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

**PARLIAMENTARY**  
**DEBATES**

**(HANSARD)**

**Monday 9 July 2018**

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# House of Commons

Monday 9 July 2018

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### DEFENCE

*The Secretary of State was asked—*

#### Armed Forces Veterans: Historic Allegations

1. **Sir Henry Bellingham** (North West Norfolk) (Con): If he will bring forward legislative proposals for a statute of limitations to protect British armed forces veterans from prosecution for historic allegations.

[906312]

**The Secretary of State for Defence (Gavin Williamson):** Before I answer my hon. Friend's question, I think it is right to record our deepest sympathy to the family and friends of Dawn Sturgess. Our thoughts and prayers are very much with them, as well as with the recovery of Mr Rowley. Our armed forces continue to provide support to the police investigation, including through the safe removal of vehicles, and they will help with any further requests.

With reference to my hon. Friend's question, I understand the concerns over whether serving and former personnel are receiving the legal protection and certainty that they deserve. I am therefore pleased to announce that I have established a dedicated team within the Ministry of Defence to consider this issue and to advise on the way forward. This work will be complementary to the work of the Defence Committee, which is looking at the specific question of how to protect our service personnel and veterans against historic allegations as part of its inquiry into this important topic.

**Sir Henry Bellingham:** I am grateful to the Secretary of State for that reply. Obviously, many veterans will listen carefully to what he has said, particularly Dennis Hutchings, a Northern Ireland veteran who was arrested in a dawn raid and charged with attempted murder in respect of an allegation from 1974 which had already been fully investigated four times and completely closed—

**Mr Speaker:** Order. The hon. Gentleman must not go into detail about that case, which is sub judice. I know that he is concluding his question.

**Sir Henry Bellingham:** I would just suggest to the Secretary of State that we need to look at the situation regarding all veterans, so that veterans from all campaigns can have a statute of limitations.

**Gavin Williamson:** My hon. Friend is absolutely right to say that we should be looking at this not in isolation but right across the piece. That is why we have set up the dedicated team, but it is also important to look at the evidence and information collected by the Select Committee.

**Chris Bryant** (Rhondda) (Lab): I completely agree that we have to ensure that our armed forces personnel are protected from vexatious and ludicrous legal claims from the past, but do we not also need to ensure that we can pursue international war crimes and criminals all around the world and that we do not renege on those promises?

**Gavin Williamson:** The hon. Gentleman makes an important point. Our armed forces have the very highest standards, and our ability to pursue people right around the world who have done some very bad things is absolutely the right stance to have. That is what we will continue to do.

**Dr Julian Lewis** (New Forest East) (Con): The Defence Committee will warmly welcome the setting up of the dedicated team. Will the Secretary of State confirm that the Northern Ireland (Sentences) Act 1998 means that soldiers and terrorists alike cannot be sentenced to more than two years in jail, of which they will probably serve only half, and that in those circumstances, it is right that we should move to a statute of limitations so that we do not have an unfair imbalance where some are prosecuted and others are not?

**Gavin Williamson:** My right hon. Friend is correct in his analysis of the current situation. We are keen to find a long-term solution to help all service personnel, from conflicts not only in Northern Ireland but in Afghanistan and Iraq, to ensure that vexatious claims are eliminated.

**Bob Stewart** (Beckenham) (Con): After the Good Friday agreement, a political decision was made to give letters of comfort to terrorists. Can we not make a political decision to give letters of comfort to our soldiers?

**Gavin Williamson:** The reason that we are setting up the dedicated team is to look at all the options. That is why it is so important to work with the Select Committee to try to find solutions to this problem, which has been going on for far too long.

#### Daesh: Syria and Iraq

2. **Rehman Chishti** (Gillingham and Rainham) (Con): What recent assessment he has made of the strength of the UK's continued commitment to tackle Daesh in Syria and Iraq.

[906313]

**The Secretary of State for Defence (Gavin Williamson):** The UK is as committed as ever to working through the global coalition to eliminate the danger posed by Daesh. We continue to undertake air strikes against Daesh targets, and we have been building the capacity of the Iraqi security forces, including the peshmerga, to deal with a potential insurgency. For as long as they want and need our support, we will continue to train Iraq's security forces, enhancing their ability to respond to the threat and carrying out security sector reform in Iraq.

**Rehman Chishti:** Apart from military action, what steps are being taken to help to tackle the sectarian tension in Syria and Iraq, and in the wider region, which in part led to the rise of Daesh?

**Gavin Williamson:** My hon. Friend highlights an important element. This is not just about support through the military; it is also about international development support and about building civil law enforcement,

which involves the police and, equally importantly, the courts, in order to give people confidence that the courts are fair and just.

**Nick Smith** (Blaenau Gwent) (Lab): Daesh still has a strong online presence. What is being done to combat that?

**Gavin Williamson:** As has been mentioned in the House, the British Government and the Ministry of Defence have been using offensive cyber in Iraq for the first time to counter the messages that Daesh puts out. We will continue to do that.

**Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): As we train up personnel in Iraq, can I assume that the Secretary of State will ensure that the knowledge gained and the contacts made will be banked for the future for our own defence purposes, not least intelligence?

**Gavin Williamson:** Yes, the hon. Gentleman can have that assurance.

### Royal Fleet Auxiliary: Fleet Support Ships

3. **Chris Stephens** (Glasgow South West) (SNP): What recent progress he has made on procuring fleet support ships for the Royal Fleet Auxiliary; and if he will make a statement. [906314]

**The Parliamentary Under-Secretary of State for Defence (Guto Bebb):** Since entering a four-year assessment phase in April 2016, the project has held three industry days. We have also undertaken a period of market engagement with UK and international shipbuilders. We formally launched the international competition on 5 June. Subject to normal approvals, our current intent is to award the contract in 2020.

**Chris Stephens:** Will the Minister finally give us a reason why the ships are being put out to international competition? Would it not be better if UK shipyards were block building the ships?

**Guto Bebb:** I am surprised by the hon. Gentleman's question. I have explained several times at the Dispatch Box that we have adopted the shipbuilding strategy in full. The strategy is clear about defining warships as a capability that will be built in the UK and non-warships as a capability that will be subject to international competition.

**Andrew Bridgen** (North West Leicestershire) (Con): Will the Minister confirm that any weaponry installed on the fleet support ships will be procured from British companies?

**Guto Bebb:** My hon. Friend is absolutely right. The weapons element of any ship that is not designated as a warship will be procured from the United Kingdom and fixed on to the platforms in the United Kingdom.<sup>1</sup>

**John Spellar** (Warley) (Lab): Given that every other European country that has shipyards and procures such vessels builds them in their own shipyards, why will the Minister not accept that the problem is not with Brussels or with European regulations but with Whitehall and its refusal to back British industry, British workers and British steel?

**Guto Bebb:** I reject the right hon. Gentleman's comments. This Department and this Government have supported our shipbuilding industry to such an extent that for the first time in 40 years we have actually secured significant orders for the export of British-designed warships to Australia. The right hon. Gentleman should recognise that the shipbuilding strategy is working by ensuring that our yards are competitive internationally. Protectionism is never a friend to a long-standing, secure industry.

**Kevin Foster** (Torbay) (Con): I agree with the Minister that the superb recent news of the deal with Australia shows that we can compete internationally in this area. Does he agree that it is still important that local yards get the chance to bid and show that we are still at the cutting edge in this area?

**Guto Bebb:** My hon. Friend makes an important point. Our shipbuilding industry, our businesses and our yards are fully engaged with the process, and they are confident that they can bring forward a successful bid. The key thing is that they will be bringing bids forward knowing that they are competitive on the world stage, not just being protected due to a "Britain First" policy.

**Douglas Chapman** (Dunfermline and West Fife) (SNP): I have just attended a good briefing by the hon. Member for Ludlow (Mr Dunne), whose report is called "Growing the contribution of defence to UK prosperity". On shipbuilding, will the Minister take the report's recommendations seriously to help retain jobs in Rosyth in my constituency? My constituents need to know that prosperity means prosperity and that the contracts are coming home.

**Guto Bebb:** First, I extend my thanks to the workers of the Rosyth yard for their fantastic work on our carriers. Secondly, the report that has been produced about the contribution of defence to the prosperity of the UK is important, but I return to the point I made earlier: we have adopted all the recommendations of the shipbuilding strategy, and we are already seeing the results.

**Wayne David** (Caerphilly) (Lab): We on the Opposition Benches join the Secretary of State in offering our deep condolences to the family of Dawn Sturgess and express our full support for the police as they investigate this appalling incident.

This morning, the hon. Member for Ludlow (Mr Dunne) published an important review titled "Growing the contribution of defence to UK prosperity". The review was commissioned by the Secretary of State for Defence. It cites the new Type 31e frigate as an example of how the MOD has started to take the prosperity of the British economy into account in procurement. If that can be done with the new frigates, why on earth can it not be done for the fleet solid support ships?

**Guto Bebb:** I thank the hon. Gentleman for his question but, once again, I refer him back to the shipbuilding strategy, which was endorsed on a cross-party basis. The key thing is that the Type 31e is a frigate and, as such, is designated as a warship. The fleet solid support ships are not designated as warships. We are very clearly following through the shipbuilding strategy, which we

1. [Official Report, 12 July 2018, Vol. 644, c. 7MC.]

think will clearly improve the productivity of our yards and contribute to UK prosperity. The hon. Gentleman should do likewise.

#### NATO Summit

4. **Leo Docherty** (Aldershot) (Con): What his priorities are for the NATO summit in Brussels on 11 and 12 July 2018. [906316]

**The Secretary of State for Defence (Gavin Williamson):** Our objective for the summit is a modern, unified NATO that is fit to face current and future global challenges and that is delivering against the commitments that allies have made.

**Leo Docherty:** Given that the NATO defence budget will be under discussion, does the Secretary of State agree that President Trump has a point when he criticises the lack of commitment on behalf of some member states towards our collective security?

**Gavin Williamson:** I think it is right to expect every single European country to contribute to the defence of Europe. All European countries need to step up their defence spending.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): Does the Secretary of State agree that American Presidents come and go but the alliance we have through NATO is the foundation stone of our security and our international effectiveness? Will he work to overcome resistance and to keep NATO strong, with America in it?

**Gavin Williamson:** We are rapidly approaching the 70th year of NATO, and this alliance has kept Europe at peace with itself and has delivered our security. I will do everything, as will the Government and, I am sure, the Opposition, to ensure that that endures and will last another 70 years.

**Sir Nicholas Soames** (Mid Sussex) (Con): Does my right hon. Friend agree that this is the 70th anniversary year of the most successful defence alliance the world has ever seen? Does he agree that, after President Trump has rightly been accorded the respect that is his due for his views on the enlargement of spending on NATO, the most pressing object of the meeting should be the continuation of transformation? Without transformation, NATO cannot give a full account of itself on the battlefield.

**Gavin Williamson:** My right hon. Friend is absolutely correct in his analysis. We have to make sure that NATO has the ability to respond to the challenges of the future, which is why we are investing more in NATO's command structure to make sure it can act more speedily against emerging threats.

**David Hanson** (Delyn) (Lab): What message does the Secretary of State believe President Trump should take from the NATO summit to President Putin the following day?

**Gavin Williamson:** I was hoping President Trump would come to visit Britain before going to visit President Putin, but he should take a message of unity, of European nations and our north Atlantic partners standing shoulder to shoulder to make sure that Europe and the north Atlantic remain safe.

**James Gray** (North Wiltshire) (Con): I am delighted to hear the Secretary of State say that. Does he agree that it is totally and utterly unacceptable for a British citizen to be murdered by a foreign force on British soil, as happened in my neighbouring constituency of Salisbury? That will, of course, form a central part of discussions at NATO. Does he agree that it is surely right that we should show Russia a strong hand and say to it that this kind of behaviour is totally and utterly unacceptable?

**Gavin Williamson:** That is absolutely correct. We need to stand together with our allies, and we have had an unprecedented amount of support from countries right across the NATO alliance saying that the behaviour of Russia is completely and utterly unacceptable and is taking that country down the route of pariah status.

**Nia Griffith** (Llanelli) (Lab): The Secretary of State has repeatedly said that the conclusions of the modernising defence programme will be published in time for the NATO summit. I would never suggest that the Government are in the grip of complete chaos and, even if all those around him were to lose their head, I know the Defence Secretary, of all people, will keep his. Can he now assure the House that the promise to publish before Wednesday's summit still stands?

**Gavin Williamson:** What we are aiming to do is introduce the headline findings of the modernising defence programme before the summer recess.

**Nia Griffith:** It is very troubling indeed that the UK risks going to this NATO summit without being able to offer certainty to allies about our future defence capabilities. The past few months have seen unprecedented leaks from the MDP, speculation about cuts, outlandish briefings to the media and even a reported threat to bring down the Prime Minister, although I gather the Defence Secretary may now have to join a queue for that. The MDP review will ultimately be a futile exercise, however, unless it is properly funded. Can he tell us what assurances he has had from the Chancellor that the Treasury will provide additional funds, as required?

**Gavin Williamson:** What we see is a Conservative Government who this year committed an extra £800 million over the budget that was going to go to the Ministry of Defence to support our armed forces. We are undertaking the modernising defence programme to look at the threats this nation faces and to make sure we have the best equipped and best trained armed forces to deal with those threats. The Government have committed money to our armed forces; we have a rising defence budget. We are a very proud nation in the sense that we can see we have been hitting 2% in the past and will continue to do so going forward.

#### Former Service Personnel: Amputees

5. **Dame Cheryl Gillan** (Chesham and Amersham) (Con): What support his Department provides to former service personnel who have had limbs amputated as a result of their military service. [906317]

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):** I am sure you will be familiar, Mr Speaker, with the significance of the battle of Solferino

in 1859 when it comes to looking after our casualties. Tens of thousands of casualties were left for dead there and that was observed by Jean-Henri Dunant, who went on to form the international Red Cross. Today, we do provide support for those who are injured on the battlefield, but even faster we move them into state-of-the-art hospitals, such as we saw in Helmand province. Some of them end up losing a limb or more, and we need to make sure that we look after these brave veterans for the rest of their lives.

**Dame Cheryl Gillan** (Chesham and Amersham) (Con): In 2011, Paul lost his left arm when injured by an improvised explosive device. He wrote about how he did not know how to go forward and did not want to leave the house, but he got everything back that the military offered him: confidence, camaraderie, teamwork and the chance to compete through an inspirational golfing charity, the On Course Foundation. Will the Minister agree to visit that charity and accept an invitation to see the American and British ex-servicemen compete for the Simpson cup, which is named after the founder John Simpson and will be played next year at the Royal & Ancient golf club between 19 and 22 May?

**Mr Ellwood:** I endorse absolutely the On Course Foundation and what it does. Such organisations and the Invictus games have shown us that there is a new chapter to be had and a new direction for those who have been injured in terms of what they can do through sport. Prince Harry is very involved in that. I would be more than delighted to accept my right hon. Friend's invitation and I pay tribute to the work that has been done by John Simpson.

**Stephen Morgan** (Portsmouth South) (Lab): We know how important it is to link up the armed forces with the NHS, particularly for personnel who have suffered life-changing injuries. What steps has the Minister taken to strengthen those links?

**Mr Ellwood:** The hon. Gentleman raises an important point. Not only the Ministry of Defence, but other Departments have a responsibility in this regard. That is why we have set up the veterans board, but for those who have lost limbs or who have had severe injuries there is integrated personal commissioning for veterans. That makes sure that all the agencies that are required to support and individual through their life provide better access to help our brave veterans.

### **British Armed Forces: Knowledge and Experience**

6. **Grahame Morris** (Easington) (Lab): What steps he is taking to ensure that knowledge and experience are retained in each rank of the British armed forces. [906318]

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):** The threats Britain faces are getting complex and more diverse. We are entering a phenomenon of constant confrontation by state and non-state actors. We are not at war but we are not at peace. If we are to continue to play a role on the international stage, we need to advance our defence posture, which involves investing in our three services and at all ranks.

**Grahame Morris:** I thank the Minister for that reply, but my question was really about the retention of skilled personnel. Like many right hon. and hon. Members, I was proud to attend the armed forces celebrations in my constituency, where I chatted to a number of former and current service personnel about the consequences of accelerated promotion within the armed forces. I am told that service personnel are being pushed through the ranks to cover gaps created by a retention crisis, which in turn is placing other pressures on recruitment. What is the average length of service today compared with what it was 10 years ago?

**Mr Ellwood:** First, let me join the hon. Gentleman in paying tribute to Armed Forces Day, which is growing in status. It is important that we strengthen the bond between society and the armed forces, as it is from society that we recruit. The challenge we face is in recruiting people—we need to recruit 18, 19 and 20-year-olds who are fit and able then to meet the criteria.

**Robert Courts** (Witney) (Con): The quality of service housing and the cost of private sector housing around RAF Brize Norton in west Oxfordshire are major factors affecting retention. What are Ministers doing to address those two factors?

**Mr Ellwood:** I have visited Brize Norton—I was trying to weave that into the end of my answer to the hon. Member for Easington (Grahame Morris)—and with the future accommodation model, we are trying to provide greater opportunity for those who want to live on the base, rent accommodation or, indeed, live outside and get on the housing ladder. I hope that that will lead to greater retention and recruitment.

**Mr Stephen Hepburn** (Jarrow) (Lab): I acknowledge Ministers' work to retain knowledge and skill in the ranks of our defence forces; it is just a pity that they do not apply the same effort to our defence industry, instead of giving a billion-pound taxpayers' order to improve skills and jobs in Germany, Italy and the Netherlands.

**Mr Ellwood:** As I said, the art of war is changing, and we need to diversify, which means recruiting a wider range of skillsets. Not everybody can come up through the ranks with all the capabilities that we need. We need to be cleverer at inviting people in at a higher rank, which is part of our enterprise approach to bringing in skillsets from civilian street at a much higher level.

**Michael Fabricant** (Lichfield) (Con): One factor that affects retention is esprit de corps. The Royal Marines have a unique training system whereby officers and those of other ranks train together on their core programme. What consideration has my right hon. Friend given to other branches of the armed forces doing that?

**Mr Ellwood:** I have visited Lympstone and the operation there is fantastic for recruiting some of the brightest, the best and the fittest. My hon. Friend puts a question for my right hon. Friend the Minister for the Armed Forces, who I am sure would be delighted to have a cup of tea with him in the Tea Room.

**Stewart Malcolm McDonald** (Glasgow South) (SNP)  
*rose—*

**Mr Speaker:** In calling the hon. Gentleman, I welcome him back after a brief absence.

**Stewart Malcolm McDonald:** Thank you very much, Mr Speaker.

An unfortunate aspect of the modernising defence programme debate is that we focus so much on kit and platforms and not enough on our real deterrent: the men and women of the armed forces. When the document eventually sees the light of day, will the Minister confirm at the Dispatch Box that it will allow the Ministry of Defence to lift the 1% pay cap?

**Mr Ellwood:** The lifting of the 1% pay cap has already advanced because the Chief Secretary to the Treasury liberated that ceiling last year when she made her statement. My right hon. Friend the Secretary of State for Defence is pushing forward with the MDP. The hon. Gentleman is absolutely right to say that this is not just about equipment and training; it is about the people. It is the people who make our armed forces the most professional in the world.

**Stewart Malcolm McDonald:** Thinking of the defence community in the round, which is of course the Minister's brief, perhaps he can tell us why the Government are pressing ahead with the privatisation of the defence fire and rescue service. It is another windfall for the cowboys at Capita, despite the fact that the Ministry of Defence's internal documents have given it the highest possible risk assessment. Why on earth is he going ahead with it?

**Mr Ellwood:** I made a full statement to the House on this issue. Capita won the contract fairly and squarely. This is not the first time that the private sector has been used. A number of airfields already have a set up in place. We need to make sure that we provide the best safety for airfields, and I think that Capita will be able to provide that.

#### Leaving the EU: Defence and Military Aerospace Industry

7. **Mr Adrian Bailey** (West Bromwich West) (Lab/Co-op): What assessment he has made of the effect on the UK defence and military aerospace industry of the UK leaving the EU. [906319]

11. **Thangam Debbonaire** (Bristol West) (Lab): What assessment he has made of the effect on the UK defence and military aerospace industry of the UK leaving the EU. [906323]

24. **Martin Whitfield** (East Lothian) (Lab): What assessment he has made of the effect on the UK defence and military aerospace industry of the UK leaving the EU. [906336]

**The Parliamentary Under-Secretary of State for Defence (Guto Bebb):** The Ministry of Defence is working closely with the defence industry to understand the implications and opportunities presented by our departure from the EU. We will continue to work with our allies and partners on the development of the capability that we need to keep us safe, and much of this already takes place outside an EU framework. The UK defence industry is globally competitive and I am confident it will continue to thrive in the future.

**Mr Bailey:** The EU Galileo satellite navigation system is vital for Britain's future defence capacity. What discussions has the Secretary of State had with the Chancellor of the Exchequer on the finances required for an independent system in the event of a post-Brexit exclusion from this EU project?

**Guto Bebb:** I am glad to say to the hon. Gentleman that a cross-governmental group is looking into this issue to ensure that we are prepared for the possibility of having to build an independent system for the United Kingdom, but I repeat from the Dispatch Box what I have said previously: our preference is to remain involved in the Galileo project. To exclude the United Kingdom from the project would harm the project and do nothing to enhance the defence of Europe or the United Kingdom.

**Thangam Debbonaire:** People in Bristol working in the defence and aerospace industry and its supply chain are worried sick about their future if Airbus leaves because of Brexit. The industry supports thousands of jobs across the country, so why can the Government not reassure trade unions and the employers that there is a clear plan for this sector? What have they got against people in the aerospace and defence industry?

**Guto Bebb:** I do not think that this Government have anything against the aerospace industry. Indeed, the combat air strategy, which was announced by this Department recently, is a sign of our confidence in a world-beating aerospace sector. I will be very pleased when the completion of that work on our new combat air strategy is announced, as it will highlight what this country has to offer. I can assure the hon. Lady that other countries in Europe are very keen to work with us on that combat air strategy.

**Martin Whitfield:** Given the importance of future co-operation with the EU on a multitude of defence and security issues, will the Minister confirm when the Secretary of State intends to hold a bilateral meeting with Federica Mogherini, the EU High Representative?

**Guto Bebb:** I will write to the hon. Gentleman about the meeting between the Secretary of State and the individual from the Commission whom he named. I have to say that I have also been in Brussels recently with regard to this issue. It is clear from our perspective that we want to be involved with European defence firms. We would also like to be involved with the European Defence Agency, but the way in which this has been put together by the Commission makes that very difficult, because the third-country offer being made to the United Kingdom would not be beneficial to our position at this point, so there is still a lot of negotiation to be done. None the less, we are very, very clear that we would like to be involved in these projects.

**Tom Pursglove** (Corby) (Con): Does my hon. Friend agree that the £20 billion Australian frigate order is yet another example of the confidence that there is in the UK defence industry as we leave the European Union?

**Guto Bebb:** It is, undoubtedly, a fantastic good news story for the United Kingdom. As I have said, it is the first time that we have exported a warship design in more than 40 years, and great credit should be offered

to the teams at BAE and across Government who have worked so hard to ensure that that happens. It is a great success story for our industry and for the United Kingdom.

**Fabian Hamilton** (Leeds North East) (Lab): Major defence companies are clearly deeply concerned about the effect of this Government's Brexit policy on their operations in the UK. Rolls-Royce has started to move some functions to Germany while the chief executive of Airbus has said that the Government have "no clue on how to execute Brexit without severe harm."

Given that the man who was meant to be leading the UK's approach to Brexit has now resigned because he has no confidence in his own Government's approach, how on earth can business trust that this divided Government will deliver a Brexit deal that protects jobs and the economy?

**Guto Bebb**: The chief executive of Airbus made very similar comments back in January, but he would also be very pleased with the plans that were announced by the Prime Minister at the Chequers meeting. The key thing is that defence industries in the United Kingdom are confident—they have larger order books and they are winning contracts for the first time in generations in some countries. On top of that, I am also in regular discussions with defence companies in other parts of the world, which are very keen to invest in the United Kingdom.

#### Amphibious Capability

8. **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): What recent assessment has he made of the UK armed forces' amphibious capability. [906320]

**The Minister for the Armed Forces (Mark Lancaster)**: The Royal Navy and Royal Marines are integral to the UK's global reputation in amphibious warfare. That is why the Government remain committed to ensuring the future of the amphibious warfare capability within our future force structures.

**Daniel Kawczynski**: I thank the Minister for that answer. Can he give me an assurance that Royal Marine numbers will not be cut in the foreseeable future and that there will be more joint exercises with our Polish and Baltic states allies?

**Mark Lancaster**: I am second to none in my admiration for the Royal Marines. Indeed, one of the highlights of my time as Armed Forces Minister has been presenting the green berets to them. I can absolutely assure my hon. Friend that there is a strong future for the Royal Marines as part of our armed forces. Of course, they are currently serving on HMS Albion off the Korean peninsula.

**Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): The Minister just mentioned HMS Albion. The sailors and the Royal Marines are serving with distinction in the far east, but their ship is under threat of being cut and they are watching decisions carefully. Can the Minister update us on when he expects to give them reassurance that their ship will not be cut, and can he give an assurance that the decision on Albion and Bulwark will be in the first tranche of decisions announced by his Department?

**Mark Lancaster**: Well, this seems to be a monthly exchange on the same subject, with the same question and, I fear, with same answer forthcoming: there are currently no plans to change the end-of-service dates for HMS Albion and HMS Bulwark, which are 2033 and 2034.

#### Tier 1 Status: Job Dependency

9. **Stephen Metcalfe** (South Basildon and East Thurrock) (Con): What estimate he has made of the number of jobs that are dependent on the UK's status as a tier 1 nation. [906321]

**The Parliamentary Under-Secretary of State for Defence (Guto Bebb)**: The UK has always been and will always be a tier 1 military power, supported by a world-class defence industry. Last year, we spent £18.7 billion with UK industry and commerce, directly supporting 123,000 jobs throughout the United Kingdom. Through the modernising defence programme we are considering how to grow even further the already substantial contribution that defence makes to UK prosperity.

**Stephen Metcalfe**: Does the Minister agree that the excellent news of the BAE Systems contract to sell Type 26 frigates to Australia has come about in part because our Royal Navy has decided to buy them, and the rest of the world knows that, as a tier 1 military nation, we buy the best and most advanced equipment?

**Guto Bebb**: My hon. Friend makes an important point. Quite clearly the capability of the Type 26 was understood and appreciated by our Australian counterparts, but the key element was the fact that the Royal Navy is committed to this platform as our future anti-submarine warfare frigate. There is no doubt that my hon. Friend is absolutely right that when the Royal Navy shows confidence in a piece of equipment, the rest of the world takes note.

21. [906333] **Ruth Smeeth** (Stoke-on-Trent North) (Lab): Now that the Foreign Secretary has resigned and the Prime Minister seems confused about what our tier 1 status is, what are we doing to ensure that we retain tier 1 military status?

**Guto Bebb**: Well, I thank the hon. Lady for her question. It is important to understand that tier 1 is shorthand for the fact that we are a country that can reach globally in terms of our military capabilities. That has always been the case for the United Kingdom, and it shall remain the case for the United Kingdom under this Government.

#### Mental Health Support

10. **Chris Davies** (Brecon and Radnorshire) (Con): What steps he is taking to improve mental health support for members of the armed forces and veterans. [906322]

22. **Bill Grant** (Ayr, Carrick and Cumnock) (Con): What steps he is taking to improve mental health support for members of the armed forces and veterans. [906334]

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood)**: One third of us will suffer some form of mental health problem during our lifetime, and the same applies to those in the armed forces. It is very important that we challenge the stigma that surrounds

mental health and ensure that we equate mental health with physical health. I am therefore pleased that we are moving forward with our mental health and wellbeing strategy, which encourages our service personnel to step up so that we can treat at an early stage.

**Chris Davies:** I am sure that my right hon. Friend values the work carried out by the charity sector in this field, with organisations such as Combat Stress, Change Step and Care after Combat conducting vital work in support of military veterans. Will the Government therefore consider funding these charities, or giving them further funding, so that they are able to do more?

**Mr Ellwood:** My hon. Friend gives me licence to thank all the service-facing charities for their work—there are more than 400 of them. I have had the honour of visiting Veterans' Gateway, which is a simple online portal that brings together organisations, giving those who seek help one place to go to for support. My hon. Friend is absolutely right that we need to ensure that these charities are funded. The MOD does not directly fund them, but we do fund individual projects. I would be more than delighted to meet him to discuss the matter further.

**Bill Grant:** I am sure that the Minister will agree that it is vital that the UK Government and devolved Administrations work together on this important issue of mental health. Will he assure me that he is working closely with the Scottish and Welsh Governments to ensure that all veterans and service personnel have access to the high-quality mental health support that they so richly deserve, irrespective of where in the United Kingdom they reside?

**Mr Ellwood:** My hon. Friend is absolutely right. Wherever veterans are in the United Kingdom, we must ensure that every one receives the support that they deserve. That is why the Veterans Board brings together the devolved Administrations, and the MOD health partnership board brings together the health specialists from all the devolved nations and England.

### Defence Exports

12. **John Howell** (Henley) (Con): What steps he is taking to encourage defence exports by UK companies. [906324]

20. **Maggie Throup** (Erewash) (Con): What steps he is taking to encourage defence exports by UK companies. [906332]

**The Secretary of State for Defence (Gavin Williamson):** The Ministry of Defence continues to lead strategic exports campaigns, working across Government and with industry to win business abroad. I am sure that hon. Members will join me in welcoming BAE Systems' success in being selected as the preferred bidder in Australia's SEA 5000 future frigate programme.

**John Howell:** What plans does the Secretary of State have for the next phase of exports for the Type 26 frigates?

**Gavin Williamson:** We have a world-leading product and want to sell it right across the world. The deal with Australia is a great success; it is the first major export of

ships in more than 40 years. The next place that we will target is, of course, Canada. Working closely with our "Five Eyes" partners, it is important that we have capability so that we can work together, as well as build prosperity together.

**Maggie Throup:** While we hear much about the physical exports manufactured by Chemring Defence in my constituency, among other companies, what more is being done to export British military skills and training, which are the envy of the world, so that we ensure that operational equipment that is exported from the UK is used in accordance with our specific aims?

**Gavin Williamson:** My hon. Friend raises a very important point. Our skills are in not just the development of technology and equipment, but people, as was touched on earlier. We have a lot of world-leading companies, such as Babcock, that export their services right around the world, but we also have people's experience of serving in the armed forces and the way in which they help and support other countries right around the world after they leave service.

**Kevin Brennan** (Cardiff West) (Lab): What discussions has the Defence Secretary had with the Foreign Secretary about defence exports by UK companies, and does he think that he might be Foreign Secretary by teatime?

**Gavin Williamson:** In answer to the last bit of that question, I am very confident that the answer is no. I had regular discussions with the former Foreign Secretary about exports, and I will continue to work very closely with the Foreign Office. I pay tribute to the way in which the Department for International Trade and the Foreign and Commonwealth Office, especially the high commission in Canberra, have worked with the Ministry of Defence to land this vital order.

**Mr Jim Cunningham** (Coventry South) (Lab): What discussions has the Secretary of State had with Rolls-Royce regarding the shedding of power generation to other companies, because there could be jobs at stake?

**Gavin Williamson:** We have constant discussions with not just Rolls-Royce but many other companies because of the importance of our whole industrial partnership. We will continue to do so.

**Tom Tugendhat** (Tonbridge and Malling) (Con): Will my right hon. Friend join me in welcoming the Premier of South Australia, who will be in the House in about four minutes and whom I will be taking to tea in the Pugin Room? I would be very grateful if my right hon. Friend would like to join us to congratulate him on buying the Type 26 and encourage his Canadian opposite numbers to do likewise. Does he agree that this offers an opportunity to build a Commonwealth of common law on our sea lanes and keep trade open for all of us?

**Gavin Williamson:** We will work ever more closely with our Commonwealth cousins in order to do that. The Royal Australian Navy's making this investment is an absolutely vital step forward for our relationship with it. This is about more than just buying ships; it is also about the capability to operate together and keep world sea lanes safe.

### Army Reserve Service: Prestatyn

14. **Chris Ruane** (Vale of Clwyd) (Lab): What plans he has for the Army reserve centre in Prestatyn. [906326]

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):** The future of the Prestatyn is yet to be finalised. The hon. Gentleman will be aware that the Royal Electrical and Mechanical Engineers regiment is doing a reorganisation of its assets. This is part of the rationalisation of real estate. However, there are no further announcements to be made at the moment.

**Chris Ruane:** There has been an armed forces footprint in the Vale of Clwyd for over 100 years. I am opposed to 119 Recovery Company leaving Prestatyn and the disposal of that site. Will the Minister and his Department consult local stakeholders, including the town council, the county council and, especially, the Royal British Legion, before they make their decision?

**Mr Ellwood:** Well, HQ 160st Infantry Brigade and 38 (Irish) Brigade will continue to have a footprint in the area. I would be more than delighted to meet the hon. Gentleman to discuss this. I am always happy to meet any colleagues to discuss the real estate challenges that we face in any particular constituency.

### UN Peacekeeping Missions

15. **Afzal Khan** (Manchester, Gorton) (Lab): What steps his Department is taking to increase the UK's contribution to UN peacekeeping missions. [906327]

**The Minister for the Armed Forces (Mark Lancaster):** The MOD has more than doubled the number of British forces on UN peacekeeping missions in the past three years in accordance with the commitment made in the strategic defence and security review in 2015. This is through new deployments to the UN missions in South Sudan and Somalia, in addition to our long-standing commitment to the UN mission in Cyprus. That means that we have increased numbers from some 300 to over 670 today.

**Afzal Khan:** It is important that NATO works hand in hand with the UN and other bodies with regard to conflict prevention and peacekeeping. What steps are the Government taking to promote collaboration between NATO and the UN to make that as efficient as possible?

**Mark Lancaster:** I met the UN Under-Secretary-General for Peacekeeping Operations, Jean-Pierre Lacroix, in London last month, and that is just the sort of discussion we have with him. There are a number of areas where we think that closer co-operation between the UN and NATO can be of benefit, and that is precisely why we are increasing our commitment to the UN in practical terms.

### Armed Forces: Scottish Taxation

16. **Douglas Ross** (Moray) (Con): What discussions he has had with the Chancellor of the Exchequer on supporting members of the armed forces posted to Scottish roles by mitigating the costs of additional taxation applied by the Scottish Government. [906328]

### The Secretary of State for Defence (Gavin Williamson):

I have regular discussions with the Chancellor of the Exchequer on armed forces funding. Work to identify which Scottish taxpayer service personnel should benefit from any financial mitigation offered, how much that should be and how best it can be delivered through the payroll is almost complete. I hope to be able to update the House shortly, following final Government consultation, which is under way. I will update service personnel by the end of this month, after having informed the House.

**Douglas Ross:** I am grateful to the Secretary of State for the progress he has made so far, following campaigning by myself, my hon. Friend the Member for Angus (Kirstene Hair) and the Scottish Conservative group, but can he outline when military personnel in Moray and across Scotland can expect those details? These men and women proudly serve the United Kingdom but are punished in the pocket by the SNP, which has made Scotland the highest taxed part of the United Kingdom.

**Gavin Williamson:** May I take this opportunity to pay tribute to my hon. Friend and his Conservative and Unionist colleagues from Scotland? If they had not been campaigning on this issue, a solution would not be being provided, because SNP Members were silent on it. We are going to deliver. Hopefully, if everything is agreed in terms of a write around and laying a written ministerial statement next week, we can inform service personnel about how we will help to protect them from the Nat tax before the end of this month.

### Cyber-attacks

17. **Stephen McPartland** (Stevenage) (Con): What plans he has to strengthen the resilience of the UK's critical infrastructure against cyber-attacks. [906329]

**The Minister for the Armed Forces (Mark Lancaster):** Defence takes cyber-threats very seriously, and we regularly assess our ability to defend against them. We are strengthening our defences against increasingly sophisticated attacks through a wide range of technical, operational and administrative measures, including close co-operation with the National Cyber Security Centre.

**Stephen McPartland:** Can the Minister provide an update on whether the recruitment plan for reservists with cyber-specialisms is working?

**Mark Lancaster:** I am delighted to say that it is. My hon. Friend hits on a key issue. We have recognised that many of the skillsets we need sit in the private sector, which is why we have actively recruited reserves into this area, and I am delighted to say that the joint cyber reserve unit is now at 90% strength.

**Graham P. Jones** (Hyndburn) (Lab): Two weeks ago, a large Hyndburn company had 4,000 cyber-attacks from Russia in one day. What are the Government doing to protect UK companies?

**Mark Lancaster:** I can only update the hon. Gentleman about the opening of the National Cyber Security Centre just a mile down the road. That is precisely why the Government have invested some £1.9 billion in cyber over the past few years.

**James Cleverly** (Braintree) (Con): I welcome my right hon. Friend's commitment to use the reserve forces as a way to get cyber-experts into the field, metaphorically. Will he ensure that they have a career path through the reserve forces that does not cap them because of their niche specialisations?

**Mark Lancaster:** My hon. Friend raises an important point. That is precisely why I was honoured to open the new Defence Cyber School at Shrivenham in March. We recognise that basic cyber-skills will be vital in our armed forces. This will become a separate career branch in time, but we hope that every member of the armed forces will have cyber-skills.

### Shipbuilding Contracts: Scottish Yards

18. **Deidre Brock** (Edinburgh North and Leith) (SNP): What steps the Government are taking to secure shipbuilding contracts from other countries for Scottish yards. [906330]

**The Parliamentary Under-Secretary of State for Defence (Guto Bebb):** The national shipbuilding strategy seeks the long-term growth of UK shipbuilding, including Scottish yards. The Ministry of Defence works closely with industry and the Department for International Trade on export campaigns for platforms, sub-systems and support. We seek to build on our recent success in the Australian SEA 5000 competition—for example, through our Type 31e frigate programme, which considers exports from the outset.

**Deidre Brock:** Part of BAE Systems's bid to win the order to build ships for the Australian navy was the promise that workers on the Clyde would have already ironed out any problems with the ships because they were being built for the Royal Navy first. Is it not the case that the expertise and craft of Clyde ship workers allow BAE to make huge profits by building those ships in Adelaide, but there will be no benefit for the Scottish yards at all? Is it not the case that Scotland's shipbuilders have been sold down the river?

**Guto Bebb:** With supporters such as the hon. Lady, I shudder about the future of the Scottish shipbuilding sector. The yards on the Clyde will benefit immensely from this vote of confidence in their design capability. The supply chain will benefit immensely from opportunities that come from this contract, and other export opportunities are available for both the Type 26 and Type 31, which will be built in the United Kingdom. She speaks ill of her own constituency in Scotland with such a negative attitude.

### Threat Environment

19. **Michelle Donelan** (Chippenham) (Con): What recent discussions he has had with the National Security Adviser on the existing and changing intensity of the threat environment. [906331]

**The Secretary of State for Defence (Gavin Williamson):** As the House is aware, my Department is currently conducting the modernising defence programme. I meet the National Security Adviser on a regular basis to discuss key issues, including Russia's increasingly destabilising behaviour; conflict and tension in Syria and the wider

middle east; the spread of violent extremism and organised crime in ungoverned spaces; and of course the situation on the Korean peninsula.

**Michelle Donelan:** Will my right hon. Friend update the House about the threat to British citizens from the Russian state following the tragic announcement of the death of Dawn Sturgess in Wiltshire?

**Gavin Williamson:** We continue to work incredibly closely with the police on the investigation, as well as on the clear-up effort; 175 armed forces personnel are currently working with them. The simple reality is that Russia has committed an attack on British soil that has seen the death of a British citizen, and that is something I think the world will unite with us in condemning.

**Mr Speaker:** I am just seeking to recover from seeing the sartorial magnificence of the hon. Member for West Bromwich East (Tom Watson)—quite remarkable.

### UK Prosperity

23. **Mr Philip Dunne** (Ludlow) (Con): What steps his Department is taking to promote UK prosperity. [906335]

**The Secretary of State for Defence (Gavin Williamson):** In line with the Government's industrial strategy, the Department is committed to supporting UK prosperity through the contribution it makes to our stability and security, and through growing the economic value generated by defence activities. My hon. Friend has today published an independent report, with recommendations to enhance the contribution defence makes to UK prosperity. I would like to thank him for his work, which we will be considering very closely.

**Mr Dunne:** I am grateful to my right hon. Friend for the opportunity to produce this report. I have to say that I was surprised but encouraged to see Opposition Front Benchers attending the launch earlier today, and given their contributions in the Chamber, they are clearly learning something from it. Does my right hon. Friend agree with my recommendation that we should take advantage, as we come out of the EU, and look at how the MOD can take account of the UK economic impact in its major procurements?

**Gavin Williamson:** Leaving the European Union presents this country with one of its greatest opportunities in a generation, and we must use every opportunity we have to leverage prosperity for the United Kingdom. Let us not forget that for every single pound spent on defence, £4 is generated in our economy, so investing in defence is investing in Britain's prosperity.

### Topical Questions

T2. [906338] **Graham P. Jones** (Hyndburn) (Lab): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Defence (Gavin Williamson):** I would like to pay tribute to all service personnel who took part in Armed Forces Day last week and to the members of the public who went out to support them. The fantastic events up and down the country showcased the very best of our armed forces, and I was delighted to

be able to attend the main event at Llandudno. I also want to thank the personnel recently involved in fighting the fires on Saddleworth moor.

**Graham P. Jones:** I welcome the intervention, as I know the Secretary of State does, of the British Army in tackling the illegal wildlife trade in places such as Kenya, Tanzania, the Democratic Republic of the Congo, Rwanda and Ethiopia. This is a global problem, so what answers—multinational answers—do this Government have for the global problem of the illegal wildlife trade and the protection of our planet?

**Gavin Williamson:** The hon. Gentleman outlines a number of examples of where we are doing so much. Personally, I have become slightly cautious of dealing with elephants since my recent involvement with them. We have to do more and more to provide protection and counter the illegal wildlife trade. So much of the money from the illegal wildlife trade goes to fund terrorism and organised crime, and that is why the armed forces are working more closely with organisations involved in countering poaching.

T3. [906339] **James Gray** (North Wiltshire) (Con): I very much welcome the Secretary of State's recent reconfirmation that we are and will remain a tier 1 defence nation—that is very good news, although one or two other people did not recognise that description—but if that is to be the case, will he reconfirm how much more money we need every year even to stand still?

**Gavin Williamson:** Britain always has been and always will be a tier 1 nation. SDSR '15 set out clearly what we would expect from a tier 1 nation. We are very much looking at the evolving threats to this country to ensure we are best placed to deal with them.

**Nia Griffith** (Llanelli) (Lab): Capita's recruiting partnership project is failing on every measure. It has missed the MOD target for savings by more than £100 million in the past six years and the latest figures show that the number of personnel in the Army has fallen yet again. Does the Minister agree with Labour that it is time to take this failing contract back in-house?

**The Minister for the Armed Forces (Mark Lancaster):** No, I absolutely do not. The hon. Lady's comments are slightly short-sighted. There have been challenges for the defence recruiting system in recent months, but I am confident that, because of some of the hypercare measures, we are firmly on the up.

**Nia Griffith:** After Capita's abysmal failure to deliver the recruitment project, many people would question its capacity to carry out any major MOD contracts, but the Government's decision to outsource the Defence Fire and Rescue Service to Capita when the MOD has scored the company as 10 out of 10 for risk simply beggars belief. The Minister's response to the hon. Member for Glasgow South (Stewart Malcolm McDonald) suggested that the Government are ideologically obsessed with privatising key services without considering the consequences. Is it not surely time for an urgent rethink of this dangerously short-sighted policy?

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):** It took far too long for the contract to be awarded—I made that very clear during a statement a couple of weeks ago. However, I stand by what I said: it is important that we look after our airfields and get a good deal, which will be provided by Capita.

T6. [906342] **Jeremy Quin** (Horsham) (Con): Horsham was among many UK towns to celebrate Armed Forces Day. Has my right hon. Friend considered celebrations on other days to prolong activities and coverage—for example, a day to celebrate our reserve forces?

**Mark Lancaster:** Indeed, as a serving reservist for some 30 years, I hope there is no greater champion of reserves in the House, but my hon. Friend makes an important point. We should celebrate reserves not just on Reserves Day, but almost every day of the year. To that end, we are looking carefully at other opportunities.

