, to support some of the most entrenched rough sleepers off our streets, we have announced three innovative Housing First pilots, to which the hon. Lady referred. The pilots will focus on around 1,000 of the most entrenched and persistent rough sleepers, making sure that they get the bespoke support and care they need to make a long-term recovery from their homelessness and rough sleeping. The £28 million fund that we have made available to support the pilots will provide individuals with stable, affordable accommodation and, importantly, intensive wrap-around support. That will hopefully help them recover from complex issues, such as substance abuse and mental health difficulties, and also sustain their tenancies so that they can stay in their homes. We expect the first people to move into the accommodation in the autumn, and I very much look forward to the positive impacts of the pilots being realised.

The hon. Lady asked about widening the Housing First programme. We will be analysing the results extremely carefully as soon as we get them. She asked whether there will be additional funding for the rough sleeping initiative after this year. We will announce the funding for 2019-20 shortly. She asked whether we will review the allocation of the Care Act 2014 in the strategy, and we will be looking at that—she made her arguments incredibly well, but I ask her to be a little patient. She also asked about the causes of homelessness and rough sleeping. We are certainly doing lots of work across Departments to ensure that we understand the causes fully. We will be commissioning a feasibility study to

[*Nigel Adams*]

determine how we can carry out robust and useful research in that regard. She asked what we are doing about migration, with regard to people who are not entitled to benefits. The controlling migration fund provides local authorities with funding for projects to tackle rough sleeping by non-UK nationals, and funded projects are working with non-UK national rough sleepers in a range of ways, including supporting them to secure regular employment and accommodation, or facilitating a voluntary return to their country of origin.

The Homelessness Reduction Act 2017, which came into force in April, will fundamentally transform homelessness service delivery. I have seen some fantastic results in the

borough of Southwark, where the provisions have been implemented for over 18 months. We are working closely with local authorities to examine the data on this, and we will be supporting them to implement the Act.

I thank the hon. Lady once again for bringing this worthwhile debate to the House. I hope that I have gone some way towards assuring her, and other Members representing Nottingham constituencies, that the Government are absolutely committed to tackling rough sleeping, and not just in Nottingham South but across the country.

Question put and agreed to.

10.30 pm

House adjourned.

Westminster Hall

Monday 2 July 2018

[MR VIRENDRA SHARMA *in the Chair*]

Pet Theft

4.30 pm

Mike Hill (Hartlepool) (Lab): I beg to move,

That this House has considered e-petition 212174 relating to pet theft.

It is an honour to serve under your chairmanship, Mr Sharma. The pet theft petition was created by Dr Daniel Allen, who is in the Public Gallery. He is an animal geographer at Keele University and an animal welfare influencer. Last year, more and more families asked him to share stolen pet posters on Twitter, which he did. Feeling helpless because of the scale of the problem, anxious about the potential risks to his own dog, Rupert, and increasingly upset for the families involved, he teamed up with the Stolen and Missing Pets Alliance, known as SAMPA, to campaign for reform of the law on pet theft. Within four months, the pet theft petition achieved 100,000 signatures.

SAMPA has been campaigning since September 2014. The founding members include Debbie Matthews, whom I have met, of Vets Get Scanning, Arnot Wilson of the Dog Union, Richard Jordan of Pet Theft Awareness and Jayne Hayes and Wayne May of DogLost. Last year, SAMPA organised the dog theft awareness day to highlight this growing crime and its devastating impact on families. That Westminster event was hosted by the hon. Member for Dartford (Gareth Johnson), who is present for our debate. He has been championing reform of the law on pet theft in Parliament for many years.

Dr Daniel Allen and Beverley Cuddy have recently become patrons and Professor John Cooper, QC, is SAMPA's legal adviser. Behind the scenes, the pet theft reform group has worked tirelessly, sharing and promoting the petition. The pet theft petition has been driven by the kindness of strangers and has seen many organisations joining forces.

Special thanks must go to All About The Animals, Animal Advocate, Animal Realities, Animal Watch, APGAW—the all-party parliamentary group for animal welfare—Dogs Trust, the Conservative Animal Welfare Foundation, Dog TAG, the Dog Welfare Alliance, Dougal's Army, Find Sky, Finn's Law, the Good Vet and Pet Guide, the Labour Animal Rights Group, Murphy's Army, the National Animal Welfare Trust, Scouse Pets 2 and the Animal Team, to name a few.

Many magazines have got behind the campaign, including *The Countryman*, *The Countryman's Weekly*, *Dogs Monthly*, *Dogs Today*, *K9 Magazine*, *Our Dogs*, *Pet Gazette*, *Pet Product Marketing*, *Shooting Times* and *The Conversation*. Support has also come from popular figures including Ricky Gervais, Jane Fallon, Dermot O'Leary, Sir Bruce Forsyth, Chris Packham, Miranda Hart, Kirsty Gallacher, Paul O'Grady, Paul Ross, Deborah Meaden, Peter Egan, Anna Webb, Jorgie Porter, Lorraine Kelly, Victoria Stilwell, Brian May, Stuart Winter and Brenda Blethyn. The campaign has

featured on mainstream TV shows—“This Morning”, “Victoria Derbyshire”, “Lorraine”, the ITV national news, Sky news and Look North—and has been covered by nearly every regional and national radio station and newspaper.

There has been an unprecedented response to the House of Commons Facebook post on this debate. I cannot recall another animal-related campaign that has managed to bring together people ranging from animal rights activists to the hunting and shooting fraternity. That is the power of pets—they are part of every family.

Pet theft is a cruel and devastating crime and it is on the rise. Everyone is a potential victim: it hits families, the elderly, the disabled and the homeless.

John Howell (Henley) (Con): My constituency has a high level of rural crime that targets farm dogs. Does the hon. Gentleman agree that that is a particularly heinous crime, in that farm dogs have value because they have skills that can be used on a farm but they are also pets that are loved by their owners?

Mike Hill: I agree entirely. Yes, farm dogs are working dogs, but they are also family pets; they are part of the family.

George Freeman (Mid Norfolk) (Con): I congratulate the hon. Gentleman on holding the debate. I just want to point out that the House is on a one-line Whip today and this debate has achieved a huge turnout, from all parties. I suspect that had the House been sitting formally with a Whip, this Chamber would have been packed. The hon. Gentleman has struck a chord in bringing this issue to the House, and I am sure that there will be unanimous support for the motion. I am here on behalf of my constituents whose dog Daisy has been stolen. They share the outrage that at the moment more than 2,000 dogs a year are stolen, that only 5% of thefts lead to a conviction and that a dog has to be proven to be worth £500 to count as property. For many families in this country, a dog is both a working animal and a pet. I fully support, as I am sure we all do, Dogs Trust in its work: we have to correct the law so that people who steal dogs are punished properly.

Mike Hill: I thank the hon. Gentleman for that intervention. I am proud to be leading this e-petition debate, but yes, the issue does have cross-party support.

Mr Jim Cunningham (Coventry South) (Lab): This is a timely debate and a big issue among the public. Following on from what has been said, if someone loses their dog or it is stolen, then regardless of the value, it is like a death in the family. I have had animals over the years, and when something happens to them, when they die or anything like that, it is as if there has been a death in the house; there is a sadness about the house. More importantly, it particularly affects children, who are very attached to their animals. Does my hon. Friend agree that that is the case?

Mike Hill: I entirely agree. Pets are indeed part of the family; they are not commodities, as I will go on to say. My hon. Friend is absolutely right: the death of a pet is traumatic for every family member.

[Mike Hill]

Latest statistics from the Pet Food Manufacturers Association show that almost half of British households contain at least one pet and more than a quarter have one or more dogs. *Pet Gazette* recently said that 89% of pet owners consider their pet to be part of the family. New research by the insurance company Direct Line shows that the number of dogs stolen across Britain has risen by 6.8% in just 12 months, with an average of five dogs stolen every single day in 2017. Last year, 1,909 dogs were reported stolen to police forces; that compares with the 1,788 stolen in 2016.

Mr Ian Liddell-Grainger (Bridgwater and West Somerset) (Con): I am delighted that the hon. Gentleman is reading out the figures. One problem that we have, with regard to gun dogs mainly, is that they are being stolen for three purposes: first, to be pets, which is straightforward; secondly, for dog fighting, which is horrific; and thirdly, for puppy farms, mainly but not exclusively in the Republic of Ireland. Will the hon. Gentleman continue what he is saying, because he is articulating the absolute essence of what is being done in this country?

Mike Hill: I thank the hon. Gentleman very much for that detailed intervention. He is absolutely right; he makes a fair point about gun dogs.

The number of reported dog thefts was 14% higher in 2016 than it was in 2015. Dogs are stolen to order, to sell, to breed, for ransom and even for use as bait and for dog fighting. The Staffordshire bull terrier remains Britain's most stolen breed. Dogs are stolen from gardens, houses, kennels, from outside—

Andrew Rosindell (Romford) (Con): I really commend the hon. Gentleman for leading this debate today. I have owned two Staffordshire bull terriers; sadly, they are no longer with us. The devastation of losing a pet in this way, through being stolen, is horrendous, so does the hon. Gentleman agree not only that the Government need to bring in much stiffer sentences as quickly as possible, but that we need to encourage everyone to scan animals—particularly vets, when an animal is taken to a veterinary surgeon—and we need to ensure that education about this crime is widespread so that people are aware that it is a potential threat? An animal should not just be seen as a piece of property; losing one is really like losing a member of the family.

Mike Hill: I thank the hon. Gentleman for his intervention. He goes to the heart of the debate on many of those issues. I know that

Dogs are stolen outside shops and from cars, and while they are out exercising, on or off the lead. Nowhere is safe for unattended dogs. Owners of bulldogs, pugs, French bulldogs and chihuahuas, for example, have been stalked on walks. Some have had to fight off an attacker who is trying to snatch their dog, or have later been a victim of a home invasion where the only thing stolen was their dog.

Cats are being increasingly targeted. In 2016, 261 cats were reported as stolen to police forces—an increase of 40% on 2014. However, a 2017 study revealed that 360,000 adults believed their cat had been stolen in the past 12 months. SAMPAs believes those figures only

scratch the surface, as police forces record this crime differently across the country and theft by finding is never recorded in police figures. Everyone assumes it will not happen to them, but no one is safe from this devastating crime.

Mohammad Yasin (Bedford) (Lab): My hon. Friend is making a powerful speech and making some good points. We are a nation of pet lovers, yet the law does not protect us from this destructive crime. It is a serious issue. Does my hon. Friend agree that losing a pet is like losing a family member, as thousands of people in this country think, and that we must stop equating the theft of a much-loved animal with the general theft of possession? They are clearly not the same. With pet theft increasing, it is time to toughen the legislation and sentencing, and put an end to this cruel and devastating crime.

Mike Hill: My hon. Friend goes to the heart of the problem. Hopefully, all those listening from a parliamentary perspective will join him in urging everybody to push for that outcome.