T4. [906340] **Tom Brake** (Carshalton and Wallington) (LD): Much equipment is bought in dollars and the value of the pound has fallen since the EU referendum. How much less equipment have the Government been able to buy in dollars, and how will the shortfall be filled?

**The Parliamentary Under-Secretary of State for Defence (Guto Bebb):** The right hon. Gentleman should be aware that, like every other Department, the MOD hedges to ensure that we are not affected by currency fluctuations. Indeed, changes since the start of the year have been beneficial. At this point in time, the effect will be minimal.

T7. [906343] **Lyn Brown** (West Ham) (Lab): Cyber-security is more important than ever and should be—

**Hon. Members:** Hear, hear!

**Mr Speaker:** Order. The hon. Member for West Ham (Lyn Brown) is going to have to get used to her popularity. She should wear it lightly upon her shoulders.

**Lyn Brown:** That is so true, Mr Speaker. Thank you.

Cyber-security is more important than ever and should be paramount for those who are in charge of our armed forces. Will the Secretary of State tell me whether it is true that when he threatened to bring down the Prime Minister, Siri replied: "I'm sorry. I don't understand."?

**Mark Lancaster:** I am sorry that the hon. Lady belittles cyber with such a cheap remark. If she were serious about the security of this country, she would recognise that the Government have invested more than £1.9 billion in cyber in recent years. We recently opened the Defence Cyber School to ensure that it is ingrained in the training of our armed forces.

T9. [906345] **Daniel Kawczynski** (Shrewsbury and Atcham) (Con): Members of the all-party parliamentary group on Poland, including me, last week met British soldiers serving in the Suwalki gap, helping to defend Poland. What are the key aspects of our bilateral treaty agreement with Poland going forward?

**Gavin Williamson:** We will show the whole House the full treaty we concluded with Poland. One key element was not just military co-operation but how we can work closer together on an industrial basis. Recently, I was in Poland meeting my opposite number to discuss how we can develop new technologies together for the defence not just of Poland but all our NATO allies.

T8. [906344] **Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): I recently recorded a welcome home message for members of the Royal Welsh battlegroup, who have been serving bravely on the frontline in Estonia, supporting the NATO alliance. This morning, President Trump yet again criticised our European NATO allies, saying that NATO does not do enough for America. When will the Defence Secretary and the Prime Minister explain to the President that security and co-operation across Europe are in America's interests as well as Europe's?

**Gavin Williamson:** Unity and the strong alliance between all NATO allies is absolutely critical. I join the hon. Member in paying tribute to the Royal Welsh, who have done such an amazing job in Estonia. We will continue to show that unity with our allies—the United States, Estonia and all NATO allies—not just this year but over the next 70 years.

T10. [906346] **Eddie Hughes** (Walsall North) (Con): Does the Minister agree that the Veterans' Gateway, which is led by the Royal British Legion, is a huge boost to our amazing veterans?

**Mr Ellwood:** It was my honour to visit the Veterans' Gateway last week. This is an incredible portal that allows the 400 or so service-facing charities to provide access for those who need help. I very much hope that this will advance and that more charities will join in and support it.

**Dr Julian Lewis** (New Forest East) (Con): Does the Secretary of State accept that existing black hole in the defence equipment budget cannot be filled by the small annual increase in that budget?

**Gavin Williamson:** This is why we are undertaking the modernising defence programme: to see how best we can change and respond to meet all the commitments this country has always met to keep Britain and our allies safe. That is what we will be doing to assess the threats Britain faces.

**Rachael Maskell** (York Central) (Lab/Co-op): The Reserve Forces and Cadets Associations want to dispose of Duncombe barracks in York. Will the Ministry of Defence ensure that they work with City of York Council and use the principles of One Public Estate, so that the land is developed in the housing interests of the city, rather than that of developers?

**Mr Ellwood:** The cadet programme is one of the huge success stories in Britain, with over 400 cadet units operating throughout the country. I join with the hon. Lady in paying tribute to what they do to advance an interest in the armed forces and the education of our young.

**Stephen Metcalfe** (South Basildon and East Thurrock) (Con): I thank my right hon. Friend the Secretary of State for his personal support for the Year of Engineering and for all his Department is doing to create inspirational and exciting experiences that demonstrate what it is to be an engineer in the military. Will he pass on my thanks to all those involved in making that happen?

**Gavin Williamson:** I most certainly will. We celebrate 100 years of the Royal Air Force, which plays a key part in driving technological development and inspiring so many young people to enter a career in engineering. Seeing amazing aeroplanes designed and flown is an inspiration for many future generations.

**Robert Courts** (Witney) (Con): In this centenary year of the RAF, will my right hon. Friend the Secretary of State join me in celebrating its extraordinary achievements and encourage as many people as possible to see the exhibition at Horse Guards and the fly-past tomorrow?

**Gavin Williamson:** Yes, I will.

## Leaving the EU

3.33 pm

**The Prime Minister (Mrs Theresa May):** I am sure the House will join me in sending our deepest condolences to the family and friends of Dawn Sturgess, who passed away last night. The police and security services are working urgently to establish the full facts, in what is now a murder investigation. I want to pay tribute to the dedication of staff at Salisbury District Hospital for their tireless work in responding to this appalling crime. Our thoughts are also with the people of Salisbury and Amesbury. My right hon. Friend the Home Secretary will make a statement shortly, including on the support we will continue to provide to the local community throughout this difficult time.

Turning to Brexit, I want to pay tribute to my right hon. Friends the Members for Haltemprice and Howden (Mr Davis) and for Uxbridge and South Ruislip (Boris Johnson) for their work over the last two years. *[Interruption.]* We do not agree about the best way of delivering our shared commitment to honour the result of the referendum, but I want to recognise the former Secretary of State for Exiting the European Union for the work he did to establish a new Department and steer through Parliament some of the most important legislation for generations, and similarly to recognise the passion that the former Foreign Secretary demonstrated in promoting—*[Interruption.]*

**Mr Speaker:** Order. There is a very unseemly atmosphere. I want to hear about these important matters, and I think the House should.

**The Prime Minister:** Thank you, Mr Speaker. I recognise the passion that the former Foreign Secretary demonstrated in promoting a global Britain to the world as we leave the European Union. I am also pleased to welcome my hon. Friend the Member for Esher and Walton (Dominic Raab) as the new Secretary of State for Exiting the European Union.

On Friday at Chequers, the Cabinet agreed a comprehensive and ambitious proposal that provides a responsible and credible basis for progressing negotiations with the EU towards a new relationship after we leave on 29 March next year. It is a proposal that will take back control of our borders, our money and our laws, but do so in a way that protects jobs, allows us to strike new trade deals through an independent trade policy and keeps our people safe and our Union together.

Before I set out the details of this proposal, I want to start by explaining why we are putting it forward. The negotiations so far have settled virtually all of the withdrawal agreement, and we have agreed an implementation period that will provide businesses and Governments with the time to prepare for our future relationship with the EU. But on the nature of that future relationship, the two models that are on offer from the EU are simply not acceptable.

First, there is what is provided for in the European Council's guidelines from March this year. This amounts to a standard free trade agreement for Great Britain, with Northern Ireland carved off in the EU's customs union and parts of the single market, separated through a border in the Irish sea from the UK's own internal market.

No Prime Minister of our United Kingdom could ever accept this; it would be a profound betrayal of our precious Union. And while I know some might propose instead a free trade agreement for the UK as a whole, that is not on the table, because it would not allow us to meet our commitment under the Belfast agreement that there should be no hard border between Northern Ireland and Ireland.

Secondly, there is what some people say is on offer from the EU: a model that is effectively membership of the European economic area, but going further in some places, and the whole of the UK remaining in the customs union. This would mean continued free movement, continued payment of vast sums every year to the EU for market access, a continued obligation to follow the vast bulk of EU law, and no independent trade policy, with no ability to strike our own trade deals around the world. I firmly believe this would not honour the referendum result, so if the EU continues on that course, there is a serious risk it could lead to no deal. This would most likely be a disorderly no deal, for without an agreement on our future relationship, I cannot see that this Parliament would approve the withdrawal agreement with a Northern Ireland protocol and financial commitments, and without those commitments, the EU would not sign a withdrawal agreement.

A responsible Government must prepare for a range of potential outcomes, including the possibility of no deal, and given the short period remaining before the conclusion of negotiations, the Cabinet agreed on Friday that these preparations should be stepped up. But at the same time, we should recognise that such a disorderly no deal would have profound consequences for both the UK and the EU, and I believe that the UK deserves better.

The Cabinet agreed that we need to present the EU with a new model, evolving the position that I had set out in my Mansion House speech, so that we can accelerate negotiations over the summer, secure a new relationship in the autumn, pass the withdrawal and implementation Bill and leave the European Union on 29 March 2019.

The friction-free movement of goods is the only way to avoid a hard border between Northern Ireland and Ireland and between Northern Ireland and Great Britain, and it is the only way to protect the uniquely integrated supply chains and just-in-time processes on which millions of jobs and livelihoods depend. So at the heart of our proposal is a UK-EU free trade area that will avoid the need for customs and regulatory checks at the border and protect those supply chains. Achieving this requires four steps. The first is a commitment to maintaining a common rulebook for industrial goods and agricultural products. To deliver this, the UK would make an up-front sovereign choice to commit to ongoing harmonisation with EU rules on goods, covering only those necessary to provide for frictionless trade at the border. This would not cover services, because that is not necessary to ensure free flow at the border, and it would not include the common agricultural and fisheries policies, which the UK will leave when we leave the EU.

The regulations covered are relatively stable and supported by a large share of our manufacturing businesses. We would continue to play a strong role in shaping the European and international standards that underpin them, and there would be a parliamentary lock on all

new rules and regulations, because when we leave the EU we will end the direct effect of EU law in the UK. All laws in the UK will be passed in Westminster, Edinburgh, Cardiff and Belfast. Our Parliament would have the sovereign ability to reject any proposals if it so chose, recognising that there would be consequences, including for market access, if we chose a different approach from the EU.

Secondly, we will ensure a fair trading environment. Under our proposal, the UK and the EU would incorporate strong reciprocal commitments relating to state aid. We would establish co-operative arrangements between regulators on competition and commit to maintaining high regulatory standards for the environment, climate change, social and employment, and consumer protection.

Thirdly, we would need a joint institutional framework to provide for the consistent interpretation and application of UK-EU agreements by both parties. This would be done in the UK by UK courts and in the EU by EU courts, with due regard paid to EU case law in areas where the UK continued to apply a common rulebook. This framework would also provide a robust and appropriate means for the resolution of disputes, including through the establishment of a joint committee of representatives from the UK and the EU. It would respect the autonomy of the UK's and the EU's legal orders and be based on the fundamental principle that the court of one party cannot resolve disputes between the two.

Fourthly, the Cabinet also agreed to put forward a new business-friendly customs model—a facilitated customs arrangement—that would remove the need for customs checks and controls between the UK and the EU because we would operate as if a combined customs territory. Crucially, it would also allow the UK to pursue an independent trade policy. The UK would apply the UK's tariffs and trade policy for goods intended for the UK and the EU's tariffs and trade policy for goods intended for the EU. Some 96% of businesses would be able to pay the correct tariff or no tariff at the UK border, so there would be no additional burdens for them compared with the status quo and they would be able to benefit from the new trade deals that we will strike. In addition, we will bring forward new technology to make our customs systems as smooth as possible for businesses that trade with the rest of the world.

Some have suggested that under this arrangement the UK would not be able to do trade deals. They are wrong. When we have left the EU, the UK will have its own independent trade policy, with its own seat at the World Trade Organisation and the ability to set tariffs for its trade with the rest of the world. We will be able to pursue trade agreements with key partners, and on Friday the Cabinet agreed that we would consider seeking accession to the comprehensive and progressive agreement for trans-Pacific partnership.

Our Brexit plan for Britain respects what we have heard from businesses about how they want to trade with the EU after we leave and will ensure we are best placed to capitalise on the industries of the future in line with our modern industrial strategy. Finally, as I have set out in this House before, our proposal includes a far-reaching security partnership that will ensure continued close co-operation with our allies across Europe while enabling us to operate an independent foreign

and defence policy. So this is a plan that is not just good for British jobs but good for the safety and security of our people at home and in Europe too.

Some have asked whether this proposal is consistent with the commitments made in the Conservative manifesto. It is. The manifesto said:

“As we leave the European Union, we will no longer be members of the single market or customs union but we will seek a deep and special partnership including a comprehensive free trade and customs agreement.”

What we are proposing is challenging for the European Union. It requires the EU to think again, to look beyond the positions that it has taken so far, and to agree a new and fair balance of rights and obligations. That is the only way in which to meet our commitments to avoid a hard border between Northern Ireland and Ireland without damaging the constitutional integrity of the UK and while respecting the result of the referendum. It is a balance that reflects the links that we have established over the last 40 years as some of the world's largest economies and security partners. It is a bold proposal, which we will set out more fully in a White Paper on Thursday. We now expect the EU to engage seriously with the detail, and to intensify negotiations over the summer so that we can get the future relationship that I firmly believe is in all our interests.

In the two years since the referendum we have had a spirited national debate, with robust views echoing around the Cabinet table, as they have around breakfast tables up and down the country. Over that time I have listened to every possible idea and every possible version of Brexit. This is the right Brexit. It means leaving the European Union on 29 March 2019; a complete end to free movement, and taking back control of our borders; an end to the jurisdiction of the Court of Justice of the European Union in the UK, restoring the supremacy of British courts; no more sending vast sums of money each year to the EU, but instead a Brexit dividend to spend on domestic priorities such as our long-term plan for the NHS; flexibility on services, in which the UK is world-leading; no hard border between Northern Ireland and Ireland, or between Northern Ireland and Great Britain; a parliamentary lock on all new rules and regulations; leaving the common agricultural policy and the common fisheries policy; the freedom to strike new trade deals around the world; an independent foreign and defence policy—but not the most distant relationship possible with our neighbours and friends; instead, a new deep and special partnership. It means frictionless trade in goods; shared commitments to high standards, so that together we continue to promote open and fair trade; and continued security co-operation to keep our people safe.

This is the Brexit that is in our national interest. It is the Brexit that will deliver on the democratic decision of the British people, and it is the right Brexit deal for Britain. I commend this statement to the House.

3.47 pm

**Jeremy Corbyn** (Islington North) (Lab): I thank the Prime Minister for advance copy of her statement, and share her condolences to the friends and family of Dawn Sturgess.

We are more than two years on from the referendum: two years of soundbites, indecision and Cabinet infighting, culminating in a series of wasted opportunities, with more and more people losing faith that this Government

[Jeremy Corbyn]

are capable of delivering a good Brexit deal—and that is just within the Prime Minister’s own Cabinet. It is two years since the referendum and 16 months since article 50 was triggered, and it was only this weekend that the members of the Cabinet managed to agree a negotiating position among themselves—and that illusion lasted 48 hours.

There are now only a few months left until the negotiations are supposed to conclude. We have a crisis in the Government; two Secretaries of State have resigned; and we are still no clearer about what our future relationship with our nearest neighbours and biggest trading partners will look like. Workers and businesses deserve better than this. It is clear that the Government are not capable of securing a deal to protect the economy, jobs and living standards. It is clear that the Government cannot secure a good deal for Britain.

On Friday the Prime Minister was so proud of her Brexit deal that she wrote to her MPs to declare that collective Cabinet responsibility “is now fully restored”, while the Environment Secretary added his own words, saying that

“one of the things about this compromise is that it unites the Cabinet.”

The Chequers compromise took two years to reach and just two days to unravel. How can anyone have faith in the Prime Minister getting a good deal with 27 European Union Governments when she cannot even broker a deal within her own Cabinet?

To be fair—I want to be fair to the former Brexit Secretary and the former Foreign Secretary—I think they would have resigned on the spot on Friday, but they were faced with a very long walk, no phone and, due to Government cuts, no bus service either. So I think they were probably wise to hang on for a couple of days so they could get a lift home in a Government car.

I also want to congratulate the hon. Member for Esher and Walton (Dominic Raab) on his appointment as the Secretary of State. He now becomes our chief negotiator on an issue that could not be more important or more urgent. But this new Secretary of State is on record as wanting to tear up people’s rights. He has said: “I don’t support the Human Rights Act...leaving the European Union would present enormous opportunities to ease the regulatory burden on employers.” And he is the one negotiating, apparently, on behalf of this Government in Europe.

This mess is all of the Prime Minister’s own making. For too long she has spent more time negotiating the divisions in her party than she has in putting any focus on the needs of our economy. The Prime Minister postured with red line after red line, and now, as reality bites, she is backsliding on every one of them. We were also given commitments that this Government would achieve “the exact same benefits” and “free and frictionless trade” with the EU. Now those red lines are fading, and the team the Prime Minister appointed to secure this deal for our country has jumped the sinking ship; far from “strong and stable”, there are Ministers overboard and the ship is listing, all at the worst possible time.

If we look at the Prime Minister’s proposals for the long delayed White Paper, we see that this is not the comprehensive plan for jobs in Britain and the economy

that the people of this country deserve. These proposals stop well short of a comprehensive customs union, something trade unions and manufacturers have all been demanding; instead, they float a complex plan that had already been derided by her own Cabinet members as “bureaucratic” and “unwieldy”.

The agreement contains no plan to protect our service industry and no plan to prevent a hard border in Northern Ireland, and also puts forward the idea of “regulatory flexibility”, which we all know is code for deregulation of our economy. The Government’s proposals would lead to British workplace rights, consumer rights, food safety standards and environmental protections falling behind EU standards over time, and none of this has even been tested in negotiations.

The Chequers agreement now stands as a shattered truce, a sticking plaster over the cavernous cracks in this Government. The future of jobs and investment is now at stake, and those jobs and that investment are not a sub-plot in the Tory party’s civil war. At such a crucial time for our country in these vital negotiations, we need a Government who are capable of governing and negotiating for Britain. For the good of this country and its people, the Government need to get their act together and do it quickly, and if they cannot, make way for those who can.

**The Prime Minister:** The right hon. Gentleman has been in this House for quite a long time, and I know that he will have heard many statements. The normal response to a statement is to ask some questions. I do not think that there were any questions anywhere in that; nevertheless I will—[*Interruption.*]

**Mr Speaker:** Order. Members on both sides of the House should try to calm down. There is a long way to go and, as is my usual custom, I hope to be able to call everybody who wants to ask a question. People do not need to chunter from their seats when they can speak on their feet.

**The Prime Minister:** Thank you, Mr Speaker. I will comment on a few of the points that the right hon. Gentleman has made. He talks about removing or lowering standards in a number of areas, including employment. As I said in my statement, we will

“commit to maintaining high regulatory standards for the environment, climate change and social and employment and consumer protection.”

He says that there is no plan in what I had said to ensure that there would be no hard border between Northern Ireland and Ireland, but in fact the very opposite is the case. The plan delivers the commitment for no hard border between Northern Ireland and Ireland. At the beginning of his response, he thanked me for giving him early sight of my statement. It is just a pity that he obviously did not bother to read it.

The right hon. Gentleman says that we are two years on. This is the right hon. Gentleman who, immediately after the referendum decision in 2016, said we should have triggered article 50 immediately with no preparation whatsoever. He talks about delivery. Well, I remind him that we delivered the joint report in December, we delivered the implementation plan in March, and now we stand ready to deliver on Brexit for the British people with the negotiations that we are about to enter

into. He talks about resignations, but I remind him that he has had, I think, 103 resignations from his Front Bench, so I will take no lectures from him on that.

When it comes to delivering a strong economy and jobs for the future, the one party that would never deliver a strong economy is the Labour party, whose economic policies would lead to a run on the pound, capital flight and the loss of jobs for working people up and down this country.

**Mr Iain Duncan Smith** (Chingford and Woodford Green) (Con): Whatever one's view might be on the plan that my right hon. Friend has been talking about, I urge her not to accept a single recommendation from the Leader of the Opposition, as nobody else in his party does so. May I urge her, however, to answer this question. As she lays this plan in front of the European Union Commission and proceeds with the negotiations, does she believe that there will be any concessions offered to them, or none?

**The Prime Minister:** This is the plan that we believe is going to deliver on Brexit for the British people, in a way that gives us a smooth and orderly Brexit and ensures that we can do all the things we want to do in terms of trade policies around the rest of the world and the commitments that we have made to Northern Ireland. When the White Paper is published on Thursday, my right hon. Friend will see that there are a number of areas, such as participation in certain agencies, where we are proposing a way forward, and of course there will need to be negotiations on that way forward, but this is the plan that I believe delivers on Brexit for the British people and does so in a way that protects jobs and ensures that we have a smooth and orderly Brexit.

**Ian Blackford** (Ross, Skye and Lochaber) (SNP): I thank the Prime Minister for an advance copy of her statement. I share the sentiments in her remarks about Dawn Sturgess. The Prime Minister knows the commitment of the SNP to work with her when it comes to important matters of national security.

I should start by congratulating the departing Secretary of State for Exiting the EU on the whole four hours that he spent negotiating in Brussels and wish all the luck in the world to his replacement—he is going to need it. Then there is the departing Foreign Secretary. He should not have been allowed to resign; he should have been sacked for being a national embarrassment.

The Prime Minister's proposals represent at best a starting point—a cherry-picking starting point. It is hard to believe that it has taken the Prime Minister two years to put together a proposal—two years to put it together and two days for the Cabinet to fall apart. There is, I believe, a majority in the House of Commons for staying in the single market and the customs union, so will the Prime Minister work with the rest of us to make sure that we can deliver on staying in the customs market and the single market, to deliver what is in the best interests of all our people? Will she stop kowtowing to her hard Brexiteers who are prepared to accept economic self-harm and the loss of jobs? Will she recognise that she now has to take on her extreme Brexiteers and work in the national interest of all the nations in the United Kingdom?

The Prime Minister's proposed facilitated customs arrangement has been called the "fudge of the century" by one senior EU official. The response from EU negotiators has been to see if the proposals are "workable" and "realistic". I would not hold my breath. In her piece in *The Daily Telegraph* today, the Prime Minister has again noted that the UK Government continue to prepare for no deal. That is simply outrageous. To put the economy and jobs in such peril is a complete failure of leadership.

The absolute crisis that has engulfed the Conservative party over the past 17 hours is a national embarrassment. As the UK inches closer to the cliff-edge scenario, we see a Government in chaos and a Prime Minister struggling to lead her party—never mind her Government—and there have been seven resignations since the election a year ago. The Prime Minister must see sense and accept the mounting evidence against a hard Brexit raised by the opposition parties, the business community and the devolved Administrations. Will she work with the rest of us to stay in the customs union and the single market to protect jobs and ensure prosperity?

**The Prime Minister:** The right hon. Gentleman commented on the preparations for no deal. It is entirely right and proper for this Government to make preparations for every eventuality, because we are going into a negotiation. It is right that we step up our preparations for no deal to ensure that we are able to deal with whatever comes at the end of the negotiations. The right hon. Gentleman's key question—he asked it twice—was whether I would work with people across this House to stay in the single market and in the customs union. The answer is an absolute unequivocal no. We are leaving the single market and we are leaving the customs union.

**Sir William Cash** (Stone) (Con): How does my right hon. Friend reconcile the Chequers statement with the recent repeal of the European Communities Act 1972 under the European Union (Withdrawal) Act 2018 and with the European Court of Justice and with democratic self-government in this country?

**The Prime Minister:** We have, as my hon. Friend says, repealed the 1972 Act, but we have also ensured that we will take EU laws into UK law at the point at which we leave the European Union, such that we see a smooth and orderly Brexit. In the future, the European Court of Justice will not have jurisdiction over the United Kingdom, and this Parliament will make sovereign decisions. The decision as to whether Parliament is willing to accept the deal that has been negotiated will be made when the meaningful votes in the withdrawal and implementation Bills come before the House. Thereafter, it will be up to this Parliament to decide whether it agrees with any changes to the rules or any laws that this Parliament wants to pass. That is sovereignty—taking back control of our laws. That is what I believe people want and that is what we will do.

**Sir Vince Cable** (Twickenham) (LD): I congratulate the Prime Minister on effectively killing off the United States-UK trade agreement by agreeing to retain EU regulatory convergence, which of course the Americans cannot accept. I echo the calls she has just heard saying that, now she has lost the support of her Brexit fundamentalists, now is the time for national consensus.

[*Sir Vince Cable*]

A majority in the House supports our retaining membership of the customs union and the single market, the original Common Market, or whatever name and label she wants to attach to it.

**The Prime Minister:** The right hon. Gentleman refers, as the leader of the SNP did, to staying in the single market and staying in the customs union. We will not be staying in the single market, and we will not be staying in the customs union. To do so would involve keeping free movement, which would not be keeping faith with the vote of the British people. There will be an end to free movement from the European Union into this country as a result of our leaving the European Union.

**Anna Soubry (Broxtowe) (Con):** I commend the Prime Minister for this plan. In particular, I congratulate her on her leadership in the past few days. She said she would listen to business, and she clearly has listened to business. However, there are concerns that there are no details of the Government's plan for services. What more detail can we expect to hear in the forthcoming White Paper?

**The Prime Minister:** There will be more detail in the forthcoming White Paper, but the point about services is that, for a variety of reasons—not least because services are an important sector for the United Kingdom—we believe it is important to maintain more flexibility in how we deal with them. On industrial goods, businesses are very clear that they will continue to meet EU rules, regardless of the position the Government take, because they want to continue to export to the European Union. On services, we want to be free to ensure that we are able to put in place what we believe is necessary to maintain our key position in services, not least in financial services. The global financial centre of the City of London needs to be maintained into the future, and we will continue to do that.

**Hilary Benn (Leeds Central) (Lab):** The Prime Minister welcomed the new Secretary of State for Exiting the European Union to his post, and I join her in doing so. The Exiting the European Union Committee looks forward to seeing him appear before us very soon indeed.

The Government have indicated that the facilitated customs arrangement, even assuming the EU were to agree to it—a question about which there must be a great deal of doubt—will be fully operational only by the time of the next general election in 2022. Will the Prime Minister therefore now confirm to the House that, in light of that, the current transitional arrangement, which expires in December 2020, will inevitably have to be extended?

**The Prime Minister:** No.

**John Redwood (Wokingham) (Con):** The Prime Minister is right to reaffirm that we are taking back control of our laws, our money and our borders, which I fully support, but will she clear away the ambiguity or contradictions in the Chequers statement that imply we will give the ECJ powers, we might pay money to trade, we might accept their laws and we might have their migration policy?

**The Prime Minister:** I am sure my right hon. Friend has read the Chequers statement very carefully but, actually, it did not say that. We will be ending free movement. As in any trade agreement we would strike with any country or group of countries around the world, there will be mode 4 provisions on mobility of investors and businesses, but we will be able to set our own immigration laws and immigration rules for people coming here from the European Union. We will be able to continue to set our own laws in the future.

It is not the case that the European Court of Justice will have jurisdiction in the United Kingdom—it will not. Businesses and individuals here in the United Kingdom will not be able to take cases to the European Court of Justice. Matters here in the UK will be determined by the UK courts.

**Yvette Cooper (Normanton, Pontefract and Castleford) (Lab):** The Prime Minister's plan is still a fudge, on immigration, on the European Court of Justice and on the "customs facilitated partnership maximum arrangement"—nobody understands what it is. She has kept trying to pander to different parts of the Conservative party, and today has shown that it just is not working. Will she instead put a plan for negotiations to the whole House of Commons for approval? When she is in such a mess she cannot just keep standing there saying, "Nothing has changed. Nothing has changed." It has.

**The Prime Minister:** I did not say nothing has changed; I said our position had evolved. We have set out more details in our position, and I believe that it is the position that is absolutely right for the United Kingdom. It is the best Brexit deal for Britain; it gives us delivery on Brexit, protects jobs, and ensures that we maintain our commitment to Northern Ireland in relation to the border and that can have a smooth and orderly Brexit.

**Sir Patrick McLoughlin (Derbyshire Dales) (Con):** The Prime Minister is not dealing with the theory of leaving the European Union—she is dealing with the practice of leaving the EU. Will she assure me that the Chequers agreement allows the continuation of the situation that has seen the UK get more inward investment over the past 30 years—under both parties—than we could possibly have anticipated? That is good news for the future of the engineering industry in our country, as well as all the other jobs that are so reliant on such industries.

**The Prime Minister:** My right hon. Friend is absolutely right; we have seen good figures for foreign direct investment in the UK, supporting jobs in the UK. That will continue in the future. I believe that the plan I have set out, with its clear momentum for frictionless trade with the EU while giving us the freedom to strike trade deals around the world, will be welcomed by businesses and investors, and we will see more investment and more jobs in the UK.

**Nigel Dodds (Belfast North) (DUP):** Among the matters agreed in the Chequers communiqué, reference was made to the continuing obligation of the Government to the so-called backstop arrangement. I have heard the Prime Minister's clear statement about the main deal as far as the Union is concerned, and I welcome it, but will she make it clear that as far as the backstop is concerned she stands by her rejection of the EU's legal interpretation

and there will be no constitutional, political or regulatory differences between Northern Ireland and the rest of the UK?

**The Prime Minister:** As the right hon. Gentleman has invited me to do, let me say that I am happy to say that I continue to reject the protocol proposal of the so-called backstop put forward by the European Commission earlier this year. The fact that it would have effectively carved Northern Ireland away from the rest of the UK and kept it in the customs union and most of the single market would have meant that border down the Irish sea—that is completely unacceptable to the Government of the UK.

**Nicky Morgan (Loughborough) (Con):** Delivering the referendum result was always going to involve a series of compromises and trade-offs, and I want to support the position that the Prime Minister achieved with the Cabinet on Friday at Chequers, which absolutely puts business and jobs at the heart of any Brexit deal. That is in the national interest, and I think the Prime Minister has the vast majority of the country behind her in delivering a Brexit in the national interest. Is she able to say when we expect to hear the initial reaction from the European Union after publication of the White Paper on Thursday?

**The Prime Minister:** I have had conversations with a number of European leaders in recent days, and the indication is that they do feel this is a proposal that can ensure that we move the negotiations on and move them on at pace. I will be seeing a number of European leaders over the next couple of days; we are hosting the western Balkans summit tomorrow and then there is the NATO summit. I believe this plan is good for the UK, and the EU will see that it will lead to a deep and special partnership that will be in both our interests.

**Mr Ben Bradshaw (Exeter) (Lab):** I believe the Prime Minister to be a rational human being, so why does she not save herself, us and the country a great deal of misery and grief by putting the option inexplicably ruled out at Chequers, the EEA-plus option, to this House in a free vote?

**The Prime Minister:** As I indicated in the statement that I made, the reason I do not think the EEA-plus option is right for the UK is that it does not deliver on the vote of the British people. That is our duty: it is our job as a Government to deliver the Brexit that the British people voted for.

**Mr Owen Paterson (North Shropshire) (Con):** The announcement that the Government are preparing for a no deal—an inaccurate term for moving to WTO terms, on which we trade with the vast majority of countries in the world—is very welcome and sensible. Given the intransigence and churlishness with which the EU has welcomed the Prime Minister's generous offers so far, what is the date by which she judges it will be a “drop dead” moment at which to state that the talks are not progressing and that we will definitely go on to WTO terms?

**The Prime Minister:** I am sure that my right hon. Friend has been in a sufficient number of negotiations to know that it is not sensible to try to put a date on these matters in the way that he said. We have so far received a positive reaction to the proposals that we

have put forward. We will go into intense and pacy negotiations with the European Union. I am clear that when this House comes to look at the withdrawal agreement and implementation Bill, it needs to have sufficient detail about the future relationship to be able to make that proper judgment.

**Ms Angela Eagle (Wallasey) (Lab):** The oddly named Chequers agreement fell apart after a weekend and is now the Chequers disagreement, as the Prime Minister's Cabinet disintegrates before our eyes. Will she tell the House how on earth she is going to persuade the European Union to agree to her disagreement when her own Cabinet does not agree with it?

**The Prime Minister:** We have put forward the UK Government's position and that has been received by the European Union as something on which there can be negotiations in future. We will go into those negotiations determined to deliver the best deal for Britain.

**Damian Green (Ashford) (Con):** What matters even more than the agreement reached at Chequers is the eventual agreement that this country reaches with the European Union, and what matters about that is that it promotes jobs and prosperity by helping British business. Will the Prime Minister assure the House that in the details of the White Paper that we will see on Thursday there will be a clear commitment to as free trade as possible across Britain's borders with the European Union, to preserve jobs and prosperity for the future of this country?

**The Prime Minister:** I assure my right hon. Friend that maintaining that free trade across the borders between the United Kingdom and the European Union is important, which is why we have always said that we want as frictionless trade with the EU as possible. The plan that I have put forward, which the Government will set out in the White Paper later this week, will show how we can do exactly that: maintain those jobs but have the freedom to increase our prosperity with trade deals around the rest of the world.

**Emma Reynolds (Wolverhampton North East) (Lab):** Have any European leaders agreed to let the UK collect tariffs on their behalf?

**The Prime Minister:** We are putting forward the facilitated customs arrangement for the future as part of the negotiations for the plan for the future relationship.

**Sir Bernard Jenkin (Harwich and North Essex) (Con):** May I say to my right hon. Friend how much we are looking forward to the publication of the White Paper on Thursday? Will she undertake to publish the White Paper that was set aside—the White Paper that was months in drafting by DExEU under the leadership of my right hon. Friend the Member for Haltemprice and Howden (Mr Davis)?

**The Prime Minister:** The White Paper that we publish on Thursday will be based on the work that has been done by DExEU over recent weeks and will of course reflect the decision taken by the Cabinet on Friday.

**Joanna Cherry** (Edinburgh South West) (SNP): The Prime Minister says that under her plan, we will not be subject to the jurisdiction of the Court of Justice, but the Chequers statement says that our courts will pay due regard to its case law and make joint references for rulings, which presumably will be binding. The big difference is that after 29 March, there will be no Scottish and no English judge on the Court of Justice. Will that not be the very definition of being subject to the jurisdiction of a foreign court that her Brexiteers so opposed?

**The Prime Minister:** No, and I understand that the Chancellor of the Duchy of Lancaster has already commented on this issue in response to a question that the hon. and learned Lady asked in another meeting. We will not be under the jurisdiction of the European Court of Justice. That is one of the things that people voted for and that we will deliver.

**Mr Jacob Rees-Mogg** (North East Somerset) (Con): The Prime Minister said that we would not be hindered from doing trade deals, but at a briefing given by 10 Downing Street, it was explained that in signing the trans-Pacific partnership there would have to be a carve-out, because of our obligation to follow the common rulebook. Will my right hon. Friend explain what obstacles there will be to trade and how the process will work?

**The Prime Minister:** There are issues that we would look at in any circumstances as the United Kingdom in relation to standards and the way in which we wish to operate, which could lead to our not being able to undertake all the commitments that somebody might want in a free trade deal. We could tear up all our regulatory standards, but I do not think that that is what we should do, I do not think that that is what this House wants us to do, and I do not think that that is what the public wants us to do. As we go forward, we will be making those trade deals. We specifically looked at whether the plan that we were putting forward would enable us to accede to the comprehensive and progressive agreement for Trans-Pacific Partnership, and it will.

**Frank Field** (Birkenhead) (Lab): I thank the Prime Minister for her statement. I join my right hon. Friend the Member for Leeds Central (Hilary Benn) in welcoming the Brexit Secretary to his place. Might I ask that time is found to visit the elected political leaders of Europe to seek support for this plan, rather than just depend on the bureaucrats in Brussels?

**The Prime Minister:** The right hon. Gentleman is absolutely right. I am speaking to elected leaders across Europe. The incoming Secretary of State for Exiting the European Union, my hon. Friend the Member for Esher and Walton (Dominic Raab), will also be out and around in Europe, talking not just to leaders, but to politicians across Europe and in the European Parliament about the plan that we propose.

**Sir Edward Leigh** (Gainsborough) (Con): The EU says that it will not tolerate cherry picking, but what I fear is that we have picked the wrong cherry. By accepting a common rulebook in goods, we are locking ourselves into a sclerotic structure in which the EU has an overwhelming trading surplus. Will that not severely

constrain our ability to make our business more competitive and to undertake free trade deals, which means that Brexit will no longer mean Brexit, and the Commission, where we will have no vote, regulating our business forever?

**The Prime Minister:** No. The position that my hon. Friend sets out is not the position for the future. I have been very clear that Parliament will be able to take these decisions about rules in the future. The reality and practicality of Brexit—somebody said earlier that I am dealing not with the theory, but with the reality and practicality of Brexit—is that our businesses which want to export to the European Union will continue to operate to the European Union's rulebook in industrial goods, just as when we sign trade deals with other parts of the world, we will need to ensure that both sides can operate to the rules that are appropriate there. Businesses will continue to apply these rules regardless. By operating in this way, we are able to ensure that frictionless border between the UK and the EU, which is important to delivering on our commitments for Northern Ireland while maintaining the constitutional integrity of the United Kingdom, and to ensuring that we maintain the jobs that rely on the integrated supply chains that have grown up over decades.

**Chuka Umunna** (Streatham) (Lab): The Prime Minister has proposed a free trade area for goods, but the fact is that our services sector has been left out and left behind by this Government. TechUK, which employs more than 700,000 workers in the technology sector, has said that a deal such as the one that she has proposed will reduce access to EU markets, will be confusing for consumers, and will add to complexity for business. Why is she ignoring these services, which make up most of the British economy?

**The Prime Minister:** This is not about ignoring services' businesses, but about seeing that that sector is one of the areas where we have great opportunities for trade deals around the rest of the world. It is also about recognising the importance and the significance of financial services in the City of London and the importance of ensuring that we can have not just regulatory co-operation, but the freedom to be flexible in these areas.

**Mr Peter Bone** (Wellingborough) (Con): On Saturday mornings, I lead the listening team in Wellingborough. We have an hour's meeting when we talk about national and local politics and then we go out and campaign for two hours. This week, the activists were so disappointed about what had happened at Chequers that they said they had been betrayed. They said, "Why do we go out each and every Saturday to support the Conservative party to get MPs elected?" For the first time in more than 10 years, that group refused to go out to campaign. What does the Prime Minister say to them?

**The Prime Minister:** I am very sorry that my hon. Friend's activists did not feel able to go out and campaign. I would hope that they would campaign for their excellent Member of Parliament and be willing to support him on the doorsteps. This is not a betrayal. We will end free movement. We will end the jurisdiction of the European Court of Justice. We will stop sending vast sums of money to the European Union every year. We will come out of the common agricultural policy. We will come

out of the common fisheries policy. I believe that that is what people voted for when they voted to leave, and we will deliver in faith with the British people.

**Alison McGovern** (Wirral South) (Lab): My constituents who work at Airbus, Vauxhall Motors, Jaguar Land Rover, Unilever and many other parts of our modern manufacturing supply chain have had their voice heard, but they need to be heard more, because they need not just what is in the Chequers statement. When will the Prime Minister go further and accept that we need to include more in this deal and that we need to be part of the internal market of the European Union?

**The Prime Minister:** We are very clear that we will not be members of the single market, because of the full set of requirements that that brings, including free movement. The hon. Lady refers to Vauxhall, which has of course announced that it will invest in a new manufacturing platform and boost production at its commercial vehicle plant in Luton; that will safeguard 1,400 jobs. There have been other positive announcements from the automotive sector. We have recognised the integrated supply chains and the need for frictionless trade across the border, and that is what this plan delivers.

**Sir Nicholas Soames** (Mid Sussex) (Con): May I give the Prime Minister a message from Mid Sussex, to this end—that despite the inevitable slings and arrows, will she stick to her guns to deliver a Brexit that is in line with the interests of our people, their prosperity and their security?

**The Prime Minister:** That is exactly my aim and that of this Government—to deliver a Brexit that is smooth and orderly, that maintains the prosperity of this country and indeed enables it to be enhanced in the future, but that maintains our important security co-operation for the safety and security of citizens.

**Mr David Lammy** (Tottenham) (Lab): When the Prime Minister took office she said that she wanted to bring the country back together, and I believe that she had the will of most people in this House and the country. Some 69% of British people now think that Brexit is going badly, her Cabinet is horribly split, the Government are split, the nation is more divided than ever, and our people will be poorer as a consequence of this deal that leaves out services. Will she now commit to giving the people a second vote on this deal?

**The Prime Minister:** No, I will not commit to doing that, and the reason that I will not is that the British people voted. This House and this Parliament gave the British people the vote. The British people made their choice and they want their Government to deliver on that choice. Given that 80% of people at the last election voted for parties that were committed to delivering Brexit, I think that it is time that the Labour party ruled out a second referendum.

**Andrea Jenkyns** (Morley and Outwood) (Con): In my constituency, 60% voted to leave the EU. Within 48 hours of the Prime Minister's statement on Friday, I received over 300 emails—disheartened, dismayed and telling me that democracy is dead. Will the Prime Minister tell the House how she plans to restore faith in my constituents that this is not a sell-out?

**The Prime Minister:** People from across the country, wherever they voted to leave—I understand that my hon. Friend has received comments not just from her constituents on this matter—wanted to see an end to free movement. We will deliver that. They wanted us to stop sending vast amounts of money to the EU every year. We will deliver that. They wanted us to end the jurisdiction of the European Court of Justice in the UK. We will deliver that. They wanted to come out of the common agricultural policy. We will deliver that. They wanted to come out of the common fisheries policy. We will deliver that. We will deliver Brexit that people voted for, but we will do so in a way that ensures that we protect jobs, maintain our commitments to the precious Union of the United Kingdom, and can go out and do trade deals around the rest of the world that will bring jobs to my hon. Friend's constituency and others.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): The new Brexit Secretary has proudly advocated no deal, claiming that we would thrive. He has suggested that we might have to abandon the common travel area with Ireland. He has suggested scrapping the working time directive. In 2013, he voted against crucial police and justice co-operation across Europe that will be key to any security treaty. Are those things now Government policy, and if not, why did the Prime Minister appoint him?

**The Prime Minister:** The Government's policy is very clear. I have set it out this afternoon. Further details will be in the White Paper. The Brexit Secretary looks forward to delivering on that Government policy.

**Sir Desmond Swayne** (New Forest West) (Con): Will the Prime Minister assure me that we will not charge the EU any more for access to our markets than we would expect to be charged?

**The Prime Minister:** One of the key features of the facilitated customs arrangement that people may not have seen is that we would recognise that the European Union would effectively be taking tariffs for UK goods that would enter other European Union countries to come to the United Kingdom. We would make sure that that was reflected in the arrangements that are made in relation to the facilitated customs arrangement.

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): Today the Welsh Affairs Committee published a report recommending continued membership of the single market and the customs union on the basis of evidence received about agriculture. If whoever is in government does not come to the same conclusion, we will all wake up on 30 March without a functioning Government and without a functioning deal. For all our sakes, when will the Prime Minister push for an extension to article 50? This is a negotiation with people's livelihoods, not a game against the clock.

**The Prime Minister:** This is a negotiation that is of vital importance to the United Kingdom and to our future as global Britain, and that, with the plan that we have put forward, will be about protecting jobs and livelihoods for people across the whole of the

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United Kingdom. We are not—we are not—extending article 50. We have a negotiation, we have a plan for that negotiation, and we will go to it at pace.

**Sir Oliver Heald** (North East Hertfordshire) (Con): Does my right hon. Friend agree that one of the reasons companies have come to this country, and that British companies have become involved in integrated European manufacturing, is that for more than 30 years we have had a settled rulebook about trade in goods? Does she agree—I thank the Cabinet for agreeing to this—that the proposal is right to protect that business and to ensure that we keep those jobs?

**The Prime Minister:** My right hon. and learned Friend is absolutely right: the rulebook in relation to industrial goods has been broadly settled over a number of decades and is not expected to change significantly in the future. Businesses continue to work to that and would do so after we have left the European Union. The position we have taken, which protects jobs, is absolutely right.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): May I beg the Prime Minister to think again? It is obvious, even from today's proceedings, that for all her hard work at Chequers, she is still imprisoned by a group of hard Brexit ideologues. Will she change her mind, speak to those who have a real desire for the national interest in withdrawing from the European Union, and take a rather different view on having a vote in Parliament on the Chequers agreement?

**The Prime Minister:** The hon. Gentleman talks about operating in the national interest. That is exactly what the Government are doing. It is exactly why we are putting this proposal forward. We will negotiate with the European Union on the basis of this proposal, and of course, in due course, Parliament will have its opportunity to vote through the meaningful vote and on the withdrawal agreement and implementation Bill.