People do not steal pets to love them. They use them, abuse them and treat them like inanimate objects. There are many heartbreaking stories. Pepsi, a 12-year-old cat from my constituency of Hartlepool, was brutally killed by lampers. Zeena, a Staffordshire bull terrier, was stolen from her family and forced to fight for her life in a dog-fighting ring. She was reunited with her family, carrying the scars of appalling injuries, four years later. Ella, a terrier, was kicked so hard by a dog thief that she died from her injuries. Ivy, a cocker spaniel, was stolen from her home and found dead the next morning. She had been dumped by the side of a road, having suffered serious dog bites and bruising. Bentley, a cocker spaniel, was stolen from his bed in West Yorkshire with five other cocker spaniels. Bentley died, as thieves gouged out his microchip, leading to a brain infection. The other five spaniels remain missing. Kemo joined the whole family when Olly had cancer. With the love and support of Kemo, Olly was able to gain the strength to beat cancer. Kemo was stolen in February 2018 and remains missing. In all those cases, the thieves have not been apprehended.

Pet theft rips the heart out of families and wrecks lives. It also serves as a gateway to wider animal cruelty and extortion. Despite that, pet theft is currently seen as no different from the theft of an inanimate object. The theft of a labrador is treated like the theft of a laptop. Potential pet thieves are fast learning that the chance of ever being caught is tiny. Even if they are caught, the chance of a custodial sentence or a substantial fine is incredibly slim.

Fiona Onasanya (Peterborough) (Lab): If we are to catch the horrendous people who carry out this horrendous act, does my hon. Friend agree that enforcement needs to be at the top of the agenda? The law needs to be reformed, but we need enforcement of the laws, so that people are deterred from doing that sort of thing.

Mike Hill: Yes, absolutely, and I will come on to that point. SAMPAs believes that pet theft reform can and must become a reality. According to Dogs Trust, under British law, pets are classed as property in theft-sentencing legislation. That means that stealing a pet is viewed in the same way as stealing an inanimate object.

Henry Smith (Crawley) (Con): I congratulate the hon. Gentleman on bringing this important debate to the House. As many hon. Members have said, pets are part of people's families. Will the hon. Gentleman join me in not only congratulating the Environment Secretary on increasing the sentence for animal cruelty to five years, which is important, but calling for the definition of animal cruelty to be extended to include the theft of much-loved pets?

Mike Hill: The hon. Gentleman makes a particularly relevant point. I agree that we must support any endeavour to improve legislation around animal cruelty.

The penalty for pet theft is based on the monetary value of the pets, not the emotional value to the owner. The 2015 theft offences guidelines classified the level of harm caused by theft into four categories. For the theft to be classed as category 1 or 2, the property stolen must have a value of over £500. Many pets have little or no monetary value, meaning that criminals stealing them are able to receive only minimal sentences in line with category 3 or 4. The maximum sentence for stealing a dog worth less than £500 is two years' imprisonment.

Bob Stewart (Beckenham) (Con): I do not think my dogs would fetch more than 50 quid each. I am worried that we seem to be going backwards. In 1770, the Act preventing the stealing of dogs received Royal Assent. Anyone caught was fined or imprisoned or suffered hard labour—I think it was adjusted in 1846. The Theft Act 1968 seems to have removed the requirement to deal with people who steal dogs, which is a shame.

Mike Hill: The hon. Gentleman, as ever, makes a learned contribution—I appreciate the history.

Bob Stewart: Fifty quid.

Mike Hill: Fifty quid, indeed.

At present, the sentencing guidelines are such that it is hard to see a situation where a non-financially valuable pet can get out of category 4 and a prized pedigree can get out of category 3. That is clearly wrong. We should not tie the hands of the sentencing court by being prescriptive over value in cases such as pet theft. Where the theft of a family pet is involved, monetary value is irrelevant and should be disregarded.

We need tougher sentences. Since the 2016 revision to the sentencing guidelines, there has been no evidence that the courts have become any tougher on pet theft. Very few cases are getting to court. When they do, the guilty most often walk free. Some 98% of criminal cases are heard in magistrates courts, where sentencing for pet theft is almost certainly below six months.

Dr Daniel Allen's research has found that less than 5% of dog theft crimes lead to charges, which includes community orders. The often-cited seven-year maximum sentence has never been awarded for the theft of a pet and cannot be handed down specifically for the theft of a pet. Alongside that, microchipping dogs became compulsory across the UK in April 2016, but scanning remains optional.

Yvonne Fovargue (Makerfield) (Lab): Does my hon. Friend agree that the microchipping law was a missed opportunity? People who have their dogs microchipped

are still not the legal owner, but simply the keeper of the pet. Maybe it is time for another debate on how we can improve the microchipping laws.

Mike Hill: I agree with my hon. Friend. That is a worthy subject for further debate.

In June 2018, a gang of four were tried at Lincoln Crown court following a burglary in Middle Rasen, Lincolnshire. Fifteen Cavalier King Charles spaniels were taken, including one that was pregnant. One of the dogs was later recovered on the side of a motorway, having been thrown from a moving vehicle. All four accused pleaded guilty to theft, but despite this being a serious case in the highest possible court, the gang members still received only suspended sentences. Two years earlier, five connected men had been sentenced in the same court to a total of 12 years in jail for conspiracy to steal railway cables. That sort of scrap metal theft used to be fashionable until the Government gave that crime a more serious consequence.

Our pets need improved protection, too. The revisions proposed by SAMPAs would be so much simpler to achieve. SAMPAs just wants to improve the existing legislation. SAMPAs, Dogs Trust and others want the Government both to amend the Theft Act 1968 to reclassify the theft of pets as a specific crime in its own right and to improve the sentencing guidelines. Their suggestions for pet theft reforms are small and attainable, but those highly significant revisions would make the existing law much more appropriate for modern families and their pets. SAMPAs wants to tweak section 4(4) of the 1968 Act, relating to property, to include a special mention of the theft of pet animals. It already details mushrooms and wild animals, so why not pets?

Julie Cooper (Burnley) (Lab): My hon. Friend is making a strong case. Does he agree that a tiny legislative change would have massively beneficial consequences and demonstrate that we are truly a nation of animal lovers?

Mike Hill: That is well said, and I agree wholeheartedly.

Although the word "property" understandably makes many pet owners uncomfortable, our pets would be better protected if they were properly detailed in the 1968 Act, because that would strengthen the aggravated sentence provision, as is already the case with vehicles and bicycles.

SAMPAs would like the sentencing guidelines for theft offences to be reviewed so that the section on harm would read: "Harm is assessed by reference to the financial loss that results from the theft, except in cases involving the theft of a domestic pet, where financial or monetary value should be disregarded."

Giles Watling (Clacton) (Con): I congratulate the hon. Gentleman on securing this important debate. Does he agree that, although the theft of ordinary possessions, such as jewellery, is distressing, it is nothing like the loss of an animal? The people who do this are trading in misery.

Mike Hill: That is true; the hon. Gentleman has hit the nail on the head in terms of the difference.

SAMPAs asks the Minister to reclassify pet theft as a crime in its own right, as is the case with vehicles and bicycles, and to add aggravated sentence provision for pet theft, to give the courts extended discretion.

[Mike Hill]

On sentencing consistency, the Animal Welfare Act 2006 is being revised to increase sentencing for animal cruelty, and it is in the public interest to do the same for pet theft. SAMPAs wants those changes because it believes that being proactive, with tougher sentencing, will act as a deterrent and help to reduce pet theft.

As we have heard, this is clearly an all-party issue. More than 100,000 petitioners agree that we need pet theft reform to help to protect pets. Campaigners hope that the Minister will do the right thing and make pet theft reform a reality.

4.52 pm

Gareth Johnson (Dartford) (Con): I am pleased to be able to contribute to the debate. I pay tribute to the Petitions Committee and to the contribution of the hon. Member for Hartlepool (Mike Hill).

We all agree that pet theft is a particularly nasty, cruel and growing crime that brings misery to owners and to dogs. I got involved with this issue when a case was brought to my attention of a lady who lived on her own and did not have many family members or friends in the local vicinity. She had a dog that was the centre of her world, and it was stolen from her. That caused her such misery, grief and devastation that trying to deal with it as some sort of property crime fell very wide of the mark. That is not how we should approach such incidents.

We have heard several comments about statistics. I have tried to drill down into how big a problem dog theft is in this country, but the brutal fact is that we simply do not know. We heard that 2,000 dogs are stolen per year, but I have also heard the figure of 4,000. We hear different things from different parts of the country, because different police forces approach it completely differently. Last year, I sent a freedom of information request to every police force in the country to try to ascertain how they approached it, and it was clear that in some areas, but not in others, a designated police officer dealt with any offence to do with pet theft.

In some police forces, when the police turned up to a complaint about a dog being stolen from someone's garden, it was recorded as the theft of a dog, but in others it was recorded as a missing pet. Consequently, according to the statistics, the picture around the country is very varied. In fact, if the statistics show a high level of pet theft in an area, that often suggests only that the police force in that area is very proactive in dealing with it. I pay tribute to my county of Kent and the police force there, which does take the matter seriously. One in four stolen animals in Kent are returned to their owners. That is a pitifully small percentage, but it is far better than the national average, which is something like one in 10 stolen dogs being returned to their owners. We need to look carefully at the statistics, because the picture around the country is mixed.

It is something of an urban myth that most dogs are stolen from outside shops. Although that does happen, it seems that most dogs are stolen from people's gardens or when they are taken out for walks; that is far more planned than the opportunistic theft of a dog from outside a shop. The different circumstances in which dogs are stolen also have an impact on the way that the statistics are compiled. If a police officer is called to

someone's home, that will often be treated as the theft of a dog. If a dog is out on a walk and is taken by somebody, it is treated as a missing dog. There is a disparity of approach in different forces.

Some forces deal with the matter particularly well. South Wales can be very proud, and Norfolk deals with the issue proactively. We should give credit to forces that are desperately trying to get to grips with the growing problem. However, as much as some police forces are trying to do their best for dogs and their owners and deal with the issue, they are hampered in their effectiveness by the fact that the courts cannot deal with it properly. The courts are hampered, in turn, by the Sentencing Council guidelines that they have to follow, which have been mentioned a few times already.

The courts' inability to deal adequately with dog theft is at the root of so much of the problem, and it is not surprising that many people see it as a high-reward, low-risk crime. I worked in the criminal justice system for about 20 years before coming to this place, and I saw an increasing propensity for people to commit such offences. The offences chop and change; the hon. Member for Hartlepool mentioned metal theft, and other crimes that are seen as high reward and low risk gain popularity among the criminal classes. At the moment, this country is suffering because criminals see dog theft as an attractive crime. It is incumbent on this place to stop that. If we do not act, the problem will simply get worse.

The category of the offence is at the heart of how a court deals with an offender, as we heard earlier. The guidelines say that if an animal—or anything—that is taken has a value of less than £500, it is very difficult for the court to give a custodial sentence. If a court does give a custodial sentence, it has to be short, because that is what the guidelines demand. Time and again, we hear from the Government—not just this one, but Governments of all persuasions, including the coalition Government and the last Labour Government—that seven years' imprisonment is available for the theft of a dog. That may be the case on paper, but the guidelines make it impossible for the courts to impose that kind of sentence.

I call on the Sentencing Council to look at that. I wrote to it last year and said that it needed to amend its guidelines to make appropriate and adequate sentences available for this kind of offence. It wrote back and simply said no, it was not going to. We need to change its mind and ensure that it is sentencing this kind of offence in accordance with the actual nature of the crime. The monetary value of a dog should not be the main factor in sentencing an offender, and yet that is exactly what it is under the current guidelines. A sentence of seven years for a dog thief is not available to the courts, as the guidelines stand. That is crystal clear, so we should not allow anybody to hide behind that figure of seven years.

Simon Hart (Carmarthen West and South Pembrokeshire) (Con): I have listened carefully to my hon. Friend's contribution. It strikes me that the element that we are not really accounting for is that dogs themselves may be worth less than five hundred quid, but their breeding potential may be worth several thousand pounds over a period of time. I wonder whether the Proceeds of Crime Act 2002 has an application in this area that has not yet been properly used.

Gareth Johnson: If I understand my hon. Friend's point, the Proceeds of Crime Act is fine when there are some proceeds, but when there are no proceeds, it is very difficult to use. My hon. Friend the Member for Beckenham (Bob Stewart) mentioned that his dogs are worth about £50 each.

Bob Stewart: Less.

Gareth Johnson: My dogs are not worth 50p each, but that is not the point. The whole point is that our pets are priceless to us and the law does not recognise that.

Simon Hart: Their offspring, however, might be worth more; that is my point. My hon. Friend might have a dog that is borderline £500 in value, but if, unfortunately, it had more than one litter a year—some unscrupulous breeders of dogs do that—for a period of years, its value to a breeder would be significant.

Gareth Johnson: Without going into details, if my dog had offspring it would be something of a miracle, so it would be worth an awful lot of money. My hon. Friend makes a very pertinent point, however. Some people steal dogs to use them for breeding and therefore make lots of money for themselves, as the puppies are sold on. We have seen a particular increase in thefts of French bulldogs, because they are high-value dogs. I suppose the difference in that case, and in the case of some sheepdogs that we have heard mention of, is that because there is a reasonable monetary value attached to the dog, the court has some teeth to deal with the matter. It does not when the theft is of a scruffy mongrel—a mutt—that is a member of and the centre of a family, and is loved to bits and priceless to that family, but is of a pitiful monetary value. That is where we have problems with the current guidelines, and where we completely fall short.

At the moment, the Sentencing Council may not be giving a green light to dog thieves, but it is certainly not putting up a red light. It has to change, therefore, and if it does not, the only way forward for this place is to bring in a specific offence of dog theft. We have specific offences such as the theft of a pedal cycle, and various other things, but we do not have a specific offence of dog theft. If the Sentencing Council does not change its guidelines, it would be right and appropriate to bring in a law that tackles this particular problem.

This is an issue that unites this House; there is no party politics here. Members of the Labour party, Liberal Democrats and Members from all political parties are united in our condemnation of, and our attitude of disgust towards, people who carry out such crimes. We all want to see a change. I hope that we will get that through the Sentencing Council, but if we do not, the route is through the Ministry of Justice. I will be interested to hear what the Minister has to say about this matter today.

Finally, I pay tribute to all the organisations—I will not repeat the list that the hon. Member for Hartlepool read out earlier—that have worked so tirelessly on this important issue. I particularly pay tribute to the Stolen and Missing Pets Alliance. I know that some of its representatives are here, and that it has worked incredibly hard on this issue and tried to keep it in the public eye. This offence is a nasty, cruel one that brings misery to owners and to dogs. It is not a property crime, and it should not be treated as such.

5.3 pm

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I am grateful for the opportunity to speak. It is a pleasure to see you in the Chair, Mr Sharma, and to serve under you this afternoon.

I start by paying tribute to my hon. Friend the Member for Hartlepool (Mike Hill) for an important speech. I agreed with his speech in full, and I hope that Dr Daniel Allen—the creator of this public petition—and all who love their animals feel the same way.

Millions of people and families from across the country—in Scotland, Wales, England and Northern Ireland—own pets of many kinds. In June 2017, I was elected Member of Parliament for Coatbridge, Chryston and Bellshill. It was an important moment for me and for my family, but I can assure everyone present that it was not the only important matter for us last year. We got a new dog—I was replaced by a dog called Mia, who joined our family. If my wife Anne was asked, I think she would say that Mia coming to us was more important than me coming to this House.

After so many weeks down here in Parliament, it could be said that in the eyes of the Gaffney family, Mia has indeed replaced me in our home back in Scotland. She certainly spends more time in my bed than I do. Like many Members from across the House, I could share many stories of my dog's cheeky but loving behaviour, and about her determination to take my side of the bed and establish herself as the top dog in our house.

It is easy for me to have fun and laugh with my dog—she has certainly given me a lot of pleasure—but other people experience the heartache of losing their animals or having them stolen. I pay tribute to the Stolen and Missing Pets Alliance for the important work that it does to champion the rights of animal lovers, and indeed the rights of the animals themselves. I echo the words of Beverley Cuddy, the patron of SAMPA, who said:

“Pets are priceless, irreplaceable and their loss wrecks lives”.

Beverley is right and she gives voice to the feelings of so many people. I add my support to ensure that all our voices are heard here today in Parliament.

The fact that only one in five stolen dogs tends to be recovered is a disgrace, and it means that many families and other dog owners will never receive the closure that they need and demand after the loss of a pet. We must do more, and we must do better. There is no doubt that crime is on the rise in this country, whatever we may hear from the Home Office, and not just conventional sorts of crime. Pet theft is also on the rise, and we can see why.

Fiona Onasanya: In my constituency of Peterborough, I was made aware in the area of Ravensthorpe of dog snatchers going round to houses and painting the fences red to alert their accomplices to the fact that there was a pet there. Does my hon. Friend agree that pet theft is becoming a type of organised crime and that it needs to be treated as such?

Hugh Gaffney: I thank my hon. Friend for that intervention, and I certainly agree with her. That is the problem—pet theft is profitable. Pet theft is easy, particularly when people are in the parks with their animals, or, in this type of weather, when doors and windows are left

[Hugh Gaffney]

open and dogs escape, never to be found again. Pet theft is not being taken seriously by our law enforcement agencies, and we need to improve in that regard. Because the Government have yet to demonstrate their determination to tackle pet theft once and for all, we must do more.

A number of my constituents have been in touch with me about this debate and, indeed, signed the petition that we are considering. My commitment to them, to all animal lovers and to their animals is that I will do all I can to make sure that we in Parliament show criminals that we will not let them get away with pet theft. We are after them for our animals.

5.7 pm

Ross Thomson (Aberdeen South) (Con): It really is a pleasure to serve under your chairmanship this afternoon, Mr Sharma.

I pay tribute to the hon. Member for Hartlepool (Mike Hill), as well as to the Petitions Committee, for taking this issue forward. I also pay a heartfelt tribute to Dr Daniel Allen, who started this petition and who is in the Gallery today, and to all those campaigners who have worked so tirelessly to move this issue right up the political agenda, such as the Stolen and Missing Pets Alliance, Pet Theft Awareness, DogLost, Beverley Cuddy, Marc Abraham, Debbie Matthews, Professor John Cooper, QC, and many, many more—in fact, too many to name. It is due to all their outstanding efforts that more than 100,000 people across the United Kingdom, including more than 70 in my constituency, have signed the petition. Having this important debate here today is a real triumph of people power.

When I am asked what the most difficult part of my job as an MP is, I always answer: “Monday mornings”. That is not because I hate having to roll out of bed to catch a 7.15 am flight, but because it breaks my heart every Monday morning to leave my Jack Russell-Yorkshire terrier cross, Poppy. The fact that she knows I am leaving and does her utmost to make me feel guilty about it just makes heading to London so much harder. I could not imagine ever returning home to find that Poppy was not there. I do not even want to contemplate the notion of her being stolen. For me, like millions of pet owners across the UK, Poppy is my family. To be honest, I am like a proud dad. She has her moments, like any teenager. She can be relentless with her ball and her ducky, but I love her to bits, and I would hate anything if it were to happen to her. Our pets are much more than possessions. It is not difficult to appreciate how truly awful, heartbreaking and simply devastating a crime pet theft can be.

Fiona Onasanya: The hon. Gentleman is making a passionate, moving point. Does he agree that this is not just about pets? This is about a life and about a family's life. The law needs to bear that in mind. This is not about monetary value, but about a life being taken. If a child was taken, we would not say, “They are only a couple of years old, so we think they are not worth that much.” This is a life, and it matters to the family.

Ross Thomson: I could not agree with the hon. Lady more. We have a real emotional connection to our pets, just as we have that emotional connection to members

of the family. When we lose family members, we grieve; when we lose our pets, we grieve in the same way, and it should be treated in the same way.

As it stands, our law does not take true account of the real value of our pets. As the law stands, our pets are not inherently considered any different from inanimate objects. Sentencing is based predominantly on the financial loss to the victim. In England and Wales, for example, the theft of a dog valued at less than £500 must be classed as category 3 or 4. Those are lower categories, which mean lighter sentences.

Unfortunately, the Sentencing Council's 2016 reforms have not made English and Welsh courts tougher on pet thieves. Very few cases of pet theft are getting to court, and even when they do, too many pet thieves are walking free or being given light-touch sentences. Given that pets are stolen not to be given a warm and loving home, but to be abused, tortured and treated as disposable, the current state of affairs simply makes my blood boil.

In Scotland, the Scottish Sentencing Council has not put forward any guidelines on theft, so judges rely on case law to decide on sentencing for pet theft. That flexibility cuts both ways. While some sentences may accurately reflect the real emotional harm done to the victim, that is far from guaranteed. The problem with the law as it stands is, as any victim would say, that pet theft is fundamentally not about financial loss. The value of a pet to its owners is far greater than any financial valuation could quantify. Losing a much-loved pet—a member of the family—can tear the heart out of that family and be as devastating a loss as losing any other family member.

Unlike a laptop, a blender, a flat-screen TV or any other object, no matter how expensive, a pet is a living animal and a much-loved part of the family. To underscore just how devastating the loss of a pet can be, a growing number of companies now offer bereavement leave to employees who have lost a pet. Inanimate possessions just do not compare, and it is about time that was properly recognised in the law.

Pet theft can and does cause real harm to victims' lives. Just ask Dawn Maw, whose dog Angel was stolen in December 2013. She spent more than £13,000 trying to get Angel back. She took unpaid leave from work and suffered depression and the breakdown of her marriage. Pet theft changed Dawn's life. She has said that her phone might have cost the same as Angel, but the phone could have been replaced within 24 hours, and Angel was her best friend.