**Mrs Anne Main** (St Albans) (Con): My right hon. Friend refers to negotiations. Of course, negotiations are about give and take, and some people may think we have given rather too much, but I am actually not sure that the European Union will take it—I think it will want us to give a little more, and a little more. Will she recall Parliament over the summer if, in those deep and pacy negotiations, we are asked to give even more?  
[*Interruption.*]

**The Prime Minister:** Although I recognise the good intentions with which my hon. Friend asked that question, I suspect that it did not quite receive the full approval of the entire House.

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): The Prime Minister should have sacked her Foreign Secretary some time ago, given that he is someone who put himself before his party. She now risks putting her party before her country. How can she possibly persuade us that she can negotiate with strength with Brussels when it is clear that she leads a divided House and is struggling to take back control of her Cabinet, never mind anything else?

**The Prime Minister:** The Cabinet has agreed the position that the Government are taking forward. The right hon. Gentleman asks about the ability to achieve in negotiations. I simply point out that that is exactly what we have been doing at every stage in these negotiations.

**Several hon. Members** *rose*—

**Mr Speaker:** In noticing the hon. Member for Elmet and Rothwell (Alec Shelbrooke), I note with approval that the bright shirt he is wearing is more reminiscent of Arsenal than of West Ham.

**Alec Shelbrooke** (Elmet and Rothwell) (Con): Thank you for that endorsement, Mr Speaker.

My constituency contributes roughly half a billion pounds to the GDP of this nation, mainly through small and medium-sized manufacturing enterprises. Does my right hon. Friend agree that the most important thing we must achieve is that those small and medium-sized enterprises, which are the lifeblood of this country, are able to supply the big companies, no matter where they are able to trade, and that this deal allows them to expand in all other parts of the world as well?

**The Prime Minister:** That is exactly what this deal does. By ensuring that we have frictionless trade across the border with the European Union and in the facilitated customs arrangement we have put forward, we are ensuring that those businesses that currently only trade with the European Union will have no extra requirements in terms of customs, and therefore that we are not increasing the burdens on those businesses.

**Chris Bryant** (Rhondda) (Lab): In the Prime Minister's initial letter to Donald Tusk notifying the European Commission that she wanted to trigger article 50, she said that if there was no deal, there would be no deal on security. I do not think she was making a threat—she was simply stating the truth and the facts—but since then, the European Union has made it clear that it is not sure that it wants precisely the same version of security co-operation that we have talked about. It now says that we will not be able to be a member of the European arrest warrant. Is not this issue of national security as important as it was on the day that she wrote that letter, and is it not therefore most important that we get a deal?

**The Prime Minister:** Of course the issue of national security is important. We want to maintain operational capabilities. As the hon. Gentleman will see when the White Paper comes out, in the security partnership that I outlined in my Munich speech and that we are putting further details on, we want to ensure that operational capabilities through instruments, programmes and agencies are still available to the United Kingdom. That will be part of the negotiations that we take forward, and a security partnership is an important element of our future relationship.

**Mr David Jones** (Clwyd West) (Con): Could my right hon. Friend say what distinction she would draw between a combined customs territory, which the Cabinet appears to consider desirable, and a customs union, which it does not?

**The Prime Minister:** I am very happy to answer my right hon. Friend's question. In a customs union, it would be necessary to be part of the common commercial policy, which would not enable us to sign trade deals with other countries around the world. In the arrangement that we have put forward, we will be free to sign trade deals around the rest of the world.

**Seema Malhotra** (Feltham and Heston) (Lab/Co-op): The Government's proposals effectively seem to seek to reproduce parts of the backstop proposal for the whole of the UK, but with a Swiss-style dispute settlement system. What will the Prime Minister's proposals mean for the mutual recognition of health professionals' qualifications so that they can operate cross-border?

**The Prime Minister:** That is one of the areas in which we will be entering negotiations with the European Union. We want to ensure that we see recognition in a number of areas in relation to professionals and professional services but, of course, that is something that we have to agree with the European Union.

**Stephen Hammond** (Wimbledon) (Con): The Prime Minister knows my constituency well, and my constituents know her to be a lady of integrity who puts the national interest first; she has done that in this deal, and I commend her for it. Many of the businesses in my constituency are concerned about non-tariff barriers. Can she confirm that this agreement overcomes their concerns and that they will be free to trade over those non-tariff barriers?

**The Prime Minister:** The point of the deal that we have put out and the proposal that we will be presenting to the European Union is that we can have the ability for free trade between the United Kingdom and the remaining EU27. That is partly about frictionless borders, but it also about the standards and regulations to which those businesses will continue to operate.

**Wera Hobhouse** (Bath) (LD): There is obviously disagreement in the Prime Minister's party, as there is in the Labour party, about what the people actually voted for in 2016. Is it not time to clarify this with the people themselves rather than always to be guessing? With respect, I do not accept, as is being said, that the people have spoken. There is a further question for the people once they have the final deal, and they should have the final say on the deal.

**The Prime Minister:** The hon. Lady talks about disagreement, but the biggest disagreement is of course between the Liberal Democrats and the people of this country, who voted to leave the European Union.

**Mr Kenneth Clarke** (Rushcliffe) (Con): May I warmly congratulate the Prime Minister on the progress that she made at the weekend at Chequers? I wish her well during the difficult few days that no doubt lie ahead before we see, I trust, further details in the White Paper.

Is the Prime Minister now confident that the leaders of the other 27 European Governments involved will accept this as a reasonable starting position for negotiations, based on the realities of business and trade in the modern world? Will she ask them to speed up as far as

possible the serious negotiations that must now begin, with no doubt some modest compromises on both sides before we reach a successful conclusion?

**The Prime Minister:** I reassure my right hon. and learned Friend that the responses I have received so far from other European Union leaders have been positive about the proposals we have put forward. Indeed, at the June European Council, the European Council at 27 agreed that we needed to increase the pace of the negotiations in the future.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): On 18 December, the Prime Minister told the House:

"We will be going in and negotiating for services and for goods."—[*Official Report*, 18 December 2017; Vol. 633, c. 761.]

We trade at an annual surplus of £28 billion in services with the European Union. Why, other than for reasons of internal politics and ideology within the Conservative party, has she taken the profit-making trade aspect of the UK economy and thrown it under the Brexit bus?

**The Prime Minister:** May I say to the right hon. Gentleman that that is not correct? We are ensuring that we have flexibility in relation to services. As we look around the rest of the world, it is services that will be a significant element of our trade agreements with the rest of the world, and it is in services that we will be able to benefit. We want that flexibility, and that is precisely what we are negotiating for.

**Vicky Ford** (Chelmsford) (Con): The Prime Minister has always been very clear that she seeks a bespoke relationship between the EU and the UK. There are only nine meetings of the European Parliament in Strasbourg before we will have left. May I urge the Prime Minister and members of the Cabinet to keep focused on the timetable and deliver that deal?

**The Prime Minister:** I thank my hon. Friend for pointing that out. We will indeed be focused on the timetable, both in negotiations with the European Union, and also in recognising the role that the European Parliament will play, because it will need to agree to the withdrawal agreement when it has been finalised.

**Mike Gapes** (Ilford South) (Lab/Co-op): The Prime Minister has been struggling quite cleverly within the constraints of her self-imposed chains and red lines. Would it not be a bit easier for her if she acted in the way that Clement Attlee acted in the 1941 crisis and we worked together in the national interest to deal with this crisis? Carrying on as we are will not succeed, and she knows it.

**The Prime Minister:** The Government have put forward a proposal in the national interest. There are differences across this House, as has been obvious from a number of Opposition Members who want us to stay in a customs union and want us to stay in the single market, which in my view would not be keeping faith with the vote of the British people.

**Mr John Baron** (Basildon and Billericay) (Con): It is generally accepted that the EU has a poor track record on trade deals, in large part because of its protectionist rules and regulations. Does the Prime Minister accept that,

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in pursuing a common rulebook and promising harmonisation, we would be obliging imports from third countries to abide by those same regulations and therefore make trade deals more difficult to achieve?

**The Prime Minister:** As I said earlier, we could of course tear up the regulatory standards we have in the United Kingdom, but I do not believe that that would be the right thing to do. I also do not believe that the House would support it. When we look at trade deals around the rest of world, we see that there are decisions to take, as in any trade deal, about the basis on which trade goes forward, and about the standards that both sides will apply in those deals. However, I believe it is right that the United Kingdom maintains high regulatory standards in a number of areas.

**Helen Goodman** (Bishop Auckland) (Lab): The customs Bill and the Trade Bill were both drafted several months ago. In the Chequers agreement, the Prime Minister has set out a rather complicated new customs arrangement. Will the legislation that the House will consider next week need any changes?

**The Prime Minister:** No, I do not believe it will.

**Crispin Blunt** (Reigate) (Con): It is just over 16 months since the Foreign Affairs Committee unanimously—leavers and remainers together—concluded that

“the previous Government’s decision not to instruct key Departments to plan for a ‘leave’ vote in the EU referendum amounted to gross negligence. Making an equivalent mistake would constitute a serious dereliction of duty by the present Administration.”

Does my right hon. Friend understand the relief that the no-deal preparations will be overt, and will she ensure that the resources and commitment that may have been absent from the preparations are given to this important task to show the steel in our position?

**The Prime Minister:** As I am sure my hon. Friend knows, we have allocated a significant amount—£3 billion over two years, £1.5 billion of which has already been allocated to Departments—for Departments to do their work on preparing for leaving the European Union. Some of that work will relate to what might be necessary in getting a deal, and other work will relate to what would be necessary if there were no deal. Work has already been undertaken by Departments, but we are now stepping up the pace and intensity of that work.

**Mary Creagh** (Wakefield) (Lab): On Friday night, after the Chequers meeting, the Prime Minister announced unanimous Cabinet support and reaffirmed the principle of collective responsibility. After the resignations of two of her Cabinet today—it looks like she could have a hat-trick by close of play—has she appointed a new Foreign Secretary and, if so, who is it?

**The Prime Minister:** I have actually been in the Chamber for quite a time since the resignation of the Foreign Secretary. I will be appointing a new Foreign Secretary in due course.

**Andrew Selous** (South West Bedfordshire) (Con): In South West Bedfordshire, small businesses are the lifeblood of our economy. One of my constituents started his four years ago. It turns over £4 million and moves

high-value capital equipment across EU-UK borders at short notice on a daily basis. Before Friday, he feared for the future of his business. Friday’s agreement gives him hope. I ask the Prime Minister to maintain her resolve to help him and men and women like him across our United Kingdom.

**The Prime Minister:** My hon. Friend is absolutely right that small businesses form the backbone of our economy. It is right that we have heard from businesses large and small about their interest in maintaining frictionless trade across our EU-UK borders. That is exactly what we will be delivering in this proposal.

**Wes Streeting** (Ilford North) (Lab): There is an air of complete unreality this afternoon, because it should be blindingly obvious from the resignations of the Foreign Secretary and the Brexit Secretary, and from the constituency of opinion they represent on the Government Benches, that there is no majority in the House for the Chequers deal—it is dead. No European leader ought to take it seriously because it will not pass through the House. The question for the Prime Minister is this: when will she finally accept that trying to appease the hard Brexiteers on the Conservative Benches will never work? She can reach across, but she must also accept that Opposition Members will never vote for a deal that delivers, yes, a softer Brexit on goods, but a hard Brexit on services.

**The Prime Minister:** Through all of these decisions, I have had people complaining that I have taken the view of this side of the argument or taken the view of the absolute opposite side. What I have done is put forward what is in the national interest for the best Brexit deal for Britain.

**Andrew Rosindell** (Romford) (Con): Will the Prime Minister explain to the House how the new UK-EU free trade agreement will ensure that London retains its status as the global trading capital of Europe? To do that, is it not best that the rulebook is made in Britain?

**The Prime Minister:** If we look at the two areas of goods and services, what is very clear is that those who will be trading with the European Union will continue to operate according to that rulebook in the European Union. Where we need to ensure we have that flexibility—particularly to protect one of the key areas for London, which is the City of London as a global financial centre providing a significant proportion of the debt and equity that underpins business across the European Union, with the risks that that entails here in the United Kingdom—it is right that we have regulatory co-operation with others, but that we are able to have rather more flexibility on services. That will be good for London.

**Angela Smith** (Penistone and Stocksbridge) (Lab): The Prime Minister has today presented her position on the negotiating position decided at Chequers as an evolution of her Mansion House statement. Most Members believe there will have to be a further evolution of that position before the House will agree a deal. On that basis, does the Prime Minister agree that it is crucial to keep business in all parts of the economy—services and manufacturing—at the heart of the negotiating process?

**The Prime Minister:** What is important to keep at the heart of the negotiating process is our duty to deliver on Brexit for the people of the United Kingdom, and to do that in a smooth and orderly way that protects jobs and livelihoods while ensuring our commitment to our precious Union of the United Kingdom. That is exactly what the Government will be doing.

**Heidi Allen** (South Cambridgeshire) (Con): Does the Prime Minister recognise the overwhelming support she has for the pragmatic and collaborative approach she has taken in outlining these Brexit proposals, taking the lead to find a way forward that shows us the compromise needed to bring a divided country back together and, crucially, to safeguard our economy? One of the qualities we expect in a Prime Minister is to lead and not quit when the going gets tough.

**The Prime Minister:** It is absolutely the case that on such issues it is important that we come to a decision that I and the Government believe is in the UK's national interest and will deliver a good Brexit deal for the United Kingdom. That is where our focus is and will continue to be.

**Stephen Timms** (East Ham) (Lab): The Prime Minister has opted, finally, for a high degree of alignment with the European Union—she is right to have done so. The Government and the EU intend that the UK will stay in the large number of international agreements with countries outside the EU covering trade and other areas, but that will require agreement from those non-EU countries. What progress has there been so far in securing agreement from those countries?

**The Prime Minister:** The right hon. Gentleman is right in that we are looking to maintain those agreements. Of course, once we are out of the European Union, it will then be possible for us to enhance and improve those agreements in negotiation with those countries. Discussions have been held with a number of countries, and also with the European Commission, which itself has indicated its recognition that this is the right way forward.

**Sir Geoffrey Clifton-Brown** (The Cotswolds) (Con): Further to the question asked by my hon. Friend the Member for Reigate (Crispin Blunt), every single Government in every single particular will need to be ready when we leave the European Union, which could perhaps be as early as 29 March next year. Will my right hon. Friend the Prime Minister agree to publish more information so that Parliament can be reassured in this respect?

**The Prime Minister:** We have always been clear that we will keep Parliament informed. One of the things I said at Lancaster House was that we would provide information generally as and when it was possible to do so. My hon. Friend said, I think, “if” we leave the European Union on 29 March 2019. Let me just confirm that we will be leaving on 29 March 2019.

**Dr Philippa Whitford** (Central Ayrshire) (SNP): It may be possible that European leaders welcome this plan simply because it is the first thing to make it on to paper. The Prime Minister talks about sticking to a

common rulebook for goods but not services, but is it not the case that goods and services are often combined, particularly in the aerospace industry, which is important in my constituency?

**The Prime Minister:** This is not the first time that the Government have put something down on paper in relation to proposals for the future, but we have evolved the position since the Mansion House speech that I made about this. The industrial goods rulebook—we have used that term—is recognised and has been stable over quite a number of years, as has been pointed out by Conservative Members. Businesses, including the aerospace industry, were very clear that it was that rulebook that they wanted to continue to operate by, and that that would protect jobs. That is why we have taken this step.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): The Brexit Secretary has unfortunately resigned. He, at least in theory, was leading our negotiations with the European Union. For months, his Department had been working on a detailed White Paper, but that was not presented to the Cabinet at Chequers; it was presented with a different plan. I echo the call made earlier by my hon. Friend the Member for Harwich and North Essex (Sir Bernard Jenkin), which was that that DExEU White Paper should now be published so that the House and the country have a chance to see the alternative options that DExEU had proposed.

**The Prime Minister:** It was always clear that the White Paper, which will be published as a DExEU White Paper, would reflect the Government's position, and the White Paper that is published next week will do exactly that.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): Now that even senior members of the Government are resigning—DExEU's midnight runners and the Foreign Secretary—because they think that we are heading for a bad Brexit deal, I suggest to the Prime Minister that at the end of the negotiations, she could put herself in a strong position by holding a people's vote to validate the final deal. What is she scared of?

**The Prime Minister:** I think that I have covered this point on a number of occasions. It remains unfortunate that the Labour party is not willing to rule out a second referendum. This House—this Parliament—overwhelmingly gave the people of this country the decision and the choice whether to leave the European Union. They voted. I think that the vast majority of the public out there want their Government to deliver on that—not to have a second referendum, but to have faith with the British people and deliver on their vote.

**Martin Vickers** (Cleethorpes) (Con): Seventy per cent. of my constituents voted for Brexit. In the past two years, they have become increasingly frustrated at the progress and concessions that have been made. That frustration is now turning into anger. What can the Prime Minister say to reassure them that there will be no further concessions?

**The Prime Minister:** First, I believe that the important message to my hon. Friend's constituents and others is that we are delivering on the key issues that led to people voting to leave the European Union—an end to

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free movement, no more vast sums of money going to the EU every year, and our coming out of the common agricultural policy and the common fisheries policy and out of the jurisdiction of the European Court of Justice. He talks about their concerns about the timetable. It is precisely to ensure that we are able to reach the end of our negotiations this autumn—such that, where we have a deal, we have those proposals in place by 29 March 2019—that we are presenting this proposal to the European Union. His constituents will see us leave the European Union on 29 March 2019.

**Stephen Kinnock** (Aberavon) (Lab): Contrary to what the Prime Minister has repeatedly told the House today, the EEA agreement does in fact enable the suspension and reform of free movement of labour, removes the direct effect of EU law and sits outside the jurisdiction of the ECJ. The Chequers proposal, however, is a bureaucratic nightmare that is riddled with ambiguity and complexity. Why does the Prime Minister stop trying to reinvent the wheel and commit instead to an EEA-based Brexit?

**The Prime Minister:** The hon. Gentleman might have noticed that this House had an opportunity to vote on the EEA issue within the European Union (Withdrawal) Bill and voted overwhelmingly against membership of the EEA.

**Paul Masterton** (East Renfrewshire) (Con): I welcome the agreement that the Cabinet reached last week and urge the Prime Minister to hold firm in the national interest. Does she agree that what we have forms the basis for a good deal for Scotland—frictionless trade with the European Union, out of the common fisheries policy and maintaining and preserving the integrity of the UK's internal market?

**The Prime Minister:** My hon. Friend is absolutely right. This will be a good deal for Scotland. Crucially, it does deliver on what I believe Scotland wants, which is to come out of the common fisheries policy, and of course it maintains the UK's internal market, which is of significant benefit to Scotland and is indeed of more consequence to Scotland than its trade with the European Union.

**David Hanson** (Delyn) (Lab): The Prime Minister has said clearly in her statement today that she sees an end to the jurisdiction of the European Court of Justice over UK matters. How does she square that with continued membership of the European arrest warrant?

**The Prime Minister:** We are clear that as we go forward in these negotiations we will look at how we could operate the various operational capabilities in the security arrangement to the benefit of citizens in both the UK and the EU. Our position on the European Court of Justice remains, however, and of course changes were made to the operation of the EAW when I was Home Secretary, not under the jurisdiction of the ECJ but under the laws of this country as determined by this House.

**Anne Marie Morris** (Newton Abbot) (Con): Prime Minister, I have listened very carefully to everything you have said today, and I have read very carefully everything

you have circulated. I even went to one of the briefings you organised today, and I was struck by the reply from your presenter every time there was a question about why we could not have something better than what was on the piece of paper presented: we were told that the EU simply would not agree. I have gone carefully through everything, and I cannot see how what was agreed at Chequers will deliver Brexit, either hard or soft. There is much use of “indirect” instead of “direct”, but it will not deliver Brexit. Please, Prime Minister, the people would like you to stand up to Mr Barnier and say “No.” I would like you to bear that in mind when you consider what to put in the White Paper to make Brexit deliver the economic dividend it should.

**Mr Speaker:** Order. I allowed the hon. Lady to complete her question, but may I gently encourage her to remember that we do not use the word “you” here? She has now been a Member for eight years, and I look to her to set an example to new colleagues who require leadership.

**The Prime Minister:** It is precisely because we are saying “No” to the proposals put forward by the European Commission that we are putting forward our own proposal, which is much more ambitious and comprehensive than those from the EU and, I believe, is in the best interests of this country.

**Pete Wishart** (Perth and North Perthshire) (SNP): I do not know whether Members have seen the breaking news, but apparently one report is saying, “Theresa May will contest any motion of no confidence.” Does the Prime Minister anticipate such a vote and who does she think might challenge her?

**The Prime Minister:** Nice try, but I am getting on with the job of delivering what the British people want.

**Charlie Elphicke** (Dover) (Ind): I welcome the Prime Minister's statement that no deal preparations will be stepped up. What are those preparations; how will they be stepped up; will they include new money; and most importantly, will they include the delivery of the lorry park on the roads to the channel ports that was promised two years ago but has not yet been delivered by the Department for Transport?

**The Prime Minister:** As I said earlier, £1.5 billion has already been allocated, and the Chancellor has made £3 billion available over two years for the various preparations, which include the no deal preparations. The new Brexit Secretary will take on the task of ensuring that we step up those no deal preparations. I know from previous discussions the concern my hon. Friend has about the potential lorry park in Kent in relation to the port of Dover. He champions the rights and needs of his constituents very eloquently in this House.

**Tom Brake** (Carshalton and Wallington) (LD): With the setback of four ministerial resignations and March 2019 bearing down upon us, will the Prime Minister think again about the extension of article 50? It would enable her to hold a vote on the final deal, which I know she is not in favour of, and give her additional time in the negotiations with the EU to secure a better deal than the one she might be about to secure.

**The Prime Minister:** No, we are not going to extend article 50. We have a timetable; we are working to it; and we will leave on 29 March 2019.

**James Cartlidge** (South Suffolk) (Con) *rose*—

**Mr Speaker:** I call James Cartlidge.

**James Cartlidge:** Oh, thank you, Mr Speaker.

**Mr Speaker:** The hon. Gentleman does not have to look quite so surprised to be called. He was standing. It is very good to know that he knows his own name. I called him, and the House, and perhaps the nation, wish to hear him.

**James Cartlidge:** The largest employer in my constituency is Philips AVENT, the baby care company, which employs 1,500 people. At the weekend, its chief executive made it clear that in the event of a hard Brexit that plant could close, which would be a massive shock to my local economy. May I say to my right hon. Friend that, although there is a lot of excitement about certain jobs being lost in this place, I will be supporting her negotiating position because it prioritises the jobs that matter—those of our constituents?

**The Prime Minister:** The route that we are taking is a route that delivers on Brexit and delivers on the vote of the British people, but does so in a way that protects jobs and livelihoods and maintains the other commitments that we have made. My hon. Friend is absolutely right: people talk about things in this House, but it is the jobs of our constituents that we should be concerned about.

**Ian Murray** (Edinburgh South) (Lab): The Government are in utter chaos over a Cabinet agreement that has taken two years to achieve, to which the EU may never agree and that covers barely 20% of our economy. If it is such a good agreement, why has the Prime Minister lost two Secretaries of State who were in charge of the Brexit negotiations?

**The Prime Minister:** The agreement that we have reached, which will be reflected in the White Paper to be published later this week, will set out our intentions across the whole of our economy. We made some very specific proposals in relation to industrial goods, but we will cover the other aspects of our economy and the flexibility that we believe is right in those areas for the future.

**Michelle Donelan** (Chippenham) (Con): Will the Prime Minister confirm that the mobility framework will be part of an immigration system that we control and we deliver for our economic needs, while ending the free movement of labour?

**The Prime Minister:** I am happy to give my hon. Friend that commitment. We will end free movement. As we come to this agreement with the European Union, there will of course be the question of what would, in a trade agreement, be a mode 4 mobility proposal. We will seek to ensure that we offer those mode 4 arrangements in the trade agreements that we reach with the rest of the world as well, but, crucially, we will also put in place our own immigration rules in relation to immigration here from the European Union.

**Kevin Brennan** (Cardiff West) (Lab): The BBC's political correspondent has tweeted that the 48 letters have been received. Is the Prime Minister certain that there will no further resignations from her Government over this today?

**The Prime Minister:** The Government have only one interest in jobs, and that is their interest in the jobs of the people of this country, and in ensuring prosperity in the future.

**Helen Whately** (Faversham and Mid Kent) (Con): Brexit has divided the country. With that in mind, may I suggest to my right hon. Friend that it is essential for us to pursue a Brexit that is true to the referendum result and supports the aspirations and incomes of people whose jobs depend on trade with the European Union?

**The Prime Minister:** That is precisely the approach that the Government have taken. We want a smooth and orderly Brexit. We want a Brexit that protects jobs and livelihoods. However, we also want to keep faith with the British people and deliver on what they voted for, and that is exactly what we will do.

**Sammy Wilson** (East Antrim) (DUP): It has been argued that the policy that was agreed at Chequers at the weekend was necessary to protect the constitutional integrity of the United Kingdom, because it would avoid the need to implement the backstop arrangement with the Irish Republic. Is it part of the agreement that the Government will sign a legally binding protocol with the EU that would treat Northern Ireland differently? If not, why is it necessary to have a divisive future trade arrangement that is designed to protect the constitutional integrity of the United Kingdom if that was never in jeopardy?

**The Prime Minister:** As I said earlier, we have rejected the European Union's proposal in relation to the protocol. The expectation is that there will be a protocol in the withdrawal agreement, but we have always made clear our belief that the best resolution of the issue of the border between Northern Ireland and Ireland will come within the overall trading relationship that we develop between the United Kingdom and the EU, and that is exactly what this plan delivers.

**Henry Smith** (Crawley) (Con): Will the Prime Minister assure me that, in the event that EU negotiators reject the Brexit agreement, she will rule out any further concessions?

**The Prime Minister:** We have put forward the plan that we believe is the right plan for the United Kingdom. By virtue of its going into negotiation, there are elements of this that we will be negotiating, but we have put forward the plan and the basis on which we believe we can deliver the best Brexit for Britain.

**Daniel Zeichner** (Cambridge) (Lab): The Prime Minister has outlined a hard Brexit for services. As she will know, people in the tech sector are concerned because they need to keep up with the changes in the world. Last week in the European Parliament, the copyright directive was a hugely important decision, in which our MEPs played a huge role, and our constituents were able to

[Daniel Zeichner]

lobby them. Under the Prime Minister's proposals, how will we have that kind of influence in future, or will we be like the Italians not watching their football team and wondering why it is not on the pitch in the World cup?

**The Prime Minister:** The hon. Gentleman refers to the issue around services; some of his hon. Friends are complaining that we are going to provide ourselves with flexibility in services precisely to be able to deal with this issue on that more international basis, so I am really not sure why he is taking this position. It is right that we will have greater flexibility in relation to services for the future, and many of the issues we are dealing with in services are dealt with on that international basis, rather than the European basis.

**John Penrose** (Weston-super-Mare) (Con): The Prime Minister has rightly been consistent from her Lancaster House speech onwards in promising to deliver the three freedoms of retaining control of our laws, our borders and our money. Much of this deal does that, but will she expand on how we will square those promises with a shared rulebook on traded goods and whether we are still delivering on those three freedoms?

**The Prime Minister:** I believe we are still delivering on the promises we have made. We will not be sending those vast sums of money to the EU every year; we will be able to use that money—that Brexit dividend as it has been called—to put money into our public services, and I have already indicated what we will be doing in relation to the national health service. The jurisdiction of the ECJ will end in the UK, and we will have control of our borders because we will be deciding—we will be setting the rules for immigration here in the UK.

**Chris Stephens** (Glasgow South West) (SNP): Given the new Brexit Secretary's on-the-record and public views on scrapping the agency workers directive and TUPE regulations, what confidence should my constituents have that these regulations will be maintained post Brexit?

**The Prime Minister:** Constituents across the country can have confidence in a Government who have been very clear that we will not reduce workers' rights standards. Indeed, this Government have pledged to enhance workers' rights, which is precisely why we asked Matthew Taylor to do the report on new forms of employment, so we can ensure workers' rights and legislation around employment are keeping pace with the changing employment market.

**Mr Nigel Evans** (Ribble Valley) (Con): I do not religiously read every tweet that emanates from the hands of President Trump, so I do not know what his views are on the Chequers deal, but the Prime Minister is meeting him later this week. Will she be discussing the exciting potential for trade deals with the USA, and does she believe there is anything in this Chequers deal that could possibly inhibit that trade deal?

**The Prime Minister:** I am sure that trade will be one of the issues I discuss with President Trump, as indeed other key issues will be, such as security and defence; as my hon. Friend knows, the United States is our longest-standing and deepest security and defence partner. The proposal we are presenting to the EU enables us to sign

trade deals around the rest of the world, but I would caution hon. Members that of course, when any trade deal is being signed, the United Kingdom will take a decision on what standards it wants to continue to abide by and will make decisions on whether those standards will be changed or torn up, possibly affecting that trade deal. But that will be a decision for us here in the UK.

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): The UK's textile and fashion industry contributes £28 billion annually and textiles are a significant contributor to our Scottish economy. I am chair of the all-party group on textile and fashion. The industry is concerned about the passporting of goods and of highly specialist services, so how does the plan protect creative industry services? Will the Prime Minister do this and ensure no fashion faux pas going forward?

**The Prime Minister:** When the hon. Lady sees the White Paper that will be published later this week, she will see that it will cover the issue of the creative industries.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. I cannot believe that the hon. Member for Gloucester (Richard Graham) is standing up; he was absent from the Chamber for some considerable period—but perhaps he is waiting for the next statement. I call Jeremy Lefroy.

**Jeremy Lefroy** (Stafford) (Con): May I join my right hon. Friend in paying tribute to my right hon. Friend the Member for Haltemprice and Howden (Mr Davis) and my hon. Friend the Member for Wycombe (Mr Baker) for all the work that they did on the European Union (Withdrawal) Bill and much else, and to my right hon. Friend the Member for Uxbridge and South Ruislip (Boris Johnson) for all his work in representing the United Kingdom? I pay particular tribute to him for his work in Africa.

Will my right hon. Friend the Prime Minister tell me how the association agreement, which is being put forward following the Chequers agreement, will ensure that we put national security, economic prosperity and our United Kingdom at the heart of our negotiating objectives?

**The Prime Minister:** I thank my hon. Friend for his question, which gives me the opportunity to congratulate my hon. Friend the Member for Wycombe (Mr Baker) on the hard work that he put in on the European Union (Withdrawal) Bill. He did a very good job on that legislation.

The point about the association agreement is that it provides a framework within which it is possible to set the various other agreements that we come to on trade and security, in order to do exactly as my hon. Friend suggests and ensure that the deal we are putting forward is the right one for the UK.

**Susan Elan Jones** (Clwyd South) (Lab): Over the past few weeks, great concern has been expressed by major manufacturing companies, by farmers and by the service sector in north Wales over the Government's approach to Brexit. Those people do not have a political axe to grind. They are deeply concerned about jobs and about

our economy. What confidence can we have that the Government and the Prime Minister will listen to them, bearing in mind that the deal that was agreed around the Cabinet table is unravelling as we speak and is very unlikely to secure any agreement anywhere?

**The Prime Minister:** We have been listening to manufacturers, to businesses, to farmers and to others up and down the country who provide jobs, and that is precisely why we have come forward with a proposal that delivers on Brexit, but does so in a way that protects jobs and livelihoods.

**Iain Stewart** (Milton Keynes South) (Con): I warmly welcome the decision to seek membership of the Trans-Pacific Partnership. Can my right hon. Friend give me some indication of the value to the UK economy of such membership, and has she received any indication from any of the other signatories that there is anything in the Chequers agreement that would inhibit UK membership?

**The Prime Minister:** The opportunity to join the TPP is something that my right hon. Friend the Secretary of State for International Trade has been championing since he came into office. He has been very clear on that particular issue. This morning, the Prime Minister of Australia said that he welcomed the interest that the United Kingdom was showing in the TPP. As we looked at the Chequers agreement, one of the things we looked at was whether it would enable us to join the TPP, and it would.

**Justin Madders** (Ellesmere Port and Neston) (Lab): We know that on Friday night the entire Cabinet supported the Prime Minister's position, but as of today, that is no longer the case for two of her now former colleagues. Can she tell us what further information has come to light in the intervening period to cause her colleagues to change their minds?

**The Prime Minister:** The Chequers agreement remains as it was: the agreement that we took on Friday. I did indicate collective responsibility at that time, and two members of the Cabinet have chosen to stand down.

**Richard Graham** (Gloucester) (Con): I welcome the Prime Minister's commitment to pursuing accession to the Trans-Pacific Partnership, which would give us the opportunity to have closer trading links with some of the world's fastest-growing economies. Will she seize the moment with President Trump here this week to raise the question of whether the United States of America might reconsider its relationship with the proposed TPP?

**The Prime Minister:** I think we will take this one stage at a time. Let us focus on the United Kingdom's membership of TPP, but perhaps that will give a message to the United States.

**Deidre Brock** (Edinburgh North and Leith) (SNP): The Prime Minister has spoken of maintaining high regulatory standards, but the proposal for a post-Brexit environmental regulatory body put forward just a few weeks ago by her Secretary of State for Environment, Food and Rural Affairs contained no watchdog powers to bring legal action and no commitment to enshrine

current environmental principles such as the polluter pays principle. How will her Government ensure that those high regulatory standards are fully protected?

**The Prime Minister:** Separate bodies are not required to ensure that the Government are delivering high environmental standards. The Government are committed to them and the hon. Lady will see us continuing to be so.

**Chris Philp** (Croydon South) (Con): The Chequers agreement delivers on the referendum result and lays the foundations for future trade. Anyone who truly has the nation's interests at heart should support it. However, when it comes to the negotiations, does the Prime Minister agree that nothing is agreed until everything is agreed, and that we will therefore not sign a £39 billion cheque until we get some assurance that the Chequers agreement, or something very similar to it, will be agreed to?

**The Prime Minister:** It was the European Union that used the phrase

"nothing is agreed until everything is agreed".

The Government have been clear that when we come to finalise the withdrawal agreement we need not only sufficient detail on the future relationship, but a linkage between the two. It is a package. They are not separate issues.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): The Prime Minister must now know that her fate is inextricably tied to the success or failure of her maximum facilitation customs proposal. I understand that she has been eager to solicit the views of the other 27 EU member states, so how many member states has she consulted? Given that her own Cabinet has failed to support the idea over the past 24 hours, is she confident that member states will continue to support it in the next round of negotiations?

**The Prime Minister:** We have put forward a facilitated customs arrangement. If the hon. Gentleman looks at the details of the various models that were proposed, he will see that his question is not entirely factually correct. However, we will be negotiating such matters with the European Union.

**Andrew Bridgen** (North West Leicestershire) (Con): Will my right hon. Friend confirm that her Chequers proposals would prevent the mutual recognition of standards, even with highly developed countries such as the United States, Australia and New Zealand, effectively ruling out free trade agreements?

**The Prime Minister:** The proposals would not prevent free trade agreements with those countries, but there is a challenge for us in relation to the United States and standards. We have always supported a single standards model, but the United States has a multiple standards approach, so that would be an issue. However, this deal enables us to sign trade deals around the world.

**Jim Shannon** (Strangford) (DUP): Fishing is important across the United Kingdom of Great Britain and Northern Ireland. My constituency voted to leave, and the village of Portavogie, almost to a man and almost to a woman, wants out of the EU. Will the Prime Minister reassure this House that we will control our fishing waters, quotas and days at sea and that we will have an unfettered, free fishing sector that is in our hands in this House?

**The Prime Minister:** I can give the hon. Gentleman that reassurance. We will come out of the common fisheries policy, and we will be an independent coastal state. It will then be for us to negotiate in the normal annual negotiations access to our waters and our fishermen's access to other waters.

**Dr Matthew Offord** (Hendon) (Con): Will the Prime Minister confirm that, under her proposals, including the common rulebook, the United Kingdom will be able to ban live animal exports and introduce other animal welfare standards that our membership of the European Union currently prevents us from implementing?

**The Prime Minister:** We would be able to enhance our standards, but we would have committed to that rulebook in a number of areas. In agriculture and agri-foods, different levels of rules currently operate. What we are talking about for the common rulebook includes sanitary and phytosanitary conditions, and there are other aspects, such as the common agricultural framework, to which this does not relate.

**Mark Pawsey** (Rugby) (Con): May I first congratulate and thank the Prime Minister? She has had a busy few days, but has managed to be at the Dispatch Box for the best part of the past couple of hours.

Will my right hon. Friend confirm that the arrangements are positive for business and jobs by establishing a free trade area to enable the frictionless trade that is so important for manufacturers operating in just-in-time supply chains, such as in the automotive and aerospace sectors? At the same time, will she provide the flexibility to pursue trade opportunities around the world?

**The Prime Minister:** Yes. We want to ensure two things—we want to continue to have a good trading relationship and to be able to do trade deals around the world. Our proposals for frictionless trade do exactly what my hon. Friend says and will ensure that we maintain those integrated supply chains and the jobs that rely on them.

**Tom Pursglove** (Corby) (Con): One of the key reasons why people in Corby voted to leave was to set up a proper trade defence instrument in this country so we can take the right steps, when we need to, to protect our industries against unfair dumping on our market. Will that be the case under this set-up?

**The Prime Minister:** Yes. When the White Paper is produced, my hon. Friend will be able to see the arrangements that will be put in place for trade remedies and sanctions.

**Matt Warman** (Boston and Skegness) (Con): A greater proportion of my constituents voted to leave the European Union than in any other constituency, and what they say to me today is, "Please can we just get on with it?" The deal negotiated at Chequers delivers on bringing decisions on immigration, money and law back to this House. Please will the Prime Minister get on with it, and will she urge the European Union to get on with it?

**The Prime Minister:** I am happy to agree with my hon. Friend. I hope and expect that we will now see a greater pace and intensity in the negotiations, because we want to ensure that we meet the October deadline for coming to an agreement.

**Nigel Huddleston** (Mid Worcestershire) (Con): Will the Prime Minister confirm that services make up nearly 80% of the UK economy? Yet there never has been, and probably never will be, a properly functioning single European market in services, which is probably one of its greatest failures. Is not taking a flexible approach to services therefore eminently sensible?

**The Prime Minister:** I thank my hon. Friend for pointing out a fact that seems to have evaded a number of the Labour questioners today. Precisely because there is not that single services market in the European Union, it is right and in our interest that we take a flexible approach.

**Dr Caroline Johnson** (Sleaford and North Hykeham) (Con): Two thirds of my constituents in Sleaford and North Hykeham voted for Brexit. Although they support getting on with the job of getting out of the EU, they look for reassurance on one aspect in particular of the proposed Chequers agreement, the common rulebook for goods and agri-food—agriculture and food being a large part of my constituency. Can the Prime Minister confirm what options will be open to us if we do not agree to any aspect of that rulebook? Who will be writing the rules in the future?

**The Prime Minister:** It is important that it will be open to Parliament to make decisions. If any rules change in the common rulebook, it will be for Parliament to determine whether or not it wishes to adopt those new rules. There will, of course, be a potential consequence, depending on the nature of any changes that are made, which is precisely why I say it will be Parliament that determines our laws in the future.

**Steve Double** (St Austell and Newquay) (Con): The Prime Minister will be aware that these proposals go further than many of us, and indeed many voters, would like to see us go and are at the absolute limit of what many of us feel able to agree to. Will she reassure the House, and indeed the voters in my constituency, that when she presents this deal to the EU, she will make it absolutely clear that there is very little room for any further concessions and that rejection of this deal by the EU is likely to result in a no deal outcome?

**The Prime Minister:** As we look at this issue, I have been determined to ensure, as I said earlier, that we can protect jobs and livelihoods but also deliver on what people voted for, which is leaving the European Union and, crucially, the three issues of control of borders, money and laws. This proposal does, indeed, deliver on that, which is why the Government are putting it forward. We believe it is a good proposal, and I look forward to negotiating it with the European Union.

**Alex Chalk** (Cheltenham) (Con): It is easy to talk about Brexit, but the Prime Minister has to deliver it. Does she agree that the Chequers proposals balance securing jobs in vital sectors, such as Gloucestershire's aviation supply chain, with delivering on the promise of an enterprising and independent trade policy?

**The Prime Minister:** Of course there are many theories about Brexit and the type of Brexit we should have, but my hon. Friend is absolutely right that what we are

doing is delivering a practical Brexit in reality, and we should all have concern for the jobs and livelihoods of our constituents as we do that.

**Sir Peter Bottomley** (Worthing West) (Con): Can my right hon. Friend assure our European and international partners that she and her Cabinet colleagues have the overwhelming support of the majority of the party, of this House and of the people of this country in moving forward in the way the White Paper will suggest?

**The Prime Minister:** I thank my hon. Friend for his patience. It is important that we now move forward together as one country, very clear in what we want to see in our future relationship with the European Union, and that we go into the negotiations with that confidence.

**Mr Speaker:** I am most grateful to the Prime Minister, the Leader of the Opposition and all 95 Back Benchers who questioned the Prime Minister. Whatever people think about this matter, the Prime Minister has clearly scored highly today in terms of productivity. We should be clear about that.

## Amesbury Update

5.29 pm

**The Secretary of State for the Home Department (Sajid Javid):** With permission, Mr Speaker, I would like to make a statement updating the House on recent developments in Salisbury and Amesbury. As I told the House last week, a major incident was declared in Wiltshire on Tuesday after two people were found unwell at a home in Amesbury. Both were taken to Salisbury District Hospital, where they were treated for exposure to a nerve agent of the type known as Novichok. This has been identified as the same type of nerve agent that contaminated both Yulia and Sergei Skripal.

It is with profound sadness that I must inform the House that one of the patients, Dawn Sturgess, died last night at Salisbury District Hospital. I know that the whole House will want to join me in expressing our sincere condolences to her family and friends. The police are working to ensure that her family have all the necessary support they need at this extremely difficult time. I know that the House will also want to join me in expressing our sincere thanks to the police, emergency services and staff at Salisbury District Hospital for their tireless professionalism and for the dedicated care they provided to Dawn Sturgess and continue to provide to Dawn's partner, Charlie Rowley, who remains critically ill in hospital. I met some of the emergency workers at the weekend and I know just how hard they have worked and how committed they are to doing the best job possible. Hon. Members may also be aware that a police officer working on the investigation presented at Great Western Hospital and was later transferred to Salisbury District Hospital as a precautionary measure. I can report to the House that the police officer was not poisoned, did not require treatment and has since left hospital.

Dawn's death only strengthens our resolve to find out exactly what happened and who is behind it. Earlier today, I chaired a Cobra meeting to discuss the next steps, and the Prime Minister and I will continue to receive regular updates on the situation. This is now a murder investigation, which is being led by about 100 detectives from counter-terrorism police command, alongside officers from Wiltshire police and other constabularies. We know that tests conducted at Porton Down have shown that both individuals were exposed to the same type of Novichok used to poison Sergei and Yulia Skripal in March. Officers are still trying to work out how the pair were exposed to the same nerve agent, although tests have confirmed that they touched a contaminated item with their hands. The investigation is now moving as quickly as possible to identify what the source of the contamination was.

Police officers have cordoned off a number of sites in Amesbury and Salisbury that they believe the two individuals visited in the period before they fell ill. This is a precautionary measure while the police continue to investigate how they came into contact with the substance. As I told the House last week, there is no evidence that either person visited any of the sites that were decontaminated following the attempted murders of Sergei and Yulia Skripal. We have taken a very robust approach to decontamination, and all sites reopened following the attempted murders in March are safe. Last week, the chief medical officer for England said that the risk to the wider public remains low but that

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people in the local area should not pick up any strange items such as needles, syringes or unusual containers, given that the source of the contamination has not yet been found. That advice remains unchanged. I have asked the Government's Scientific Advisory Group for Emergencies to ensure that the advice remains appropriate, in the light of the news overnight.

This is, of course, a very upsetting time, not just for Dawn's family but for the people of Amesbury and Salisbury, who have seen the places they know and love cordoned off and become a murder investigation scene. I reassure them that we are doing everything we can to help to keep people safe. In addition, I have agreed with my colleagues that the Cabinet Office will work across Government Departments to develop a suitable support package for local businesses, some of which I met yesterday.