Another example is Rita and Philip Potter, whose labrador Daisy vanished from their back garden in Norfolk eight months ago. The family are devastated and fear that Daisy was taken to be sold on the black market. Rita said that Daisy was

“a beautiful dog, she was a wonderful companion. We have got seven grandchildren, and they all miss her so much. At Christmas time, our little granddaughter, who is just five years old, said all she wanted for Christmas was Daisy back home.”

Such cases are powerful and demonstrate so clearly why the current law makes no sense. The light sentences given to so many pet thieves, based simply on the financial value of the pet, are an added insult to victims. They do not reflect the harm caused and do not act as an effective deterrent. It is just not justice. We need to change the law to make pet theft a serious criminal

offence in its own right, punishable at a level more appropriate to the deep emotional harm caused to the victims.

That is what I intend to achieve with the ten-minute rule Bill I will be proud to bring before this House tomorrow. My hope is that the Bill will bring much-needed change to the law in not only England and Wales but Scotland. As a Scottish MP, I am determined to ensure that Scotland is not left behind, by working with the Scottish Parliament, and particularly my colleague Maurice Golden MSP. I hope the Bill can deliver justice for pet owners in Scotland, too.

For too long, too many pet owners have gone through the absolute hell and misery that pet theft can cause, and too many pet thieves have got away with a mere slap on the wrist. That is unacceptable, and it is time for change. The petition is a great example of people coming together to change a real flaw in our criminal justice system, and I hope that, this week, this debate and my ten-minute rule Bill can be the start of the change we need to see.

5.16 pm

Bill Grant (Ayr, Carrick and Cumnock) (Con): It is a pleasure to serve under your chairmanship, Mr Sharma. I thank the hon. Member for Hartlepool (Mike Hill) for securing this debate and the Petitions Committee for tabling it. The petition, which was started by the Stolen and Missing Pets Alliance, has secured more than 100,000 signatures. That has led to this debate this afternoon. The petition will remain open until 8 August, if memory serves.

In the UK, approximately 2,000 dogs are stolen each year. Only a very small number are returned to their owners, and we do not know whether 2,000 is the true figure. We do not know whether the dogs have been stolen or simply got lost, and we do not know how many go missing and are not reported, so the figure may be a vast underestimate.

Only 5% of reported dog thefts lead to a conviction, which is a very low rate. Charges may be brought under the Theft Act 1968 or the Animal Welfare Act 2006. In Scotland, charges can be brought under common law or the Animal Welfare (Scotland) Act 2006.

There have been numerous calls for pet theft to be classified as a specific crime, with pets recognised as sentient beings, rather than simply property. According to Dogs Trust, 70% of reported dog thefts are not from outside shops or from cars, but from owners' gardens—the crime starts with the distressing invasion of a person's private property. People have a close affinity with their pets, which means that when a pet is abruptly taken, people also suffer considerable emotional distress and trauma, and that applies to all the family.

It is not easy to grieve for a lost pet. We had a wee fella for 17 years. As a big robust firefighter, I took him to the vet on his last day, and I cried for an hour. I know what it is like to lose not just a pet, but a best pal. If I was bad, my wife was significantly worse. I do not think she will shed as many tears when I go. Pets are very much a part of our lives.

Each case should undoubtedly be looked at on its own merits, but the sentencing should always be appropriate to the crime and reflect the emotional distress caused to the pet owner. Too often, sentencing guidelines concentrate

on the purchase or replacement value of the dog or pet. That is discriminatory, because the value of a mongrel or non-pedigree as a person's best friend may equate to or exceed that of the purchase price of a pedigree breed. The value is in fun, friendship and unquestioning loyalty.

We have to recognise what was said in a recent article in the *Cumnock Chronicle*, a small local paper whose circulation covers my constituency:

"Thefts of French Bulldogs—a distinctive breed popular with celebrities...increased 27% from 2016-2017...The number of Chihuahuas"—

as mentioned before—

"and Huskies taken from their owners is also on the rise, with 57 and 18 stolen in 2017 respectively."

That trend appears to be borne out by information published by insurance companies.

An older media report in a national newspaper records a Lhasa Apso puppy—it must have a Tibetan connection with a name like that—stolen in my hometown of Ayr. The police investigating at the time appear to have discovered coloured stickers on local garden gateposts—that was identified by the hon. Member for Peterborough (Fiona Onasanya). They suspected the thieves may have had a coding system for stealing dogs to order for sale, breeding or fighting—or, in some cases, I am sure, for ransom.

It is certainly widely felt among the public that the current levels of fine available to members of the judiciary to impose are insufficient, particularly given the apparent reluctance to impose a custodial sentence in such cases. In the meantime, while we await much-needed amendments to the law, I trust that the existing laws will be rigorously enforced to protect our family pets, and I hope that the procurator fiscal in Scotland will process cases of pet theft—it is so important that that message goes to the organised gangs of criminals who steal family pets for personal gain, because it is an easy crime, as has been said before. Finally, I ask that pet owners remain vigilant in relation to the very real risk of losing their pet to pet theft.

5.21 pm

Giles Watling (Clacton) (Con): It is an honour to serve under your chairmanship today, Mr Sharma.

Back in the early 1990s I was involved in breaking up a puppy farming ring in Wales—I got involved with a national newspaper—and I saw that the animals were kept in appalling conditions. The puppies were sold at motorway service stations. More recently I went out with the RSPCA in one of my local little towns, Jaywick, and we looked at various places where dogs were being mistreated—not necessarily through deliberate cruelty, but through ignorance, a lot of the time. It really is extraordinary that we sometimes call ourselves an animal-loving country.

It is a great honour to stand here today and represent the 168 people from Clacton who signed the petition. As I have said before, the theft of pets, and especially dogs, happens all too frequently in my constituency. In one case, two French bulldog puppies, Oswald and Dakota, were stolen from their house in Eton Road in Clacton. The puppies were eventually reunited with their owner, which is a rare good news story, but that was only after a Facebook campaign that got 2,500 visits, and I reckon the puppies must have become too hot

[Giles Watling]

to handle. However, when they were returned, they were distressed. According to the owner, they were clearly starving and not in good condition.

Bob Stewart: So far, we have not actually looked at the problem from the point of view of the dogs. Dogs have feelings, too. It must be bloody awful for a dog to go from a really loving home to the barbarous places where they are put.

Giles Watling: I did detect a sort of question there. I totally agree with my hon. Friend that dogs have feelings and stealing them is barbarous. I have dogs myself. I have cavalier poodle bichon crosses—all right, they are mongrels. They are part of my family and the thought of losing one of them really distresses me, which is why I want to combat pet theft. It is terribly important. I raised my concerns with the Minister during a debate on rural crime in the main Chamber, and I asked for more information on what the Government intend to do about the issue. Unfortunately, that information was not forthcoming, so I hope to elicit a better response today from the Minister; I say that very nicely.

The matter is important, and the current application of the law surrounding pet theft is ineffective and should be changed to make the monetary value of the pet irrelevant, which will ensure that all criminals are prosecuted and sentenced to the full extent of the law. As we know, 105,968 people signed the petition, and 97% of respondents to a “Dogs Today” survey support the proposal and agree that all pet theft should be treated equally, regardless of the animal’s initial monetary value. There is clearly a great deal of public support for a change, and I ask the Minister to bear that in mind as we move forward.

I also ask the Minister to bear in mind something that has been said many times this afternoon, but that is worth reiterating: pet theft is cruel. It is cruel to the owners who are left bereft after the loss of a friend, a loved one and a member of the family, and it is cruel to the animal itself, as mentioned by my hon. Friend the Member for Beckenham (Bob Stewart). The animal can be mistreated or even, as we have heard—it is horrific—have its microchip cut out of its neck without anaesthetic to avoid detection.

The Government’s current position needs to evolve and take account of the strong public sentiment and the cruel impact that pet theft has on those involved. I have no doubt that I will be reassured that laws are already in place to deal firmly with offenders who commit such crimes. To expand on that point further, and as I am sure we are all aware, the theft of a pet is already a criminal offence under the Theft Act 1968.

Fiona Onasanya: The hon. Gentleman has made such a good point. I want to highlight something that I hope the Minister will cover. The lower the category, the lower the sentence, with little in the way of repercussions. That makes the crime even more attractive because it is low risk and high reward, so that needs to be borne in mind when looking at sentencing.

Giles Watling: I thank the hon. Lady for her intervention. I could not agree more. I am coming on to the question of low risk and high reward, which makes the crime attractive because the risk is so low but some of the

animals can be worth a great deal. Indeed, they are stolen to breed from, and therefore the rewards are multiplied by however many puppies they have. The maximum penalty at the moment is seven years’ imprisonment, and it very rarely, if ever, gets imposed.

The guidelines take account of the emotional distress and therefore the harm that the theft of personal items such as a pet can have on the victim, and they recommend higher penalties for such offences. However, although I welcome such developments, I am uneasy about the current position for various reasons. First, as the Stolen and Missing Pets Alliance—SAMPA—tells us, the seven-year maximum sentence has never been awarded, so, out of the 646 reported incidences of pet theft in 2017, there were no cases where that sentence was applied. That is because the penalty for pet theft is often decided based on the monetary value of the pet, as we have heard this afternoon. Many pets have little or no monetary value, although in the eyes of their owner, as we have said, they are priceless. However, in the eyes of the court, that value does not exist. The courts deal only in monetary terms, and the most severe sentence recommended for stealing a pet that is worth less than £500 is two years rather than seven.

My second point of contention is that in the past three years dog theft has increased by 24%, which demonstrates that the sentencing guidelines are clearly not working and are not a deterrent to potential pet thieves. To demonstrate that point further, between 2015 and 2018, 96.75% of dog thefts ended without charge, showing that the courts have not become tougher on this particular aspect of pet theft. Additionally, I have heard from SAMPA that the police are reluctant to record pet theft because it negatively affects their crime figures. That explains why cases of pet theft are rarely investigated, and why the few cases that do make it to court do not result in a conviction. Potential criminals know that the chance of getting caught or ever receiving punishment is, as we said earlier, very slim, so the crime is low risk.

My third concern is the reliance on microchipping, which does not address the issue. Microchips can be overwritten, meaning that stolen dogs can be easily moved on rather than reunited with their owner, as the Government suggest. Moreover, as I mentioned earlier, the chips can simply be cut out, causing great distress to the animal. As a result, I believe we must address that particular issue and improve security compliance on the microchip database. Also, we should complement the microchipping regime with a new dog registration regime, and I will be bringing forward legislation to reintroduce that here in England in due course.

Bob Stewart: Our financially worthless, indolent dogs are each microchipped. They also have their own passports, with photographs. My wife owns them and controls them, which is more than I can do. Does my hon. Friend agree that the passport system could be used to help to trace dogs when they are stolen?

Giles Watling: That is indeed a possibility. The legislation that I intend to introduce will provide for a reintroduction of the licensing system, so that we know where all the dogs are, who owns them and how they are being looked after, so we can have some grasp on animal cruelty.