The murder investigation is ongoing and investigators are working urgently and around the clock. The work will take time and the investigation must be allowed to proceed on the evidence and the facts alone. I will keep the House and the public updated on any significant developments. I commend this statement to the House.

5.35 pm

**Ms Diane Abbott** (Hackney North and Stoke Newington) (Lab): I thank the Home Secretary for making his statement to the House and for allowing me prior sight of it. I welcome the fact that he is doing his best to keep the House promptly updated on this very serious incident. The whole House appreciates that he chaired another Cobra meeting on this important issue this morning.

The first thing that must be said is that our deepest sympathies go out to the friends, family and loved ones of Dawn Sturgess. It was a horrific way to die. Opposition and Government Members can agree that it is of paramount importance that we establish exactly how it happened. I am sure the family and loved ones of Charlie Rowley must be deeply concerned at this time. We can at least offer them the reassurance that we are confident that the medical staff and medical specialists are doing everything that they can. We wish him a full recovery. I repeat the Opposition's admiration of and support for the work of the emergency services, the NHS, the security services and the vital public servants at Porton Down.

The Home Secretary will be aware that there was some concern among some people in Salisbury and Amesbury that they were not being given enough information. Ricky Rogers, a leading Wiltshire councillor, said that the death of Sturgess had "heightened tension". He went on:

"Local residents have never been told enough about the first incident back in March. I think someone from counter-terrorism needs to come here and tell us what they know".

However, since he said that, the Metropolitan police counter-terrorism chief Neil Basu has made a very full public statement, which may have allayed some concerns. The Opposition appreciate that the security services cannot reveal everything they know as soon as they know it, but will the Home Secretary give an assurance that local people will be kept as fully informed as is feasible?

I welcome the Home Secretary's announcement of work on a support package for local business, which I asked about last week. We will wait to hear further detail. It has been a terrible period for the community. Public concern after the first incident, and now this second poisoning incident, represents a blow to business and retail in the area. Local businesses were only just recovering from the fallout from the original incident, so we welcome news about a support package.

Going forward, after these very serious security incidents, the most important thing is that we limit speculation and guesswork and have the most thorough investigation that goes where the evidence takes it. The sad death of Dawn Sturgess deserves no less.

**Sajid Javid:** I thank the right hon. Lady for her comments. I join her in expressing our thoughts for the family and friends of Dawn Sturgess, who will of course be going through an incredibly difficult time. She was right to start with those remarks and to remind us all that Charlie Rowley is still gravely ill in hospital. The thoughts of the whole House—of all of us present today—remain with him. We wish nothing less than a speedy recovery for him.

As she did last week, the right hon. Lady quite rightly took the opportunity to commend the work of the emergency services. As I mentioned, I went to Amesbury this weekend and met emergency workers from the local police, health and fire services, and took the opportunity to thank them for everything they have done and continue to do, both in response to the original incident and, of course, now. In their approach to the work and how they have done it, they continue to help local people and to build confidence, so the right hon. Lady was right to mention them.

The right hon. Lady mentioned that she has heard people ask in some quarters whether more information could be made available, especially relating to the original incident in March. That desire for more information, especially from local people, is perfectly understandable, but, as she herself appreciated this is a live, ongoing police investigation, and what the police can share with the public is always limited. That is understandable, but as she noted, and I thank her for that, the head of counter terrorism policing, Mr Neil Basu, has now made a further statement, which touches on both the original investigation and this current incident. I have every reason to believe that he is sharing whatever information he possibly can with the public, but it is right that the information that is shared is a decision made by the police, and by the police alone. If it would be helpful to the right hon. Lady, I would happily arrange a further briefing on Privy Council terms with perhaps the deputy national security adviser. In that way, she could get a bit more information. If she wants to take that up, I think that she would find it helpful, and that offer is available to her.

The right hon. Lady also talked about the support package. I share her concerns there. She will know from the original incident that a support package was put together by central Government working with the local council, Wiltshire Council, and that a number of businesses have received support. Given this new incident and the impact that that can have locally on businesses, and given the meetings that I have had with some of those businesses, it is important that we look at that again and

see what further support can be provided. At today's Cobra meeting, I felt that it should be cross-Government support, taking in the Ministry of Housing, Communities and Local Government as well as the Department for Business, Energy and Industrial Strategy and the Treasury. They should all be involved and working together. That is why the Cabinet Office offered to co-ordinate that activity, and it is working on that as we speak. The local Member of Parliament, my hon. Friend the Member for Salisbury (John Glen), who joins me on the Front Bench, has been very involved, coming up with some helpful suggestions for local businesses, so we will certainly be following up on those, too.

The right hon. Lady said that speculation should be limited. I do not think that speculation will add in any way to what local people and the country at large want to see. As she quite rightly said, people want to be led by the evidence, the full facts, which is why we must all allow the police to do their work. Whenever I have any further information that I can share publicly, I will, of course, come to the House to do so. As I have just said, if it is information that cannot be made public, I am happy to make sure that she gets updates on Privy Council terms. I very much welcome her approach to this, because it is exactly what the country wants to see.

**Dr Julian Lewis** (New Forest East) (Con): Given that, exactly 12 years ago, the Russian Federation Council passed a law permitting the extra-judicial killing of opponents overseas, is it not rather strange that Sergei Skripal was living in plain sight in Salisbury? Can the Home Secretary assure the House that those other defectors, such as Oleg Gordievsky, who has been sentenced to death in absentia, and Victor Makarov are having their security arrangements suitably reviewed and any protection that they require afforded to them?

**Sajid Javid:** I am very happy to assure my right hon. Friend that, clearly, there were lessons to be learned from the original incident, and that, no doubt, there will be in due course from this new incident. I know that the security services and the police have drawn lessons from the action on 4 March, and part of that is making sure that all people in Britain, whether they are British citizens or others, have the level of protection that is necessary.

**Joanna Cherry** (Edinburgh South West) (SNP): I thank the Home Secretary both for his statement and for the courtesy of giving me advance sight of it. This is first and foremost a personal tragedy for the deceased and her family and friends, and I wish to express condolences to them on behalf of the Scottish National party. We are also very conscious that Mr Rowley is still seriously ill in hospital, and that this must be a particularly stressful time for his family and friends; we very much hope that he will make a full recovery. Like others, I wish to acknowledge the emergency services, particularly the NHS staff, for their swift, professional and brave response to these incidents.

It is very concerning that a citizen of these islands has died here as a result of contact with a nerve agent that we understand originates from Russia. But this is now a murder inquiry and justice must be allowed to take its course. In the meantime, I have two questions for the Home Secretary, the answers to which should not prejudice ongoing investigations as to culpability. First, local people will understandably be very alarmed, and our

hearts go out to them. Will he tell us how wide an area is now being decontaminated, and when can local people be assured that the wider clean-up operation has been completed?

Secondly, last Thursday the Home Secretary was unable to confirm whether the Novichok used in this instance can be attributed to the same batch as was used in the attack on the Skripals. Will he confirm today whether it will be possible to establish that from testing, and if so, when that information might be available?

**Sajid Javid:** The hon. and learned Lady is right to send her condolences and thoughts to the family of Dawn Sturgess, and to send her best wishes to Charlie Rowley. As she said, the situation is concerning to people in this House and across the country, but especially to local people. However, she has rightly identified that, as the investigation is ongoing, there are a number of things that probably cannot be shared at this point.

The hon. and learned Lady asked two specific questions, the first of which was about decontamination. I assume that she was referring to the original incident. A number of sites relating to the original incident were cordoned off. Once the police had finished their investigation of those sites, they were made available to the scientists and experts for decontamination. Not all the sites from the original incident have been fully decontaminated. Those that have been decontaminated have of course been opened up and are safe, but some sites are still going through the decontamination process.

As for the new incident, a number of sites have been cordoned off and are being used for live police investigation. The decontamination will not begin until the police investigations are complete. Once the police are ready they will of course hand the sites over for decontamination, but the police work will take priority and the sites will be cordoned off. It is worth mentioning that all the sites will be protected. We would not want someone to enter them even accidentally—not just from a policing perspective, but of course because they have not been decontaminated, or the decision has not been made—so they are guarded at all times.

The hon. and learned Lady also asked about the batch. She is right to remind the House that the nerve agent used in the latest incident is the same as that used in the incident on 4 March, but the scientists have not been able to identify or determine whether it is from the same batch. It may well be, but that is not known at this point. That is partly due to the sample that the scientists at Porton Down have at this point. From this incident, they have blood samples from the two individuals who were contaminated, and these samples are not strong enough to match to a batch. That might well be possible if further evidence is available later in the investigation.

**Dr Matthew Offord** (Hendon) (Con): May I provide some reassurance to the Home Secretary and the shadow Home Secretary? I have known Assistant Commissioner Basu since his time as borough commander in Barnet, and he is an excellent police officer. No doubt he will be thorough in his investigation and certainly very professional. Will the Home Secretary provide me with some reassurance that Assistant Commissioner Basu has the necessary resources, because he really is looking for a needle in a haystack? The second contamination occurred some distance from the first, so he has a very large area to cover.

**Sajid Javid:** I thank my hon. Friend for expressing his confidence in Neil Basu, who has been leading both investigations, into the original incident and in this case. He has also excelled himself in his response to some of the terrorist attacks that, sadly, the country has seen.

My hon. Friend asks me particularly about resources. I would like to assure him on that. One of the reasons I went to speak to the chief constable locally, and have spoken to counter-terrorism police both last week and today, was to assure myself on that point. I remind my hon. Friend that as well as the more than 100 counter-terrorism police officers there locally at the moment, there is support from Wiltshire police in their work and other constabularies are also involved through a mutual aid process. When the second incident occurred, Wiltshire police requested support from military police as well, to help guard some of the sites. That military police support was on the ground within 48 hours. I believe that at this point there is enough support, but we will keep that under review, and if more support is needed, we will of course make it available.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): I thank the Home Secretary for his update on the murder investigation into this vile use of a chemical weapon on British soil. I join him and the shadow Home Secretary in sending our condolences to Dawn Sturgess's family and our thoughts to Charlie Rowley.

May I ask the Home Secretary further about how the Home Office and the counter-terrorism police are working together to ensure not only that this investigation rightly has the resources and the immense expertise that it needs—I know he is doing that—but that counter-terrorism police can continue their important work on wider threats to this country? Have the police given him any timetable for any further updates?

**Sajid Javid:** I thank the right hon. Lady for her comments. She asks a very important question. She will know that the Home Office works closely with counter-terrorism policing generally in any case, so every week I meet the head of counter-terrorism policing to get an update on the most important cases. Of course, this is one of those that will be getting a lot of attention, as is the original incident on 4 March.

The right hon. Lady will also know that resources for counter-terrorism policing were increased, and increased substantially, following the five terrorist attacks of last year. We constantly keep that under review to make sure that the resources are there, given the priority for this type of policing. In response to this incident, counter-terrorism police are drawing a lot of support from Wiltshire police and the other constabularies, and from the presence of military police, because that allows them to focus on what they specialise in. They are all working very closely together. We will keep that under review and keep working with them, and if extra support is required, we will certainly be making that available.

**Matt Warman** (Boston and Skegness) (Con): One of the striking things about the Skripal attack was the concerted campaign of misinformation with which we were attacked in this country. Will the Home Secretary talk a little bit about what the Government will do to work with international partners to make sure that people in this country know as many of the facts as

possible and are in the best possible position to judge correctly the misinformation campaign that will inevitably follow?

**Sajid Javid:** My hon. Friend rightly reminds this House about the Kremlin's persistent and constant use of disinformation against those it perceives as its enemies. After the original attack, the Kremlin did that time and again. There were over 25 disinformation narratives in response to the March attack. Sadly, with regard to the Amesbury poisonings, the Kremlin has already established some 12 false narratives. It specialises in false information. This is an opportunity to remind Members that in initiating work with Russian television, radio and other outlets, the only job that they are doing is helping the Kremlin to feed poison to the rest of the world.

**Chris Bryant** (Rhondda) (Lab): On the Russians feeding poison to the rest of the world, is it still the Government's working assumption that the only credible explanation for what happened earlier this year was that the Russian state was directly involved in ordering the poisoning of Sergei and Yulia Skripal? If that is the case, is not the most likely explanation still that the Russians have been so careless about the way in which Novichoks have been used in the United Kingdom that this murder lies at the door of the Kremlin?

**Sajid Javid:** It is absolutely still the Government's view that there is no other plausible explanation than that the Kremlin was responsible for the attack on Yulia and Sergei Skripal on 4 March. With this latest incident, we must be led by the evidence and see what the facts are as the police continue their investigation, but frankly it is hard to see that there is any other plausible explanation.

**Michelle Donelan** (Chippenham) (Con): I echo my right hon. Friend's gratitude to Wiltshire's emergency services and staff at Salisbury District Hospital. Will he ensure that they have available all the information, support and resources they need to continue to do their job?

**Sajid Javid:** Yes, I can give my hon. Friend that assurance. With this new incident, having the first Cobra meeting helped a lot in making sure not only that the right amount of resources were made available but that they are being used in the best way and have the biggest impact. We will constantly keep that under review. We are ensuring that, whether for the police work or working with the local authorities and others, the resources that they need will be there.

**Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): May I associate myself and my party with what has been said about the tragic death of Dawn Sturgess? It was needless, it was undeserved, and, to be honest, it seems chillingly sinister that a death like that can happen in our country in this day and age.

I accept the argument that the Russian state was probably associated with the attack earlier in the year. The Home Secretary is correct to say that we should not jump to any conclusions while the investigation is carried out. With regard to the earlier question about involvement on the international scene in trying to work out what happened, has he applied pressure to his counterparts

in the Russian state—perhaps not with any sign of success—to see whether it would be forthcoming with intelligence about the agent and, more importantly, its possible cure?

**Sajid Javid:** The hon. Gentleman reminds the House of the nature of the original attack, about which we do have far more information and facts. It reminds the House of just how barbaric and inhumane that was: the use of a nerve agent—a chemical weapon—for the first time in Europe since the second world war; an act carried out by the Russian Government. That is the view not just of the British Government but of 23 of our allies across the world. As a result, we saw the action that they all took, united with us, to expel diplomats.

With regard to this incident, again, we do not want to jump to conclusions. We want to see what the facts bring out. The hon. Gentleman asked whether any type of help has been forthcoming from the Russians. The only thing forthcoming from the Russians is a disinformation campaign.

## BUSINESS OF THE HOUSE

### *Ordered,*

That the following provisions shall apply to the proceedings on the Northern Ireland Budget (No. 2) Bill:

#### *Timetable*

(1) (a) Proceedings on Second Reading and in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be taken at today's sitting in accordance with this Order.

(b) Notices of Amendments, new Clauses or new Schedules to be moved in Committee of the whole House may be accepted by the Clerks at the Table before the Bill has been read a second time.

(c) Proceedings on Second Reading shall be brought to a conclusion (so far as not previously concluded) four hours after the commencement of proceedings on the Motion for this Order.

(d) Proceedings in Committee of the whole House, any proceedings on Consideration and proceedings up to and including Third Reading shall be brought to a conclusion (so far as not previously concluded) six hours after the commencement of proceedings on the Motion for this Order.

#### *Timing of proceedings and Questions to be put*

(2) When the Bill has been read a second time:

(a) it shall, despite Standing Order No. 63 (Committal of bills not subject to a programme order), stand committed to a Committee of the whole House without any Question being put;

(b) the Speaker shall leave the Chair whether or not notice of an Instruction has been given.

(3) (a) On the conclusion of proceedings in Committee of the whole House, the Chairman shall report the Bill to the House without putting any Question.

(b) If the Bill is reported with amendments, the House shall proceed to consider the Bill as amended without any Question being put.

(4) If, following proceedings in Committee of the whole House and any proceedings on Consideration of the Bill, a legislative grand committee withholds consent to the Bill or any Clause or Schedule of the Bill or any amendment made to the Bill, the House shall proceed to Reconsideration of the Bill without any Question being put.

(5) If, following Reconsideration of the Bill—

(a) a legislative grand committee withholds consent to any Clause or Schedule of the Bill or any amendment made to the Bill (but does not withhold consent to the whole Bill), and

(b) a Minister of the Crown indicates his or her intention to move a minor or technical amendment to the Bill, the House shall proceed to consequential Consideration of the Bill without any Question being put.

(6) For the purpose of bringing any proceedings to a conclusion in accordance with paragraph (1), the Chairman or Speaker shall forthwith put the following Questions in the same order as they would fall to be put if this Order did not apply—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded; and shall not put any other questions, other than the question on any motion described in paragraph (17)(a) of this Order.

(7) On a Motion so made for a new Clause or a new Schedule, the Chairman or Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(8) If two or more Questions would fall to be put under paragraph (6)(c) on successive amendments moved or Motions made by a Minister of the Crown, the Chairman or Speaker shall instead put a single Question in relation to those amendments or Motions.

(9) If two or more Questions would fall to be put under paragraph (6)(d) in relation to successive provisions of the Bill, the Chairman shall instead put a single Question in relation to those provisions, except that the Question shall be put separately on any Clause of or Schedule to the Bill which a Minister of the Crown has signified an intention to leave out.

*Consideration of Lords Amendments*

(10) (a) Any Lords Amendments to the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on consideration of Lords Amendments shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(11) Paragraphs (2) to (11) of Standing Order No. 83F (Programme orders: conclusion of proceedings on consideration of Lords amendments) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (10) of this Order.

*Subsequent stages*

(12) (a) Any further Message from the Lords on the Bill may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(b) Proceedings on any further Message from the Lords shall (so far as not previously concluded) be brought to a conclusion one hour after their commencement; and any proceedings suspended under sub-paragraph (a) shall thereupon be resumed.

(13) Paragraphs (2) to (9) of Standing Order No. 83G (Programme orders: conclusion of proceedings on further messages from the Lords) apply for the purposes of bringing any proceedings to a conclusion in accordance with paragraph (12) of this Order.

*Reasons Committee*

(14) Paragraphs (2) to (6) of Standing Order No. 83H (Programme orders: reasons committee) apply in relation to any committee to be appointed to draw up reasons after proceedings have been brought to a conclusion in accordance with this Order.

*Miscellaneous*

(15) Standing Order No. 15(1) (Exempted business) shall apply so far as necessary for the purposes of this Order.

(16) Standing Order No. 82 (Business Committee) shall not apply in relation to any proceedings to which this Order applies.

(17) (a) No Motion shall be made, except by a Minister of the Crown, to alter the order in which any proceedings on the Bill are taken, to recommit the Bill or to vary or supplement the provisions of this Order.

(b) No notice shall be required of such a Motion.

(c) Such a motion may be considered forthwith without any Question being put; and any proceedings interrupted for that purpose shall be suspended accordingly.

(d) The Question on such a Motion shall be put forthwith; and any proceedings suspended under sub-paragraph (c) shall thereupon be resumed.

(e) Standing Order No. 15(1) (Exempted business) shall apply to proceedings on such a Motion.

(18) (a) No dilatory Motion shall be made in relation to proceedings to which this Order applies except by a Minister of the Crown.

(b) The Question on any such Motion shall be put forthwith.

(19) No debate shall be held in accordance with Standing Order No. 24 (Emergency debates) at today's sitting after this Order has been agreed.

(20) Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

(21) (a) Any private business which has been set down for consideration at a time falling after the commencement of proceedings on this Order or on the Bill on a day on which the Bill has been set down to be taken as an Order of the Day shall, instead of being considered as provided by Standing Orders or by any Order of the House, be considered at the conclusion of the proceedings on the Bill on that day.

(b) Standing Order No. 15(1) (Exempted business) shall apply to the private business so far as necessary for the purpose of securing that the business may be considered for a period of three hours.—  
(Karen Bradley.)

## Northern Ireland Budget (No. 2) Bill

### Second Reading

5.59 pm

**The Secretary of State for Northern Ireland (Karen Bradley):** I beg to move, That the Bill be now read a Second time.

The Government have been working intensely to restore devolved government in Northern Ireland since the collapse of the Executive last year. It is deeply regrettable that, despite efforts, the political parties in Northern Ireland have not yet reached an agreement that would enable devolved government. In the absence of an Executive, the Northern Ireland civil service has worked, and continues to work, with the utmost professionalism and commitment to protect and preserve public services in the interests of all communities in Northern Ireland. I commend their efforts.

Many hon. and right hon. Members will have seen the ruling from the High Court last week regarding the *Buick* judgment. I want to reassure all Members that the Government have noted that ruling and are considering it carefully. As our track record shows, in the absence of an Executive, the Government have already taken, and are committed to take, a number of limited but necessary steps to ensure good governance and to protect the delivery of public services in Northern Ireland. That included providing certainty for Northern Ireland finances with my budget statement to Parliament on 8 March.

**Lady Hermon (North Down) (Ind):** The Secretary of State has quite rightly made reference to a very significant judgment last week in relation to the incinerator in County Antrim. Will she indicate whether the Government intend to appeal that decision yet again?

**Karen Bradley:** We are considering the position. The judgment was received at 9.30 am on Friday. There has been a little bit going on over the weekend, but we are working very hard on that, and we will ensure that we come to the House with our conclusions and decisions. That decision was not the one that we wanted, and we will obviously consider our position.

**Emma Little Pengelly (Belfast South) (DUP):** I welcome the fact that the Secretary of State is considering the judgment, which deals with a big decision made by a permanent secretary—a civil servant. However, that situation does not accurately reflect the fact that hundreds of decisions across all the Departments are not being made, and cannot be made unless there is a Minister in charge to make them.

**Karen Bradley:** We need to consider the exact implications of the judgment that we received on Friday. When we have reached our conclusion, I will of course come to the Chamber, when I will be happy to debate it with the hon. Lady, who I know has a particular interest in and knowledge of that issue.

The budget statement that I made to Parliament on 8 March set out headline departmental allocations for the 2018-19 financial year, helping to safeguard Northern Ireland finances by enabling the Northern Ireland civil service to manage and maintain public services throughout the early months of this financial year. This budget Bill seeks to build on that certainty.

As I advised the House on 20 March, the budget position and the vote on account provision approved by Parliament in the Northern Ireland Budget (Anticipation and Adjustments) Act 2018, which provides authority to the NICS to access up to 45% of the previous year's allocations to allow day-to-day spending in the early months of this financial year, was the first step in the budget-setting process. Further legislation is now required to put that budget position on a legal footing and to provide the legal authority for the NICS to access the full level of funding available for the whole financial year. Without the Bill, the only way for Departments to access cash is for the NICS to make use of emergency powers under section 59 of the Northern Ireland Act 1998, although those powers, too, are limited.

**Lady Hermon:** The Secretary of State is being very generous by allowing me to intervene once again. She will be well aware that the Prime Minister has just completed a lengthy statement to the House on Brexit and what the then Cabinet agreed on Friday. I was particularly struck by the fact that the Prime Minister indicated that the preparations for a no-deal scenario would be intensified—“stepped up”, to use her words. In those circumstances, will the Secretary of State confirm that the Chief Constable of the Police Service of Northern Ireland will have the resources he needs, including additional police officers, to deal with the policing implications of a no-deal scenario?

**Karen Bradley:** The hon. Lady is nothing if not persistent. She quizzed me extensively about that matter at the Northern Ireland Affairs Committee on Wednesday. As I said to her then, we have received the Chief Constable's recommendations and are considering them across Government. She is right to say that we are stepping up no-deal planning, as the Prime Minister stated. It is also worth saying that the deal agreed by the Cabinet at Chequers is one that works for the whole United Kingdom. It is very important, from a Union point of view, that we have a deal with the European Union that ensures that our red lines for Northern Ireland of no hard border on the island of Ireland and no border on the Irish sea are adhered to.

**Ian Paisley (North Antrim) (DUP):** Is the Secretary of State confirming effectively to the House that the financial shortfall identified by the Chief Constable will now be met by additional resources, as required by the Chief Constable when he met the Northern Ireland Affairs Committee?

**Karen Bradley:** The hon. Gentleman is also persistent in his questioning. As I said last Wednesday in front of the Select Committee, we have received the Chief Constable's report and are looking at it.

The emergency powers under section 59 of the 1998 Act are intended to be used only in the absence of more orthodox legal authority. I do not consider those emergency powers to be appropriate for managing Northern Ireland finances for a second financial year.

**Nigel Dodds (Belfast North) (DUP):** Before the Secretary of State leaves the issue of security and preparations for a no-deal exit from the European Union, I am sure she will remember that at the meeting in Downing Street with the Prime Minister and herself, the leader of my

[Nigel Dodds]

party and I presented to the Prime Minister directly information supplied by the Chief Constable of the PSNI on the issue of extra resources. As well as dealing with the issues that have rightly and properly been raised at the Select Committee, it is important that she recognises that the Prime Minister herself made a commitment to look very carefully at that issue, and we expect an early answer on it.

**Karen Bradley:** For clarification, the report I am referring to is precisely the one presented to the Prime Minister by the right hon. Gentleman and the leader of the Democratic Unionist party. We have received it and are considering it across Government, as we rightly should in that situation.

This Bill seeks to put the budget position I set out in March on a legal footing. It does not direct the NICS Departments on how to use these allocations. In the absence of an Executive, it remains for Northern Ireland Departments to implement their budget positions. How Northern Ireland Departments will allocate their budgets is set out in the detailed NI main estimates Command Paper. Passing this budget Bill does not remove the pressing need to have locally accountable political leaders in place to take the fundamental decisions that will secure a more sustainable future for the people of Northern Ireland.

I will now turn to the Bill itself. The Bill authorises Northern Ireland Departments and certain other bodies to incur expenditure of up to £8.9 billion and use resources totalling up to £9.9 billion for the financial year ending on 31 March 2019. While this is a technical budget Bill, I do not dismiss the constitutional significance of Parliament having to deliver this for Northern Ireland. I therefore draw Members' attention to two important issues that do not form a part of the Bill expressly, but will be of interest to Parliament as we debate the Bill. First, as I highlighted in my March statement, this budget includes a further £410 million of UK Government funding that flows from the confidence and supply agreement. That is in addition to the £20 million already released in 2017-18 to help to address immediate pressures in health and education.

**Paul Girvan** (South Antrim) (DUP): On the back of the court judgment that was reinforced last week, which has made it virtually impossible for NI civil servants and permanent secretaries to move forward and even to spend the money that they will have, we fear that the confidence and supply money will not be allocated or used correctly if we cannot get decisions pushed through. The only people who can do it are this Government here, because there is no Executive in Northern Ireland to deal with it.

**Karen Bradley:** As I made clear in my earlier remarks, we are very aware of the Buick judgment and are considering that decision. In respect of specific items of spending allocated from the confidence and supply money, we are looking carefully to ensure that if ministerial decisions are required, we know what decisions are required and how we would go about taking them. To be clear, there is no difficulty in spending the money that has been allocated so far. As and when there becomes a difficulty, we will of course be ready to take actions as necessary.

**Sir Jeffrey M. Donaldson** (Lagan Valley) (DUP): On that point, may I appeal to the Secretary of State, particularly in relation to education? I know from talking to schools in my constituency that the additional funding we envisaged would go to the frontline and the chalk face—to the schools—is not seeing its way through. It is being used to plug gaps in the Education Authority's budget, not in schools' budgets. This is something we feel it is very important for the Secretary of State to examine and to press home.

**Karen Bradley:** I assure the right hon. Gentleman that we examine all such points. If he wishes to write to me specifically on the instances he has learned about, I will be more than happy to have officials in my Department speak to those in the NICS to establish what has happened. We are very clear where the money needs to be spent. It was agreed in the confidence and supply arrangement, and we are taking the steps that we need to take to ensure the money is spent as intended.

I want to be very clear that this Bill is not legislating for the £410 million. That was approved by Parliament for release as part of the UK Supply and Appropriation (Main Estimates) (No.2) Bill, while this Bill gives the NICS the authority to allocate that funding. More detail on funding allocations is contained in the supporting Command Paper. Just to be clear, we are following on from the estimates process on which we voted in the Chamber last week. On Tuesday evening, we voted to make sure that the Northern Ireland block grant was properly allocated. Today, we are in effect carrying out the estimates process that would normally be done at Stormont. In the absence of Stormont, we are dealing with this through primary legislation here.

**Ian Paisley:** I appreciate what the Secretary of State is saying, and yes, by and large, that is exactly what is happening, but it is not quite as benign as that. The Secretary of State has personally signed off a change in the budget by which £100 million has been taken from capital spend to revenue spend. Civil servants are of course very delighted about that, because some of it will go towards redundancy packages for them, but that is not the point. The Secretary of State has taken the decision on advice, so why does she not take the other decisions that are necessary to make Northern Ireland function?

**Karen Bradley:** I said that the hon. Gentleman was persistent. The decision to allocate spending from the capital budget to the revenue budget was taken to make sure that the budget balanced. It was taken after consultation with all the main parties in Northern Ireland, which all understood that that decision was taken to ensure that the budget balanced and that additional revenue raising from the people of Northern Ireland was not required.

Let me turn to the second important issue to which I would like to draw the attention of the House. As well as placing all Northern Ireland Audit Office audits and value for money reports and the associated departmental responses in the Libraries of both Houses—to be accessible and visible to all interested Members and Committees—I will also write to the main Northern Ireland political parties to highlight the publication of the reports and encourage them to engage with the findings. This is as robust a process as is possible, but the best form of

overall accountability and scrutiny of Northern Ireland public finances would of course be that undertaken by a fully functioning Executive and a sitting Assembly in Northern Ireland.

**Sir Mike Penning** (Hemel Hempstead) (Con): I am sorry to intervene in these sensible discussions, but the Secretary of State has been very generous in taking interventions. Surely one way in which the budgets could be balanced—this would be better and might provide a bit of impetus—would be if the salaries of those in the Assembly who are not doing their jobs were suspended. Perhaps we would get a little bit of movement, and we might have some spare money for the Department of Education.

**Karen Bradley:** That point has been raised with me on a number of occasions. My right hon. Friend will know that I legislated to stop the increase in salaries that would have happened automatically on 1 April, and we are considering the position with regard to ongoing salaries. I know that he will be surprised, but I am afraid that even cutting Northern Ireland Assembly pay would not quite reach the figure of £100 million that we needed to reallocate from capital to revenue.

**Nigel Dodds:** I am sure the right hon. Member for Hemel Hempstead (Sir Mike Penning) will be very interested to hear the much more substantial amounts that would be saved if we cut payments to Members who do not take their seats in this House. Since 2005-06, £1,023,334 has been paid to date in representative or equivalent Short money to Sinn Féin Members who do not take their seats, and they have got £4,165,000 in office costs and staffing allowances for not doing their jobs here. That has been tolerated by the Northern Ireland Office and by this House for a lot longer than there has been an issue of pay for Members of the Legislative Assembly. I am all for dealing with the issue of MLA pay, but let us deal with Sinn Féin issues as well.

**Karen Bradley:** I have to say that this is not a matter for which the Northern Ireland Office has responsibility, as the right hon. Gentleman knows. This is a matter for the House, because those allowances are paid from the House. I encourage all right hon. and hon. Members who feel strongly about that matter to take it up with the House authorities.

The UK Government remain absolutely committed to providing Northern Ireland with good governance and stability while we continue our efforts to restore devolved government at the earliest possible time. The people of Northern Ireland deserve strong political leadership from a locally elected and accountable devolved Government, and that remains my firm priority. In its absence, however, the UK Government will always deliver on their responsibilities for political stability and good governance in the United Kingdom. On that basis, I commend the Bill to the House.

6.15 pm

**Tony Lloyd** (Rochdale) (Lab): May I begin—I think the whole House will be united on this at least—by condemning the sectarian violence over the weekend in Derry/Londonderry? This has no place in Northern Ireland today. We thought that we had turned our back on that kind of activity.

Let me make it clear from the outset that, although the process of delivering this budget legislation is perhaps an extraordinary one, we certainly do not intend to stand in its way, but we have to raise questions about the nature of the legislation. There is no doubt that bringing forward this budget is a political decision, and it needs to be made crystal clear—I hope both the Secretary of State and the Minister in replying will do so—that this is not part of creeping direct rule. It is important that we establish the point that this is not part of creeping direct rule.

This is a truncated debate and scrutiny is, by its nature, limited. Were we to do the budgetary process for the United Kingdom in this way, the House would quite rightly be incensed. I accept the Secretary of State's comment that this is almost the last possible time such a budget can be delivered and that it is time-sensitive. However, in that context, the Secretary of State has already referred to consulting the various parties, and the hon. Member for North Antrim (Ian Paisley) has raised a decision that the Secretary of State has made. It is important to record how that consultation took place. In particular, at what point did she consult all the five major political parties—the Assembly parties—because that is an important test of the legitimacy of the decisions within the budget?

**Karen Bradley:** I am very happy to put that on the record, but I also join the hon. Gentleman in his comments about the violence we saw at the weekend in Derry/Londonderry. I confirm that unusually—I would not normally do this in relation to any legislation or statements in the House—I made sure that all the main parties in Northern Ireland saw the budget proposals before they were finalised, and they were not presented to the House until all five parties had seen them.

**Tony Lloyd:** I am grateful for that clarification, although I may return to that point later in a different context.

Nevertheless, there is still a question of accountability. In the end, accountability is a function of adequate scrutiny—not simply of the budgetary process at this stage, but of the spending that takes place afterwards. I ask both the Secretary of State and the Minister to consider very closely what the role can now be of the Northern Ireland Audit Office. It is one of the few bodies that has legitimacy, but its legitimacy is itself challenged by the lack of a functioning Executive and Northern Ireland Assembly. However, the Audit Office is certainly one of the few bodies that can put information into the public domain and exercise some stewardship of the spending that takes place and value for money, which is so important in any form of Government spending.

Real questions must also be asked about the way in which decisions are made on spending more generally as the political logjam in Northern Ireland—the lack of a power-sharing Assembly—quite frankly turns such decisions bit by bit into some areas of enormous difficulty and some areas of crisis. The hon. Members for Belfast South (Emma Little Pengelly) and for South Antrim (Paul Girvan) have made points about the recent decision concerning the Mallusk incinerator. The Secretary of State herself mentioned the situation, which has now been through the High Court and the Court of Appeal. I must say to her that I accept people were busy on Friday, but considerable work should already have been done on this because it is important to have legal certainty.

**Karen Bradley:** I apologise if I was flippant in my remarks regarding the weekend. I assure the hon. Gentleman that we did significant work in advance of the judgment. We need to spend time looking carefully at what was said in the hearing and the judgment so that we can ensure that we react appropriately. Of course, I will discuss that with him before any final decisions are taken.

**Tony Lloyd:** I am grateful to the Secretary of State, but there is a difficult question about the capacity of the Northern Ireland civil service to make decisions. The Court ruled in the case of a controversial planning decision that is no longer deemed to be legitimate unless there is a further appeal by whomsoever, but this goes way beyond that case, as Northern Ireland Members have said. We need certainty about how money can be spent, what budgetary headings in the Bill can be transformed into practical decisions and whether the civil service has the capacity to make those decisions.

This is not an abstract, theoretical game. It will be a day-to-day game with the possibility of judicial review taking place on any and every occasion. We need certainty. In the mini-budget in March, the Secretary of State talked about seeking legal advice on how the money can be spent, but we need early certainty on the public record so that civil servants know what their capacity is. Beyond civil servants, we need certainty so that the people of Northern Ireland know how their money can be spent, because difficult and time-sensitive issues are looming.

The hon. Member for Strangford (Jim Shannon) has mentioned the north-south connector on many occasions. The decision in principle has already been taken, so in one sense that ought to be a relatively easy decision, but providing the moneys to make the connector work requires decision making by individuals or a structure that cannot subsequently be challenged in the courts. That is enormously important.

I join the hon. Members for North Down (Lady Hermon) and for North Antrim and the right hon. Member for Belfast North (Nigel Dodds) in their challenge to the Secretary of State on the role of the PSNI. All other things being equal, our country will leave the European Union on 29 March. In her statement earlier, the Prime Minister said that a range of possibilities were being considered, including a no deal outcome. The PSNI Chief Constable has made it clear that that no deal outcome would require further staffing—a serious increase in numbers. I can assure the Secretary of State that that is time-sensitive because it is not possible, even between now and the end of March, to recruit and train 300 new members of the PSNI. It is important to recognise that. It is time-sensitive and, actually, the time is already long overdue.

**Ian Paisley:** I appreciate what the shadow Secretary of State has put on the record. It is important in terms of the lack of numbers. Under the Patten recommendation, police are down by 1,000, which needs to be rectified. He is right that it will take time. What worries me most—I hope that he agrees—is that, in the top team of the PSNI, six of the nine senior officers are currently on temporary contracts because the Policing Board is not functioning. That needs to be solved immediately for the good governance of policing in Northern Ireland.

**Tony Lloyd:** The hon. Gentleman is absolutely right. That is one of many issues that will be frozen for as long as no Executive sits.

I can tell the House of my own experience of being a part of recruiting police officers. Recruitment and training matters enormously. The confidence of the Northern Ireland public in the PSNI demands highly and thoroughly trained people coming into the service. It is in that context that the views of the Chief Constable must be taken into account. The Secretary of State must do better than simply saying that it is under consideration. We need decisions, and we need them fast.

**Lady Hermon:** The shadow Secretary of State will be aware that actions speak louder than words. He rightly acknowledges the needs of the PSNI Chief Constable, who made it clear to the Northern Ireland Affairs Committee two weeks ago this Wednesday that he needed additional police officers and resources. The hon. Gentleman has colleagues on the Committee. Did he and his party leader take action and write to the Secretary of State for Northern Ireland reflecting and supporting the needs and views of the Chief Constable in his request for additional resources? I do not want just to hear words; I want to know that the Labour party took follow-up actions.

**Tony Lloyd:** The hon. Lady's comments are very helpful. Better than writing, we raised the matter in Northern Ireland questions. I challenged the Secretary of State—I challenge her again today—to recognise the strength of the Chief Constable's words and demands and to follow words with legitimate action, as the hon. Lady says. That is the right way forward.

We need Government action on a number of other issues raised in the mini-budget debate in March, including the follow-up to the Hart inquiry. The question of historical institutional abuse will not go away, except, sadly, as victims begin to disappear. It cannot be right that victims whose lives were made massively more difficult, and sometimes nearly impossible, have to wait year after year to find resolution to historical abuse. It is important that there is a clear timetable for consultation. I understand the limitations for the civil service, but given the time-sensitive nature of the inquiry for the victims, we need a clear path for the consultation process on the historical institutional abuse inquiry and the future of the Hart inquiry.

That leads me to the question of pensions for victims of the troubles, which is consistently raised. In fact, this is more straightforward for the Secretary of State in that I believe it is possible to fund it through the Westminster purse rather than through the Northern Ireland purse. One way or another, the amounts of money involved—£2 million to £3 million—would be well containable within any budget. Because of the time-sensitive nature of the question—people whose lives were made difficult are growing older and disappearing—we need firm action.

**Karen Bradley:** We have debated this matter a number of times in the House. I share the hon. Gentleman's desire for a resolution, but he will know that the definition of victim has caused problems in terms of how anyone can assist them. I have asked the Victims' Commissioner to do a piece of work on the definition of victim so that we can get to a resolution one way or another, which I am sure he will welcome.

**Tony Lloyd:** I welcome the Secretary of State's words. Bringing this to a resolution is important, but as with all things, another round of consultation cannot be an excuse for inaction. It must be a driver so that we see justice in this difficult situation. Of course there are difficult decisions to be taken—I am aware of the different feelings that exist—but as often in such cases, grasping the nettle and saying that there is a way forward gives hope to the overwhelming majority of people who find themselves in that position. It is important that the House gives a clear signal that that can take place outwith Northern Ireland budgetary considerations.

In the same light, the Lord Chief Justice has made a request for a relatively short amount of money for the legacy inquest. Frankly, he has made it clear to me and to others that he would be able to deliver the outcome of the legacy inquests over the next five years if he is given the £5 million he has requested. If he is not given that money, it will take 30 years. Frankly, in 30 years' time, consideration of the legacy inquest will be nearly irrelevant. Again, this issue is time-sensitive and it is within the Secretary of State's capacity to begin to deliver on it.

As I said, we are beginning to move towards logjam. It may not yet be a crisis, but a crisis is beginning to emerge, even if only for individuals. We know that any major planning decisions will be scrutinised at the most sensitive level, but that anything controversial will be challenged in the courts. There are many other issues that need to be dealt with. The hon. Member for North Antrim referred to the inability to deliver permanent contracts for senior police officers in the PSNI. The same goes for the prisons ombudsman and many other similar positions.

In normal circumstances, health reform would apply to every constituency in every part of the United Kingdom. Bengoa reported some time ago now. Northern Ireland has the longest waiting lists in the UK, so it is important that we have action on health reform to begin to deliver the healthcare the people of Northern Ireland want and need. This is a wake-up call to everyone to make sure that MLAs get back to work to deliver on that.

On school reform—the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) referred to the situation in schools—we know things that need to be done in the education system are being blocked because of the present constitutional impasse. One issue that is important to individuals is the mitigation of welfare payments. This was negotiated as a result of the Stormont House and Fresh Start processes and is slowly beginning to lapse. It will lapse completely, I think, in 2020, or perhaps a little later. Individuals are already beginning to fall foul of the fact that this has not been renewed. For individuals, this is now a crisis. Members of this House have made it clear that they would prefer issues such as equal marriage and the termination of pregnancies to be dealt with by the Northern Ireland Assembly, but in the end the pressure for action begins to grow on all sides.

As I said at the beginning of my remarks, any budget, even by inertia, contains de facto political decisions. I think that the nods of agreement from the Minister and the Secretary of State indicate that they accept this cannot be a signal towards direct rule. Warm words and aspirations are no longer enough. We need action.

**Mr Gregory Campbell** (East Londonderry) (DUP): Does the hon. Gentleman agree that, as we move towards the recess in the next couple of weeks, we really need the Northern Ireland Office to ensure that the impasse does not further jeopardise the good governance of Northern Ireland? People are complaining and campaigning on the basis of, "Let's get something done." We need a package of measures in place, as soon as the House returns in early September, to alleviate the problems real people are facing and suffering on the ground.

**Tony Lloyd:** I hope that we see a groundswell of opinion in Northern Ireland that expects centre politicians—both here in Westminster and those elected to, but not sitting in, the Assembly—to get back to work. Many of the decisions that need to be made in the Assembly are important to the people on the ground, and they transcend the difference between the political parties. The issues faced in the past by John Hume, David Trimble, Dr Paisley and Martin McGuinness were massively bigger than the gap that now exists between the DUP and Sinn Féin. That is not just my opinion; I think that it would be the opinion of most ordinary folk in Northern Ireland. This is a wake-up call for everybody and a time for leadership.

**Nigel Dodds:** Of course we all share the hon. Gentleman's desire to have the Assembly back as quickly as possible, but if he casts his mind back, he will recall that the last time we had a major issue and an impasse in getting the parties to agree was during the previous Labour Government. When Tony Blair and Gordon Brown were in charge, they took action to implement a form of interim decision making. Does he think they were right to do that?

**Tony Lloyd:** We need a package of action. It is incumbent on political leaders in Northern Ireland to stand up and be counted. Across the piece, politicians like the right hon. Gentleman have a leadership role in saying, "Get back to the Assembly." There is, of course, a leadership role for the Secretary of State. I cannot rewrite history, by the way. What I would say is that we saw a move towards a successful conclusion and power sharing was reinvoked. We need movement towards the reintroduction of proper power sharing.

**Lady Hermon:** I am most grateful to the hon. Gentleman for allowing me to intervene again. When the Assembly was suspended in October 2002, under a Labour Government, the suspension provisions were on the statute book. They were repealed at the request, I understand, of Sinn Féin in the St Andrews agreement. Therefore, we are not comparing like with like. We are comparing that situation not with a period of suspension of the Assembly, but with a grey area where the Assembly is simply not functioning but is not suspended.

**Tony Lloyd:** Constitutionally, the hon. Lady is absolutely right. I am not sure, however, that we will make progress by looking to the past. We have to look to the future.

I applaud the Government's decision to move to the British-Irish Intergovernmental Conference, which will meet in a couple of weeks' time. It is important that it does so, and certainly my party will do everything it can to make the process work. It would be helpful to recognise a number of things. The conference is one of the institutions of the Good Friday agreement. It is part of

[Tony Lloyd]

the framework of the agreement, which has not gone away. The two Governments, the Irish Government and the British Government, are co-guarantors of the Good Friday agreement. I hope the Minister will make it clear, at a difficult time between our two nations—it is not simply a question of east-west relations, it is about ensuring progress on the north-south agenda too—that both Governments will show leadership in the expectation that it will be mirrored by leadership from the political parties in Northern Ireland.

It is time for a change. The things that are being held up cannot wait for finger pointing between political parties. The Secretary of State has to show real action in the weeks and months to come. Through the British-Irish Intergovernmental Conference, she can begin the process of bringing legitimate pressure to bear on all parties. We have to see real progress if we are to begin to deliver for the people of Northern Ireland the change and transformation that is now needed.

6.38 pm

**Sir Mike Penning** (Hemel Hempstead) (Con): I would just like to make a few comments on Second Reading and then perhaps try to catch your eye in Committee, Mr Deputy Speaker.

First, I would just say to the Secretary of State that I was not indicating earlier that all the financial problems in Northern Ireland would be resolved if we did not pay Members of the Legislative Assembly for not attending. The point I was trying to make was similar to the point made by the right hon. Member for Belfast North (Nigel Dodds) in relation to Sinn Féin: people are being paid for something they are not doing, and I think that in a democracy that is fundamentally wrong. It is about not the capital but the enormous message it would send. The Secretary of State was quite dismissive at the Dispatch Box, but my point is actually very serious. That point has been addressed in previous times when the Assembly has gone down, and it needs to be looked at again. On the point about Sinn Féin Members being paid and not being present in the House, I know that they stand on that manifesto promise in elections, but I do not think that many people in this country—in these great islands of ours—would understand that situation.

I am a Member of Parliament for Hertfordshire, which needs more police and more funding for police—as a former Policing Minister, I understand that side of things a bit—but there is a difference in Northern Ireland. Policing in Northern Ireland is not like policing in any other part of this country. I have had the honour and privilege of being with NI police on patrol—in uniform as a young soldier and then as the Minister of State for Northern Ireland. We do not have armed police officers on the streets—doing community policing, every single one of them. Our police officers do not have pipe bombs thrown at them on a regular basis. In Northern Ireland, we had side-impact IEDs, threatening behaviour and people needing protection in their homes. Serving officers were moved from their homes, sometimes at a minute's notice because of the threat against them. A lot of people from England, Scotland and Wales who are listening to this debate will say, “Why is an English MP standing up and asking the Secretary of State not just to look seriously at this, but to find some money for

the Northern Ireland police force?” The answer is that it is different, because the police manage to keep a peace in Northern Ireland that the rest of the United Kingdom would not understand as peace. However, that peace in Northern Ireland is a million miles further forward than it has been before.

Previous Governments of both persuasions have found money for Northern Ireland for that reason—to keep the Good Friday agreement. My fear is this—it was my fear when I was in post in Northern Ireland, and many colleagues across the House will have heard me say this: we need momentum and we need to go forward, and stagnation takes us backwards. What we saw in the Bogside in Londonderry at the weekend is an example of stagnation and going back to the old days.

**Mr Gregory Campbell:** As the police try to move into a much more community-orient role in Northern Ireland, we all support that, but as we speak tonight, police officers in Northern Ireland are having to be deployed to the small enclave of the Fountain estate in Londonderry, where they are under constant attack from petrol bombs, acid bombs and stones. That is not the type of policing we ought to have, but it has to take place, and the police in Londonderry and the Chief Constable need the additional resources to cover that.

**Sir Mike Penning:** I completely agree. Knowing that part of the world as well as I do, and having meetings there as well as having been there many years ago, I could not agree more with my hon. Friend. But there is a problem: we have recruited a lot of police into the PSNI over recent years who have never seen this sort of terrorism and barbaric attacks on our officers, and it has come as a huge shock to them. I remember vividly the terribly sad event of David Black being murdered. I remember speaking to the young PSNI officers who were in and around the area in the aftermath, and they could not comprehend what they were seeing. I remember some of what was written while I was there as a Minister, and people were saying to me, “I didn't join the force for this.”

We talk about recruitment. We would need 300 officers for a hard border, if it happened—chief constables always come up with figures for these things. We are short of officers now without any situation on the border, and we have to remember that 10,000 troops could not keep a hard border in Northern Ireland throughout the troubles. I have said before in the House that we can try as much as we want to have a hard border and it will not happen. We will have to use technology, and some of the best automatic number plate recognition is on that border now. There were no customs posts anywhere near the border, particularly in Monaghan and the areas of Middletown where I was. They were way up the road and actually were closed most of the time.

The point I am trying to make is that it is not just about recruiting numbers. They have to be the right people and they have to have explained to them very early on, before they sign on the dotted line and we commit money to training them, that policing in Northern Ireland is very different—they know because they live on the island. I consciously say “the island” because there are officers from the south. They live in the south and are very proud members of the PSNI.

**Ian Paisley:** The point that the right hon. Gentleman is making is compounded by the fact that each month, the Police Service of Northern Ireland loses 50 officers for the very reason that he identified. For a force the size of the PSNI, that loss is hugely significant, because we are not getting in the experienced officers we need with the skills to deal with the issues. Does he agree with the point that the Chief Constable made to the Northern Ireland Affairs Committee earlier this month, which was that nationalists and nationalist leaders in Northern Ireland have to step up to the plate and encourage their community to join the police and to see it as a career for all the community?

**Sir Mike Penning:** My hon. Friend is absolutely correct. If we are going to have a community police force, and we created the PSNI for that reason—we abolished the RUC and created the PSNI—it has to be a force of all the people. For that reason, I completely agree that politicians on the nationalist side have to step up to the plate. Let us be honest about it: there are Catholics serving in the PSNI, but they are continually under threat.

**Karen Bradley:** I start by apologising to my right hon. Friend—I was not making light in any way of his comments about MLA pay. I know exactly the point that he was making. I also want to put on record my tribute to him as Policing Minister when we worked together in the Home Office. He understood policing in a way that very few Policing Ministers possibly can. I believe that he was Policing Minister when the National Crime Agency started to be able to operate in Northern Ireland, thanks to his work as the organised crime Minister.

Will my right hon. Friend join me in welcoming the news that assistant chief constable Drew Harris of the PSNI has been appointed as the next commissioner of the Garda in the Republic? That is excellent news, and it demonstrates the point that my right hon. Friend made earlier about the whole island of Ireland working together.

**Sir Mike Penning:** I thank the Secretary of State—I must have a moan more often if I get such nice comments. I know Drew really well, and a lot of colleagues in the House will know him well, too. It is a fantastic appointment, and he will do fantastic work for cross-border policing and community policing.

The Garda police very differently from the PSNI, and I have to respect them—theirs is a sovereign state. However, I was about to come on to the point that if we want to recruit the right sort of people more often, from the cross-border areas and cross-party, we must make sure we protect them. One thing that I hope the Secretary of State will raise with her opposite number is that the Garda do not put in place protection in the south for serving police officers from the Garda or from the north. That is a real concern, which was raised with me many times when I was a Minister. If people were coming from the south who needed protection, the only thing that we could do was take them out of the south and bring them into the north, which is obviously wrong. The Garda do not have the same policies as we do and do not support their officers in the same way. That is not a criticism of them—they just do it differently—but perhaps the Secretary of State could raise that point with her opposite number.

I know that others want to speak, and I do not want to drag the debate out.

**Lady Hermon:** I am most grateful to the right hon. Gentleman for allowing me to intervene at the end of his comments. Out of respect, including for the memory of my late husband, who was the Chief Constable of the Royal Ulster Constabulary for 10 years, I wonder if I might just ask the right hon. Gentleman to correct what he said earlier—that the Police Service of Northern Ireland took over after the RUC was abolished. The RUC was incorporated into the Police Service of Northern Ireland and many, many distinguished RUC officers still serve proudly in the PSNI.

**Sir Mike Penning:** If the hon. Lady had not asked me to correct the record, I would still have done so—I spoke inappropriately, and I apologise. I also pay tribute to her husband for the work that he did in getting us to where we are today. Sadly, he is no longer with us. I absolutely agree—I had ex-RUC officers in my own close protection when I was out there. Interestingly, I had former British soldiers who had fallen in love with Irish girls and stayed.

I just want to touch on the G8 summit at Lough Erne and the volunteers we had coming across from the mainland—from Great Britain. I remember Steve White of the Police Federation—he has left the federation now, but he is a good friend—telling me, “You will not get officers going over”. How wrong he was. Police officers from Scotland, Wales and England want to go and help their colleagues. I am still struck by what happened at the first briefing when I was there, when those green uniforms walked in and every other officer from around these great nations of ours stood up out of respect. It was not once; it happened again when I went to the Police Federation conference, simply because of the massive respect that other police forces have for the PSNI. As we know, quite a few of them get recruited out of the Province and into the other forces. Surely the sensible thing would be for them to go back and serve with the PSNI.

6.50 pm

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): I rise, rather reluctantly, to speak in this debate. We can all agree that, although it is sadly all too necessary, this budget debate should not be taking place in this House, and certainly that these matters should not be determined by politicians from Scotland, England and Wales. My sympathy is with the people of Northern Ireland who, in being denied their own devolved Assembly, have been let down by many of their representatives and the inaction of the UK Government.

The situation in Northern Ireland is not sustainable, as Friday’s court ruling over the proposed incinerator near Newtownabbey highlighted. In the continued absence of any Ministers, planning permission for the project was issued by a civil servant—a decision that, as we have heard, was overturned by the High Court, which found the incinerator to have been unlawfully authorised. I offer no opinion as to the rights and wrongs of the project, but the ruling is significant and underlines the need to re-establish the power-sharing Executive. The ruling affects today’s Bill because spending can only go ahead on decisions made by previous Executives. Failing that, these decisions have to be made by the Secretary of State, only confirming the state of direct rule.

[Gavin Newlands]

During this moment, we need calm heads and something that has been sadly lacking in this situation: leadership from the UK Government. We need action now to address this stalemate. It has been 18 months since the people of Northern Ireland had the representation they are entitled to and, indeed, voted for. It is not appropriate that day-to-day decisions affecting communities right across Northern Ireland are being made in Whitehall, rather than in the elected Assembly in Stormont, but we are where we are. The people of Northern Ireland have been let down by some of their politicians, but we have zero desire to see them suffer unfunded public services too, so we will support the Bill in order to allow public services in Northern Ireland to continue without interruption.

The lack of progress to restore the Assembly is extremely frustrating. I hope that the politicians in Northern Ireland can find the strength and desire to get back around the negotiating table, find areas of compromise and work together to ensure that, as my hon. Friend the Member for Edinburgh North and Leith (Deidre Brock) hoped the last time Northern Irish budget matters were dealt with, this will be the last time that we in this place are forced to debate and agree issues that should be debated and agreed at Stormont. I should at this point thank my hon. Friend for the great work she has done in this role for the last three years. I am sure that I will be seeking her advice regularly in the coming weeks and months.

The UK Government have to accept responsibility for their failure to restore the devolved institution. I understand that there may have been other important issues for all Departments to prepare for—indeed for the Government themselves to disintegrate over—but the UK Government have failed and continue to fail the people of Northern Ireland. As a result of this inaction, not only have we had 18 months without an Assembly and Executive; we have had five months without any talks taking place.

**David Simpson** (Upper Bann) (DUP): The hon. Gentleman said earlier that the lack of an Executive was a failure of political representation in Northern Ireland. Would he accept that the DUP has set no red lines for going back into an Executive, but that Sinn Féin has ruled it out? Will he acknowledge that Sinn Féin is the road block here?

**Gavin Newlands:** I will not be drawn into that argument. It takes both sides to get around the table and agree a way forward.

I hope that during her Third Reading speech the Secretary of State will outline what recent work has been carried out to bring the parties back round the table and what is preventing this from happening. Can she confirm that all the main parties in Northern Ireland have not only viewed the budget but been consulted on it and had their suggestions taken on board?

I want to comment on the necessity to fast-track this important Bill. We have not had an Executive in place since January 2017, so why could the UK Government not have taken the proper time to prepare for this budget? The explanatory notes state that the Northern Ireland Affairs Committee was not given the opportunity

to scrutinise the Bill in draft. In addition, even though the budget has been discussed with political parties and businesses, it is unclear if the Secretary of State consulted civil society and trade unions. Over the last few weeks, the Government have shown they lack respect for Scottish devolution with a power grab that ignores the overwhelming vote in the Scottish Parliament. Their failure on this issue of crucial importance to Northern Ireland just proves that they do not care enough about devolution in any part of the UK.

As we debate this budget, it is hard not to notice the elephant in the room: the £1.5 billion survival money the Tories have given to Northern Ireland—care of the DUP—to keep the Prime Minister in 10 Downing Street. Given the current state of affairs and developments today, it could be time for a renegotiation. We have never opposed the funding that was provided to Northern Ireland, but it is completely unacceptable that it was not Barnettised, meaning that Scotland lost out on nearly £3 billion of additional funding.

One of the Secretary of State's clear difficulties is with other parties having the confidence to engage with her, given her party's relationship with the DUP. The DUP could bring the Government down on a number of votes. They have huge power and influence over the Government, and the Secretary of State, with all that going on, has to act as an independent partner in this process. That is difficult when their very survival rests with 10 DUP MPs who have called for direct rule. On Third Reading, therefore, I would be keen to hear what discussions she has had with the other parties on this issue and whether she believes that they have confidence and trust in the UK Government to act as an independent mediator that can help to restore the Assembly and Executive.

As I have said, this is a sorry situation. This will be the third Bill to allocate resources to Northern Ireland to be approved by politicians who should have no role in this process.

**Nigel Dodds:** I welcome the hon. Gentleman to his place and wish him well. We look forward to working with him in Parliament on Northern Ireland issues. He mentioned the DUP and its crucial role in this Parliament. If he applies logic, would he therefore say of Sinn Féin, which is desperate to get into government in the Irish Republic, that in no circumstances should any party in the Republic take it into government, since that would obviously then create difficulties for the Irish Government's role in the political process?

**Gavin Newlands:** As I have indicated, I have no intention of getting involved in internal political matters in Northern Ireland. That is for the right hon. Gentleman and his colleagues to resolve, along with the UK Government.

In conclusion, the people of Northern Ireland will continue to be failed as long as some of their own politicians fail to negotiate a deal and this Government fight among themselves over Brexit, rather than showing the leadership that is badly required. We have to provide the hard-working and dedicated civil servants, who are under great pressure, with the resources they need to run public services in Northern Ireland. I and the SNP will not stand in their way by impeding that progress this evening, but we must thrash out a deal as soon as possible that sees the Assembly and the power-sharing Executive restored.

6.58 pm

**Sammy Wilson** (East Antrim) (DUP): I welcome the Bill tonight because it secures the money we voted to Departments to keep them running until the end of July and assures them that the full funding will be available until the end of the financial year.

We accept, however, that this is not a satisfactory arrangement. Issues such as budget allocations, how the money is spent and the monitoring of how it is spent all require detailed examination by politicians—that is how we get the accountability that should attach to any budget—but we can see from attendance tonight that there is no massive interest in the House. Indeed, there is a certain irony. For the past year, sitting in the Chamber, I have seen Member after Member stand up and say how concerned he or she is about the Brexit negotiations and the impact that Brexit would have on Northern Ireland, the impact that it would have on the Good Friday agreement, and the impact that it would have on community relations and the people of Northern Ireland. However, when it comes to the budget for the people of Northern Ireland, they are nowhere to be seen. I do not think that that irony is lost on the people of Northern Ireland. The pseudo-concern that we have heard from the Labour party during the Brexit debate represents little more than an opportunity to score political points and, conveniently, to use Northern Ireland as a means of arguing against the referendum result and the people who wanted to take us out of the European Union.

**Ian Paisley:** Labour Members who are so interested in whether there should be a hard or a soft border could have put on record their concern about the number of officers who have been recruited to the Northern Ireland border service and Her Majesty's Revenue and Customs to deal with these issues, and how those officers have been recruited, but hark! I hear nothing from the Labour Benches.

**Sammy Wilson:** There are plenty of other aspects of the budget that could have been related to the concerns that Labour Members have been expressing. In that regard, Scottish National party Members are no different—they too have expressed great concerns—and the same applies to the Liberal Democrats, who are nowhere to be seen. At least some Labour Members are present, but none of the rest has turned up.

This is not a satisfactory arrangement. I think I should use some of my speech to talk about how we got here, why we are here, and who is responsible for the fact that our budget is being dealt with in this way in the House of Commons.

**Lady Hermon:** Will the right hon. Gentleman give way?

**Sammy Wilson:** I am sure that the hon. Lady will have an opportunity to make her point later, when she makes her own speech.

This is the second occasion on which the Northern Ireland Budget has come to this House. On the first, in an act of political cowardice the then Finance Minister in the Northern Ireland Assembly, Máirtín Ó Muilleoir of Sinn Féin, refused to bring a budget to the Assembly. Sinn Féin has always liked to hold its hand out for British pounds, but it does not like to make the hard

decisions that must be made when it comes to spending money in a responsible way. No budget was brought to the Northern Ireland Assembly in November 2016 when it should have been, and, shortly after that, Sinn Féin collapsed the Assembly.

That was very convenient, because Sinn Féin did not have to make the hard decisions. They wanted the post and the responsibility—they wanted all the kudos that was involved in being head of the Department of Finance—but they did not want to make the hard decisions. It was convenient that the Assembly collapsed—or that Sinn Féin collapsed the Assembly—because that meant that Sinn Féin did not have to put their hand up for a budget.

I have been in that position. When one has to allocate money across Departments, there will always be people who are disappointed, and there will always be criticism. One will be told that one should have prioritised this and should not have given money to that, or that, magically, one should have produced for everyone money that just was not there, which, of course, is not always possible.

The budget came to the House of Commons on the first occasion because of Sinn Féin's failure to produce a budget; on this occasion, it has come here because Sinn Féin made it impossible for anyone else to produce a budget. Having collapsed the Assembly, Sinn Féin then refused to return to it, appoint Ministers, and enable the Assembly to make decisions about how money was spent and allocated and to present a budget for the people of Northern Ireland. Sinn Féin preferred to engage in a game of blackmail: they would not allow the Assembly to be set up unless all the parties in the Assembly agreed to their agenda, before they were even in the Assembly. Sinn Féin knew that that agenda would have been impossible to deliver had it come to votes in the Assembly—even some of the nationalists would not have voted for it—so what did they do? They sat outside and said, "We have a veto. Under the rules that currently govern Northern Ireland, if we are not included in the Executive that Executive cannot sit, and that Executive will not sit until we get our way and are given promises that the policies we want will be implemented."

Oddly enough, it seems that Sinn Féin are holding up all political progress in Northern Ireland so that the 4,000 Irish speakers in Northern Ireland can see Irish road signs and can be spoken to in Irish when they telephone about their rates bills, although they can all speak English. We are being held to political ransom. We have Irish broadcasting and Irish schools, and £197 million is spent on all kinds of Irish-medium education. We spend money on Irish festivals, and we allow Irish street names if enough people in the area want them. Despite all that, one of the reasons we are discussing this budget here tonight is that because 4,000 people in Northern Ireland claim to be Irish speakers, Sinn Féin say that unless an Irish language Act makes Irish an official language—which would mean hundreds of millions of pounds of expenditure—they will not allow any progress.

The hon. Member for Paisley and Renfrewshire North (Gavin Newlands) said that he did not want to become involved in an argument about who was right and who was wrong, and who was responsible. However, if he looked at even the surface of what is happening in

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Northern Ireland, he would be able to point the finger of blame—and, by the way, the blame does not lie with the Government at Westminster, although I know that the favourite activity of the Scottish National party is to blame them for everything. The blame for this should not be laid at the door of the Government at Westminster; it should be laid at the door of those who know that they have a veto, who have used that veto irresponsibly, and who are quite happy for this budget to be pushed through the House of Commons today without the level of scrutiny and accountability that would have been possible in a Northern Ireland Assembly.

**Jim Shannon** (Strangford) (DUP): Sinn Féin often ask about the Irish language and the funding for it, but very few members of Sinn Féin can speak Irish. Is my right hon. Friend as amazed about that as many of the rest of us are?

**Sammy Wilson:** It does not surprise me at all. Sinn Féin have introduced this hurdle because they do not want the Assembly to be up and running anyway. I shall say more about that in a moment. Sinn Féin prefer the political vacuum, for a reason. The Secretary of State must bear that in mind, as must the hon. Member for Rochdale (Tony Lloyd), who said that he hoped that this was not part of some creeping direct rule. There was a contradiction in his argument, because he then said that we were moving towards a crisis, and that there must be pressure for action. He was right.

There are decisions that need to be made, and we need a process for that. It is clear, however, that one of the parties required to set up the Northern Ireland Executive is determined not to be in that Executive. Its members prefer to sit on the Terrace of the House of Commons, lobbying Ministers and Members, rather than coming in here, and rather than doing their job in Northern Ireland as well. We see them all the time, sitting about this place collecting millions of pounds for not doing their jobs, and at the same time complaining about the outcome of the process. They have pointed the finger at the DUP, and one of the arguments they have made is that my party and those who asked the Government to implement this budget are supporting Tory austerity. However, I can say that we have probably done more to alleviate the impact of austerity in Northern Ireland than Sinn Féin or all the other parties put together, because, as my right hon. Friend the Member for Belfast North (Nigel Dodds) has pointed out, the confidence and supply arrangement that we reached with the Government was what resulted in the additional resources the Secretary of State has referred to becoming available to the Northern Ireland budget.

I know that the hon. Member for Paisley and Renfrewshire North would have liked to have had the same benefit. I thought the SNP was opposed to outsourcing, but it appears that it wants to outsource the negotiations on its budget to the DUP, saying to us, “You go and do a deal with the Government and then we will reap the benefits of it.” I think the Government may well be prepared to make the benefits of that kind of confidence and supply arrangement available to the Scottish National party if it is prepared to back the Government in the same way as we have done.

In fact, we had the situation last week when the SNP was so determined to annoy Members of this House that it called votes when we were in the Smoking Room cheering on England to get them through to the quarter-finals—they are now in the semi-finals. What were SNP Members doing? They were doing their best to disrupt our night of enjoyment. They can hardly expect a confidence and supply arrangement from anybody in this House when they behave in that way.

I accept that this is a difficult budget. In cash terms, it is a flat budget. The amount available to Government Departments in Northern Ireland is no different from that in the previous year, and that does present challenges. It presents further challenges when the allocations are based on decisions that the Assembly made nearly two and a half years ago. It set certain priorities, wanting to see over the next five years an extra £1 billion put into the health service, and of course that meant that, since the cake had to be sliced up, other Departments would find that their budgets faced cash reductions.

While this has presented challenges, those challenges have been reduced somewhat due to the additional money obtained for the reform of the health service, the additional money for frontline services in health and education, and the additional money for broadband, infrastructure projects, mental health and areas of severe deprivation. Indeed, some school budgets, or parts of school budgets, have been protected because breakfast clubs, after-school clubs and so on have been able to have money allocated to them from that severe deprivation funding.

**Lady Hermon:** I want to pick up on the points made earlier by the right hon. Gentleman’s party colleague the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) about schools in his constituency, because I must add to those concerns my worries about school budgets in North Down. The right hon. Gentleman has called on the Government to boost health and education, and the Government in turn have delivered that through the confidence and supply arrangement, so how on earth can it be that budgets in North Down for primary and special care schools are so stretched? Please will the right hon. Member for East Antrim (Sammy Wilson) explain that to the principals and parents in my constituency?

**Sammy Wilson:** It comes back to the point I was making about the allocation of the budget and the way in which decisions are made. First, decisions are based on historical decisions made by the Assembly. Secondly, unfortunately, I have to say—this is why the current system is not acceptable and has to be changed—that when allocations are made by civil servants, we cannot be sure that the finance available will always go to what the public might want to prioritise, because bureaucrats see different priorities. For example, I had a long discussion with the permanent secretary in the Department of Education when we found out that some of the additional money that was available for schools and was meant to go to frontline schooling actually went to finance the deficit of the Education Authority. By the way, after the amalgamation of five education and library boards, that authority was still spending as much on administration as the five boards had spent, even though the idea was that one authority would lead to rationalisation and therefore cut costs.

When civil servants are making these decisions, they will often have different priorities, because they see things from the point of view of administration and bureaucracy, and sometimes that will be more important to them than what politicians would see as the priorities. Politicians are being confronted on a day-to-day basis by parents with youngsters with special needs, teachers who are teaching bigger classes, and headmasters who are having to say to parents, “We need you to provide extra money for books, paper and everything else.” Therefore politicians will often have different priorities.

But here is the point: in the absence of devolution, we do not have people in place who are perhaps tuned into those things as priorities. That is one of the disservices that Sinn Féin has done to the people of Northern Ireland. In its pursuit of its ideological goal involving the Irish language, it is prepared to see bad budgetary or spending decisions, or decisions that do not reflect the priorities of the public.

**Paul Girvan:** The common funding package used for education has shown up glaring inequalities. There are primary schools in my area that are allocated £2,400 per pupil, yet there will be another sector of education that receives up to £15,000 per pupil. This inequality should not exist. I would have no issue with such policy decisions if we had an Assembly in place, but without an Assembly in place to make decisions, we cannot make those changes.

**Sammy Wilson:** This goes back to my point about the Irish language. Those inequalities often exist because of the preference given under the Good Friday agreement to Irish language legislation, which has consequences in terms of small Irish language schools. Some secondary schools have opened with as few as 14 pupils, which is very costly and has led to the kind of result that my hon. Friend raises. That cannot be changed by a civil servant. That is a political decision, and that is why we need an Assembly up and running in which such decisions can be made, meaning that we can look at funding inequalities and decide whether we should change the priorities.

What is important is that we have a means by which the budget can be spent. The Secretary of State said that there is no difficulty with allocation, but there is a difficulty, as I have explained, with accountability, and the issue with the Department of Education has already been raised by two Members. Different Departments have reacted in different ways, however, and I am pleased that the Department of Health has allocated the additional money it obtained as a result of the confidence and supply arrangement to frontline services. Thousands of people across Northern Ireland will benefit from the allocation of that money to reduce waiting lists for elective surgery. Some people were facing two-year waiting lists, but will now find their waiting time reduced. The results can therefore depend on how Departments react.

Although the Secretary of State has said there is no difficulty in allocating the money, there is a difficulty in accountability, and I take issue with her on that. I have had conversations with permanent secretaries, and difficulties are emerging in the allocation of spending. For example, the permanent secretary in the Department for Infrastructure told me recently that he would have

difficulty making a decision about the York Street interchange, for which money has been allocated in the infrastructure budget. He argued that he would not be able to make a decision on that. We have already seen the difficulties over getting the broadband money spent in Northern Ireland, and we know that there are decisions to be made on health reforms. If the health budget is going to be sustainable in the long run, health reform is required, but in order to spend some of the money in the budget on that reform, a change in the nature of some hospitals will be required, including the movement of some services and the concentration of services in other hospitals. According to the courts, those decisions cannot be made by civil servants; they have to be made by Ministers.

The same applies to the school estate. One way of getting more money into the classrooms is through the rationalisation of schools. We have additional school places in Northern Ireland, but in some areas there is a shortage of school places and in others there is a surplus. That requires decisions to be made about school closures and about opening new schools but, again, those decisions need to be made by politicians. I think the Secretary of State is wrong when she says that we do not have any difficulty when it comes to allocation. We are heading towards that difficulty now.

At the other end of the spectrum, I am already in discussions with officials in certain Departments and someone has already mentioned the number of assistant chief constables who are on temporary contracts. They cannot be given permanent contracts because no one is there to make that decision. Applications for a whole range of disabled parking bays are queuing up for a decision, but there is no one there to make those decisions. That might not be an important issue in the global sense, but it is important for people with mobility problems who cannot park their car outside their door. Then there is the issue of school minibuses. Directives have been issued in Northern Ireland to say that teachers need to have a public service vehicle licence to drive those minibuses, even though teachers elsewhere do not have to have them. Many schools have had to give up providing sporting and other after-school activities. It requires a Minister to make decisions on those issues as well. I could go on.

**Sir Jeffrey M. Donaldson:** My right hon. Friend, and the Secretary of State and her Minister, might be interested to know that we have been waiting several years for the introduction of a weight limit in Hillsborough village in my constituency. Heavy vehicles are damaging the conservation zone and the historic Georgian buildings in the centre, but the village cannot be afforded the protection it needs because we now need legislation, which requires decisions at a ministerial level. Hillsborough cannot be given the protection it requires, even though Historic Royal Palaces has done a wonderful job in restoring and introducing new facilities at Hillsborough Castle. The whole situation is having an impact on many people in Northern Ireland.

**Sammy Wilson:** I am sure that Members on these Benches could give lots of local examples of decisions not being made on things that matter to individuals and communities because we do not have a local Administration.

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I would say to the Secretary of State that we want devolution—we are a devolutionist party and we believe that it is the right thing—but there is increasing cynicism in Northern Ireland about devolution, and the longer we go on without a devolved Administration, the more that cynicism will grow. This is not a case of putting the blame on all the parties and saying that they all need to get together. The pressure has to be put on those who are holding up devolution, the ones who will not go through the doors, the ones who are happy to sit here and sponge off taxpayers, and the ones who are happy to sit in Northern Ireland and complain about no decisions being made while at the same time being the very ones who refuse to allow a situation to develop in which those decisions could be made.

**Nigel Dodds:** My right hon. Friend is making some powerful points, which I am sure that those on the Treasury Bench are listening to carefully. Just as a marker about decision making might be put down in Committee, such a marker is clearly being put down now, not just by the representatives of Northern Ireland in this House but by business in Northern Ireland. We have heard a lot of talk about business in relation to Brexit. The chambers of commerce, the Institute of Directors and the CBI, which the Secretary of State visited recently, are all saying that it is time to get decisions made in Northern Ireland. That was made clear in a meeting with business representatives that we had two weeks ago. They said, as we are saying, that they want devolution, but in the meantime, there cannot be a situation in which part of the United Kingdom is left without government for 15 months.

**Sammy Wilson:** That is one of the reasons why I think we will need some intervention. The hon. Member for Rochdale (Tony Lloyd) made the point quite forcefully that Northern Ireland had faced far bigger and more difficult situations than this in the past. I remember when I was a member of the Executive, as was the Member for North Down—[*Interruption.*] I mean North Belfast. I am sorry. My right hon. Friend the Member for Belfast North has taken over North Down as well.

I remember when we faced the devolution of policing. Nothing was more controversial in Northern Ireland than the devolution of policing, especially as it was going to be devolved to an Assembly that contained people who had supported the killing of policemen and women. We were prepared to work at that, however, in order to get an agreement and to get policing devolved to Northern Ireland.

I think that that illustrates the point that this party has been flexible all along when it has come to making devolution work. However, no amount of flexibility is going to get us over a situation in which one party, which has a veto, does not want to make the tough decisions, does not want to be associated with any compromise around Brexit and does not want to have to deal with its murky past when it comes to legacy. That party is determined to use its veto to keep the Assembly from sitting to keep the Executive from being formed. A former leader of our party recently gave a lecture when he was appointed visiting professor at Queen's University, and he made the point that perhaps we are coming to a time when, if the Government are

squeamish about direct rule, we have to look again at the rules of the Assembly that allow a veto for parties that are prepared to use it indefinitely and damage even their own constituents in pursuit of their own ideology.

I believe that we will come back next year and have this same debate. We will again have to discuss a budget for Northern Ireland that will be based on decisions made nearly four years ago—as it will be by then—that no longer have much relevance to the changing needs of the Northern Ireland economy. Sadly, that budget will reflect that position, rather than being an up-to-date budget that has been debated by people in Northern Ireland and decided by politicians there.

7.28 pm

**Owen Smith (Pontypridd) (Lab):** It is an unparalleled pleasure to follow the right hon. Member for East Antrim (Sammy Wilson). Unusually, I agree with quite a few of the things he has said. I definitely agree that it is a terrible shame that there are so few of us in the Chamber tonight, on our Benches and indeed on the Government Benches. Perhaps that is slightly more explicable today, given the events that have taken place. This feels a bit like “after the Lord Mayor’s show,” but in truth, it has felt like this on too many occasions when we have debated Northern Ireland business during this Parliament and the previous one. That should worry us all, and my fear is that the Government are quite content with that state of affairs. I fear that they are content with there being little focus on the issues of Northern Ireland and little appreciation, certainly among the wider public here in Great Britain, of the fact that there is a crisis of governance in Northern Ireland, 18 months after the collapse of the Assembly.

We are making extremely important political decisions today about spending allocations to Northern Ireland that are of import not only to the people of Northern Ireland but to the people of the whole United Kingdom. Although this is the second formal occasion on which we have had a Northern Ireland budget from this Conservative Government, from my recollection it is the sixth or seventh time that we have seen significant amounts of money—millions of pounds—being allocated by successive Secretaries of State. These circumstances cannot continue, because there are consequences that come from a lack of democratic accountability in Northern Ireland, such as civil servants being placed in invidious positions.

**Chris Ruane (Vale of Clwyd) (Lab):** Does my right hon. Friend agree that there is a lack of accountability? When the Assembly was not sitting in 2006, we in this place were allowed to ask written questions on a whole range of issues. Today, however, when I try to table such questions, the answer I get is, “You’re not allowed to ask this question.”

**Owen Smith:** My hon. Friend is absolutely right. That is one of the things that has apparently fallen into a black hole, because there has been no real explanation why the position has shifted from the situation under the previous Labour Government, when we had direct rule as a consequence of the collapse of politics in Northern Ireland. Under the current state of affairs, we effectively have direct rule, or at least direct rule-style decisions from this place, yet MPs and Assembly Members do not have the capacity to scrutinise decisions. That cannot be allowed to continue, but it has continued for over 18 months.

Over those 18 months, there has been extraordinary and spectacular inactivity on the Government's part either to provide a greater degree of accountability or to try to bring about the restoration of the institutions in Northern Ireland. It seems as though pushing things down the road and kicking the can into the distance have been the Government's preferred *modus operandi*, which is not good for the people of Northern Ireland or for governance across the whole UK.

**Ian Paisley:** I was always taught that the purpose of the study of history was to avoid repeating the mistakes of the past. One of the mistakes made in the 1950s and '60s was that this place became disinterested in what was happening on the ground in Northern Ireland, and we know what happened then. If we do not learn from the past, we will, through the disinterest of this place, repeat what happened then.

**Owen Smith:** That is a good point well made, and it applies not only to Northern Ireland, although it is particularly important there. Post devolution, the different constituent parts of the United Kingdom are becoming strangers, and there is all too often insufficient understanding of, or interest in, the differences in policy and practice between the different parts, which is not good for our democracy. That is potentially not good for peace or for the prosperity of the people of Northern Ireland—people who have suffered more than most in our country.

There is another lesson of the past that we must learn. It is a more recent lesson from the previous Labour Government, and former Prime Minister Tony Blair deployed the phrase on many occasions. In Northern Ireland, we have to keep the bicycle moving forwards, otherwise it falls over. In recent months, the bicycle seems to be in serious danger of being left on its side on the roadside, because there is no sense of forward momentum in the peace process. There is no sense that the Government have a concerted plan to get things up and running.

We have repeatedly called on the Prime Minister to get more stuck into the talks in Northern Ireland. I think that she is planning to go there next week, and I know that there is a British-Irish intergovernmental conference coming up, but such things have been called for endlessly over the best part of two years, and this is too little, too late. We may well be reaching the point where something starts to go wrong, because the truth is that just as the gaps between the political parties are growing wider, so too are decisions being left unmade.

We have already heard about the need for health reform. I cannot remember how many years ago the Bengoa report came out, but we have seen no movement towards its implementation. My hon. Friend the Member for Rochdale (Tony Lloyd), the Opposition spokesman, mentioned some of the pressing matters that desperately need to be dealt with, such as the Hart inquiry into historical institutional abuse. There are people who suffered horrendously at the hands of others in institutions and who are desperate to see justice and compensation. All parties agree that that is their right, but there has been no movement on that. There has also been no movement on the issue of pensions for victims, but there is a significant degree of agreement across political parties and across the House about how to take things forward. What about the legacy issues—not just the

legacy inquests, but how we deal with the legacy of the troubles? Again, there is significant agreement in this House and across Stormont on how that should be taken forward, but we are not seeing the fruits of that agreement.

The problem with all that is that we run the risk that the apathy in Northern Ireland that many people have talked about will harden into cynicism. On this side of the Irish sea, it hardens into long-standing disinterest. That cannot be allowed to happen. I say to the Minister, the Conservative Front-Bench team and, indeed, to my own Front-Bench team that one of the lessons of history we need to learn is that if we have what is in effect direct rule, we cannot afford to be, as the right hon. Member for East Antrim put it, squeamish about calling it direct rule.

Even those of us in this place who are devolutionists must accept that enough will be enough at some point. What will we do if something goes wrong in Northern Ireland? What if there is a problem with safeguarding in a school? What if there is a crisis in the health service in Northern Ireland? What if a problem such as we have seen in Derry/Londonderry over recent days and hours expands into something more problematic? Who will the people of Northern Ireland hold to account? Who will they turn to for answers? Who will we ask questions of, to satisfy ourselves that the right decisions are being taken? The truth is that the Minister cannot answer those questions, because David Stirling and the civil servants in Northern Ireland are the only people holding the baby and carrying the can. That is not fair to them, and it is not good governance.

Not only am I a devolutionist, but I also served as an adviser under the previous Labour Government in the period when we called a spade a spade and realised that, in the absence of the political talks delivering the restoration of the institutions, we needed direct rule and to call it direct rule. My direct challenge to the Minister is to tell us why the Government are so concerned about acknowledging the situation. I would understand it if he were to stand up and say, "We think that would make it much more difficult to bring about the institutions." I would understand if he stood there and said, "We think it would deeply damage relations with the Government of the Republic." However, I suspect that he is not prepared to accept either of those things.

I suspect that the Minister is not prepared to say that we are going to see, as a corollary of introducing direct rule, lots and lots of BIIGCs, because that will not please some Members. However, I think we had 25 BIIGCs when the Assembly was last in abeyance. That would be the corollary, and it would be absolutely the right thing to do to ensure that the co-guarantors of the Good Friday agreement—the UK Government and the Irish Republic's Government—had a say in things. I do not understand why the Government are so loth to call a spade a spade, to acknowledge that we have direct rule by stealth and to get on with putting in place either direct rule or a plan to get us out of the twilight zone in which we currently reside. It is not good for governance; it is not good for the people of Northern Ireland; and, to put it plainly, it is not sustainable.

7.39 pm

**Emma Little Pengelly** (Belfast South) (DUP): Five hundred and forty-five days ago, Martin McGuinness, the then Deputy First Minister of Northern Ireland, resigned.

[*Emma Little Pengelly*]

That action, which was not agreed with us, Sinn Féin's partners in government—it was a unilateral decision—triggered the collapse of the Northern Ireland Assembly. On 24 January 2017, I was in the Northern Ireland Assembly during the last few hours of the sitting. Incredibly, it means there has been no Government, no democratic accountability and no real decision making in Northern Ireland for 531 days.

We talk often of our great British democracy, yet it genuinely grieves me when I look across this House and see the lack of interest in this shocking constitutional crisis happening within the United Kingdom today. That is 531 days without Ministers and Members sitting in the Assembly making the decisions that affect real people on the ground in Northern Ireland.

**Nigel Dodds:** I entirely share my hon. Friend's concerns and her views, but I suppose one could look at the empty Benches and the non-representation of most of the major parties in a slightly different way. It puts to rest the idea that there would be widespread outrage and concern here if there were direct rule, because it is quite clear that nobody is that exercised when we have a measure of direct rule. Nobody is outraged enough about it to turn up to speak, to vote or to say anything about it; they are quite happy to go about their business elsewhere and to allow this to go through the House virtually unopposed. I suppose one could look at it in that way.

**Emma Little Pengelly:** I absolutely agree with my right hon. Friend. The reality is that the Democratic Unionist party is a party of devolution. We want to get the Assembly restored. We do not want direct rule, but we need direct rule. The people of Northern Ireland need direct decision making, because urgent decisions are not being made at the moment.

I would say to the Minister and to the Secretary of State that the time has long passed for action to be taken on these important matters. I assure everybody that the Democratic Unionist party wants to get back to work. I understand that all the other parties are in the same position—they want to get back into government and into the Northern Ireland Assembly to do the job they were elected to do—but there is one party preventing that from happening.

There is one party, alone in Northern Ireland—the party that collapsed the Northern Ireland Assembly—saying to all of us, “Unless you meet our demands, there will be no Government.” I say very clearly that this is not a party political point. Whenever we try to highlight the difficulties in Northern Ireland, it is incredibly frustrating that people turn around, just someone in the front seat of a car, and say, “You're all as bad as each other.” The reality of it is that we would go into government immediately, and many of the other parties are in the same position. But there is one party saying, “If you do not agree to our demands, there will be no Government.”

That is not just sad and frustrating for the politicians and parties in Northern Ireland; it is most sad and disappointing for the people of Northern Ireland. The person sitting on a waiting list in pain, who is trying to get seen and trying to get a necessary procedure, or perhaps to get a test about which they are deeply worried—my colleagues and I speak to such people day

in, day out and week in, week out—needs to get help and support, but because there is no decision making on vital issues such as health transformation, they cannot get that support.

Children are sitting in schools that have had to make decisions to lose teachers—to make teachers redundant—because the Assembly cannot make a decision to stop that happening. Families have come in to see me distressed, perhaps in tears, and struggling because they cannot access public services as there are no Ministers in place and no one with democratic accountability who can listen and react to help them. It is those families and individuals who are suffering most because of Sinn Féin's action in refusing to go into government and boycotting the Northern Ireland Assembly. That is not right, and it is not fair.

I am not opposed to the Irish language, and I know that my party is not opposed to the Irish language. I have the utmost respect for those who want to speak a language and enjoy cultural rights, but it is beyond doubt that the Irish language Act remains a divisive and controversial issue in Northern Ireland. We have said clearly to Sinn Féin, and we said it in good faith, “Get back into government, deal with issues of health, education and public services, and we will commit to continuing to talk about these difficult issues.” Every party in Northern Ireland and across the United Kingdom has particular things that it would like to see, which might not be shared with other parties. We have to build consensus, and we have to try to find a way through, but what we do not do is throw a tantrum, collapse the democratic institutions and make demands, saying, “We cannot get back into doing our job and working for the people of Northern Ireland, until our demands are met.”

Unfortunately, I believe the Court of Appeal's Buick judgment gave an untrue and inaccurate perception that decisions were being made in the Departments up until the Court said that could not happen. Huge numbers of really straightforward, non-controversial, benign decisions are not being made. One example is that a Department here made a decision to put funds to one side to celebrate the extension of the franchise to women, and there was an unhyphenated Barnett consequential for the block grant in Northern Ireland. It was not a huge amount of money, about £200,000 to £300,000, for a scheme so that community groups, particularly women's groups, could celebrate the extension of the franchise to women. Scotland and Wales announced that they would use the funds they got as part of the Barnett consequential to put the scheme in place, so I wrote to ask the Department of Finance whether it would do the same. The response, which I receive all the time, was, “There are no Ministers in place. We cannot make a decision to put a new scheme in place. Therefore this money will be used in a range of different ways.” I hear that all the time, across scores and scores of decisions that are needed in every single Department. That was before the Buick case came to court.

It is not just about the big issues of infrastructure. We have heard about the historical institutional abuse victims, who should get the funds and support they want and need. We have heard about pensions for those who were seriously injured during the troubles in Northern Ireland—I have met them on a regular basis. As I have told the House previously, those who speak to them and hear

their stories of the pain they are enduring, day in and day out, will be hugely sympathetic. They need decisions. That group is getting older, but the decisions cannot be made. It is not all about the big decisions; these are everyday decisions.

My right hon. Friend the Member for Belfast North (Nigel Dodds) mentioned the business community, for which, again, there are a whole range of decisions to be made. The “Streets Ahead” programme in Belfast is not controversial, and everyone would agree with it, but there is no Minister to make decisions, which is crippling the system in Northern Ireland and has been for 531 days.

The Northern Ireland Assembly has a scrutiny role. As I said in November when the Northern Ireland Budget Act 2017 came before the House, I was the last Chair of the Northern Ireland Assembly’s Finance Committee. That Committee performed a valuable role—I am conscious that I am sitting beside my right hon. Friends the Members for Belfast North and for East Antrim (Sammy Wilson), who are former Finance Ministers in Northern Ireland, and they may or may not agree about how valuable the Committee’s role was, but there is no doubt that the Committee’s role in the democratic process, of scrutinising, making recommendations, speaking to the Departments, getting information, speaking to stakeholders in Northern Ireland about what they wanted to see in the budget, and producing those reports, was very necessary. That is not happening now, and it has not been happening for 531 days.