Like Dogs Trust, I am troubled by the decision to equate animals with property, as the hon. Member for Hartlepool (Mike Hill) mentioned. That decision means that we are denying animals the right to be considered sentient beings. The Government's current position seems to mean that pets derive their sentience only from being in the possession of their owner, given that when they are wrongly separated they become property for the duration of the prosecution and are therefore exempt from the Government's promise to ensure that their welfare is protected. That must change.

All animals are sentient, regardless of their location or continuation of legitimate ownership. As the draft Animal Welfare (Sentencing and Recognition of Sentience) Bill sets out, the Government

"must have regard to the welfare needs of animals as sentient beings in formulating and implementing government policy."

Accordingly, the Government must recognise that their current position does not protect the welfare of sentient animals when they are stolen, and the sentencing guidelines for pet theft must be changed to move us closer to a position where their welfare can always be assured.

I maintain that the current position is not working. It does not deter or limit pet theft; in fact, I would argue that pet theft is getting worse. Pet theft should be identified as a separate criminal activity and be covered by its own law.

5.31 pm

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): It is an absolute pleasure to serve under your chairmanship, Mr Sharma, especially having worked with you on the Select Committee on International Development, where you have done so much on human rights over the years.

It is also a pleasure to speak on the petition. As has been mentioned, it has received overwhelming public support, because it is an issue that is very dear to the hearts and minds of people right across the United Kingdom. I thank Dr Daniel Allen and Beverley Cuddy for getting it to this stage, and I look forward to hosting them at some point in the near future in the all-party parliamentary dog advisory welfare group, which I chair. We have been doing lots of good work on dog welfare in the year since the group was formed. I encourage hon. Members to join the group. It is very much a cross-party group, because animal welfare is one of those issues on which we come together and work together to ensure that we have the very best conditions right across the United Kingdom.

The petition secured more than 100,000 signatures, and has been supported by the Stolen And Missing Pets Alliance, All About Animals, APDAWG—our all-party group—Finn's law campaigners and Lucy's law campaigners including Marc Abraham, known as "Marc the Vet", the National Animal Welfare Trust, magazines including *Dogs Today* and *Dogs Monthly*, and celebrities including Ricky Gervais, Chris Packham, Kirsty Gallacher, Peter Egan, who regularly attends our cross-party group, Victoria Stilwell and Lorraine Kelly. Most of all, the petition has the power of people behind it. It has the power of our constituents, and I am very proud that more than 100 of my constituents from East Kilbride, Strathaven and Lesmahagow felt so strongly that they wanted to sign the petition and have urged me to speak on this important issue.

Hugh Gaffney: I want to make a wee point. Last week, dangerous dogs were in the news, and 2,275 postal workers were bitten last year. I would just like to say that the majority of postal workers, like myself, love animals and dogs, and welcome them.

Dr Cameron: I thank the hon. Gentleman for that intervention. I am aware of his history in the postal service and thank him greatly for that. It is one of the great services that we have across the country. There are some risks to postal workers from dogs, so it is incumbent on dog owners to ensure that their dogs are trained appropriately. I realise that postal workers have an affinity for dogs, like the rest of our constituents and people across the country.

As we have heard, a quarter of households have one or more dogs, and it appears that this crime is on the rise. I ask the Minister whether we know why that might be happening, and what the factors are. Only when we discover the key factors behind this crime will we be able to have a multi-structural strategy to address what is happening. Are dogs being stolen for heinous crimes such as dog fighting, as we have heard today? Are those poor dogs being savaged, perhaps as bait for dogs that are being trained to fight in a ring? We need far more resources to tackle that. I was extremely proud to lead a debate in Westminster Hall, only in 2016, on dog fighting.

Is there a gang element to pet theft? Is the same type of organised crime set-up that we see in relation to dog fighting, puppy smuggling and puppy farming causing pets to be stolen? If there are links between those activities, and between the people perpetrating them, we need to develop adequate laws and legal frameworks to deal with that. Lucy's law is also important for many reasons, including dog welfare and people's welfare, in terms of having dogs and young puppies enter families, and in relation to the types of issues that we are discussing today. I feel that there may be an important underlying common denominator that it is important to address.

People have spoken today of their love for dogs. My dog, Rossi, is a French bulldog. Having looked at the figures for pet theft, I am aware that that is exactly the type of dog breed that is being stolen—it is near the top of the list. French bulldogs are often used for breeding and puppy farming, which makes me think that perhaps there are links with pet theft. I would be bereft if something happened to Rossi out in the garden where he likes to roam. We are lucky to have quite a big garden. I keep encouraging my husband to cut the grass, and I am hopeful that he might be doing that today as we speak, but Rossi loves to wander throughout our garden. It is always in the back of my mind to check that he is still there and that everything is okay.

Giles Watling: Does the hon. Lady agree that we need to get the information out to owners to protect their pets? Humphrey, Herbert and Minnie wander as well. I do not know where they are half the time. We need to take measures and be aware.

Dr Cameron: I thank the hon. Gentleman for that intervention. Much of this is about education. Our garden is enclosed, but we are mindful of the fact that if someone were intent on stealing our pet that would not

[*Dr Cameron*]

prevent them from doing so. I am aware of the breed-specific snatching of French bulldogs, so it is a particular worry for my family.

From listening to the figures, pet theft seems to be a crime that goes unpunished and has very little consequence for those who engage in it. That has to be addressed, and I urge the Minister to make a change in law. We are a nation of dog lovers, and addressing this issue will minimise the impact on families who lose a pet and on the children. My children would be absolutely devastated to lose Rossi. As the hon. Member for Beckenham (Bob Stewart) said, there is a severe impact on the stolen dog, too, because often they do not go to a happy home. I do not want to think about their fate, given the activities that the criminal gangs may be involved in.

Another issue that has been raised is the impact on elderly people, for whom a pet can be very important. If they live on their own, a pet can be an absolute lifeline and can make them feel that they have a connection. We must consider that, for someone in such circumstances, losing a dog or any other pet is a bereavement—it causes grief and trauma. We know from the meetings of the all-party group for dog welfare just how important dogs, cats and pets in general are in tackling loneliness. The Government have set out to address that issue, so I ask the Minister to look at pet therapy and contact with pets within that framework.

It is extremely busy in Westminster Hall, despite the fact that we are all on a one-line Whip, because this issue resonates with the public, MPs and our constituents. There is no party politics when it comes to animal welfare, as we all want to see change. Members from many parties have spoken today, and I thank them for that. Several Members who support the dog welfare group could not be here today but very much wanted to come.

The hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) spoke about his little dog, Mia, and her importance, if not primacy, in the family now that he is down at Westminster. I wish Mia and the family well.

This is a devolved issue, and I have written to the Scottish Government about it because I want it to be reviewed. My colleagues, Emma Harper and Christine Grahame, are linked to the cross-party animal welfare group in the Scottish Parliament, and I hope that they will take this issue forward. The First Minister knows I am extremely dogmatic in insisting we take the lead on these issues, which must be addressed across the United Kingdom.

I urge the Minister to discuss the legal framework—particularly the fact that cases are not coming to court, they do not appear even to be recorded, and weak sentencing is not acting as a deterrent. Obviously, pets mean much more to us than objects, so that is one of the issues that must be addressed in the law. Some of the ideas that hon. Members suggested as part of the solution, such as licencing and passporting systems, are good, but I want the Minister to address the precipitating factors that have caused the increase in dog thefts across the country. Are they linked to other animal welfare issues, such as puppy smuggling and farming, and dog fighting?

5.44 pm

Sue Hayman (Workington) (Lab): It is an honour to serve under your chairmanship, Mr Sharma. I congratulate my hon. Friend the Member for Hartlepool (Mike Hill) on introducing this important debate. I thank the organisers of the petition and the 105,000 people who signed it. The parliamentary e-petition system is a fantastic way of connecting us with our constituents on the issues that are really important to us and of putting such issues on the agenda.

We are clearly a nation of animal lovers. I declare an interest, as the owner of a dog and a cat. Many hon. Members have shared their experience of their pets. I thank my hon. Friend the Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney) for his contribution. He said it is a real disgrace that so few stolen pets are ever reunited with their owners. The hon. Member for Dartford (Gareth Johnson) is clearly very knowledgeable about this issue and made a particularly powerful point about sentencing guidelines. My hon. Friend the Member for Peterborough (Fiona Onasanya) made some very important interventions, which added significantly to the debate. I was particularly pleased to hear the story the hon. Member for Aberdeen South (Ross Thomson) told about how his dog, Poppy, reacts when he leaves to come down here—like other hon. Members, I could share similar stories. I congratulate him on his ten-minute rule Bill, and I wish him luck with it in the House tomorrow.

The hon. Member for Ayr, Carrick and Cumnock (Bill Grant) talked about the huge impact that the loss of a much-loved pet can have on a family. The hon. Member for Clacton (Giles Watling) talked about the cruelty of pet theft, not just to the family who lost the pet but to the pet itself. It is important that we do not forget that. The hon. Member for East Kilbride, Strathaven and Lesmahagow (Dr Cameron) works tirelessly on dog welfare in this House and made an important contribution.

As pet owners, we truly love our animals. Figures from Dogs Trust show that 99% of pet owners consider their animal to be part of the family—we all do. We have heard that the bond between an animal and its family is linked to the bond between a parent and their child, so it is clearly a terrible nightmare for a family if their dog or cat is stolen.

More than 60 dogs are stolen across England and Wales every single week. That is 60 families whose beloved pets are taken. Disgracefully, fewer than 5% of cases end in convictions. We do not want that situation to be allowed to continue. As Members of the House, it is our duty to try to do something about it.

Battersea Dogs & Cats Home told me that there is no single database of pet-related theft, so any information comes from freedom of information requests to individual police forces—the hon. Member for Dartford made that point clearly. Will the Minister tell us how we can tackle this problem if we do not know the scale of it? I understand the concerns raised about categorising pets in legislation designed to deal with property theft. As hon. Members said, it is important that we recognise in law that animals are sentient beings and not the equivalent of a laptop or a blender.

Tragically, on average, five dogs a day are stolen and then sold, bred or forced to fight. We have heard that the numbers are increasing; my hon. Friend the Member

for Hartlepool gave us some clear figures and information about that. We have also heard that designer dogs such as cockapoos or French bulldogs sell for a high price, and that Staffordshire bull terriers are often stolen for dog fighting. It is thought that the lack of prosecution and the lenient punishments are contributing to this rise. Pet theft offenders receive community service orders or a fine more often than a custodial sentence—certainly not the seven years that could be handed out.

It is heartbreaking that so few pets are reunited with their owners. Some breeds are more likely to be stolen. Labrador thefts are up 42% year on year; as the owner of a beautiful chocolate labrador called Max, I find that horrifying. The thought of losing Max is dreadful. He is six, but one of the first things we did when we got him as a puppy was to insure him, because we were advised that he was at high risk of being stolen. That is a terrible thing to have to contemplate.