My right hon. Friend the Member for East Antrim mentioned the last Finance Minister, Máirtín Ó Muilleoir, a colleague of mine in South Belfast. I was Chair of the Finance Committee in the last week before the Assembly fell—my hon. Friend the Member for South Antrim (Paul Girvan) served on the Committee with me—and we put on a special meeting in which Máirtín Ó Muilleoir was invited to come along to speak about the budget and the priorities, to give us information on what he was hearing from Departments and stakeholders, and to try to see if we could get the budget through. He did not turn up. He turned around and said, “I am too busy.” Sinn Féin then chose the timing of the collapse. With the greatest respect, it is not good enough for people here to step back and say, “You’re all as bad as each other.” We are dealing with objective facts: who is responsible for this, and who is a barrier to getting government back in Northern Ireland?

In conclusion, we in the DUP are in this House today doing our jobs: standing up for all in Northern Ireland. The DUP will continue to fight for what is best for everybody in Northern Ireland. That is exactly what we have done in relation to the confidence and supply agreement. While others run about for their pet projects, we did not come to the table and say, “Here are our pet projects. Fund those.” We made it a priority to get funds for everybody in Northern Ireland, across the communities—for health, education, infrastructure and anti-poverty work. That is what we do and will continue to do. While others such as Sinn Féin boycott this House and the Northern Ireland Assembly, I say clearly to the Secretary of State and the Minister that they should work with those who want to work for Northern Ireland, who are doing their jobs for the people of Northern Ireland and who want to continue to do everything they can to build a better and brighter future for all, across all communities, in Northern Ireland.

7.51 pm

**Ian Paisley** (North Antrim) (DUP): At the outset, I wish to take a moment to pay tribute to the life of one of my constituents, Mr William Dunlop, who sadly perished on Saturday in a motorcycle race. He was an immensely talented athlete who had won more than 108 races during his short career as a motorcycle racer. He had achieved four podium finishes at the TT course on the Isle of Man and had won several races in various of Northern Ireland’s most exciting road races. He hails from Ballymoney and from the Dunlop family; his uncle Joey was a world-renowned motorcycle racer and his father Robert perished a few years ago in front of William’s very eyes at a motorcycle race in the constituency of East Londonderry.

William Dunlop was a gentleman. He was a young man who had a young partner and a child on the way—another bouncing baby to enjoy. Unfortunately, he perished so tragically at the Skerries road race in north Dublin on Saturday evening. It puts into perspective the extinction that lies at one end of motorcycle sport and the ecstasy at the other. Over the same weekend, a colleague of his from County Antrim, Johnny Rea, was successful and has now won, in effect, four world motorcycle championships—this is the largest record and probably will never be achieved again. I want to take this moment to pay tribute to William Dunlop and to his family, as constituents of mine, for the great way in which they have handled this set of tragic circumstances. I hope that Members will take a moment to reflect on that in the days ahead, as the funeral occurs in Northern Ireland.

Turning to the matter before us, it is not sustainable to continue on the road that we are on. Northern Ireland requires effective and good government. I understand the challenges: if we introduce direct rule, it will bring about unintended consequences. There will be things the Government will end up doing that we will not like and there will be things the Labour party will introduce, as amendments, that we will not like. Those unintended consequences are a reality check, saying to us that we must get on with the restoration of devolution, which we all want. Alternatively, in the absence of even talks to achieve that, the Secretary of State and her Northern Ireland team have a duty to get on with the delivery of good government, and that means ministerial decisions. They can call it anything they like. We are not going to be squeamish about what it is called, but, in effect, the Secretary of State needs to take direct ministerial rule into Northern Ireland and start effectively governing.

We are told every day by the Government and by many others that they are committed to “the Belfast agreement being implemented in full.” We hear in the Brexit negotiations, and on devolution and the settlement in Northern Ireland, that the Belfast agreement must be implemented in full. But the fact is that it has broken; it is not being implemented in full. As we so eloquently heard from my hon. Friend the Member for Belfast South (Emma Little Pengelly), one side has decided to break the Belfast agreement and single-handedly to stop the Northern Ireland Assembly, which is an integral part of that agreement, operating. If one part of it is not being implemented, the entire agreement is in jeopardy and we need to have ministerial decisions taken, and taken effectively. I call on the Secretary of State again to step up and make sure that these decisions are taken.

[*Ian Paisley*]

Some points have been made strongly tonight by my right hon. Friend the Member for East Antrim (Sammy Wilson) about Sinn Féin. Sinn Féin want all these things done in Northern Ireland, and their Members come to Westminster and they lobby on the Terraces, but they are not prepared to take their seats in here and argue their case. It reminds me of the poem from 1791:

“We’re bought and sold for English gold—

Such a parcel of rogues in a nation!”

Sinn Féin are acting in a roguish way. We have to face up to that, as do the public, and deal with that roguish element. We must almost embarrass them into taking on the role that they are elected for.

I have challenged the Secretary of State at the Northern Ireland Affairs Committee and again here tonight about the budget and how it is allocated. If she is able to reappropriate £100 million from one section of the budget to another in order to make it balance its books, she is therefore able to take other decisions. I encourage her to do so, because those decisions are crucial for the good governance of Northern Ireland, which is one of her key priorities. We have mentioned issues to do with policing tonight, and I will not repeat them; suffice it to say that we need decisions taken immediately on policing.

On 15 May, our Northern Ireland Affairs Committee unanimously agreed a report about policing. Its members agreed the following:

“We recommend that the Secretary of State amends the Police (Northern Ireland) Act 2000 to ensure that the Policing Board can exercise its statutory functions now”.

That was in May! We need the Secretary of State to introduce this immediately and to ensure that the Policing Board becomes functional and is therefore allowed to deal with the budgetary pressures, the recruitment issues and all the key needs of the PSNI.

Our report, which was on “Devolution and democracy in Northern Ireland—dealing with the deficit”, reads as a catalogue of shame. We should put some of that catalogue on the record, because Members have talked tonight about where decisions ought to be taken. Our report strenuously lists those issues, Department by Department. It sets out the fact that the industrial strategy consultation was completed in April 2017 but there is no Executive in place to consider it. The report on the small business rates relief was completed in 2016 during a consultation exercise, yet it has not been published because there is no Minister to publish it. The consultation on the apprenticeship levy closed on 23 December 2016, but funding has not been redirected into skills training. That is around £80 million from last year that has not been directed into the proper training and skills development that is critical so that Northern Ireland can rebalance its economy, and that is because a Minister is required to take that decision.

The Licensing and Registration of Clubs (Amendment) Bill was left at the Committee stage when the stumps were pulled on the Northern Ireland Assembly. That issue needs a budgetary decision and a Minister to take that decision. On the minimum unit price of alcohol, again, a Northern Ireland Minister is required to take that decision and introduce something that everyone else in the United Kingdom is enjoying, which is proper controls on that issue.

Our draft tourism strategy, developed by Tourism Northern Ireland, was presented to the Department of the Economy. We need a Minister in place and a budget in place to implement that strategy. A proposal was made to cut tourism VAT specifically in Northern Ireland to deal with the heavy competition that we face from the Republic of Ireland. The UK Government launched the consultation, and the implementation should then be in the hands of the devolved Government. It has not been implemented in Northern Ireland.

The development of Kilkeel harbour is a massive infrastructure project, but the lack of a Minister has caused the plans for the harbour to be halted. Yet we are about to try to take advantage of Brexit and the opportunities it offers for our fishing fleet when we are an independent seafaring nation. That project has run into the sand until we have a Minister to allocate around £450,000 to take it to the next stage.

**Sir Jeffrey M. Donaldson:** I wrote recently to the Department of Agriculture, Environment and Rural Affairs about the food processing grant scheme in Northern Ireland. The scheme has been of significant benefit to food producers in other parts of the United Kingdom, but has not yet been implemented in Northern Ireland. The permanent secretary and his team responded by saying:

“At this point in time, DAERA has no plans to launch the proposed scheme in the absence of a Minister.”

That is yet another example of our biggest industry in Northern Ireland being disadvantaged by there being no decisions as a result of Sinn Féin’s boycott of Stormont.

**Ian Paisley:** My right hon. Friend makes an important point. Our key industry is agri-food products. We produce the best, tastiest and most traceable food on these islands. It is a multibillion-pound industry. Because it is traceable, it offers our kingdom food security. The issue that my right hon. Friend has put his finger on is explained clearly in the budget statement that we got from the Minister. The Northern Ireland budget for the Department of Agriculture, Environment and Rural Affairs is almost going to double this year, from £39 million in 2017-18 to £77 million in 2018-19, but none of the critical decisions, one of which was highlighted by my right hon. Friend, can actually be processed. Money is set aside for agri-food development, but those decisions cannot be processed because there is no Minister in place to take the key decisions.

This is a catalogue of shame and there is no one here to cry about it. A few weeks ago, we were hauled over the coals by certain Members for social policy issues, yet here we are discussing issues of poverty, employment and people’s livelihoods, and I do not hear a murmur, yet it is a catalogue of shame.

I shall go on, because the catalogue is atrocious. The York Street interchange was a key issue that we put on the confidence and supply budget, and we are setting aside around £400 million to £500 million to develop it. That project is paused owing to a legal challenge. A substantial scheme that would usually have ministerial accountability and then be allowed to proceed cannot actually go ahead. That is critical, because it shows that a paralysis is developing in the Departments. We are going to end up with government by judicial review. In fact, we are going to have governance stopped by the

people running the courts. I respect judges and I respect lawyers, but they are not elected to stop the process of government. The people have elected Members to this House and they expect the Government in this House to take these key decisions.

The shadow Secretary of State mentioned the north-south interconnector. Planning permission was granted following an independent report prepared by the Planning Appeals Commission. That decision was made by the civil service in the absence of a Minister because it was in the public interest, but it has not been implemented because it needs the next step, in which the Minister actually signs off the decision. That project has now been paused. Many Members from various parties have talked about maintenance projects and capital spending projects for schools and hospitals. The report says, time after time, of a host of capital projects, that no Minister is able to sign the project off. It says:

“In absence of Minister, zero-based approach taken”

and that no capital funding will be assumed for capital projects, even the priority ones.

The A5 project is a huge road network scheme in the west of the Province. The project has been paused owing to a legal challenge, and a substantial scheme that would usually have ministerial accountability is not going to take place until a Minister is in place. The next phase of the school enhancement programme for the next four years is delayed because there is no Minister. This is what the civil servants are telling us. Ten school building schemes are currently at the design or feasibility stage, but they have all been paused until a Minister is in place to take the next decision. This cannot go on. This is a catalogue of shame.

I notice that the chairman of the Select Committee, the hon. Member for South West Wiltshire (Dr Murrison), is present; since he led us through the process and we published the report on 15 May, that section is now twice as thick, with other decisions backing up. Last month, the chief of police brought one of those decisions to us, along with all the issues related to policing. I asked why we have not had the legal aid improvements or changes that are being enjoyed by other citizens throughout the United Kingdom. Once again, those matters were consulted on in Northern Ireland and a report has been brought forward, but it cannot be signed off and implemented because we do not have a Minister to take the decision.

On community pharmacies and setting the tariff for drugs in Northern Ireland, I know that the Secretary of State would solve that issue for us at the drop of a hat, and she could solve it for us, but it is not going to be done because there is no Minister willing to step up to the plate and make the decisions. I could take hours going through the report and putting these matters on the record. I call on the Government to get on with it and start governing.

8.8 pm

**Jim Shannon** (Strangford) (DUP): I echo the sentiments of my hon. Friend the Member for North Antrim (Ian Paisley) in relation to the passing of William Dunlop. We all understand the family's heartache and wish to convey our thoughts and prayers to them at this time. I have a brother who raced bikes—indeed, he raced with the Dunlop family over a great period of time. He had a very serious accident, but he lives today, whereas William

Dunlop and the other Dunlops do not live. We think of the family at this time, and it is important that we do so.

I thank the Government, and particularly the Secretary of State, for introducing this legislation. I echo the frustration expressed by others about the process. I can well remember the story told in my office about the husband of one of the girls, who used to get his hands on what was then referred to as the Index book and circle presents he wanted from Santa. His dad was a pastor and in no way able to fulfil those requests. Ultimately, there was always something that he did not get, and that was the one thing that he really wanted. My parliamentary aide has implemented with her children a three-present rule: the children can ask for only three presents to avoid disappointment. There is a logic to it—it is not an Ulster Scotsism.

I feel like I am circling the Index book of needs for Northern Ireland while knowing that without a working Assembly, there is no way that the man in red—or, indeed, in this case the man with the red briefcase—can get it right, but there are asks that I believe we truly need out of this budget. Even at this stage, I am urging that the red briefcase be used to help the Secretary of State to meet our greatest needs.

The shadow Secretary of State mentioned my name in relation to the north-south interconnector. He shares our frustration that while we have a north-south interconnector, we are not even sure whether we will actually be able to use it. Decisions are made, but there is no process in place to ensure that it actually happens. It is an important project, with great benefits for both the north and the south, but particularly for us in Northern Ireland. I wait to hear from the Minister whether the interconnector will go ahead.

The DUP, as all Members know, made a deal on confidence and supply, securing £1.4 billion for all people in Northern Ireland from all religious persuasions and all political parties. I say to the new Northern Ireland spokesperson for the SNP, the hon. Member for Paisley and Renfrewshire North (Gavin Newlands)—we wish him well in his new position—that if he needs any training in how to secure a good deal, we might be available to help him. We can give him some good advice.

We all understand that the 1998 Belfast agreement does not allow for the full budget to be allocated. However, we are at the stage where 95% of the budget can be spent. My first ask is that instead of allocating £20 million of the supply and confidence additional funding, can we please have all the outstanding money allocated? The money is there to be allocated, so let make it happen. Will the Secretary of State please release the money, as it will enable us to do several things that are essential to keep our schools open and our NHS running. Will she allow the release of funds to enable the Education Authority to swallow the budget restriction that has been imposed on schools? That restriction is leading to more pressure on small schools. Even larger schools are being forced to lose teachers. I have wonderful schools in my rural communities, as we all have, but they may be forced to close their doors because they cannot save £40,000 unless they lose a teacher, which effectively means that the school will close.

Can the Secretary of State release funding to subsidise urban and rural primary schools? Many primary schools in my constituency are waiting for extensions and classrooms are bulging at the seams. Grey Abbey Primary

[*Jim Shannon*]

School is one that comes to mind right away, and we also have Ballywalter Primary School, for which we have been pursuing the case for some time, and Killinchy Primary School. These schools need help now, not tomorrow and not in five years' time. Glastry College has been waiting for a new build for up to 10 years. We have been told that it is now on a five to six-year programme, but the school is over-subscribed. The numbers are increasing each year, so we need money to be released for the new build. What happens if we have a process where those expansions cannot happen? We need a Minister in place. We have a Department that effectively cannot make that decision.

The hon. Member for North Down (Lady Hermon) referred to education in North Down. She and I, along with my hon. Friend the Member for Belfast East (Gavin Robinson), share a special needs school. Longstone Special School and Killard Special Needs School have particular needs now, not at some stage down the line. The principal at Killard has written letters to all of us to say that work needs to be done in his school right now. Members must understand our frustration.

**Gavin Robinson** (Belfast East) (DUP): My hon. Friend mentioned Longstone Special School, which is in my constituency. I hope that he agrees that this issue should really cut to the heart of the discussion about resources. I had an email from a year 10 pupil at Longstone saying, "We may be special needs children, but can you help us get a library?" A library? We are talking about access to books in a school. That is one of the resource implications that is coming to the fore due to continual underinvestment for our special children who need help the most.

**Jim Shannon:** I thank my hon. Friend for his intervention. He is absolutely right. Torbank Special Needs School is another that comes to mind along with Longstone and Killard—there are three schools. The school teachers, the classroom assistants and the parents all want to see better resources for their pupils and schools, and we need to encourage them. Things are being held up due to red tape, which means that things cannot be improved, which is immensely frustrating.

Why is the Department for Education's investment budget being reduced by some 4% in the 2017-18 final budget while most other Departments have had their investment budgets increased? Why is the investment budget of the Department of Agriculture, Environment and Rural Affairs almost doubling from £39 million in 2017-18 to £77 million in 2018-19? We had a meeting with the Under-Secretary of State for Northern Ireland, the hon. Member for North West Cambridgeshire (Mr Vara), the week before last, along with Lakeland Dairies from Newtownards, to look at the capital grant scheme to which my right hon. Friend the Member for Lagan Valley (Sir Jeffrey M. Donaldson) referred. The scheme is in place, the money is there and the skills are in place, but we cannot move it forward because the Department is sitting on its hands and nothing can be done. Madam Deputy Speaker, you can understand our frustration. The Minister is a genuine person who would love to help us, but we need a process in place to make sure that things happen. Let us see if we can move things along.

The Northern Ireland Affairs Committee is holding an inquiry into fishing. Hopefully we will be concluding that shortly. The knowledge that we have gained from that inquiry has been immense. As we move towards Brexit, we are aware that we need the grant system in place to enable capital schemes in the fishing ports of Portavogie, Ardglass and Kilkeel. We need the money in place, but we do not have a Department that is able to function fully. We are out of Europe next year, and we are incredibly frustrated that we will not be in a position to respond.

The annually managed expenditure budget, which is mostly for welfare, shows a 16% increase over the past two years. What is the underlying reason for that increase? No one has mentioned—at least not directly—the local roads budgets for our Departments and our section officers. They have had no increase in their moneys for the past few years. Indeed, those moneys have been decreased over the past couple of years. I am pleased to see that Ballyblack Road East has been resurfaced in the past four weeks. That is good news, but Ballygalget Road in Portaferry has not been done. The Dalton Road estates has not been done either. The reasons for our frustrations are clear. The system does not seem to respond to our needs as the elected representatives of our constituents. We need a Department that can work with us. No white lines have been put down in parts of my constituency for more than two years. We have got to the position where a person knows that they have to be on the left hand side of the road, but there is no white line to tell them where the middle of the road is. People will say that they know that they have to be on the left hand side of the road and that they will not stray, but we understand their frustration when we see such decay and when things that should be done are not being done.

I agree with David Sterling's briefing regarding the needs for the 2018-19 budget that was published in December 2017. Some £410 million from the confidence and supply agreement could be spent, with £80 million for immediate health and education pressures and £30 million for programmes to address mental health and severe deprivation. Just today, and over the weekend, the press back home informed us—some of us probably knew this already—that Northern Ireland has among the highest levels of suicide. The constituency of my right hon. Friend the Member for Belfast North (Nigel Dodds) has some of the highest levels of suicide in the whole of Northern Ireland, and indeed in the whole of the UK. We want to address the issue of mental health and severe deprivation, but we need to do that with a functioning Assembly and a functioning Department. We had a meeting earlier this year with a number of Northern Ireland charities. We want to address this issue, and we are keen to see the Northern Assembly addressing it, but we have a frustration with the system, which does not seem to have the same capacity or interest.

Let me go back to the budget. Some £100 million is being spent on ongoing work to transform the health service in line with the broad-based consensus fostered by the Bengoa report. As Members have mentioned, there is a £20 million shortfall for pharmacies. Again, we need a Department that can address these things. I brought up the situation involving insulin pumps at the Northern Ireland Affairs Committee last week. The

Secretary of State will remember me telling her that children under 10 with type 1 diabetes are frustrated because they cannot get their insulin pumps. They are frustrated because there is no process. Their parents tell me that they are worried about the health of their children. What are we doing about the health of our children when it comes to making decisions?

This House will have to take such decisions very shortly, otherwise we will have to find a method whereby the Northern Ireland Assembly and Departments can make them. We need action on the insulin pumps for children under 10 with type 1 diabetes. Northern Ireland, followed by Scotland, has the highest level of type 1 diabetes in the whole United Kingdom—it is higher than that on the mainland.

I have asked—other Members have agreed to this—for the Northern Ireland Affairs Committee to hold an inquiry on the important issue of cancer drugs. We should have a cancer drugs fund in Northern Ireland. These decisions need to be made by the Northern Ireland Assembly. The permanent secretary of the Northern Ireland Department of Health understands the issues, but his hands are tied. We need a process to get the cancer drugs in place.

We also need a system for the operations waiting list. If this situation goes on much longer, people will die because they have waited too long for their operation. I hate to say that, but it is a fact of life. Many of my constituents are frustrated. Just last week, a constituent told me that they had waited 54 weeks for an assessment, and that is before they are even put forward for an operation, which might take another two years or so. That is not the way we need to live. Of course, people suggest to them—I feel frustrated with this system—“If you want to go private, we can bring you to the top of the list just next week.” Well, some people cannot do that; they do not have the finances. These people have paid their tax and national insurance for perhaps 50 or 60 years—all their working life—and expect the NHS to respond to them.

The issue of broadband has been mentioned. There are small and medium-sized businesses in my constituency that are run from people’s homes. We want to encourage people to start small businesses. I thank the Government for their policy, and the Northern Ireland Assembly and the Department of Enterprise, Trade and Investment in Northern Ireland for the way in which they have promoted the idea of people in businesses working from home, but we have now reached a stalemate. We have the money for broadband that we secured through the confidence and supply arrangement, but we need a method of getting that money out. David Sterling also mentioned £4 million to prepare the ground for transformation, and £100 million to be transferred from existing capital funding to address public services and police resources.

I want to put on record my full support for the PSNI, which has a new policy and strategy for Northern Ireland on taking on paramilitarism. That is a good idea that I fully support, as will everyone in the House. Hon. Members will understand why we need a PSNI that is able to respond and to deliver on its project to take on and reduce paramilitarism, and to deal with those who live off the backs of others through their drugs-related and criminal activities. I understand that the Patten commission reported that there were 7,500 police officers at that time. There are now 6,715, so there is a clear

shortfall. My hon. Friend the Member for North Antrim mentioned the fact that 50 experienced police officers leave every month. I understand that it takes six months to train 100 recruits; in theory, every six months we are falling behind by 400, so hon. Members will understand our frustration. We need money to train officers and to ensure that those officers are in place.

**Sir Jeffrey M. Donaldson:** My hon. Friend will not be aware of this, but I and some of our senior colleagues from the DUP recently had a security briefing from the Chief Constable, who indicated that the threat from paramilitaries is not just one of organised crime, as some on the republican side now pose a very potent threat to national security and are engaged in planning acts of terrorism in Northern Ireland. That is why the PSNI needs resources. It is not only to deal with organised crime, but to counter this very real terrorist threat.

**Jim Shannon:** I absolutely support my right hon. Friend.

I will give an example of the activities of some paramilitaries. Just this week in my town of Newtownards, a group of people from outside the Strangford constituency came in and tried to assert their authority. We have to be careful with how that goes. They were having a bonfire. Two guys from another constituency came into Newtownards on Sunday morning and sat there in their very expensive Land Rovers or Jeeps. The price of the two Jeeps would probably be the price of somebody’s house. The assets branch needs to look at what those people are up to, take all the money they earned from criminal activities, and make sure they are accountable for their actions. The quicker that that happens the better.

What we are really saying is that a lot needs to be done. Will the Secretary of State release the funding that is not affected by the Good Friday agreement and save our schools, pay our nurses correctly and secure our community pharmacies, particularly in rural areas? We have kept our end of the bargain. We come to this place and do what is best for our constituents. Will someone please make the decision to do what is best for the people of Northern Ireland? End the stalemate. Allow Northern Ireland to function instead of crippling it with an inability to make decisions, or perhaps the punishment of refusing to do so.

My local businesses are suffering—[*Interruption.*] Madam Deputy Speaker, the coughing reminds me of your indication to come to a conclusion; I will do so shortly. I just want to say that we need something for our high streets and for the businesses that are struggling to do better.

**Karen Bradley:** May I suggest that the hon. Gentleman’s high street enters the Great Britain and Northern Ireland high street competition that the Government are running? The closing date is in August, and we would very much welcome entries from high streets in Northern Ireland.

**Jim Shannon:** The Secretary of State has given me a challenge. I will certainly take her up on it and ensure that Newtownards High Street will be at the forefront of her paperwork, hopefully before the end of July. Although high streets have done extremely well in the

[*Jim Shannon*]

last month and their turnover is up, that is perhaps a wee bit seasonal. We need to do something to bring business back, including by taking legislative steps.

I want to comment on the Irish language. Sometime in life, we have to agree to differ on things, and there is something that we cannot agree on in the Irish language. We do not want the Irish language introduced to primary schools against the will of the majority of students, pupils and parents. We do not want Irish street names up in Saintfield. People in my constituency told me that that was a massive issue for them at the last election. We do not want cross-departmental money wasted on the Irish language when it is not necessary, and we do not want the Irish language in the courts, where there is certainly not a zest and an energy for that. What we do want is the right to have an Irish language; we are not against the idea of it. Some £160 million has been spent on it, so it is very clear that we are not against the idea. At the same time, we do not want an Irish language Act. There will not be an Irish language Act, and the quicker people catch on the better.

Although I thank the Secretary of State for this step, it is not enough. Take control; take us back from the brink of school closures. More money than ever should be available. Take us back from the position in which diabetic pumps are available but no one is trained to use them. Take us back to a functioning Northern Ireland that is not held to ransom by those who will not even take their seats to discuss the funding that all people in Northern Ireland need regardless of their age, sex, political views, religious views or anything else. Northern Ireland needs direction. We look to the Secretary of State for that leadership and direction—please provide it.

8.28 pm

**Stephen Pound** (Ealing North) (Lab): If one thing has been consistent throughout this extremely well-informed and passionate debate, it is the roiling, boiling frustration of people who want to see something done, who need to see something done and who want to speak up for their constituents but are prevented. It is crucial that that message comes out loud and clear.

The debate started with a very telling contribution from the right hon. Member for Hemel Hempstead (Sir Mike Penning) and ended with a contribution about the PSNI from my good friend, the hon. Member for Strangford (Jim Shannon). We sometimes forget that in the absence of political leadership, it is the forces of the PSNI who have to pick up the pieces. In that vacuum, it is the PSNI that we turn to. We must never, ever forget that they are the people who are doing the hard work.

Many people will remember the death in 2011 of Ronan Kerr, a young PSNI officer killed at Killyclogher. I remember that when I stood with Peter Robinson, the then leader of the DUP, at Beragh, about half of the PSNI officers made the sign of the cross and about half of them snapped off a very, very sharp salute. I thought, “This is future of policing in Northern Ireland.” I actually felt that there was some real hope. If we, as politicians, cannot show the same confidence, strength, trust and belief in the future as that cross-community expression of belief, we are letting them down—but, above all, we are letting down all the people of Northern Ireland.

I respect the right hon. Member for Hemel Hempstead. I was his shadow once. I was a very insubstantial shadow because he was a very substantial Minister. He did an excellent job, and I appreciate his comments today.

I welcome the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) to the SNP Front Bench. On behalf of not just my colleagues on the Labour Benches but, I hope, the whole House, I pay our respect and thanks to the hon. Member for Edinburgh North and Leith (Deidre Brock), who was an excellent Northern Ireland spokesperson for the SNP. I assume that she has been promoted. In the present febrile state of British politics, she could be in the Cabinet for all I know. I consider it unlikely, but who knows? I am grateful for the hon. Gentleman’s comments and for the hon. Lady’s work.

I gently say to the hon. Gentleman that I have known the DUP and individual DUP Members for many years. He encouraged them to seek further benefit—further financial advantage and fiscal goodies—from the Government. If there is one group of people on God’s green earth who need no encouragement, it is the Democratic Unionist party. I am sure that they are grateful for his warm advice, but when it comes to upping the ante, they wrote the book.

We heard from the right hon. Member for East Antrim (Sammy Wilson). Every time I hear the weather forecast, I always imagine some dreadful warning of a gale that is coming from Larne and I know that he is about to get to his feet. What his pupils must have thought in the days when he was a very distinguished economics lecturer, I cannot imagine. I presume that there is an entire generation of deafened people from East Antrim who were taught by him. He talked about a flat budget. I think that there has in fact been a 4.2% uplift from the opening position, so it is not a flat budget from that point of view. However, I entirely understand that doing this tonight simply takes us forward to the end of the financial year. We are not actually solving the problem but simply allowing matters to proceed in the present time.

My hon. Friend the Member for Pontypridd (Owen Smith) spoke lyrically and from a position of great strength and knowledge. He talked about the lacuna of scrutiny and the spectacular inactivity that we are suffering from. That is such an important point, and we keep coming back to it—the absence of scrutiny and the inability of questions to be answered. It was also mentioned in an intervention. I look to the Government Benches for some way in which this can be addressed, because surely right hon. and hon. Members must have the right to ask questions, even during this period. When he referred to the fact that we must not turn away, he made a desperately important point.

I am in no way going to criticise the right hon. Member for East Antrim, but he referred to the presence of certain people in the House tonight. Some Labour Members may not be here physically, but the Labour party and my colleagues will never, ever turn our backs on Northern Ireland. We will never, ever shunt this off into the distance. We will always be thinking and concerned about Northern Ireland. If we are not here physically, then, believe you me, we are here mentally and here emotionally. Our commitment is as strong as it always has been, and I hope always will be in future. I suppose that I should, in passing, congratulate the non-abstentionist

Northern Ireland MPs who are here tonight. Every single one of them is here present, and the record will show that as much as the television pictures will have shown it earlier on.

The hon. Member for Belfast South (Emma Little Pengelly), in one of the most important speeches I have heard for a long time, brought this whole matter to a head: she referred to her constituents. Sometimes, when we talk about political theory, financial matters and fiscal arrangements, we almost operate on an ethereal level where we do not consider the day-to-day needs of our constituents. She talked about the reality of the health transformation programme, which is not going forward because of the absence of a devolved Assembly and an Executive. She talked about the impact on schools and the inability to undertake the cross-community work that I am so proud of and that she is such a strong exponent of. We heard the voice of a constituency Member of Parliament who was not making a political point from some theoretical standpoint or for party political advantage, but speaking on behalf of her constituents—constituents whom we are not serving best at present, in the absence of a devolved Assembly or an Executive.

I would like to associate myself and my colleagues with the expression of regret to William Dunlop. I cannot imagine any family who stand higher in the annals of road racing and motorcycling, nor who have been cursed on the one hand by so much tragedy but blessed on the other hand by so many achievements, than the Dunlop family. There can be no finer example of sportsmanship and achievement in road racing; what a great family. I think that we all extend our sympathy to them. I know that the family will be sustained by the memories of a truly great road racer—not just one, but a whole family.

The hon. Member for North Antrim (Ian Paisley) talked about unintended consequences and called for direct ministerial rule. I looked across to those on the Government Benches to see whether they were leaping forward at that and champing at the bit, longing to do it. I like to think that none of us here actually want to see that. I understand the hon. Gentleman making that point out of frustration and anger, but I do not think we have come to that stage just yet. It is infuriating. The shadow Secretary of State, my hon. Friend the Member for Rochdale (Tony Lloyd), and I met Graham Keddie from Aldergrove airport, who cannot move things forward in the absence of even getting something signed off.

We ended with policing. In the years that I have listened to the hon. Member for Strangford, I realise that something has changed: I now understand every word he says. His mellifluous and poetic tones, which I have to say initially were challenging, are now as clear as crystal to my ear. Let us never forget what my hon. Friend—I will call him my hon. Friend—ended by saying: let us get it done, and let us make it happen. I think that the whole House is as one with him.

8.37 pm

**The Parliamentary Under-Secretary of State for Northern Ireland (Mr Shailesh Vara):** The House will recall that my right hon. Friend the Secretary of State said in her opening remarks that this Bill is a limited but necessary intervention in Northern Ireland in the continued absence of an Executive. The Bill will put her Northern Ireland

budget statement earlier this year in March on to a legal footing and provide the necessary certainty and legal authority for Northern Ireland Departments to access all available public finances, ultimately safeguarding the continued delivery of public services in Northern Ireland.

I thank right hon. and hon. Members across the House for their contributions today. In particular, I thank those on the Opposition Front Bench for their continued support for the Bill. The shadow Secretary of State, the hon. Member for Rochdale (Tony Lloyd), referred to oversight of Northern Ireland civil service spending. I can assure him that the Audit Office will oversee the spending. If there are any irregularities, they will be brought to the attention of the Secretary of State, and she will certainly ensure that all those who need to know about it are made aware.

The hon. Member for Rochdale also spoke about health funding. He will be mindful that the confidence and supply agreement provides for £100 million for health transformation. In terms of education, he will be aware that two or so weeks ago, the Government announced £140 million for the six schools based at Strule, for integrated education, so there is optimism in that area.

My right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) spoke from personal experience and raised a number of issues. He was an excellent Policing Minister and was one of my predecessors in this Department, where he served with distinction. I want to put on the record the fantastic work that is done by the Police Service of Northern Ireland. These very brave women and men daily put their own safety at risk so that the rest of the community in Northern Ireland can go about their daily business safely. Let us not underestimate the important work they do. As my right hon. Friend the Secretary of State said, we have only recently received the PSNI business plan and proposals, and we will of course consider them carefully.

**Sir Mike Penning:** The Minister quite rightly mentions the work of frontline police officers, but we must not forget their families and loved ones. By committing themselves to being in the PSNI, police officers put their friends and loved ones at risk, and we must make sure that we protect them and give them our gratitude, too.

**Mr Vara:** My right hon. Friend is absolutely right. The families have the daily worry and concern of their loved ones going out to make sure that the rest of the community can get about safely, and it is quite right that they too are recognised and acknowledged.

May I take this opportunity to welcome the hon. Member for Paisley and Renfrewshire North (Gavin Newlands) to his post? I add my good wishes to his predecessor, the hon. Member for Edinburgh North and Leith (Deidre Brock), who did an excellent job. I do not know what new role she has, but whatever it is, I am sure she will serve in it with equal diligence. I echo the hon. Gentleman's comments about wanting the devolved Assembly to be up and running, which I think we all want in this House. It has been raised consistently by many Members, and I will come on to that later.

The right hon. Member for East Antrim (Sammy Wilson) spoke with his characteristic passion. He is right to speak about the additional funds for Northern Ireland pursuant to the confidence and supply agreement. It is important to recognise that that money will be spent for

[Mr Vara]

the entire community of Northern Ireland—all the people there—not on any particular category of people. He spoke about spending on education being flat, but there is actually a real-terms increase for education and health in the budget. I want to put that on the record.

The hon. Member for Pontypridd (Owen Smith) of course speaks from experience both on the Front Bench and in a previous life when he was involved in Northern Ireland matters. On his references to our being under direct rule, I want to make it absolutely clear that we are not. It is important to recognise that we have oversight at the moment, and it is our duty to ensure that there is proper governance. In pursuance of that duty, we are pushing through the legislation that is absolutely necessary to ensure good governance, which means proper public services. The money we are providing will ensure that those public services have the funding to go with them.

**Owen Smith:** I appreciate what the Minister has said, but will he explain to the House why the Government are so loth to move formally to having direct rule?

**Mr Vara:** The hon. Gentleman raises a very good point, and I will tell him why. The last time we moved to direct rule, it lasted five years, and the time before that, it lasted 25 years. The move towards direct rule is a lot easier than the move out of direct rule. My right hon. Friend the Secretary of State, along with the Prime Minister, will therefore leave no stone unturned in trying to get a functioning Assembly. We need to remember the history.

**Nigel Dodds:** I, too, appreciate what the Minister has said. He is trying to handle a very difficult situation. The last period of direct rule was five years, so how long—how many years—will he give for the current non-direct rule/non-devolution limbo?

**Mr Vara:** The right hon. Gentleman makes a very good point. I do not know how long, but we are still trying to get the parties involved and we are engaging with them. We have the British-Irish intergovernmental conference coming up soon, and we are liaising with the Irish Government, as is necessary. We are not going to give up on this very easily, as I hope is abundantly clear. He will be aware that as we had the deep conversations earlier this year, it would not have been appropriate to move into new talks immediately. There needs to be a time for people to reflect, pause and come back with different thoughts.

The hon. Member for Belfast South (Emma Little Pengelly) spoke with care and consideration and gave moving examples. She mentioned the devolved Assembly, and she will have noted the comments I have just made.

I extend to the hon. Member for North Antrim (Ian Paisley) my deepest sympathies and condolences, and those of my right hon. Friend the Secretary of State, for William Dunlop and his family. While the passing of an individual is never easy, it is particularly difficult when there is a young family. We extend our deepest sympathies and best wishes to them all. I hope that the hon. Gentleman will personally extend our wishes to the family.

The hon. Gentleman spoke of the fantastic work done by the police and will have heard my comments to my right hon. Friend the Member for Hemel Hempstead. Likewise, I noted the hon. Gentleman's comments on the devolved Assembly.

To the hon. Member for Strangford (Jim Shannon), I have to say that the hon. Member for Ealing North (Stephen Pound) intended a compliment, and that is how he should take it. The hon. Member for Strangford spoke with his customary commitment and spoke of his frustrations. I want to be clear that the Government are also frustrated that we cannot have the devolved Assembly up and running. Whenever my right hon. Friend the Secretary of State and I are on our regular visits to Northern Ireland, the view comes out strong and clear that people want decision making. I therefore make this last plea to all concerned: think again and start taking those decisions.

**Mr Gregory Campbell:** The Minister compares the frustrations expressed by Democratic Unionist Members with the frustrations of the Northern Ireland Office, but does he understand the difference? We have done everything to try to accelerate the move towards devolved government and have had no reciprocity from Sinn Féin. The Minister can assuage his frustration and take action to deliver for the people of Northern Ireland.

**Mr Vara:** I hope that the commitment that the hon. Gentleman has articulated—others have articulated it—to that devolved Assembly will continue. For the Government's part, we will continue to speak to other parties to see whether we can get the Assembly up and running.

The Government would very much have preferred this legislation to have been taken forward by the restored Executive and a sitting Assembly. My right hon. Friend the Secretary of State and I are disappointed that that is not the case. However, at this point, action cannot be delayed further. It is necessary to expedite the Bill to provide certainty on Northern Ireland finances, protect the delivery of public services and deliver on our responsibility to ensure good governance in Northern Ireland.

*Question put and agreed to.*

*Bill accordingly read a Second time; to stand committed to a Committee of the whole House (Order, this day).*

## Northern Ireland Budget (No. 2) Bill

*Considered in Committee (Order, this day)*

[DAME ROSIE WINTERTON *in the Chair*]

### Clause 1

ISSUE OF SUM OUT OF THE CONSOLIDATED FUND FOR  
THE YEAR ENDING 31 MARCH 2019 AND  
APPROPRIATION OF THAT SUM

*Question proposed*, That the clause stand part of the Bill.

**The Second Deputy Chairman of Ways and Means (Dame Rosie Winterton):** With this it will be convenient to consider:

Clauses 2 to 8 stand part.

Amendment 1, in schedule 1, page 13, line 19, after “offences” insert

“other than the prosecution of members and former members of the armed forces for murder, manslaughter or culpable homicide, or for attempt of those offences, if the alleged offence was committed—

(a) more than 20 years before the date of issue of proceedings; and

(b) when the accused person was subject to service law, or was a civilian under service discipline, and engaged in a UK peacekeeping operation; and

(c) if the alleged offence relates to events which took place in Northern Ireland and which have been the subject of an investigation by—

(i) a service police force or a UK police force, or

(ii) a coroner.”

*The intention of this amendment and the similar amendment to Schedule 2 is to remove prosecutions against current and former members of the armed forces for certain alleged offences committed during military operations or in similar circumstances from the ambit of authorised expenditure by the Public Prosecution Service for Northern Ireland.*

That schedule 1 be the First schedule to the Bill.

Amendment 2, in schedule 2, page 27, line 33, after “offences” insert

“other than the prosecution of members and former members of the armed forces for murder, manslaughter or culpable homicide, or for attempt of those offences, if the alleged offence was committed—

(a) more than 20 years before the date of issue of proceedings; and

(b) when the accused person was subject to service law, or was a civilian under service discipline, and engaged in a UK peacekeeping operation; and

(c) if the alleged offence relates to events which took place in Northern Ireland and which have been the subject of an investigation by—

(i) a service police force or a UK police force, or

(ii) a coroner.”

*The intention of this amendment and the similar amendment to Schedule 1 is to remove prosecutions against current and former members of the armed forces for certain alleged offences committed during military operations or in similar circumstances from the ambit of authorised expenditure by the Public Prosecution Service for Northern Ireland.*

That schedule 2 be the Second schedule to the Bill.

8.49 pm

**Sir Michael Fallon** (Sevenoaks) (Con): I am most grateful to you, Madam Deputy Speaker, for selecting the amendments. I want to say at once to our colleagues from Northern Ireland that I deliberately did not speak on Second Reading. They had some very important issues to raise on the budget and on decision making, but I hope they will understand that when it comes to this particular matter there is a UK issue at stake. Several hundred thousand British soldiers served in Northern Ireland throughout the troubles. The situation we are now confronted with raises issues that, while they are important to communities in Northern Ireland, go way beyond Northern Ireland.

**Ian Paisley** (North Antrim) (DUP): At the outset of this debate, I hope the right hon. Gentleman knows that Members on the Democratic Unionist party Benches absolutely salute the courage, the dedication and the record of servicemen from across all of the United Kingdom who gave of their time, their duty and, for too many, their lives in defence of Ulster. We salute them, sir, tonight.

**Sir Michael Fallon:** I am most grateful for that, and in particular for the tone in which it was expressed.

This is not just a UK issue, but it is a long-running UK issue. I would like to pay tribute to my hon. Friends who have continued to raise it before the House: my right hon. Friend the Member for Newbury (Richard Benyon), who originally promoted a Bill on the subject, and many others who served in the Province and who have contributed to debates on this issue. Through this Bill we are quite rightly giving large sums of money—hundreds of millions of pounds—to the Northern Ireland Departments, including the judicial Departments, for “historical investigations and other legacy costs”.

I submit to the Committee that Parliament, even if there were no other concerns, would have every right to debate those sums, but there are other concerns here, which have been well articulated already in this Parliament.

Investigations under way in Northern Ireland are putting servicemen, servicewomen and police officers, whose duty it was to protect the public, almost on a par with terrorists who were content to murder and to maim. There cannot and should not be any moral equivalence between the two. It is now worse than that, however. We are now, through practice in Northern Ireland, discriminating against members of the security forces. Let me put it very simply: can it be morally right that a terrorist suspected of involvement in some of the worst atrocities, such as murdering four troopers in Hyde park and slaughtering their horses, should be given a letter of comfort guaranteeing immunity from prosecution, when those who have served the state to protect our people, in cases that have already been investigated, concluded and dismissed, are now seeing those cases reopened 30, 40 or more years after the event?

**Sir Henry Bellingham** (North West Norfolk) (Con): My right hon. Friend is absolutely right to say that roughly 300 Northern Ireland veterans are fearful of the knock on the door. All the allegations were investigated fully at the time. What is worse is that under the PSNI inquiry they were reinvestigated about four years ago and most of the veterans were told that there was

[*Sir Henry Bellingham*]

nothing further to worry about. Some have been rearrested in dawn raids, and a number have been charged with attempted murder. That breaks the military covenant and is a betrayal of our incredibly brave veterans.

**Sir Michael Fallon:** Absolutely, and some cases have been reopened more than once.

Nobody in this House would suggest that our troops should be exempt from investigation or prosecution for any kind of wrongdoing—of course not. Parliament itself requires, through the armed forces Acts, that any such allegation should be properly investigated by the service police. If there is new evidence concerning recent allegations, then of course they should be looked at. Equally, however, we cannot accept a situation where the whole process begins to be abused by cases simply being reopened for the sake of it, where there is not substantive new evidence. That was the case as allegations accumulated under the Iraq historical allegation apparatus, which was one reason why I shut it down as Defence Secretary and why, on behalf of the Ministry of Defence, I laid evidence before the Solicitors Disciplinary Tribunal, which eventually resulted in the key solicitor involved being struck off.

In Northern Ireland, the opposite is happening. Allegations of misconduct are being reopened 30 or 40 years later, when memories cannot be trusted and evidence may be hard to come by. Can a court really be sure 45 years after the events exactly what warning was shouted at two in the morning in a street in west Belfast in the early 1970s? These are the kinds of cases that are now being reopened, and I submit to the Committee that Parliament now needs to draw a line. The purpose of amendments 1 and 2 is to introduce a statute of limitations for the first time to say that cases more than—there can be different views on this, but this is what I have said in the amendment—20 years old, so from the date of the Good Friday agreement, cannot now be reopened if they have already been investigated.