I appreciate what the Government have said about updating sentencing guidelines for theft offences to account for the emotional stress caused by pet theft, and I understand that the guidelines now recommend high penalties in such cases. As hon. Members have said today, however, we need to ensure that the proper sentences are given and that prosecutions are increased. We must catch as many perpetrators as possible to do our best to stamp out this appalling crime, which causes such terrible upset to families.

On microchipping, it is welcome that the Government now require all dogs to be microchipped and registered by the age of eight weeks. That does not solve the problem—we have heard that microchips can be dug out—but it has already had a positive impact.

Bob Stewart: Will the hon. Lady join me in asking the Minister whether we ought to look again at licensing dogs? That used to happen when I was a boy—when the world was black and white, of course.

Sue Hayman: I remember going with my mother to the post office to get a licence for our dalmatian—I was only a small child, obviously. We ought to look at anything that might help, so licensing clearly needs to be looked at; if it can help solve this crime, it is an important part of the picture.

The Labour party is committed to promoting the highest level of care for domestic animals. Recently, our animal welfare plan was out for consultation until the end of May, and it included a proposal to expand microchipping to cats, which at the moment do not have to be chipped. Is that something that the Government will consider seriously? Our manifesto also pledged an end to the third-party sale of puppies. Is that something the Government will consider to improve the welfare of dogs? We also proposed measures to tackle puppy smuggling, such as the introduction of a microchip database—databases were mentioned earlier in the debate—to record microchip numbers of animals entering and leaving the country and get a better idea of where dogs are. Will the Minister and the Government match that aspiration too?

Enforcement of our laws is carried out by our tireless police services. Is it not imperative that the police are properly funded so that they can act to enforce the law and catch the criminals who are cruelly stealing pets from their owners?

The petition and today's excellent debate have raised really important issues across the board, giving us all a lot to think about in terms of what needs to be done. The Labour party manifesto, on which my colleagues and I were elected last year, stated:

“Domestic animals require stronger protection from cruelty.”

It also set out a

“vision...for the UK to lead the world with high animal welfare standards in the wild, in farming and for domestic animals.”

That is something we stand by today and, from the clear cross-party support in this debate, hon. Members right across the House would also back strengthening the law in this area. I look forward to hearing the Minister's response.

5.52 pm

The Minister for Agriculture, Fisheries and Food (George Eustice): I congratulate the hon. Member for Hartlepool (Mike Hill) on the way in which he introduced the debate.

As with every debate on animal welfare issues, it is one that is incredibly important to the public. This petition has more than 100,000 signatories—106,000, I am told—and today we have heard some heart-rending stories of individual cases from many Members' constituencies, including from my hon. Friends the Members for Dartford (Gareth Johnson) and for Aberdeen South (Ross Thomson). The hon. Member for Hartlepool talked about some horrific cases of pets being stolen to be used, in effect, for baiting in dog fighting or to fight themselves. That is clearly the cruellest and most extreme end of this heinous crime.

When I was about 13, we had a beautiful young golden retriever called Sam. When he was about a year old, he went missing. To this day, I can remember us going out on the roads late at night, driving down every country lane around the farm in Cornwall and trying to locate Sam, all to no avail. We were unable to sleep that night because we were so distraught and upset that our wonderfully kind pet dog had gone missing.

The following day, we phoned every farmer in the area, in case Sam had gone on a runabout, and we phoned all sorts of other businesses in case we could locate him. As luck would have it, a local scrap-metal dealer phoned my mother back about an hour after they had spoken to say that there was a van at the scrapyard with a white-coloured golden retriever that might be our dog. My mother rushed off to the scrap-metal dealer, who undertook to keep the person occupied so that the van did not disappear. It was indeed our pet dog Sam, and my mother and our family were reunited with him.

The person who took Sam claimed that he had found him and had intended to take him to the police. It was therefore thought that we would not have a case and would not be able to bring a prosecution against the person, although that gentleman certainly had to endure a dressing down from my mother—a significant penalty.

I shall return to the issue of pet theft, but first I shall say a bit more about what the Government are doing to improve animal welfare specifically for pets. We have introduced new licensing requirements for puppy breeders, lowering the threshold at which they need a licence to breed pets. We have also strengthened the provisions on online sales, beyond any doubt bringing those who sell

[George Eustice]

pets online into a licensing regime under the Pet Animals Act 1951. We have been clear that we intend to increase the maximum penalty for cruelty to animals to five years, and we have given our support to a private Member's Bill that will strengthen protection and recognition for service animals. Finally, to come to the point made by the shadow Minister, the hon. Member for Workington (Sue Hayman), we have been clear that we shall introduce a ban on third-party sales of puppies, in particular, and other juvenile pets. We have had a call for evidence on the issue, and we intend to introduce provisions in that regard.

[MR ADRIAN BAILEY *in the Chair*]

Specifically on the issue of pet theft, a couple of years ago we introduced changes to make the microchipping of all dogs mandatory. That has had some impact already. More than 90% of dogs are now microchipped, which has made rehoming or the reuniting of people with their missing pets much easier for the authorities. The impact of that change has been extraordinary. The latest figures from Dogs Trust show that the number of stray dogs last year fell to about 66,000, which has almost halved on a few years ago, when we regularly had more than 120,000 stray dogs per year.

Microchipping also has a potential role in identifying animals that have been stolen. A couple of years ago there was some suggestion that we should legislate to create a legal obligation on vets to scan every animal in their practice to identify animals that might have been stolen. At the time we believed that to be a step too far, but we did work with the British Veterinary Association and the Royal College of Veterinary Surgeons to create clear guidance for veterinary practices that there should always be a presumption of checking any new animal presented to them when an owner enrolls with the practice.

Earlier today, I discussed with the police lead on dogs, Gareth Pritchard, this issue of dog and pet theft. One point he made was that although the microchipping regulations are working well and have led to big improvements, we are starting to see some problems with people not keeping their details up to date—people moving home, for example, and not keeping the record up to date. In some cases, that is starting to make it hard to reunite people with their pets. It is important—and a provision of the regulations—for people to keep their data up to date.

I have done some work on the scale of the pet theft problem. As my hon. Friend the Member for Dartford pointed out, the figures out there range widely. Our belief is that the best estimate available is from a series of freedom of information requests put to all 44 police forces, with 38 providing reliable data back. From that, it is possible to ascertain that in 2016 there were 1,788 dog thefts and in 2017 the number rose to 1,909. That equates to around 34 dogs being stolen each week—a significant number. As a number of hon. Members pointed out, the 7% increase between 2016 and 2017 suggests that it is a growing problem. I will return to the statistics later, because my hon. Friend made the legitimate point that we ought to have reliable data in this area.

Dr Cameron: Will the Minister give way?

George Eustice: I was about to come to the hon. Lady's question, but I will give way.

Dr Cameron: There has been an increase in pet theft of some breeds in recent years. Does analysis of the breeds that are being stolen offer any insight into the reasons, and therefore how we can best tackle this crime?

George Eustice: The hon. Lady asked a similar question about what is driving the thefts. At one end of the scale, there are horrific examples of pets being stolen to be used in baiting and dog fights. This afternoon, I asked our police lead on dogs whether they considered that to be a large factor in dog thefts. His response was that generally speaking, as with lots of theft, dogs that are perceived to have a higher monetary value tend to be stolen. Obviously, that is bad news for pets that are deemed to be of high worth, but on one level it is reassuring—hopefully, the type of incidents that the hon. Member for Hartlepool described are the exception rather than the rule in this terrible crime. I will return to the data a little later.

As my hon. Friend the Member for Dartford and others pointed out, the Government's view is that the Theft Act 1968 provides sufficient sanctions to deal with the problem. He made a powerful case about some of the issues with the Sentencing Council, which I will come on to in a moment. I want to take the opportunity as the Front Bench spokesman to recognise that pets are not just objects; they are sentient beings and companions to people. The fact that they are covered for this purpose under the Theft Act does not take away at all from the fact that they are sentient beings and more than just property.

In his introduction, the hon. Member for Hartlepool highlighted the fact that, somewhat bizarrely, the Act has a provision for the theft of mushrooms and for the theft of wild animals. He asked why if we can have provisions for those, we cannot have one for pets. The reason why they are pulled out is that it was judged at the time that sometimes there could be doubt about whether a mushroom was public property or private property, and there could be some doubt about whether somebody would have ownership of a wild animal. It is beyond doubt that pets have an owner, so that provision did not apply.

Turning to sentencing, a number of hon. Members—including, quite powerfully, my hon. Friend the Member for Dartford, but also my hon. Friend the Member for Crawley (Henry Smith)—highlighted the current Sentencing Council guidelines. Hon. Members will appreciate that sentencing is a matter for the Ministry of Justice, policing is a matter for the Home Office and companion animals form part of the portfolio of the Department for Environment, Food and Rural Affairs managed by my noble Friend, Lord Gardiner. However, I will do my best to describe the position as I see it.

It is important to remember that in 2016, the independent Sentencing Council updated its sentencing guidelines for theft offences. The new guidelines acknowledge that theft that causes emotional distress to the victim or where the item stolen is of a substantial value, regardless of the monetary worth, will indicate a higher level of seriousness and the offender should be sentenced accordingly. In the context of the theft of pets, my hon. Friend the Member for Dartford is right that although the Theft Act provides for a maximum sentence of seven years, there is scant evidence of that being used.

Our reading of the current guidance, which was issued in 2016, is that in applying that guidance, the theft of a pet should be considered as either a category two or a category three offence. The custodial sentence is two years for a category two offence and one year for a category three. My hon. Friend is right that, applying our interpretation of the most recent guidance, a seven-year maximum penalty is largely theoretical for pet theft unless there are other aggravating circumstances. But as a general rule, category two or three would seem to be an appropriate sentence.

I hope that I have been able to reassure Members of the seriousness with which we take this issue. The Government have demonstrated in just the last six months that we are willing to change the law wherever necessary. Although at the moment the Government are not convinced that we need to change the law, I want to give three undertakings. First, let us use this debate to be absolutely clear that the Government interpret the latest guidance from the Sentencing Council to mean that the theft of a pet should generally be treated as a category two or three offence.

Secondly, my hon. Friend the Member for Dartford and others made an important point about the need for statistics. This afternoon, I asked Gareth Pritchard, the Home Office policing lead for dogs, to marshal accurate data from the 44 police forces. It should not be left to third parties to try their luck through freedom of information requests—I agree that Government should marshal that. I have asked him to generate that data and to provide me with a report of the most accurate data he is able to gather.

Thirdly, I will discuss with my noble friend Lord Gardiner whether there are any other things that we have considered by way of enforcement and to improve detection rates for this crime. One of the messages I picked up from hon. Members' contributions is that it may be not so much that the ability to sentence is not there or even that the maximum penalties are wrong, but simply that too few of these crimes are detected and too few prosecutions are brought.