Of course, a statute of limitations in itself raises complexities. I understand that. Many issues around it would need to be looked at. For example, we heard much in the previous debate about the bravery of the Police Service of Northern Ireland, and the police are not included in this amendment. I understand that there are some reservations about including them. There are complexities, but there is nothing unusual about a statute of limitations. In a previous debate, my hon. Friend the Member for Witney (Robert Courts) reminded the House that there are statutes of limitation in commercial law: cases cannot be reopened when companies have dissolved and documents cannot be traced, and it is not possible to properly ascertain the change of responsibility, or rules and regulations from an earlier period no longer apply.

**Lady Hermon** (North Down) (Ind): As the right hon. Gentleman explained, the amendments apply only to the armed forces. I put on record my enormous, deep gratitude for the tremendous courage and sacrifice of all members of the armed forces who served in Northern Ireland—but so too did the members of the Royal Ulster Constabulary, now the Police Service of Northern Ireland. I think the right hon. Gentleman has to explain to those many members of the Royal Ulster Constabulary

—many more members, in fact—who are being investigated time and again in various forms in Northern Ireland why his amendments do not treat those in the police service with any equivalence this evening.

**Sir Michael Fallon:** I am very happy to accept that particular challenge. My amendment may well not be watertight. I understood that there were some reservations in the PSNI about a statute of limitations. That is one of the complexities.

There are other complexities: if we introduce a statute of limitations in Northern Ireland, why not introduce it elsewhere, where the British military is involved in other campaigns? I am sure that we will hear from the Secretary of State about other difficulties involving the European convention on human rights and so on, but the principle is that there should be some form of limitation. We cannot endlessly go back. Are we to reopen cases where it is alleged that Canadian or British troops shot prisoners out of hand in one of the more difficult days after the D-day landing? Should those cases be reopened? Nobody in this House would say yes. There must come a point when we have to draw a line.

**Dr Andrew Murrison** (South West Wiltshire) (Con): I congratulate my right hon. Friend on his amendments, but does he agree that we need to tread very carefully, as there are important principles of law here? Our armed forces do not want to be aside from or above the law; they uphold the law. Does he also agree that under the military covenant our armed forces must suffer no disadvantage—that is the test—but that in that important regard they are at a significant disadvantage under the law as it stands?

9 pm

**Sir Michael Fallon:** I accept both those points. I made the first one myself—our armed forces are subject to armed forces legislation and no member of the armed forces would want any exemption for wrongdoing or misconduct—but the second point is the more important. As it stands, ex-servicemen and women—mainly servicemen—are being discriminated against by the process.

The Committee and the Government, if they will accept the amendment, or the spirit of it, have an opportunity to declare their will to Northern Ireland—to the judiciary in Northern Ireland, to the legal system in Northern Ireland, to some of the fee-hungry barristers in Northern Ireland—and to our own appeal courts here, that Parliament will no longer tolerate a situation where terrorist murderers are allowed to walk free while ex-servicemen, veterans who have put their lives on the line for the rest of us, fear a knock on the door and can be hauled from their beds, arrested, flown to Belfast, put into a cell and indicted for an offence that might or might not have been committed 30 or 40 years before. That cannot be right.

I make one final point: these ex-servicemen are not the generals or even the colonels who wrote the rules of engagement, planned the patrols and issued the orders, but the ordinary soldiers, the men of the platoons, who went out into the dark, into danger, on our behalf to face up to the terrorist challenge in Northern Ireland. We owe it to them, one way or another, to say that enough is enough and that the hounding of our veterans must now stop. I look to the Government to tell the Committee how they propose to stop it.

**Gavin Robinson** (Belfast East) (DUP): It is a huge privilege to follow the right hon. Member for Sevenoaks (Sir Michael Fallon), not least because, when Secretary of State for Defence, he seriously engaged with us on the Defence Select Committee when we conducted an inquiry into fatalities that arose during the troubles in Northern Ireland. He engaged with us and considered our report—we all on the Committee collectively and appropriately considered the issues at hand—and we can hear that he is one of the growing number of principled parliamentarians who recognise there is an issue that we need to address. He also fairly outlined some of the deficiencies in the amendments. I say that not as a criticism but drawing on comments he himself made.

Our report was very clear, in its second recommendation, that the Government should extend any proposal to the brave members of the RUC. We have heard many honeyed words this evening about the bravery and sacrifice of police officers, both past and present, and many Members have put forward their views on the noble cause that police officers served in our community in Northern Ireland, and yet, of course, they are absent from the amendments. There are various reasons for that. The right hon. Gentleman referred to the complexities, but the complexities applying to police officers past and present in Northern Ireland apply similarly to Army veterans. It is not the case that those complexities are confined to Army veterans in Northern Ireland or in the rest of Great Britain and do not apply to the police; they apply equally, and they are twofold. There should be no amnesty for terrorists, and there should be no equivalence between the honourable actions of service personnel and the actions of those who went out to commit murder and mayhem in our streets.

Many who have served in the Royal Ulster Constabulary, the Police Service of Northern Ireland or the Army, and who live in Northern Ireland, will never countenance the day when their service is treated as if it were in any way comparable with what was done by those who sought to destroy our society, and I think that they are right. However, I recognise that dealing with that issue opens up another panoply of legal complexities.

The right hon. Member for New Forest East (Dr Lewis)—the esteemed Chairman of the Defence Committee—and I have regular discussions about how we can obviate some of the legal constraints that apply to a statute of limitations. I think Members should take the opportunity to read the legal submissions from which our inquiry benefited—from Professor Richard Ekins of Oxford University, Professor Kieran McEvoy of Queen's University Belfast, Professor Peter Rowe of Lancaster University, and Professor Phillippe Sands QC of University College London.

What can we take as an overarching lesson from the varied range of views that were expressed, which included disagreements? This Parliament is sovereign. This Parliament can set our laws, create the circumstances around natural justice, and outline what a criminal justice process should be. It can inject some equity and fairness into that process, in a way that complies with article 2 of the European convention on human rights, or article 3, in the case of torture. I think that the right hon. Member for Sevenoaks was right to refer, in his amendment, to previous satisfactory investigations. No one is trying to obviate the rules of natural justice in

this country, but he is right to suggest that we should stand firm when, again or again or again, a knock comes at the door.

I pay tribute to the right hon. Member for Newbury (Richard Benyon), to the hon. Member for North West Norfolk (Sir Henry Bellingham) and to the former Member of Parliament for Aldershot, Sir Gerald Howarth, all of whom have been steadfast champions of the notion of protecting those who protected us.

We talk very loosely about 90% of all troubles-related killings being carried out by terrorists, with 10% attributed to state forces, but we can state categorically that each and every one of those that fall within the 90% were crimes, carried out by terrorists who were involved in state subvention. We cannot say that of the 10%. We cannot say that of those who put their lives on the line to protect all of us. We need only look across at that door to see three plaques in memories of three Members of this House who were cut down by terrorists in this country. We do not have to look too far away.

I know that memories fade, and I know that people talk about the price of peace. I do not remember any legal constraints or complexities being raised too strongly in the House in 1998, when the prisons were opened. I do not remember too many legal complexities bothering those boffins in Whitehall when they constructed the on-the-runs scheme. Time and time again in the pursuit of peace, to please those who tried to destroy this country, legal minds and successive Governments have created conditions that have allowed the doors to open for terrorists.

I praise the right hon. Member for Sevenoaks—and I say that meaningfully—as the principal parliamentarian to support this continual quest. He tabled the amendments in the knowledge that they were not perfect, and that this was a journey that we would have to make together in a committed and principled way. It is right for Parliament to set conditions that provide protection for those who protected us and who have no equivalence with those who tried to destroy this country, in a way that does not legally extend an amnesty or state immunity, because as a state we will have discharged our duty. We are talking about cases where there has been an investigation and where we are satisfied that the information gathered is exhaustive, and it is natural justice for those being prosecuted who served this country that we should move on.

I respond to the right hon. Member for Sevenoaks not to detract from the thrust of what he is attempting to achieve or the principled spirit of what he has outlined, but to stand at one with him in recognising that this is a wrong that needs to be righted, and that it cannot be constrained or confined to Northern Ireland alone; he has outlined the implications right across this country, and indeed in theatres beyond this country.

I hope that the spirit in which the right hon. Gentleman brought forward these amendments will continue to feature as we navigate the legal and moral complexities and do what is right, in the interests of our veterans, our current armed forces personnel, past and present, and those who served in the RUC, the PSNI and others. If we can get collective agreement tonight that that is our direction of travel and that is what we want to achieve, and that we will be honourable and earnest in our quest to protect those who protected us, he will have our support.

**The Secretary of State for Northern Ireland (Karen Bradley):** It is an honour to follow the hon. Member for Belfast East (Gavin Robinson); he is always a profound speaker, and he captured the spirit today, and the whole Committee was, I think, enchanted by his contribution. I thank my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon). His time as Secretary of State for Defence was more than distinguished; he was an absolutely superb Defence Secretary. He stood up for the armed forces and the military in a way that few could, and I want to put on the record how much I enjoyed working with him. I was once his Whip, and he was quite difficult to whip, I have to say, because he was very determined in what he wanted to achieve, but we worked together very well and managed to get some significant changes to legislation through, and I enjoyed working with him immensely.

I also want to put it on the record that this Government will always salute the tremendous heroism and courage displayed by members of the armed forces and the Royal Ulster Constabulary throughout the troubles in Northern Ireland. Operation Banner was the longest continuous deployment in British military history, lasting from 1969 to 2007. During that period, over 250,000 people served, more than 7,000 medals for bravery were awarded, and the RUC was collectively awarded the George Cross for valour. As I said to the annual Police Federation for Northern Ireland conference in May, without the contribution of our armed forces and the RUC, and—in so many cases, their sacrifice—there would, quite simply, have been no peace process in Northern Ireland. For years, they stood between the rule of law and the descent into anarchy, and by their actions ensured that the future of Northern Ireland would only ever be determined by democracy and consent, never by violence. All of us in this House and beyond therefore owe them an enormous debt of gratitude, something we must never forget.

We remember the more than 1,100 members of the security services who were murdered, and the many thousands more who were maimed or injured, physically and mentally. And as this Government have always made clear, we will never accept any kind of moral equivalence between those terrorists who sought to destroy the rule of law and the security forces whose job it was to maintain the rule of law.

We will also continue to reject any attempt to rewrite the history of the troubles in order to justify or legitimise republican and loyalist terrorism. Let us not forget the bare facts: 60% of deaths in the troubles were caused by republican terrorists; 30% by loyalist terrorists; and just 10% by the state, and the vast majority of those were entirely lawful.

For most of the period of Operation Banner, the role of the armed forces was to support the civil power in maintaining the rule of law against the terrorist threat. Northern Ireland was not an armed conflict, and we should be careful in the language we use to describe what was happening in a part of our own country. In upholding the rule of law, the armed forces were at all times required to operate within it while being fully accountable to it. This is what set them apart from the terrorists, who operated outside the law.

9.15 pm

As we know, in the vast majority of cases, members of the armed forces and the police carried out their duties with exemplary professionalism and restraint, often in the most provocative and dangerous of circumstances, yet, as with any deployment of this scale and duration, there were also mistakes. The Government have quite rightly apologised whenever the state or those acting for the state fell short of the high standards we expect, but I cannot emphasise enough that events like Bloody Sunday are not the defining story of Operation Banner, and those who served can rightly be proud of the role they played in ultimately bringing Northern Ireland to the much improved place that it is today.

I fully understand the concern expressed by Members of this House about the treatment of former service personnel in respect of Northern Ireland, and about the apparent disproportionate focus on their actions rather than on those of the terrorists. I also understand the continuing concerns being expressed by my right hon. Friend the Member for Sevenoaks over the issue of the so-called on-the-runs and the letters that were issued under the scheme introduced by the Labour Government.

**Lady Hermon:** Will the Secretary of State put on record the Government's admiration for the integrity and independence of the judiciary in Northern Ireland? As she will know, its members were often targeted. Some of them were murdered and many were injured, yet despite all the threats and the violence, they continue to serve Northern Ireland independently and with great distinction.

**Karen Bradley:** The hon. Lady alludes to one of the points that I am going to make later on my concerns about the amendment, but I am very happy to put that on record. I have met members of the judiciary in Northern Ireland, and it is an extraordinary experience to visit the law courts in Belfast and to compare the protection around those courts with what we have in Great Britain, where people can enter the courts freely, attend the public galleries and be part of the judicial process. I have seen the levels of security that apply in Northern Ireland precisely because of the level of threat to members of the judiciary that she has mentioned.

I shall continue with my point about the so-called on-the-runs. I want to be clear that, whatever its shortcomings, the scheme never amounted to an amnesty or to immunity to prosecution. All that the letters issued at the time stated was whether an individual was still wanted by the police on the basis of the evidence available at the time. This was confirmed by the independent inquiry into the scheme carried out by Lady Justice Hallett in 2014. In the case of the alleged Hyde Park bomber, the problem was that he was given a letter in error stating that he was no longer wanted, when in fact he was wanted by the Metropolitan police. That enabled his defence to argue an abuse of process, which was upheld by the judge and caused the prosecution to be stayed. However, in responding to Lady Justice Hallett's review, the then Secretary of State, my right hon. Friend the Member for Chipping Barnet (Theresa Villiers), could not have been clearer when she said:

“If there is considered to be evidence or intelligence of their involvement in crime, they will be investigated by the police, and if

the evidence is sufficient to warrant prosecution they will be prosecuted.”—[*Official Report*, 9 September 2014; Vol. 585, c. 779.] My right hon. Friend also made it very clear in 2014 that the scheme was now at an end.

The current imbalances are of course taking place under the current mechanisms for addressing the legacy of Northern Ireland’s past, over none of which the UK Government have any direct control. Indeed, there is widespread consensus that the current mechanisms in Northern Ireland are not working effectively for anyone—for veterans or for the victims of terrorism. That is why in 2014, after 11 weeks of discussions with the main Northern Ireland parties and, as appropriate, with the Irish Government, we brought forward proposals for new bodies, designed as set out in the Stormont House agreement. Significantly, during those talks there was no support for simply drawing a line under the past or for the introduction of amnesties for troubles-era offences, which, to comply with international law, would have had to apply to all sides.

**Dr Julian Lewis** (New Forest East) (Con): May I urge the Secretary of State to realise that the protagonists in this bitter debate are sometimes trapped by their own rhetoric? The truth of the matter is that one side wants there to be an amnesty for one group of people, but not the other, and the other side wants the reverse. If she likes, she can come to the conclusion that there is no support for a drawing of the line for everyone, or she could conclude that it is up to the Government to take a lead and draw the line for everyone in the knowledge that those who cannot speak out for that policy could nevertheless live with it.

**Karen Bradley**: My right hon. Friend feels strongly about this matter and has considered it in depth in his role as Chair of the Defence Committee, which has started a new piece of work on it. In my discussions with representatives of veterans and victims groups in Northern Ireland, the firm view that this was not the time for amnesties. I well understand and will discuss the steps that could be taken, but I caution him about his interpretation of the comments that he has heard. That was not what I saw with my own eyes or in the evidence that I have received, but I understand his view. We are consulting, which I will come on to in a moment, and I would welcome the Defence Committee’s views on the consultation. I am also happy to work with him on the inquiry that he has started.

**Sir Jeffrey M. Donaldson**: To echo the comments of my hon. Friend the Member for Belfast East (Gavin Robinson) and for the sake of clarity, this debate is not between two sides that want an amnesty. For the record, the DUP does not support an amnesty for anyone connected with Northern Ireland. We do support a statute of limitations, which is not an amnesty. This House should never equate the men and women who stood on the frontline—I had the privilege of standing beside them—with those who skulked in the shadows. That is not what this debate is about.

**Karen Bradley**: The right hon. Gentleman has been a leader in this area for many years, and I pay tribute not only to his personal experience, but to his leadership on this matter and his role in the Stormont House agreement and other matters since. I also want to put on the record my thanks for his help and support when I was the

Secretary of State for Culture, Media and Sport and he was the Northern Ireland representative on the first world war steering group. His leadership there has led to some magnificent and wonderful commemorations in Northern Ireland and a real bringing together of communities to recognise the sacrifices that were made 100 years. I had the privilege of being in northern France two weeks ago for the Somme commemoration—perhaps it was only last week, but it feels like a lifetime ago—which was a wonderful tribute to him and his work.

**Dr Julian Lewis**: Just for the sake of clarity, the Defence Committee has never used the word “amnesty” and has always used the phrase “statute of limitations”. However, the point I made earlier applies equally if that phrase is substituted for “amnesty”. One party, as it were, wants it for one side but not the other, and vice versa. It is disappointing that the Government’s response to the Committee’s report was originally going to have a special section in its consultation exercise to consider the possibility of a statute of limitations, but they went back on that pledge that had been given in writing in their response to our report.

**Karen Bradley**: I am of course happy to discuss the matter again with my right hon. Friend. He is absolutely right that the language and terminology that are used are incredibly important in this debate. With a statute of limitations, we tested this with political parties, victims groups, veterans groups and others in Northern Ireland. To be legal, there would have to be a statute of limitations on both sides, and it would have to include a proper process of reconciliation. We were unable to find representative bodies that were able to accept that as a conclusion. It would therefore have been misleading to put it as an alternative approach in the consultation document—I make it clear that this is on a specific consultation on setting up the institutions agreed at the Stormont House talks.

As set out in the Conservative party manifestos at the last two general elections, the Government believe that the proposed new legacy bodies provide a better way forward than the current mechanisms. They will address the legacy of the past in ways that are fair, balanced and proportionate and that do not unfairly focus on former members of the armed forces and the RUC. As I have said, we are now consulting on those bodies, and the consultation runs until 10 September. I encourage all right hon. and hon. Members with an interest in these matters to make their views known in the consultation. The House has my full assurance that all representations on this matter will be properly and carefully considered. As our manifesto at the last election stated clearly, any approach to the past must be fully consistent with the rule of law.

Earlier, my right hon. Friend the Defence Secretary answered a question from my hon. Friend the Member for North West Norfolk (Sir Henry Bellingham) by confirming that the Ministry of Defence has set up a dedicated team to look specifically at how this matter is addressed. We all want to make sure that those brave heroes who gave so much to defend us are treated properly with dignity and respect. It is right that the Ministry of Defence should look at this for the armed forces across the whole United Kingdom, not just in the Northern Ireland context.

[Karen Bradley]

The ongoing consultation is one reason why the Government are unable to accept the amendment tabled by my right hon. Friend the Member for Sevenoaks. First, it would be wrong to pre-empt the outcome of the consultation. Secondly, the Government do not believe this Bill is the right vehicle for such amendments. This is a Budget Bill designed to ensure that the necessary funding is available to ensure the continued delivery of public service in Northern Ireland. That touches on the point made by the hon. Member for North Down (Lady Hermon) about the independence of the judiciary. When we start looking at how the amendment would work and how the direction would happen, we see that it would impinge on the independence of the judiciary. Again, I am very nervous about starting to make such decisions in this House, although I well understand the sentiment behind the amendment and why my right hon. Friend the Member for Sevenoaks has posed the question.

Finally, and perhaps most fundamentally, the Government cannot accept the amendment because it would undermine the rule of law. The effect of the amendment would be to remove the ability of the Public Prosecution Service for Northern Ireland to prosecute former soldiers for the next 12 months, even when new evidence came to light which the original investigation could not have considered and that the prosecution believed could lead to a conviction. Again, that goes to the point made by the hon. Member for North Down. This would significantly undermine the independence of the Director of Public Prosecutions for Northern Ireland and the exercise of the statutory functions of that office. Decisions made by the DPP are rightly based on available evidence, and it would be manifestly wrong for financial considerations to influence decision making, as proposed in the amendment. Although ultimately it would be for the courts to decide, the likelihood is that these amendments would be incompatible with our obligations under article 2. As such, should the amendment be made, I would be unable as Secretary of State to certify the Bill as compatible with convention rights for introduction to the other place.

**Nick Herbert** (Arundel and South Downs) (Con): My right hon. Friend is explaining what the practical and legal obstacles to this amendment might be, including the operation of the European convention on human rights. If the Government concede that there is no moral equivalence between the actions of terrorists and the actions of the military, should not the application of the law also recognise that in some way? If this amendment is not possible, what other means might there be to ensure that brave members of the armed forces are not unnecessarily and wrongly pursued nearly half a century later?

**Karen Bradley:** I do not wish to detain the Committee for significantly longer than I already have, but I suggest that I spend some time with my right hon. Friend explaining the thinking behind the Stormont House institutions and how we would get to a situation where there was not this disproportionate focus on the armed forces and law enforcement.

9.30 pm

At the moment, all but one of the coronial inquests being looked at by the Lord Chief Justice relate to former military and law enforcement personnel. We also have a

police ombudsman, who looks at wrongdoings of police officers, and a PSNI legacy investigations unit, 30% of whose case load deals with killings by the military and law enforcement. That cannot be considered proportionate, given that only 10% of the killings during the troubles were by members of the military or law enforcement. It cannot be the case that only 70% of the investigations by the PSNI legacy investigations unit are looking at terrorist killings, all of which were crimes. We need to get that balance right. My hon. Friend the Member for South West Wiltshire (Dr Murrison), who chairs the Select Committee but was also a Minister in the Northern Ireland Office at the time of the Stormont House talks, has often spoken to me with great passion about how important it is that we redress this. The status quo is simply not acceptable. We are consulting on how the Stormont House institutions would make that better, but I would welcome representations from all hon. and right hon. Members in this Chamber to that consultation, so we can make sure we get this right.

As a Conservative who believes fundamentally in the rule of law, central to which is the independence of our prosecuting authorities, I believe that however well-intentioned the amendment from my right hon. Friend the Member for Sevenoaks, it leads us into some very dangerous territory. It would undermine and erode hard-won support for the criminal justice system within Northern Ireland. It would be used by those who wish to rewrite the history of the troubles to reinforce their claims that the UK Government has “something to hide” and is primarily concerned with covering up the actions of our armed forces. It will be seized upon by those who wish to portray the British state as the oppressor and the armed forces as human rights abusers—that is still language used by dissident republicans to boost recruitment today and who continue to pose a severe threat. It will create further uncertainty for those whose cases are currently before the courts, and it is not clear whether their cases would have to be adjourned to the end of the financial year. I regret to say that it will also simply play into the hands of those who wish to establish some moral equivalence between those who attacked the rule of law and those whose job it was to defend it.

I sympathise immensely with my right hon. Friend's intentions, and I want to work with him to achieve the aims that he has set out so eloquently, but, for the reasons I have stated, I simply cannot support the amendment, and I urge him to withdraw it.

**Tony Lloyd** (Rochdale) (Lab): Let me begin where the Secretary of State ended, in saying that there can never be moral equivalence between the acts of the broad mass of those young men and women who were asked to serve in Northern Ireland at the behest of our society and those who instead sought to damage, maim and kill through the paramilitary groups of either side. As with other Members, I wish to pay tribute to those who served our nation. I wish also to follow the words of the hon. Member for North Down (Lady Hermon) in recognising as well the important role of the RUC during the troubles.

I recognise the argument put forward by the right hon. Member for Sevenoaks (Sir Michael Fallon), and he rightly was struck by and acted on the claims farming that he saw as a result of the situation in Iraq. However,

there is no equivalent that reads immediately across to the situation in Northern Ireland, and it is important to establish that, even though I recognise that his motives are honourable in what he proposes.

I again follow the Secretary of State's line in saying that there is currently a consultation on the historical inquiries, and it is important that that is allowed to take place and to go forward. It is important that we take the opportunities of the Stormont House agreement to move forward in the way that she outlined. In the debate on Second Reading, I said that we should make progress with exactly those kinds of institutional arrangements. It is important that we bring things to a rapid conclusion in the interests of victims on all sides.

The right hon. Member for Sevenoaks was challenged by the hon. Member for North Down on why the RUC/PSNI has been left out of the amendment. It is helpful to quote Mark Lindsay, the chair of the Police Federation for Northern Ireland, who says:

“Let me be clear: This organisation is totally opposed to any legislation which proposes an amnesty”—

a loaded word—

“for any crime. That's any crime, whether committed by a police officer or terrorist from any side of the divide. Society must now decide, whether the solution is a political solution or a criminal justice solution.”

He goes on to say that it would be a “monstrous injustice” to his members were we to go down those lines. It is important that we listen to those words.

I met Mark Lindsay recently, and one point that he made to me was about the enormous importance of the Police Service of Northern Ireland having the trust of people across all communities. One way to damage that trust would be to open the PSNI up to the accusation that it somehow gained special treatment for its members, when the Police Federation for Northern Ireland does not want that kind of special treatment. That is important.

In response to the hon. Member for Belfast East (Gavin Robinson), I should say that even the leader of the Democratic Unionist party, Arlene Foster, has expressed her own doubts about going down this road. She makes the point that the DUP has not been pushing for this as a party, and her concern is that it could lead to demands for a wider amnesty. That is important because, as the Secretary of State said, she has to sign off the legislation as compatible with the UK's human rights obligations under international law—not things that we can change or arbitrate; things that we have signed up to as part of the UK's global commitments. These are things that the UK signs up to as exemplars to be applied not just here in the United Kingdom but all around the world. They give us the freedom to criticise those who transgress human rights obligations. A strong body of opinion—I know this opinion was given to the Defence Committee—makes it clear that if the state is seen to act partially in a way that denies victims access to justice, it is transgressing its obligations under international law. In particular, if in doing that the state is seen to be partial and to be protecting state actors while not offering the same kind of procedure to others, the state is, in that partiality, accused of breaching its wider human rights obligation.

**Sir Jeffrey M. Donaldson** (Lagan Valley) (DUP): The comments by the leader of my party were directed specifically at the legacy proposals for Northern Ireland. To legislate for a statute of limitations on the narrow

ground of Northern Ireland would not in our opinion be appropriate, because it would exclude deployments in the Gulf war and Afghanistan. It needs to be done on a UK-wide basis. My party would be supportive on that basis, but not if it is exclusively about Northern Ireland, because that would open it up to the risk that it would be used by others to try to bring about an amnesty, which is not what it would be.

**Tony Lloyd:** I am grateful to the right hon. Gentleman for that clarification, which leads me to begin to bring my remarks to a conclusion.

I stand strongly with the Secretary of State on the fact that the consultation process is already abroad. That consultation process now should be allowed to come to its full conclusion. That is the right way forward both for this House tonight and more generally for this country. In the context of Northern Ireland, it is important to take on board the right hon. Gentleman's remarks that the possibility of seeing a wider amnesty will defeat the ambitions of victims of the violence during the troubles and those who were left bereaved by that violence. It could, of itself, allow off the hook those whom we would all want to see—even these years on—brought before our justice system and the courts. Within that, it is right and proper that the right hon. Member for Sevenoaks recognises the force of the argument that this is the wrong vehicle. It is the wrong occasion for this and it will almost certainly lead to the wrong kind of rules—temporary at very best. I do hope that he will consider very seriously whether this is the right approach on this occasion.

**Dr Julian Lewis** (New Forest East) (Con): I believe some form of consensus is emerging that a statute of limitations might be the correct way forward, especially if it could be applied in a wider context than just the Northern Ireland scenario. I know that the Conservative manifesto at the last election talked about protecting troops from malicious charges such as had been posed most irresponsibly and on an industrial scale in relation to Iraq by invoking the law of armed conflict for future conflicts and ensuring that the criteria of the civil law could not be applied to them. That is where a problem might creep in in connection with Northern Ireland, because there is no way in which the law of armed conflict could be said to apply to that situation, which was internal to the United Kingdom.

We heard from the Secretary of State that, earlier today, the Defence Secretary made the very welcome announcement that a dedicated unit is being set up inside the Ministry of Defence to try to grip this problem, and I think that it will try to grip it at every level—not just for Northern Ireland, but for these wider conflicts. However, for this evening, I will obviously concentrate on the Northern Ireland situation. I wish to start by making brief reference to the report previously produced by the Defence Committee, which was referred to by the hon. Member for Belfast East (Gavin Robinson) in his very strong contribution to this debate a little while ago.

Our report entitled “Investigations into fatalities in Northern Ireland involving British military personnel”, HC 1064, was published on 26 April 2017. The Government response, HC 549, was published on 13 November 2017, and there was a Westminster Hall debate on these reports on 25 January 2018, all of which bear future study.

[Dr Julian Lewis]

The Defence Committee has put in our entire report as evidence under a covering letter to the consultation process that is going on.

**Karen Bradley** indicated assent.

**Dr Lewis:** I see the Secretary of State acknowledging that fact. She will know that the Defence Committee was particularly disappointed about something that I mentioned earlier in an intervention. In the Government's response—the one that was published in November 2017—they reprinted two of our recommendations and it gave the following answer to them. The recommendations were as follows:

“It is clear from the experience of these legacy investigations that, unless a decision is taken to draw a line under all Troubles-related cases, without exception, they will continue to grind on for many years to come—up to half-a-century after the incidents concerned... Accordingly, we recommend the adoption of Option One—the enactment of a statute of limitations, covering all Troubles-related incidents, up to the signing of the 1998 Belfast Agreement, which involved former members of the Armed Forces. This should be coupled with the continuation and development of a truth recovery mechanism which would provide the best possible prospect of bereaved families finding out the facts, once no-one needed to fear being prosecuted.”

This is what might be termed the Nelson Mandela solution, which of course proved to be such a success in South Africa.

**Lady Hermon:** At the very beginning of the right hon. Gentleman's contribution, he summarised what he felt was the attitude in the House, which was that there was a consensus on a statute of limitations in Northern Ireland. May I just say that I am not in that consensus? I do not support a statute of limitations in Northern Ireland for the armed forces alone. I would like the right hon. Gentleman to address the really critical question. There is a fundamental principle of the British legal system that no one is above the law. How would he reconcile the amendment to which he is speaking with that fundamental principle?

9.45 pm

**Dr Lewis:** I acknowledge the hon. Lady's making her own position clear. I trust that, in the remarks that I am about to make, I will address precisely that point. It relates in particular to the Northern Ireland (Sentences) Act 1998. If I fail to mention that later, I hope that the hon. Lady will leap up and remind me to do so. I just wish to continue with my theme for the moment, which is the Government's initial response to the passages—the recommendations—that I just read out.

The Government said:

“While the Government believes that the most effective option to address Northern Ireland's past is to implement the proposals set out in the Stormont House Agreement, the Government acknowledges that others have different views on the best way forward, including approaches such as that proposed by the Committee which do not involve recourse to the criminal justice system. As such, the Government intends to include within its forthcoming consultation on the draft Northern Ireland (Stormont House Agreement) Bill a section entitled ‘Alternative approaches to addressing the past’. This section of the consultation will discuss alternative ways forward and include a description of the Committee's recommendation. The consultation will invite respondents to give their views on ‘the potential effectiveness and appropriateness of alternative approaches such as amnesties and a statute of

limitations to address the legacy of Northern Ireland's past'. Following the consultation's conclusion, the Government will consider all views carefully to inform next steps.”

Now, all I can say is that the Committee was greatly encouraged by that positive response, and we were then considerably discouraged by the fact—which may or may not be connected with the change in Secretary of State—that we subsequently found that the consultation was not going to include the section as described officially in the response to our report. That seemed to be a step backwards.

I have heard it said time and again—this evening and in previous debates on the subject—the rather obvious truth that there is no moral equivalence between terrorists or people accused of terrorist offences, and people accused of having committed offences when they were members of the armed forces or security forces trying to protect the people of Northern Ireland. As I said, that is an obvious truth; there is no moral equivalence. However, it can be argued—and I feel that it must be argued—that there is a legal equivalence, because everybody who is accused of a crime is, in a sense, equal before the law. But something strange and particular happened in the context of Northern Ireland, and that was—this is where I come to the intervention of the hon. Member for North Down (Lady Hermon)—the passage of the Northern Ireland (Sentences) Act 1998. If I understand the Act correctly, and I think I do, it means that nobody can serve more than a two-year sentence, no matter how heinous the crimes that they committed, in the context of the troubles in Northern Ireland, which presumably means that, in practice, no one will spend more than half that length of time—12 months—in jail. Whether it be a question of pursuing terrorists decades after the event or of trying to pursue security personnel or members of the armed forces decades after the event, at the end of that whole process, even if anybody is found guilty of a crime that would normally attract a life sentence, they will end up spending no more than 12 months in jail.

**Sir Hugo Swire** (East Devon) (Con): I am listening to my right hon. Friend's argument very carefully. It is not just a question of how much time some of these accused former servicemen may spend in jail—it is about the question mark hanging over them in later life, and their fear that when they go back to court in Northern Ireland they will not be protected. They get all kinds of memories coming back, and feel very afraid. So in a sense, their sentence is already a life sentence while the current legislation continues.

**Dr Lewis:** I entirely agree with every syllable of what my right hon. and gallant Friend says. We are now in a perverse situation where people are being pursued decades after the event without any scintilla of a suggestion that new evidence has been found. They are put through this disproportionate and agonising process, and at the end of it, in the unlikely event that they were found guilty, any sentence that they served would in no way be proportionate to the crime. The whole process has been undermined, because while one might make a moral, political or legal case to pursue someone to the ends of time for a capital crime—a crime of murder—if one knows right at the beginning that at the end of that huge process they are going to serve only a derisory sentence, that has to call into question the legitimacy of the proceedings.

**Mrs Sheryll Murray** (South East Cornwall) (Con): Does my right hon. Friend have sympathy with my constituent, Dennis Hutchings, who is facing that situation as we speak despite the fact that witnesses are no longer around and that Dennis is terminally ill? He is the perfect example of what my right hon. Friend is speaking about.

**Dr Lewis:** I cannot comment on that particular case since it is now sub judice, but cases of that sort fall squarely within the situation that I am describing. As my right hon. and gallant Friend the Member for East Devon (Sir Hugo Swire) said, it is the process of pursuit, proceedings and trial, rather than the actual derisory sentence at the end of it, that amounts to cruel, unusual and almost certainly unjustified punishment that is inflicted so long after the event.

Nobody is suggesting that crimes that would be called war crimes, if this were an international rather than a civil conflict, should be excused and that people should be put above the law; but the provisions of international law can be met by combining a truth recovery process with a statute of limitations. If people who had committed heinous crimes years and years ago were, at the end of the process, going to serve a proportionate sentence, one could perhaps make out an argument that the matter should be allowed to proceed to the end of time. However, given the way in which terrorists, on the one hand, and armed forces personnel and security forces, on the other, have all been swept up into the concept of the Northern Ireland (Sentences) Act, meaning that they will serve, at most, a derisory sentence if eventually convicted—which most of them will not be—the way to proceed is the Nelson Mandela solution.

**Sir Mike Penning** (Hemel Hempstead) (Con): As my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) said, his amendments are not perfect, and there will be concerns, but when is the right time for us to defend our veterans? When is the right time for those in this House to speak out and say, “Enough is enough”?

I have to declare an interest. It was not 30 or 40 years ago that I got on the troop ship from Liverpool across to Belfast docks. It was 42 years ago that I and the 1st Battalion Grenadier Guards went across to Northern Ireland. I was petrified, like most young people were when they went into the armed forces and into combat. I was not going abroad—we were not going to Afghanistan, Iraq, Aden, Borneo or Malaya. I was going to another part of the United Kingdom to protect a community from terrorism. It was a policing role. I have never quite understood why we issued the general service medal for those who went to Northern Ireland, because it was part of the United Kingdom. It was not an operation, as we have heard. We were not on ops; we were assisting the RUC to protect the community. Sometimes that community turned on us, and we lost a lot of good friends and soldiers. Some we have never found. I have spoken in the House before about my captain, Captain Robert Nairac, whose bravery everybody should understand.

We are not here this evening to just accept what the Secretary of State has said and give it carte blanche. The Secretary of State has no idea what I am going to say, and other colleagues are waiting to argue for these amendments as well, but the Secretary of State and the

Opposition Front Benchers have already made their mind up, before hearing from gallant colleagues who have served and colleagues who have never served but have constituents who are under threat day in, day out of a knock at the door or a letter. Perhaps that letter will come to me; perhaps I am one of those people. I am probably one of the older ones who served back then. I went in 1976, and the forces that were out there—some were volunteers for the Ulster Defence Regiment, which my hon. and gallant Friend the Member for Strangford (Jim Shannon) was serving in—were doing a fantastic job. The RUC was doing a fantastic job. At one stage, we had 10,000 soldiers putting their lives on the line in the Province to keep people safe.

**Mr Iain Duncan Smith** (Chingford and Woodford Green) (Con): I, like my right hon. Friend, served out there, in '75, and I recall serving in the Bogside when we used to have to accompany the RUC there; they would not go were the military not with them at the time, patrolling in the same area. We were dealing with circumstances that are very difficult for modern generations to understand. We had to do so under a very different set of rules, and my concern is exactly his: that we are now judging on the basis of a wholly different set of criteria.

**Sir Mike Penning:** My right hon. and gallant Friend understands this so well. It was not so much that the RUC could not cope, but the threat to them was so great that we had to patrol with them. I did not serve in Londonderry or Belfast, even though I have been accused of doing naughty things in Belfast by the IRA and Sinn Féin. I served in Monaghan, Keady and Middletown, where we were in the RUC post, sometimes with the RUC and sometimes on our own.

It was a very difficult time, but we were not conscripts. We were young people who volunteered to serve in our armed forces. When I joined up, I knew that I was going to Northern Ireland. Basically, every 18 months you would go to Northern Ireland if you were from an infantry regiment. We knew we were going to go, and we knew how difficult it was going to be, but—this is the big but—I expected those who sent us to look after us. I honestly feel at the moment that veterans, and not just those from my day, do not feel that this House did the right thing for us, and they passionately feel that we are letting them down.

If this evening's debate is not the answer and these amendments are not the right ones, I say to colleagues around the Chamber—I am so disappointed that some of my Labour friends who served in the armed forces are not here for something so damn important—that the people who did the right thing for us and for Northern Ireland are flagrantly being let down, day in and day out. They are told there is another consultation, that we cannot do it—that there is technicality here, and the judges will not do it—or that Sinn Féin will use this against us. I don't give a monkey's. The Commons should stand up for our veterans, and if we do not vote for that this evening, there is something seriously wrong.

10 pm

**Sir Henry Bellingham** (North West Norfolk) (Con): It is a great honour to follow my right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning), who made an extremely moving speech.

[*Sir Henry Bellingham*]

I plan to be brief, but I first want to thank the Secretary of State for Defence, who, in reply to my Question 1 this afternoon, said that he would set up a dedicated team at the Ministry of Defence to look at the situation of all veterans. I have sponsored two Adjournment debates on this subject, and I have also set up an informal parliamentary support group to look at the interests of veterans from all theatres.

I congratulate my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) on the way in which he moved his amendment. I underline the comments about his time as Defence Secretary, during which he worked tirelessly to try to stop some of this nonsense going on, particularly in respect of Iraq and Afghanistan. His amendments are a genuine attempt to try to move this debate forward and to propose a constructive suggestion.

I very much hope that the Secretary of State for Northern Ireland will do two things. First, I hope she will work with the Secretary of State for Defence to make sure that the unit being set up really starts to make a difference. Secondly, the consultation that she set up did not actually say anything about looking at a statute of limitations. She mentioned the word “amnesty”, but, as the right hon. Member for Lagan Valley (Sir Jeffrey M. Donaldson) made very clear, we are talking about an amnesty, but not a statute of limitations. In this case it would affect Northern Ireland, but I would extend it to all veterans from all theatres so that they knew where they stood and that, after a period of time, it would not be possible for them to be subject to the knock on the door. The qualification would of course be that that applied unless any new evidence became available.

**Sir Hugo Swire:** Would my hon. Friend not say that all veterans who find themselves in such a position today, tomorrow or in years to come should be looked after properly by the Ministry of Defence—provided with support, including if necessary counselling, and with security and an escort, particularly if they are going back to zones in which they are accused of committing these crimes—so that they do not feel they are not wanted, and do not feel isolated and forgotten?

**Sir Henry Bellingham:** My right hon. Friend is 100% right on that point, but we hope very much that there will not be any prosecutions in the future, or any further arrests.

The key point is that our security forces, as has been pointed out, served in Northern Ireland with the utmost professionalism and dedication in an incredibly febrile, tense and dangerous atmosphere. Young soldiers were sent over—volunteers: we are talking not about conscripts, but professional soldiers—and they were the envy of the entire world. Does the Secretary of State believe that any other army from any other country in the world would have showed the sort of restraint that our Army showed in Northern Ireland, as indeed did the police?

Some 10% of the killings in Northern Ireland were carried out either by the police or the security forces. That is a staggering figure. One has to bear in mind that every single case was fully investigated. Soldiers were operating under the law of the land—not under armed forces law under the Geneva convention, but under our own law—with the yellow book or the yellow card, and

every instance was fully investigated at the time by the military police, the RUC or other authorities. That compares with the terrorists, who operated under no known code, and whose only aim in life was to kill and to maim, so how can there ever be any equivalence? How can we talk about amnesties, when our armed forces were operating under the rule of law and under the law?

I want to refer quickly to two cases. I will not mention the names, because they may well be sub judice, but I want to illustrate my concerns. First, the leader of a small patrol went into a village after a shooting incident the day before. The platoon had come under fire. A small patrol of four soldiers went into the village in a follow-up operation after an arms find. A suspicious individual was challenged but did not respond. All four members of the patrol opened fire and that person was killed. It was actually a tragic case of mistaken identity. It was fully investigated at the time by the military police and the RUC. All the evidence was pulled together. The rifles and the rounds were subject to forensic examination. After a period of months, all four members of the patrol were completely exonerated and no further action was required or taken.

We fast-forward to 2012. Under the PSNI investigation under the Historical Enquiries Team, the corporal major who had commanded that patrol was asked to go to Northern Ireland to be questioned, which he did. It was explained to him that there was no new evidence and that the existing evidence had disappeared—the rifles had long since been thrown away or whatever, and the forensic evidence was no longer available. After four days of very polite questioning, he was told that there would be no case to answer. He asked whether he could get on with his life and go back to his family and was told that he could. Fast-forward three more years and there was a knock on the door. Eighteen officers arrested him and took him to Northern Ireland. He has now been charged with attempted murder—I will not go into any more details because he has been charged.

I went to a veterans dinner last weekend at the Royal Anglian Regiment. There were more than 100 people at the dinner. Every single person who came up to me said, “What is going on? Can we not do something about this? Many of us live in fear.” In a speech given that evening, a former regimental sergeant major gave an example from Londonderry in 1972 that illustrates the difficulties that our soldiers faced, the fear they were up against and the appalling decisions that had to be taken on the spur of the moment.

In this second case, soldiers went into the crowd to snatch a demonstrator who had been throwing rocks and bricks at the police and soldiers. They snatched the demonstrator and the crowd became inflamed. The company of soldiers turned around and started moving backwards. One of the soldiers was hit on the back of the head by a rock. In those days, the helmets were not as effective as they are now and he fell down with a cracked skull. The crowd surged forward and were about to lynch him. My constituent and four other soldiers opened fire on the crowd and killed an individual. That was fully investigated at the time. It was found that they were operating under the yellow card or yellow book but that incident is now being reinvestigated. No fewer than 10 people at that dinner now fear they are

among the 284 Northern Ireland veterans, men in their 70s and 80s, who may well get the knock on the door as my right hon. Friend the Member for Sevenoaks said.

**Sir Jeffrey M. Donaldson:** I commend the hon. Gentleman for what he is sharing with us, which is the reality of the situation. Does he agree, however, that it is not just about the veterans attending that dinner? It is about the young men and women who are looking in on what is happening, considering joining our armed forces and doing what many of us have done in the past—stepping up to the plate and serving the flag and the country. Might they just think again about serving this country if there is a prospect that they might face prosecution if they seek to defend themselves, the public and their comrades?

**Sir Henry Bellingham:** I thank my right hon. Friend—I will call him a Friend—who makes an incredibly important point. At that dinner, a number of former members of the Royal Anglian Regiment made the point that they were trying to encourage and recruit young people. Can they really do that when those people might go into a theatre of war and act in accordance with orders, the law of armed conflict or the law of the land, but be arrested many years hence?

I do not know what the answer to this dilemma is, but I do know that very many people out there are incredibly angry and very worried, and they are looking to this Government to come up with constructive, innovative and workable solutions. If we do not do that, we will not be forgiven in a hurry.