Hugh Gaffney: Social media is being used to show some ridiculous acts on animals. That video evidence should be used to sentence more heavily.

George Eustice: The hon. Gentleman makes an important point. The internet and the growth of social media have created many challenges in enforcing legislation on pet sales, but they also give us a ready way to identify culprits, particularly those who are breaching

rules. Rather than seeing the internet and social media as threats, we should use them where we can to gain evidence, as he points out.

In conclusion, we have had a very thoughtful and detailed debate that I believe does justice to the 106,000 people who signed the petition. Although the Government are not convinced for change, I hope that, through those undertakings, I have been able to demonstrate that we intend to do more work and gather more evidence in this area.

6.9 pm

Mike Hill: I thank all the Members who got involved in this important debate, particularly my hon. Friends the Members for Coatbridge, Chryston and Bellshill (Hugh Gaffney) and for Peterborough (Fiona Onasanya), and the hon. Members for Crawley (Henry Smith), for Dartford (Gareth Johnson), for Aberdeen South (Ross Thomson), for Ayr, Carrick and Cumnock (Bill Grant), for Clacton (Giles Watling) and for East Kilbride, Strathaven and Lesmahagow (Dr Cameron). Of course, I also thank the Minister and the shadow Minister for their contributions.

I thank the Minister for pointing out the reasoning behind the specification of mushrooms and wild animals in the Theft Act 1968, and for his clear observations about pets and animals being sentient beings, not commodities. I sincerely hope that the Government are convinced enough to change the law soon. Too many pet thieves have got away with light sentences because of unacceptable and irrelevant guidelines. All pets should be treated equally, regardless of their monetary value.

I thank the petitioners—particularly Dr Daniel Allen, John Cooper, QC, and Debbie Matthews, the founder of SAMP—*for bringing forward this important petition, which clearly has cross-party support. I am proud to have carried out my duties as a member of the Petitions Committee by introducing the debate on behalf of the Committee.*

Finally, on behalf of Debbie Matthews, whose father, Sir Bruce Forsyth, was a big contributor to this debate in his own right, I say, “Nice to see you, to see you nice.”

Question put and agreed to.

Resolved,

That this House has considered e-petition 212174 relating to pet theft.

6.11 pm

Sitting adjourned.

Written Statements

Monday 2 July 2018

TREASURY

Justice and Home Affairs Opt-in Decision

The Economic Secretary to the Treasury (John Glen):

The proposed EU directive on credit purchasers, credit servicers and the recovery of collateral contains, among other things, provisions on a new EU mechanism for out-of-court collateral enforcement. The directive is part of a broader package of EU measures designed to reduce the levels of non-performing loans (NPLs) in the EU, as NPLs decrease profitability of banks, often leaving them in a weak position from which to provide finance to the wider economy in support of growth and jobs.

The Government have decided that it is in the UK's interest not to opt in to the Justice and Home Affairs obligations within this directive as the provisions introduce an unnecessary level of administration to the UK's existing collateral enforcement mechanisms, which are sufficiently robust and fit for purpose.

The directive states that where member states establish collateral enforcement mechanisms "by means of appropriation", the rights of creditors "shall be governed by the applicable laws in each member state". The Government's view is that this provision addresses situations in which conflicts of laws points arise, in which case it is an applicable law provision and therefore includes JHA content.

The directive similarly governs applicable law if a borrower and lender from two different EU member states cannot agree on the appointment of a valuer—with the appointment of the valuer falling on the court within one of those member states.

The Government remain supportive of the European Commission's broader efforts to reduce levels of NPLs in the EU, supporting solutions that are proportionate and targeted.

[HCWS814]

DEFENCE

Grant in Kind

The Secretary of State for Defence (Gavin Williamson):

I have today laid before the House a departmental minute describing a package of equipment and infrastructure that the UK intends to provide to the Jordanian armed forces. The value of the package is estimated at £5,194,000.

The provision of equipment will be treated as a grant in kind. Following correspondence from the Chair of the Public Accounts Committee in 2016, Departments which previously treated these payments as gifts have undertaken to notify the House of Commons of any such grant in kind of a value exceeding £300,000 and explaining the circumstances; and to refrain from making the grant until 14 parliamentary sitting days after the issue of the minute, except in cases of special urgency.

The grant in kind in this case comprises working and accommodation buildings, furniture and physical training equipment. The granting of this equipment will support

the Jordanian defence and borders programme and is fundamental to the aims of the Government strategy for Jordan. Delivery of targeted areas of equipment and infrastructure support is an integral part of the approach in order to assist Jordan in developing the capability to protect its borders. The activity is in support of the National Security Council objectives and is funded through the conflict, security and stability fund administered by the Foreign and Commonwealth Office, the Department for International Development and the Ministry of Defence.

Subject to completion of the departmental minute process, the equipment and infrastructure is expected to be delivered by the end of this financial year.

[HCWS812]

EDUCATION

Childcare Update

The Parliamentary Under-Secretary of State for Education

(Nadhim Zahawi): I wish to update the House on two important changes the Government are making to childcare.

I have today laid a new statutory instrument, the Childcare (Disqualification) Regulations and Childcare (Early Years Provision Free of Charge) (Extended Entitlement) (Amendment) Regulations 2018. This SI, which will come into force on 31 August 2018, makes important changes to improve the fairness of the childcare disqualification arrangements and extend 30 hours free childcare to children in foster care.

The childcare disqualification arrangements are an important part of the strong set of safeguards we have in place to ensure the safety and welfare of our children and young people. These arrangements apply exclusively to individuals working in childcare in schools and the private and voluntary sectors, up to and including reception classes, and in wraparound care for children up to the age of eight. These arrangements build on the safeguards provided by the Disclosure and Barring Service (DBS) regime, which all schools and early years childcare providers must operate.

Under the arrangements, any individual who has committed an offence, or who is in breach of other criteria set out in legislation, is prohibited from working in these settings. The arrangements also include provision that disqualifies an individual from working in childcare because of an offence committed by someone who lives or works in their household, known as disqualification by association. This means that a member of staff is unable to work in childcare even though they themselves have not committed a relevant offence.

Disqualified individuals can obtain a waiver from Ofsted against their disqualification. Employers must suspend or redeploy the individual until a waiver is granted, as individuals who are disqualified cannot work in childcare without an Ofsted waiver. This provision has unfortunately been widely misunderstood and a number of individuals have been redeployed or suspended unnecessarily. Consequently, the disqualification by association provision is having a detrimental impact on employers and employees, as well as family life. It is also having a negative impact on the rehabilitation of offenders.

In response to widespread concerns about the disqualification by association provision, the Department for Education undertook a public consultation on options

for its reform. We were most grateful for the near 450 responses received. The responses to the consultation largely reiterated the earlier concerns. The consultation strongly favoured reform, and the majority of respondents advocated the removal of disqualification by association in non-domestic settings.

Making new regulations enables us to address these concerns, by removing the disqualification by association where childcare is provided in non-domestic settings, where other safeguarding measures are well observed and followed. The disqualification by association provision will however continue to apply where childcare is provided in domestic settings, where it provides an important safeguard.

We are supporting the changes we are making with new statutory guidance. This will reinforce existing messages about the importance of employers undertaking safer recruitment checks and provide them with advice on how they can manage their workforce in the absence of the disqualification by association component of the arrangements. The Department for Education will also continue to provide a helpline and mailbox to employers and employees to help them with the arrangements.

The Government are also extending 30 hours free childcare for three and four-year-olds to children in foster care. This is a key Government early years policy, and foster families should have access to the same support and opportunities that all families have.

This Government's ambitions for children during and after being looked after are the same as for any other child: that they have access to good health and wellbeing, fulfil their educational potential, build and maintain lasting relationships and participate positively in society. The role of the foster parent is central to achieving those high ambitions for the children in their care. Fostering provides stability, a home and an alternative family. Children in foster care want to feel part of a family and have a normal family life. We need to support foster parents and local authorities in a way that achieves that. That includes foster parents being able to work outside their caring responsibilities, where it is right for the child.

The SI I have laid today enables us to realise those ambitions, by allowing children in foster care to receive 30 hours free childcare where the following criteria are met:

That accessing the extended hours is consistent with the child's care plan, placing the child at the centre of the process and decision making, and

that, in single parent families, the foster parent holds additional employment outside of their role as a foster parent; or that in two parent families, both parents hold additional employment outside of their role as a foster parent.

The SI makes it clear that the eligibility of children in foster care will be determined by the responsible local authority.

We are supporting the changes with new statutory guidance and operational guidance. These will provide local authorities with detailed guidance on how they can discharge their duty to secure 30 hours free childcare for children in foster care, and ensure that the additional eligibility criteria are met.

Copies of the SI, our statutory and operational guidance documents, and the Government's response to the consultation on changes to the childcare disqualification arrangements will be placed in the House Library.

[HCWS815]

Student Finance

The Minister for Universities, Science, Research and Innovation (Mr Sam Gyimah):

EU Students

I am today confirming that eligibility rules for students from the European Union, and their family members, who commence courses in England in the academic year starting in August 2019 will remain unchanged. EU nationals will remain eligible for home fee status, undergraduate, postgraduate and advanced learner financial support from Student Finance England for the duration of their course under the current eligibility rules. This will provide certainty to providers and their prospective EU students.

EU students, staff and researchers make an important contribution to our universities. I want that contribution to continue and am confident—given the quality of our HE sector—that it will.

Tuition fees

I am also confirming that maximum tuition fees for the 2019-20 academic year in England will be maintained at the levels that apply in the 2018-19 academic year, the second year in succession that fees have been frozen. Freezing maximum fees at 2018-19 levels will save students up to £255 in 2019-20.

The Government consider each year what the maximum level of tuition fees should be and set a cap. I have listened to the views we have heard from young people, parents, and in Parliament and, on that basis, have decided not to increase maximum tuition fees by inflation for the 2019-20 academic year. If the regulations setting maximum fees were not approved, providers would not be subject to maximum fees and would be free legally to charge higher fees.

The Government are committed to improving the terms on which they provide financial support to students. In addition to a freeze in fees for the second year running, the Government have increased the repayment threshold above which graduates are required to make repayments on their loans from £21,000 to £25,000 from tax year 2018-19, and rising by average earnings thereafter. This puts more money in the pockets of graduates, lowering monthly repayments for all borrowers earning above £21,000.

On 19 February, the Prime Minister launched a major review of post-18 education and funding to ensure we have a joined up education system that is accessible to all, provides value for money for both students and taxpayers, and encourages the development of the skills we need as a country.

Regulations

I am laying regulations setting maximum fees for the 2019-20 academic year before Parliament today.

Under the Higher Education and Research Act 2017, these regulations set maximum fee limits for those registered providers who must abide by a fee limit condition as part of their registration with the new independent regulator, the Office for Students (OfS). These providers are known as approved (fee cap) providers.

The Act requires the OfS to impose a fee limit condition and without these regulations the new regulatory framework cannot be fully implemented. Providers can also register with the OfS in the approved category which will not be subject to maximum fees in regulations.

Both Houses will have the opportunity to debate these regulations under the affirmative procedure. These regulations do not set separate maximum fees for accelerated degrees, which are still under consideration. I expect to confirm further details on accelerated degrees in due course.

I also expect to lay regulations setting student support arrangements for 2019-20 early in 2019 which will be subject to parliamentary scrutiny.

Maximum tuition fees and fee loans for approved (fee cap) providers in 2019-20

The maximum tuition fee for full-time courses will be £9,250 in 2019-20 for providers that are registered with the OfS in the approved (fee cap) category and have a current teaching excellence and student outcomes framework (TEF) award and an access and participation plan in place with the OfS. Lower maximum fee limits will apply for approved (fee cap) providers that do not have a TEF award or an OfS access and participation plan.

New students and eligible continuing students who started their full-time courses on or after 1 September 2012 will be able to apply for a fee loan to meet the full costs of their tuition up to a maximum of £9,250 in 2019-20 for full-time courses at approved (fee cap) providers.

The maximum tuition fee for students undertaking part-time courses at Approved (Fee Cap) providers that have a TEF award and have an OfS access and participation plan, will be £6,935 in 2019-20. Lower maximum fee limits will apply for Approved (Fee Cap) providers without a TEF award or an OfS access and participation plan.

New students and eligible continuing students who started their part-time courses on or after 1 September 2012 will be able to apply for a fee loan of up to a maximum of £6,935 to meet the full costs of their tuition in 2019-20 for part-time courses at approved (fee cap) providers.

Maximum fee loans for approved providers in 2019-20

New students and eligible continuing students who started their full-time courses on or after 1 September 2012 and are undertaking courses at approved providers in 2019-20 will not be subject to maximum fees in regulations. They will however be able to apply for fee loans towards the costs of their tuition.

The maximum fee loan for new students and eligible continuing students who started their fulltime courses on or after 1 September 2012 will be £6,165 in 2019-20 for those undertaking fulltime courses at approved providers that have a current TEF award or £6,000 without a TEF award.

The maximum fee loan for new students and eligible continuing students who started their part-time courses on or after 1 September 2012 will be £4,625 in 2019-20 for part-time courses at approved providers that have a current TEF award or £4,500 without a TEF award.

[HCWS816]

HEALTH AND SOCIAL CARE

GP Update

The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price): NHS Digital recently identified a supplier defect in the processing of historical

patient objections to the sharing of their confidential health data. An error occurred when 150,000 type 2 objections^[1] set between March 2015 and June 2018 in GP practices running TPP's system were not sent to NHS Digital. As a result, these objections were not upheld by NHS Digital in its data disseminations between April 2016, when the NHS Digital process for enabling them to be upheld was introduced, and 26 June 2018. This means that data for these patients has been used in clinical audit and research that helps drive improvements in outcomes for patients.

Since being informed of the error by TPP, NHS Digital acted swiftly and it has now been rectified. NHS Digital made the Department of Health and Social Care aware of the error on 28 June. NHS Digital manages the contract for GP systems of choice on behalf of the Department of Health and Social Care.

TPP has apologised unreservedly for its role in this matter and has committed to work with NHS Digital so that errors of this nature do not occur again. This will ensure that patients' wishes on how their data is used are always respected and acted upon.

NHS Digital will write to all TPP GP practices today to make sure that they are aware of the issue and can provide reassurance to any affected patients. NHS Digital will also write to every affected patient. Patients need to take no action and their objections are now being upheld.

There is not, and has never been, any risk to patient care as a result of this error. NHS Digital has made the Information Commissioner's Office and the National Data Guardian for Health and Care aware.

As part of our commitment to the secure and safe handling of health data, on 25 May 2018 the Government introduced the new national data opt-out. The national data opt-out replaces type 2 objections. This has simplified the process of registering an objection to data sharing for uses beyond an individual's care. The new arrangements give patients direct control over setting their own preferences for the secondary use of their data and do not require the use of GP systems, and therefore will prevent a repeat of this kind of GP systems failure in the future.

The Government have the highest regard for data standards and are committed to ensuring patients can express a preference over how health data is shared for purposes beyond their own care.

^[1] Where individuals did not want NHS Digital to share confidential patient information that they had collected from across the health and care service for purposes other than the individuals care, they could register this preference, known as a type 2 opt-out.

[HCWS813]

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Housing Policy Update

The Secretary of State for Housing, Communities and Local Government (James Brokenshire): Since we published our Housing White Paper last year, we have been making significant progress in fixing the broken housing market, reforming our planning system and increasing housing

supply to start to improve affordability, as well as taking steps to ensure that communities have the safe and high-quality homes they need to thrive.

Our new national planning policy framework—coming into force this summer following our consultation—will transform the planning system, and at of autumn Budget we set out £15 billion the new financial support for housing, taking our total investment to £44 billion over the next five years. Since 2010 we have delivered over a million new homes, and in 2016-17 we saw 217,350 new homes delivered—the highest number in all but one of the last 30 years.

Our new national housing agency, Homes England, is taking a more assertive approach to getting homes built. This has already started—for example in Burgess Hill, a site that is desperately needed for affordable housing but which sat undeveloped. Homes England has now stepped in, bought the land and is delivering the infrastructure. Today I am announcing a plan to build over 3,000 homes on the site.

But we need to go further, and in particular we recognise the housing market needs an injection of innovation and competition. Getting new players into the market and embracing modern methods of construction will allow us to build faster and drive up choice and quality for consumers.

To help do this, today I am announcing that the local authority accelerated construction programme is moving into its delivery phase. Through this fund, we are releasing £450 million to speed up delivery of homes on surplus local authority land and encouraging the use of modern methods of construction and SME builders. Homes England has started the process of funding negotiations with a number of local authorities to ensure their sites can deliver greater pace and innovation in house building.

But this is not just about the number of homes, it is also about ensuring we deliver the right homes in the right places, and building communities that people are happy to call home.

Today I am announcing that we have launched a new Homes England programme to deliver the community housing fund. Community groups and local authorities in all parts of England outside London are now able to apply for capital and revenue funding to bring community-led housing schemes forward. Homes England has published a prospectus on its website at: www.gov.uk/topic/housing/funding-programmes.

Through this fund, housing will be delivered where the mainstream market is unable to deliver. The housing it helps provide will be tailored to meet specific local needs and will remain locally affordable in perpetuity. It will help sustain local communities and local economies and help raise the bar in design and construction standards. Now that it is launched, it will unlock a pipeline of thousands of new homes and help this innovative sector grow to make a substantial additional contribution to housing supply. A similar programme is being developed for London—delivered by the GLA—and an announcement on that will be made shortly.

We also want to protect the rights of tenants in the private rented sector and give them more security. That is why I am publishing today an eight-week consultation on overcoming the barriers to landlords offering longer tenancies to tenants in the private rented sector.

Longer tenancies will help tenants, particularly those with children, who are currently on short-term contracts and who are unable to plan for the future. Longer tenancies can benefit landlords too by helping to avoid the costs of finding new tenants. The aim is to collect views on what could be done to provide tenants with greater security while providing flexibility for landlords to regain their properties if their circumstances change. In the consultation, we propose a new model tenancy agreement of three years with a six-month break clause and options on how to implement the model which include legislation, financial incentives for landlords, and voluntary measures to encourage its use. Copies of the consultation will be placed in the Libraries of both Houses and are available online.

Finally, for too long, the leasehold market has been left to evolve without much attention to who actually benefits. We are determined to reform the leasehold market to make it work for consumers. We have announced a programme of leasehold reform including a ban on new leasehold houses, restricting ground rents to a peppercorn and making enfranchisement easier, quicker and cheaper. We will bring forward legislation at the earliest opportunity, but we want the industry to change in advance of legislation and have written to developers setting out our expectations.

Today I can also confirm that Government funding schemes for housing supply will no longer support the unjustified use of leasehold for new houses, wherever possible, and that we will hardwire this as a condition into any new schemes. In future, ground rents on new long leases in flats will be limited to a peppercorn.

Attachments can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-07-02/HCWS818/>.

[HCWS818]

DIGITAL, CULTURE, MEDIA AND SPORT

Society Lotteries Consultation

The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Tracey Crouch): I wish to inform the House that on Friday, the Department for Digital, Culture, Media and Sport published a consultation on proposals for changes to the sales and prize limits for society lotteries to help charities raise more money.

The consultation follows the DCMS Select Committee recommendation in March 2015 that the Department look at whether limits on sales and prizes should be raised. Society lotteries are now a fundamental part of the giving landscape, and alongside the National Lottery, play an important role in supporting good causes across Great Britain. We have taken expert advice from the Gambling Commission and we believe that the proposed package of reforms maintains the balance between allowing charities and others to increase their fundraising through lotteries while protecting the unique position of the National Lottery.

We have considered options and the case for change carefully. A vital concern in developing proposals has been to ensure there is no risk to National Lottery's ability to raise funds for good causes. The Gambling Commission has advised that to date there is no evidence

that society lotteries have had a detrimental effect on the National Lottery. The two currently offer distinct propositions to players, with the National Lottery raising large sums across the UK, characterised by life-changing prizes. Society lotteries offer smaller prizes, generally with their proceeds being returned to a specified good cause.

We are consulting on a range of options which seek to maintain the distinct nature of the two sectors but allow a degree of growth for society lotteries, the impact of which will be measured by the Gambling Commission.

Society lotteries have to return at least 20% of their sales to good causes. Currently they have a cap of £4 million of sales per draw and a maximum prize a society lottery can offer of £400,000. We are consulting on the following options:

Individual per draw sales limits

- Retaining the current limit of £4 million;
- Raising the limit to £5 million (Government's preferred option);
- Raising the limit to £10 million;
- Reducing the limit to £2.5 million

Individual per draw prize limits

- Retaining the current limit of £400,000;
- Raising the limit to £500,000 (Government's preferred option);
- Raising the limit to £1 million;

Reducing the limit to £250,000

In addition we are consulting on annual sales.

Annual sales limits

- Retaining the current limit of £10 million;
- Raising the limit to £50 million;
- Raising the limit to £100 million (Government's preferred option)

The preferred set of proposals in the consultation document would raise the per draw limit to £5 million and the annual limit to £100 million. This would increase the amount of fundraising that can be done through society lotteries in a year ten-fold. It would also increase the maximum prize to £500,000.

The consultation also considers increasing the limits for small society lotteries, which do not require a Gambling Commission licence to operate and are instead registered with local authorities. Currently per draw proceeds are capped at £20,000 and annual proceeds are capped at £250,000. I am looking at options to increase the per draw limit to £30,000 or £40,000 and the annual limit to £400,000 or £500,000.

The consultation will run for 10 weeks and close on 7 September. Relevant documents have been published at: <https://www.gov.uk/government/consultations/consultation-on-society-lottery-reform>

[HCWS817]

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