**Johnny Mercer** (Plymouth, Moor View) (Con): Thank you, Sir Lindsay, for calling me in this debate. This is a deeply personal issue on which I have worked for some time. I welcome the amendments tabled by my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon).

I am cognisant of the fact that there are real issues with what has been put forward—I do not dispute that for a minute—but I echo what my right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) said. If I was still a soldier watching this place, or if I was a veteran watching this place, I could not help but go away thinking that this place still—still—simply does not get it when it comes to what we owe those who have served.

This issue is nothing to do with some of the things that have been mentioned tonight. There has been a crassness to the terminology at times. I in no way speak of the Chair of the Defence Committee, because we have been tumbling around these terms and I would understand that from him, but there is the idea that we have conflated the idea of an amnesty with that of a statute of limitations. They are fundamentally and critically different, yet they have been interposed as if this is some sort of game or legal language that we have to get around to ensure we do right by our servicemen and women.

**Sir Hugo Swire:** On that point, does my hon. Friend not agree that it was unfortunate that the Opposition Front-Bench spokesman kept on inappropriately using the word “amnesty”?

**Johnny Mercer:** That is exactly what I am talking about.

Before I came to this place—I have spoken about it before, so this will not be a shock to anyone—I really struggled with the inauthenticity I saw from both the Government and Opposition Dispatch Boxes. Incidents such as the one that has just been referred to serve to highlight that. Up and down the country, there are people watching this who are veterans of Northern Ireland, of Afghanistan, like me, and of Iraq. They will be thinking, “Have these guys got my back? Do they really get it when they can’t even get the terms right? Does that give me the confidence that the Government will apply themselves to ending this ridiculous charade of prosecuting our soldiers? I’m afraid it does not.”

What happens to the amendments after I have finished speaking is up to my right hon. Friend the Member for Sevenoaks, but I have to lodge again my profound and personal disquiet with the Government’s policy. I feel a personal shame with regard to the historical allegations issue. I feel that I am part of a Government who are essentially promoting a cowards’ charter when it comes to looking after our servicemen and women. My right hon. Friend talked about how he made a political decision to close the Iraq Historical Allegations Team. I worked on that issue for a year before he did that. Every single civil servant and lawyer in his Department told him it could not be done, but he took the executive political decision that he was elected to make and closed it. We need some of that political courage to be brought to the issue in relation to Northern Ireland.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): I apologise for intervening because, characteristically, my hon. Friend is making a very good speech. We serve together on the Defence Committee, which is now looking into this matter. We heard at today’s Defence questions that the Ministry of Defence is now looking into this matter, too. Does he agree that we are not going to give up on this? We are going to keep coming back debate after debate, motion after motion. We are going to harry the Government, on behalf of the veterans, until they do the right thing and provide protection for those who protected us.

**Johnny Mercer:** I thank my right hon. Friend for his intervention. I must say that when I started the process on IHAT, I found it a pretty lonely experience. That has now changed significantly. There are people in the Chamber who have campaigned on the Northern Ireland issue for a long time and it is deeply heartening to see the support this issue has got, certainly among Conservative Members. I thank him and others who have been here for much longer than me who have provided me with that support; vice versa, I have given any support that I have been able to give.

The problems with this process are so well known. It is late and I do not want to send everyone to sleep by going into them, but this process does not work for anybody. It does not work for the soldiers who are being investigated or for the families in finding out what has happened. The idea that it does is, I am afraid, for the birds.

10.15 pm

We have heard from other hon. Members who have been to veterans’ dinners and so on, and I find it very difficult at the moment to see some of my old friends. They often asked me after IHAT when I thought that

this process would stop. If I am honest, I thought that it would stop when we saw pensioners going to court. I thought that something in the British psyche would say, “This is not an acceptable way to treat our servicemen and women,” but it did not stop there. I still question when it will stop and whether this Prime Minister, or any other members of the Cabinet, understand that if they do not do anything, this will never end. It will never end for our servicemen and women unless somebody shows just an ounce of the courage that we asked our servicemen and women to show in Northern Ireland by gripping this process and bringing it to a close.

What will that take? The Defence Secretary made another announcement today which, of course, I welcome. The fact that I suggested it two years ago when we wound up IHAT is irrelevant, but we cannot keep going round and round in circles and, every time that this comes up, act as though we are surprised that the issue of prosecuting soldiers has arisen. Again, veterans up and down the country are watching these proceedings on television. I congratulate the Secretary of State on today’s announcement, but this has not just started. It has been coming for years, and what I find so deeply frustrating and shameful, sometimes, about being part of this team is that two years ago, when the IHAT process finished, all the abuses were laid out for everybody to see. We aired all our dirty washing, but still nobody gripped the issue until we saw a couple of our pensioners going to court. I am afraid that we cannot govern like this if we are to retain our credibility.

We have heard about a lot of incidents and individual stories tonight but, in closing, I just reiterate that no other country on earth does this to its servicemen and women. Yes, it was 70 years ago, but this country—Britain—stood alone and the military essentially got us the freedoms and privileges that we enjoy. There is no doubt that this project—this country of ours—exists only because young men and women are prepared to join up to fight and defend this country. I do not have the words to express the utter betrayal—by this place and, currently, this Government—of those who have served, and I want to see it end.

**Sir Michael Fallon:** I will respond briefly to the debate because I sense that the Committee wants to decide what to do about the amendments. We have had a very good debate in which strongly held views have been expressed. While there may be disagreement about the precise provisions of the amendments, there is no disagreement in this House about the problem: the moral equivalence that is now being extended by the process of historical investigation between the terrorist and the servant of the state. There is no disagreement that we are now clearly in breach of our own armed forces covenant, and there is no disagreement that the deepest unfairness of all is the reopening of cases that have already been investigated when those involved have been told that no further action will be taken.

I understand that our colleagues from Northern Ireland do not support the precise wording of the amendments, which is one of the reasons why, very reluctantly, I will not press them to a Division. They do, however, support the direction of travel, and I hope that they will continue to work with us on the principle of some form of limitation for those cases that have already been investigated.

Like my hon. Friend the Member for Plymouth, Moor View (Johnny Mercer), I welcome today’s initiative by the Ministry of Defence and the consultation to which the Secretary of State for Northern Ireland referred, but I would give her this warning, which echoes what has been said in the debate: the House will not now rest on this matter. She said that the Bill was the wrong vehicle, and that might well be the case, but it is for the Government now to find the right vehicle so that we act on the views expressed tonight and see, finally, that justice is done for those who served to protect us.

*Question put and agreed to.*

*Clause 1 accordingly ordered to stand part of the Bill.*

*Clauses 2 to 8 ordered to stand part of the Bill.*

*Schedules 1 to 2 agreed to.*

*The Deputy Speaker resumed the Chair.*

*Bill reported, without amendment.*

*Bill read the Third time and passed.*

## CIVIL PARTNERSHIPS, MARRIAGES AND DEATHS (REGISTRATION ETC.) BILL (MONEY)

*Queen’s recommendation signified.*

*Resolved,*

That, for the purposes of any Act resulting from the Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable under any other Act out of money so provided.—  
(*Jo Churchill.*)

## PUBLIC ACCOUNTS COMMISSION

*Ordered,*

That Martyn Day be discharged as a member of the Public Accounts Commission under section 2(2)(c) of the National Audit Act 1983, and that Douglas Chapman be appointed.—  
(*Paul Maynard.*)

## Business without Debate

### DELEGATED LEGISLATION

**Mr Deputy Speaker (Sir Lindsay Hoyle):** With the leave of the House, I will put motions 5 to 8 together.

*Motion made, and Question put forthwith (Standing Order No. 118(6)).*

### FINANCIAL SERVICES AND MARKETS

That the draft Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) Order 2018, which was laid before this House on 9 May, be approved.

### BANKS AND BANKING

That the draft Electronic Presentment of Instruments (Evidence of Payment and Compensation for Loss) Regulations 2018, which were laid before this House on 30 April, be approved.

### SOCIAL WORK

That the draft Social Workers Regulations 2018, which were laid before this House on 4 June, be approved.

## COMPANIES

That the draft Companies (Miscellaneous Reporting) Regulations 2018, which were laid before this House on 11 June, be approved.—(*Jo Churchill.*)

*Question agreed to.*

*Motion made, and Question put forthwith (Standing Order No. 118(6)),*

## ELECTRICITY

That the draft Renewables Obligation (Amendment) Order 2018, which was laid before this House on 4 June, be approved.—(*Jo Churchill.*)

*The Deputy Speaker's opinion as to the decision of the Question being challenged, the Division was deferred until Wednesday 9 July (Standing Order No. 41A).*

## BUSINESS OF THE HOUSE (10 JULY)

*Ordered,*

That, at the sitting on Tuesday 10 July, paragraph (2) of Standing Order No. 31 (Questions on amendments) shall apply to the Motion in the name of Sir Vince Cable as if the day were an Opposition Day; proceedings on the Motion may continue, though opposed, for three hours and shall then lapse if not previously disposed of; and Standing Order No. 41A (Deferred divisions) shall not apply.—(*Jo Churchill.*)

## COMMITTEES

*Ordered,*

## EUROPEAN SCRUTINY

That Douglas Chapman be discharged from the European Scrutiny Committee and Martyn Day be added.

## PUBLIC ACCOUNTS

That Martyn Day be discharged from the Committee of Public Accounts and Douglas Chapman be added.—(*Bill Wiggin, on behalf of the Selection Committee.*)

## PETITIONS

**Home Education: draft guidance and the consultation**

10.23 pm

**Mr Simon Clarke** (Middlesbrough South and East Cleveland) (Con): I rise to present the petition of residents of Middlesbrough South and East Cleveland.

The petition states:

The petition of residents of Middlesbrough South and East Cleveland,

Declare that the "Home Education - Call for Evidence and revised DfE guidance" has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

[P002175]

**Bill Wiggin** (North Herefordshire) (Con): I am proud to present a petition from residents of North Herefordshire regarding home education. The petition states:

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

*Following is the full text of the petition:*

*[The petition of residents of North Herefordshire constituency,*

*Declare that the "Home Education - Call for Evidence and revised DfE guidance" has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.*

*The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.*

*And the petitioners remain, etc.]*

[P002179]

**Jeff Smith** (Manchester, Withington) (Lab): I rise to present a petition signed by Suzie Goodfellow and 63 other residents of Manchester, Withington, in the same terms and expressing the same concerns as that presented by the hon. Member for Middlesbrough South and East Cleveland (Mr Clarke). I also present a petition on behalf of my hon. Friend the Member for West Bromwich East (Tom Watson) on the same subject, which is signed by 46 residents of his constituency. The petition states:

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

*Following is the full text of the petition:*

*[The petition of residents of Manchester, Withington,*

*Declare that the "Home Education - Call for Evidence and revised DfE guidance" has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.*

[Jeff Smith]

*The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.*

*And the petitioners remain, etc.*

[P002189]

**Dr Julian Lewis** (New Forest East) (Con): I rise to present a petition on behalf of 15 residents of New Forest East, led by Diana and Richard Edwin. Its terms are similar to those of the petitions that have already been presented on this topic. It states:

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

*Following is the full text of the petition:*

*[The petition of residents of New Forest East constituency,*

*Declare that the "Home Education - Call for Evidence and revised DfE guidance" has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.*

*The petitioners therefore request that the House of Commons urges the Government to withdraw the draft*

*guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.*

*And the petitioners remain, etc.]*

[P002171]

**Mr William Wragg** (Hazel Grove) (Con): I rise to present a petition whose terms are similar to those of the petitions presented by my hon. Friends the Members for Middlesbrough South and East Cleveland (Mr Clarke) and for North Herefordshire (Bill Wiggin), my right hon. Friend the Member for New Forest East (Dr Lewis), and the hon. Member for Manchester, Withington (Jeff Smith).

*Following is the full text of the petition:*

*[The petition of residents of the United Kingdom,*

*Declare that the "Home Education - Call for Evidence and revised DfE guidance" has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.*

*The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.*

*And the petitioners remain, etc.]*

[P002195]

## **Parks (Sheffield, Brightside and Hillsborough)**

*Motion made, and Question proposed, That this House do now adjourn.—(Jo Churchill.)*

10.28 pm

**Gill Furniss** (Sheffield, Brightside and Hillsborough) (Lab): Even amidst the most built-up cities, we are blessed with parks and pockets of green space. Those spaces improve air quality, lower temperatures near congested cities and even harbour wildlife, but they are also the lifeblood of our communities. As we face an obesity crisis and concerns over public health, parks offer free and accessible opportunities for exercise and enjoyment. At a time when families are living in ever more cramped conditions and unsuitable housing, parks provide a much-needed environment in which children without access to other opportunities can enjoy being children. In an era of extreme loneliness and isolation, they are bringing people of all ages together, and in an age of unprecedented privatisation and commercialisation of public space, they remain free for everyone to use and benefit from.

According to the indices of multiple deprivation, my constituency is one of the most deprived in the country. Government figures suggest that we might expect to see far fewer parks and open spaces in such areas than in wealthier areas. However, Sheffield, Brightside and Hillsborough, despite its legacy as a highly urban formerly industrial area, is an exception to this, having substantial areas of parks and open space across the constituency.

Sheffield can lay claim to being the greenest city in Europe, with a third of our city boundary lying within the Peak district and a history of prestigious prizes won, including the 2005 Entente Florale gold medal. We are blessed with hundreds of parks and open spaces, and residents have access to a huge range of facilities, from small play parks to ancient woodlands. The National Trust funded research in 2016 on Sheffield's parks, which highlighted the huge value and benefit they hold for local people and the financial value that they represent to health and other public services.

I did not call this debate to bemoan a lack of parks for my constituents, nor are parks facing any kind of crisis of usership, with the city council reporting significantly increased numbers of park visitors in recent years. Last year, the Communities and Local Government Committee produced an excellent report on public parks. I agree with the thrust of its recommendations, as indeed do the Government, and hope that these can help improve parks nationwide. However, I wish to bring attention to the challenges of maintaining parks after years of austerity and the problems that having large parks alongside significant local deprivation can have.

**Jim Shannon** (Strangford) (DUP): I thank the hon. Lady for giving way; I sought her permission to intervene beforehand. My constituency of Strangford is an area of outstanding natural beauty, which is wonderful. Does she agree that, whatever the increasing need for housing and facilities, we must ensure that parks are protected and enhanced, for they surely enhance quality of life and benefit all in our communities?

**Gill Furniss**: I completely agree and will say more about that as I continue.

The additional issues I have mentioned are often worsened by the funding shortfall. Since 2010, Sheffield City Council has suffered a staggering £430 million a year in cuts. The council looks after the vast majority of parks and open space in my constituency, but its maintenance of them is not a statutory duty. This contrasts with the situation for libraries; like parks, they are vital for young people's development and enjoyment, but councils have a statutory duty to provide them. As councils have to make their Government-imposed cuts, parks and open spaces are of course facing drastically reduced spending.

In 2010-11, £40 million of Sheffield council's £1 billion services budget was allocated for parks, sports and open-space facilities. This year around £30 million is budgeted. That is a real-terms cut of over 40%. That reduction is even more difficult to sustain as the council has not closed a single park in this time; maintenance has simply become incredibly stretched.

Sheffield's parks funding cut is severe, but Sheffield has kept parks spending at a higher level than some comparable authorities. In recent months, there has been significant coverage of councils taking decisions to reduce parks spending even more drastically. It is not for me to criticise authorities who have utterly unenviable spending choices after years of cuts; however, I am glad that Sheffield has chosen to keep parks as a spending priority even under such difficult conditions. Figures from the National Trust's research suggested that in Sheffield the savings from health and wellbeing benefits far outweighed the money spent. This is yet another example where cuts that councils have had no choice but to make have ended up costing far more down the line.

Turning to the impact of these cuts, like all Members, I get feedback from casework and constituency visits on the state of our parks, but this is inevitably a partial picture. To inform tonight's debate, I launched an online survey for local park users. This is not scientific standard research, but I received 260 responses from local people and it has given a fascinating view of people's thoughts and concerns.

It is concerning that nearly 40% of people feel park maintenance has declined over the past 10 years, but this is perhaps inevitable with the cuts that have been faced. More importantly, a quarter of respondents felt that the state of their parks was not acceptable. The council acknowledges that less than half the green space in my constituency meets the Sheffield standard—that it has been assessed as safe, clean and welcoming. This represents a divide in some parts of the city, which I will address shortly. Parks assessed as achieving the Sheffield standard represent up to 80% of the total number.

There still are basic maintenance budgets to cover upkeep, but the standards have inevitably been reduced for grass cutting and horticultural work. Alternative plans such as keeping some areas with longer grass with wildflowers are prominent in parks across my constituency. Alongside the general reduction in budget and the resulting challenge to general maintenance, council parks officers identify major problems in maintaining high-quality parks. One is the lack of money to replace equipment and facilities in parks and to regenerate more severely run down parks, and I will address this point later. No doubt parks nationwide suffer from this.

[Gill Furniss]

A second major issue is that of antisocial behaviour. Countless studies in recent years have shown that more deprived areas bear the brunt of antisocial behaviour, and police figures from my constituency unfortunately confirm this. We also know that local authorities such as Sheffield, which have higher overall levels of deprivation, have suffered disproportionate cuts. Antisocial behaviour gives councils a significant problem when looking after parks today. Many of our parks suffer frequent damage of all kinds, with issues ranging from motorbikers riding over the grass to bin fires. Many of the parks have no working swings for local children, with replacement swings delayed or sometimes shelved until the antisocial behaviour decreases.

These incidents serve to make our parks less safe, and, put simply, the budget of the Sheffield City Council parks department cannot cover the frequent repair and maintenance associated with higher levels of misuse. This is deeply unfair on the vast majority of people who use their local parks responsibly and are deeply proud of them. To give an example, residents recently expressed concern about the state of Longley park, a large local park that many residents feel is not being kept in the state that they expect or have been promised. It is very close to where I grew up, so it holds a special place in my heart. At one time during my childhood, it boasted an outdoor swimming pool, which is a rare thing these days. It was partly the concerns expressed to me and to the local paper that crystallised my thinking about the need for this Adjournment debate.

Longley park is a prime example of antisocial behaviour affecting people's enjoyment of their parks. It is a large park but it lies in a wider area of deprivation. It also has a difficult geography, in that large parts of it are not overlooked, making antisocial behaviour more prevalent. In my survey, one constituent who lives close to the park said:

"I don't feel comfortable spending much time in it. Most times it has kids on motorbikes going round the paths which means you have to walk with dogs and kids on grass that hasn't been cut and is full of dog waste."

As people see their local park looking less well kept, less care is generally taken to respect the space. This situation is not a major problem for every park, but where it is, it really is a vicious circle.

The answer is not simple. The problem is a consequence of the general slashing of local government and community policing budgets. In common with all Labour Members, I have long been concerned and vocal about cuts across the board, but parks embody the problem of the effects of cuts multiplying. One concern expressed locally and in my survey was that parks in other parts of the city received more maintenance compared with local parks in my constituency. Although that is not the case, the damage caused to many of our local parks can make it appear to be the reality.

The additional maintenance needed for parks in deprived areas is not the only concern. There are myriad other issues as well. It is more difficult to sustain commercial activity such as events, funfairs or cafés in poorer areas, so there is less additional income to invest, compared with parks in wealthier areas. Facilities such as cafés can also mean that staff are regularly in a park to deter and report antisocial behaviour and other problems. I am positive about the plans that the council is making

to bring more facilities and income to the largest parks in my constituency, but the income in parks in the wealthier parks of Sheffield has meant that, with some exceptions, they will always receive more in additional income to assist their maintenance.

As I mentioned earlier, councils across the country are struggling to fund upgrades and replacements for park facilities that are reaching end of life, particularly play equipment, which is notoriously expensive. If not replaced, the equipment becomes dangerous, more easily broken and less attractive to use. Where parks have faced high levels of misuse, replacements are not only needed sooner, but parks officers rightly look to replace damaged equipment and structures with more resilient items. With the decimation of council capital budgets and concerns about the sustainability of lottery funding—an incredibly important source of funding for park upgrades—parks face a maintenance crisis. The ending last year of "Parks for People", the largest lottery funding pot for parks, leaves the future uncertain at best.

We have brilliant friends' groups in our parks and open spaces that devote time and energy to maintaining and improving the places they, and we, value so much, and I place on the record my thanks to the many groups in my patch. I am pleased to have been as supportive as possible to as many of these groups at their events. In some cases, such as at the wonderful Wardsend cemetery, volunteers have taken the lead role in restoring a precious historic green space, but, again, volunteers disproportionately benefit parks in more affluent areas. It is a simple fact that in many parts of my constituency there are fewer people who can spare the time to volunteer, which makes it harder to gather people together to sustain the friends' groups that can make long-term improvements to a park.

**Jim Shannon:** Does the hon. Lady accept that councils also have a responsibility for health and safety? Roundabouts, swings and so on must be maintained, but councils must also deal with dog owners and dog waste. Both issues need to be addressed to make a park accessible and safe for everyone.

**Gill Furniss:** I absolutely agree. That is the thrust of my speech tonight, and I have already detailed the effects of cuts to budgets for policing and public services.

It would be easy to ask the Minister to consider making parks statutory services, so that councils could be held to account more easily for their maintenance. However, my local parks would not be helped one bit by that without the Government backing up the change with serious funding for local authorities to meet this requirement. Labour and the Conservatives have different views about local authority funding, and I do not think that we will resolve this difference tonight. As much as local authorities can innovate in developing and maintaining parks, it appears to be an unfortunate truth that there will always be higher costs. I ask the Minister specifically to ensure that councils have enough capital funds to create parks that are resilient to the challenges they can face. I also ask him to work with the Minister for Sport to ensure that lottery funds specifically support parks facing difficulties with misuse and the lack of commercial income that I have outlined. As welcome as the "Parks for People" programme was, its focus on heritage meant that parks in the most challenging areas sometimes lost out in favour of parks in traditionally leafier suburbs.

I thank Members and the Minister for attending tonight. I also thank local people, interested organisations and local parks officers who all offered a wealth of information, so much of which I could not touch on tonight. I hope that I can make a small contribution to ensuring that we have resilient parks and green spaces in every part of my constituency and in every city. Maintaining and improving parks for every citizen is an absolute necessity if we want to create a more equal, healthy and happy society.

10.43 pm

**The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Rishi Sunak):** I congratulate the hon. Member for Sheffield, Brightside and Hillsborough (Gill Furniss) on securing this debate and on her passion for her constituency and its parks. That passion shone through her speech. I am grateful to her for highlighting some important issues and sharing her experiences of the huge benefits that local green spaces bring to lives of so many.

I recognise the ambition of local councils, working together with their communities and Government, to preserve good-quality parks and green spaces now and for future generations. The Government are committed to ensuring that our parks and open spaces continue to provide vibrant and inclusive places for local communities to enjoy. Local parks are great at connecting communities and encouraging interaction between younger and older generations and between people from different backgrounds. I recognise that to achieve that shared goal we need to support local councils to deliver it, so it may be helpful if I set out what the Government are doing to support the hon. Lady's local area and, more broadly, if I touch on some of the activity the Government are undertaking to safeguard parks and open spaces.

On overall funding for local government, this Government believe strongly that local people who know and understand their community are best placed to decide how funding should be spent in their area. That is why funding provided through the local government finance settlement is largely not ring-fenced, as it allows local authorities, which are independent of central Government, to manage their budgets in line with local priorities. In practice, that means there is no specific funding stream for parks, just as there is not for waste services or children's services, for example. Local communities are best placed to decide on their own local priorities.

I pay tribute to the many local authorities that have done a fantastic job over the past few years to continue delivering high-quality services, from improving adult social care to maintaining our roads, public spaces and parks in what has been, for some, a difficult financial climate. The most recent local government finance settlement, announced earlier this year, provided a £1.3 billion increase in resources to local government over the next two years, taking the total to £45.6 billion in the forthcoming financial year. Of this, Sheffield will be able to access more than £1.2 billion between 2017 and 2020 to spend on all its important local services, including its parks. I am pleased to say that this year Sheffield will see a real-terms increase in the core spending power available to its council.

In addition to funding from the settlement, the current business rates retention scheme is also yielding strong results, and it is warmly welcomed by local authorities

across the country. Sheffield itself estimates that, in this financial year, it will keep just shy of £5 million in business rates growth. All in all, there are significant financial resources that Sheffield can decide how to spend among its various priorities.

There are many local authorities across the length and breadth of our country that are doing great things at local level and exploring new and innovative approaches to attracting funding and reinventing park management. I recently had the pleasure of addressing the Local Government Association's "Action on Parks" conference, and I was hugely impressed by the great examples of local authorities working collaboratively with local communities, health bodies and academics to explore new approaches to joining up services to realise the benefits for parks.

The truth is that there is no single answer to achieving good-quality green spaces. An example of the excellent work that local authorities are doing to help raise the quality of parks is participation in the green flag award scheme, which recognises a high standard of parks and green spaces. The scheme is owned by the Ministry of Housing, Communities and Local Government and operated under licence by Keep Britain Tidy. A record 1,500 green flags were awarded last year, illustrating the scheme's success. We are seeing ambitious local councils striving to achieve green flag status for more of their local parks, and I am pleased to say that Sheffield is among the leaders, with 13 local green flag award-winning parks.

Furthermore, Sheffield is embracing opportunities for attracting new funding. Since 1996 the council has received £13.7 million of Heritage Lottery Fund grant investment for its various parks, which includes fantastic support for the botanical gardens and Weston Park.

In 2014 the innovative "Rethinking Parks" programme, delivered by the Heritage Lottery Fund and the National Endowment for Science, Technology and the Arts, awarded £100,000 to support two new projects in Sheffield to develop new ways to fund and manage parks. Since 2010, Sport England has invested just shy of £1 million in 30 grassroots sports projects across the city, including a £65,000 award to Wisewood Juniors football club to improve its football pitches.

However, no one size fits all. For example, Newcastle is a pioneer in exploring an innovative charitable trust model for its parks in conjunction with the National Trust, and Sheffield has also looked at that in the past. That model has the potential to make it easier to raise outside funding from social investment and businesses; to ring-fence budgets; to focus on a single objective of the parks in question; and to mobilise volunteers.

I am pleased that the Government have already taken steps to support improvements to our local parks and green spaces. We heard about the Communities and Local Government Committee's excellent report—I agree with the hon. Lady that it was fantastic. In response, the Government created the parks action group, which is a testament to the importance we place on government at all levels coming together with the sector to identify the right solutions to the various issues she has presented this evening. I would like to give my personal thanks to the membership of the parks action group, who have worked tirelessly to explore some of these issues. Its membership is a veritable "Who's Who" of the sector, and includes excellent organisations such as Fields in Trust,

[*Rishi Sunak*]

Natural England, Groundwork, Keep Britain Tidy, the National Federation of Parks and Green Spaces, the Association for Public Service Excellence and many others. The group has begun to develop some key programmes of work, which will be supported by half a million pounds that the Government have committed to support its work.

That activity will support the delivery on six priority workstreams, which touch on some of the topics that the hon. Lady raised: exploring the funding landscape and proposing solutions; setting parks and green space standards; sharing a vision for parks and green spaces; empowering local communities; increasing knowledge and building skills, and increasing usage by all. I look forward to sharing more details on the work that the group will undertake to better secure the future of parks. I will provide an update to the Select Committee later this year, but I expect to be able to set out the programme of work in more detail in the coming months.

I wish to address the question from the hon. Member for Strangford (Jim Shannon) about the planning framework. I am pleased to tell him that the national planning policy framework offers protection to all recreational facilities, including parks. The framework is clear that recreational land should not be built on unless an assessment has been carried out and has shown clearly that a park is surplus to requirements or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

Lastly, I wish to deal with the point the hon. Member for Sheffield, Brightside and Hillsborough raised about access to parks in a deprived area. She makes an important point, and one that I am keen to ensure becomes a reality as the parks action group carries on its work. She will be pleased to know that there was a previous programme called the “pocket parks” programme, whereby the Department funded £1 million-worth of small parks and almost 90 were created up and down the country. Ensuring access in deprived areas is a high priority for allocating that funding. I will be pleased to start looking through the results of that work to ensure that the money found its way to the right places, so we can use that work in formulating future plans in the parks action group.

Again, I thank the hon. Lady for securing this important debate and for ensuring that the value of parks is recognised. I pay tribute to local councils up and down the country for the hard work and dedication they put into parks. As we have heard, parks are often at the heart of our communities and are the space where families and local communities come together. I believe we have a shared vision of providing good-quality open spaces for our local communities, and I firmly believe that by working together we can build a better future for our green spaces.

*Question put and agreed to.*

10.53 pm

*House adjourned.*

# Westminster Hall

Monday 9 July 2018

[DAME CHERYL GILLAN *in the Chair*]

## Family Visitor Visas

4.30 pm

**Helen Jones** (Warrington North) (Lab): I beg to move,

That this House has considered e-petitions 206568, 210497 and 201416 relating to family visitor visas.

It is a great pleasure to serve under your chairmanship, Dame Cheryl. I congratulate you on the honour you received in the recent honours list; it was well-deserved.

All the e-petitions we are considering deal with visitor visas for families, and we have grouped them together for that reason. There seem to be particular problems with families getting visitor visas for their relatives. Before I move on to that, I want to state the obvious for the record: every state has the right to control its borders. No one is asking for a free-for-all or for those who abuse the system to get away with it. However, people overwhelmingly want a system that is fair to people already in this country and to their visitors and that is fairly administered, with some compassion and common sense. From the public engagement we have done—I will refer to that later—that often seems not to be the case.

I must confess that I came to this issue as a bit of a novice; depending on the point of view, it is either an advantage or a drawback of the Petitions Committee that we often have to learn a new subject very quickly. I do not represent a constituency where many people have relatives abroad, so I thought that the few cases I had seen where people could not get someone in for a wedding or funeral represented blips in the system. However, having looked at the matter in some detail and talked to our petitioners—I am very grateful to them—and to others we have engaged with, I am convinced that there are serious problems with family visitor visas when it comes to the quality of decision making and how it is communicated to applicants.

We all accept that clearance officers have a difficult job to do. There are a number of things they need to consider when deciding whether to grant a visa, including people's previous immigration history, their financial position, their economic and personal ties to their own country and whether they have been here so often that it constitutes *de facto* residence. Some of those things are clearly factual, while others require the exercise of judgment.

For example, when someone is applying from a country that is unstable or in a conflict zone, officers can look at the statistics for immigration compliance in that region. However, they are also told that if someone is applying from a country in conflict or where part of the country is in conflict, that

“can be sufficient reason for you not to be satisfied that the applicant is a genuine visitor”,

unless the applicant can produce evidence to show that that is not the case. One of the things cited as an example is where they have right of residence in a third country, which does not apply to many people. It is very difficult for an applicant to rebut that presumption, and we are in danger of judging people on where they come from, rather than their personal circumstances.

Officers can look at someone's previous history to see whether they or their sponsor have attempted to deceive the immigration authorities in the past, and that is perfectly right, but they can also refuse an application when:

“It has not been possible to verify information provided by the applicant despite attempts to do so”.

I would have no problem with that if I was convinced that we were getting the quality of the decision making right in the first instance, but I do not think that is always the case.

In 2011, the chief inspector of borders and immigration looked at the New York visa section. One would not think that was a particularly difficult area, but he found that 26% of the cases did not meet the quality markers for decision making. Officers were often misinterpreting documents and were making inconsistent decisions. Although his 2012 report showed some improvement, he said there was a long way to go. In his 2014 report, he looked at various visa sections and found that 30% of decisions did not meet the quality markers. Again, officers were making very inconsistent decisions.

It is not surprising, then, that a number of cases have been raised of late in the press and by Members of this House. In May, my hon. Friend the Member for Dulwich and West Norwood (Helen Hayes) said in a debate that she had lost count of the number of times people had been refused visas to attend a wedding or funeral. She highlighted a rather disturbing case where a constituent of hers was waiting for a stem cell transplant, but his brother in Nigeria, who was the donor, had been refused a visa to come here.

Another case—it is not a family one, but it illustrates the problems in the system—was highlighted by *The Guardian*. A person who runs a charity he set up in Malawi wanted to come to meet donors and speak at the Hay festival. He was refused a visa. He applied again with support from people in the other place and the head of an international charity. He had a full programme of what he was doing, and he was still turned down. He cannot get in for a perfectly reasonable thing, even with the support of a national newspaper. I worry about the people who have not had that support.

The *Hertfordshire Mercury* reported the case of a father from Morocco who was unable to attend the birth of his child, despite showing evidence of flights booked into and out of the country. The most bizarre recent case I came across was that of a grandmother in Jamaica—she is a retired nurse—who had been consistently refused a visa to come here to see her children and grandchildren, despite the fact she had worked for 30 years for the NHS and was entitled to both a state pension and an NHS pension. I do not believe that anyone would think that the system was set up to stop Jamaican grannies with 30 years' service in this country from visiting their grandchildren.

The problem is that since the Crime and Courts Act 2013, there are no appeals, except in very limited cases on grounds of racial discrimination or human rights. The Government justified that by saying that appeals were costly. They were, but a third of appeals were succeeding, which shows that the decision making was bad in the first place. Some 63% of the appeals that succeeded had introduced new information, leaving 37% where there was no new information and the

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appeal still succeeded. To me, that says there is poor decision making. Worse than that, new information is often introduced on appeal because the grounds for refusal are so vague that people do not know what information they have to provide until they get to appeal.

The chief inspector has commented on cases where appeals are refused because the applicant did not provide particular information, had no way of knowing they needed to provide it and were not asked to provide it. He said that was unfair. He looked at recent cases. He pointed out that in 13% of cases where visas were turned down and 56% of cases where visas were allowed, there was not enough information on file for a proper audit of those decisions to be made. If that is the case, something is going very wrong. One of our petitions asks for appeals to be reinstated precisely because of that poor decision making.

I have talked to some of our petitioners. They have clearly said that in every other public authority, there is a way of appealing decisions if the authority does something wrong. That does not exist with these cases. If a local council makes a bad decision, someone can go to the ombudsman, but that is not possible in these cases. Others think they are being denied the opportunity to, as they see it, clear their name and prove that they have not given wrong information or tried to manipulate the system. If an appeal is not a possibility, people are caught on a merry-go-round of making applications and not always knowing why they have been turned down or what information they have to provide, and often being turned down again for a different reason.

Sometimes people are caught in a trap. I want to talk about a case that was given to me by a member of staff in the House. It is the case of a British citizen who teaches in South America, who has been married to a citizen of the country where he works for six years. Five years ago they came to visit his family—no problem at all. Recently they applied again and were turned down. The only reason anyone can see is that since then they have had a baby and his wife had given up work, as many people do, to care for her child while the baby was small. They were refused, even though they provided evidence of his contract for work and the contract for their rental accommodation. The result of that was heartbroken grandparents in this country, who find it difficult to travel and who had arranged a baptism and a family holiday to get to know their grandchild, and a British family—British born and bred—who feel that the system does not work for them. It is the lack of faith in the system that has prompted the petitions.

I do not think—I have said this to the petitioners—we can grant people an automatic right to come here. There are always a few people who want to manipulate the system, but the evidence that we have indicates that that is not a particular problem with visitor visas. The Library's information on exit checks for last year show that 96.7% of people who came here on visitor visas left at the right time. That is a slightly higher percentage than for those who come on work visas, so there does not appear to be a particular problem.

Another petition asked for a system like the Canadian super visas, whereby people are allowed to visit their families for up to two years. I think that slightly

misunderstands what the Canadian system was brought in for. It was actually introduced to reduce settlement in Canada under the parents and grandparents settlement scheme, because people settling were deemed to be a bit of a strain on the Canadian medical system. I do not know whether that is true, but I do know that people have to provide £100,000 worth of health insurance, which is fine if someone is wealthy and healthy enough to be accepted, but not much help to people such as our granny in Jamaica or a young couple from South America. The petitions might not have the solutions to the problem, but they, including the one asking for the right of appeal to be reinstated, highlight issues that the Home Office needs to look at.

We conducted some public engagement with surveys of people who had signed petitions about visas. We got more than 2,000 responses and we heard the same stories again and again: mothers unable to come to a daughter's wedding; nieces not able to come and be bridesmaids; and parents who could not come to help with a new baby—sometimes even a premature baby. Some of the stories we heard verged on the bizarre and seemed to indicate to me that the more honest people were, the more likely they were to be rejected. My general view is that villains know how to manipulate the system.

We had a grandmother, for example, who had said that she would be looking after her grandchild while the parents were at work—she was going to get to know the grandchild—and she was turned down on the grounds that that was paid work. Anyone who knows anything about grandparents knows that, far from having to pay them to look after their grandchildren, someone is more likely to be trampled in the rush to look after them. It is nonsense. We also had the case of someone in the British forces, whose mother was denied a visa to attend his passing out parade. Yet another military family, who had had their second child, were keen to get the husband's niece over for a couple of months to help out. She had finished one set of exams, but was going back to school. She was refused a visa. The family were desperate for some help because the husband, who had served nine years in the forces, was about to deploy, leaving his wife on her own. Unless the British forces are running a concentrated visa scam, which is unlikely, I can see no reason at all for such decisions.

The people who responded to our survey understand that decisions are difficult to make. In fact, I was surprised at the number who said they would even be prepared to deposit a sum of money to be returned to them when their visitor left as evidence of good faith. They know it is difficult, but they find the whole process they are expected to go through excruciating. Some of them told us that their relatives had been so traumatised by the process, they did not want to apply again. Others used words such as, “demeaning”, “devastating”, “inhumane” and even “shameful”. Those are the words of British citizens living in this country and paying taxes here.

A family whose mother had been refused a visa twice, although she had been here before without any problem, said,

“What else can we actually do to prove that the visitor will return?”

That is a fair question. Another family, whose mother-in-law was refused a visa a couple of times—even though, again, she had been here before with no problem and left on time—said:

“I do understand that they have concerns about people coming and staying, but for genuine, hard-working taxpayers like us it seems very unfair that we are punished for immigration issues which we have no control over.”

That hits the spot. Immigration issues are being confused with issues about visitors, particularly family visitors. Because there is seldom an appeals process now, people feel they have no redress. That was highlighted for us by one of our respondents, a senior NHS doctor, who said that some time ago his mother applied to come over for the birth of his daughter. She was refused a visa, although it was granted on appeal, albeit when the child was two months old. Now his father would like to come and visit, but he has been turned down and was told that he does not have the financial resources to sustain him if he becomes ill, even though he has shown that he has health insurance. There is no appeal and the family, having shown they have got health insurance, are left wondering what else they have to show to get a visa for the father.

We heard from a businessman who employs 15 people in this country and is perfectly solvent. He could not get his mother-in-law a visa, even though she had been here before, again with no problem, and left on time. Such cases recur again and again. They cannot be seen any longer, as I admit I used to see them, as isolated incidents. They are flagging up systemic problems in the system.

Perhaps we should look at reinstating a category of family visas, as has been suggested by some of our petitioners. We should certainly look at the method of appeal, even if it is not like the old system. We need a proper method of review, but it depends on getting the decision making right in the first place and keeping the files up to date so that things can be properly reviewed.

People are not asking for anything unreasonable. All they ask for is a fair system that makes consistent decisions and tells people properly why they have been rejected; that allows them to know, when they apply again, what evidence they should produce to prove that they are genuine visitors; and that does not stigmatise people simply because of where they come from. That does not seem to be an unreasonable thing for British citizens to ask for—it seems entirely reasonable. We should not leave them as they are at the moment: feeling let down by the system and stigmatised because of issues beyond their control, when all they want to do is see their family—often to let a grandparent see her grandchildren. Surely all our children deserve that right.

As has been pointed out to me, given that we live in an increasingly global world, with people moving to work abroad—often marrying people whom they meet there—this problem will not go away; in fact, it will get worse. I urge the Minister to look seriously at how the system is operating at the moment and what we can do to make it better. Our people deserve no less.

4.50 pm

**Thangam Debbonaire** (Bristol West) (Lab): It is truly a pleasure to serve under your chairmanship, Dame Cheryl, in this important petition debate. I thank my hon. Friend the Member for Warrington North (Helen Jones)

for the way she presented the issues. I have put a pen through quite a lot of my speech, because I do not believe in repeating things that have already been said very well.

I will start where my hon. Friend left off, which is with thinking about how this feels. I have an Indian father, an English mother and a sister who lives in America. Every year, without fail, I—along with my mother and husband—apply for, and am granted, a visa to visit India, where I have a great many relatives, including a much-beloved, now quite elderly, aunt in her 90s, whom I completely adore. She is a role model to me, and has been since I was a small child.

I have cousins to whom I am very close, and their children are growing up and each year seem to be bigger and doing all sorts of interesting things. I cannot bear the thought of how it would feel to be kept apart from them, were I to be refused that visa. The visa system is moderately onerous, but it is clear. Each year, whenever I have difficulties with it, there is someone I can call who can give me advice on how to deal with any problems that I might have had, and it has got better each year.

The system for America is not without its flaws, and my mother is certainly very worried that in the course of my duties as an MP I might accidentally visit a country that will appear on one of President Trump's lists. Although that is sort of funny, it is also heartbreaking, because my mother is truly terrified that I will risk not being let into the country to see my sister. Again, the thought of being prevented from seeing my sister is very painful to me. I try to think of how it must feel to be one of my constituents.

The problem is getting worse. My caseworkers have just messaged me to say that in my first year as an MP we had one such case. In my second year, 2016, we had five. We had a further five in 2017, but so far, after just six months of this year, we have had 10. I pay heartfelt tribute to my dedicated staff, particularly Michelle Boobier and Sheila Sharman, the constituency caseworkers. I sometimes feel that our caseworkers are not given the credit they deserve. Constituents tend to thank us when they get a visa granted, or some other problem solved. Almost always, the work was done by our dedicated, hard-working caseworkers, who are relentless, determined and completely committed to trying to do the right thing by our constituents.

My caseworkers are very smart women who are not likely to have the wool pulled over their eyes, or be hoodwinked by someone trying to pull a fast one. They take a lot of care over getting the details and information, and I trust them when they say to me, “This person has a good case.” It distresses me that my caseworkers are now feeling quite distressed about some of the people whom we have not been able to help.

To mention a couple of successes, last year we helped an Iranian mother to get a visa to see her son graduate in Bristol. That was a considerable effort. She had plenty of evidence to show that she wanted to return home afterwards, which she did. It meant the world to her that she was able to be in Bristol for her son's graduation. Tragically, we had two doctors from Pakistan who wanted to see their mother one last time before she died. We were able to help them, but we know of other cases. Despite the Home Office's stricture that we should bother it to expedite things only in matters of death or

[Thangam Debbonaire]

the dying, unfortunately we often have cases where people are either dead or dying, but it does not seem possible to get things overturned.

I know that many of the Minister's officials try very hard, and we have had some good experiences of officials who have been very sympathetic, but for whom it feels as though there is an underlying culture of distrust and a default setting. I do not hold the Minister responsible for that, but it seems to be there none the less. For instance, the parents of another constituent have been refused visas, even though they have visited many times before, have always returned home and can prove that they have very good reasons to return home.

We recently requested a review of a refusal of a visa for two teachers from a country that I am not going to name, because I do not want to jeopardise their application. I hope that the Minister will be able to give us some good news on that at some point. They are teachers who have applied for visas to come to one of my local schools, as part of a school exchange programme. We have evidence galore that that is why they are coming; we have evidence up to the eyeballs. We hope that her officials will reconsider and that the teachers eventually succeed, because the school itself is desperately upset.

We find that in immigration inquiries the most common cases that we have are visa refusals, where people have been denied entry clearance to visit the UK. The process of applying is so complex and expensive, and there is no right of appeal. It therefore seems terribly unfair that even the most insignificant error, which we are often able to see and say, "That may be where it went wrong," is a reason for the Home Office to say, "Aha! There's a mistake you made. Let's refuse," rather than exercising reasonableness.

Of course the Home Office needs to be satisfied that the visitor has sufficient ties to their home country, but the Indian visa system does not ask me for very much. It asks me to name my profession, and in my previous job I once provided a letter from my employer, but I have not been asked to provide a letter from Parliament. I understand why the Home Office is asking for sufficient evidence that the person will return to their country of origin, but the amount of proof required is so high that it seems that people from certain countries, as my hon. Friend the Member for Warrington North said, feel bound to fail.

The most heartbreaking cases have involved people refused visas to visit sick or dying relatives. We have also had a father who was denied the opportunity to be present at the birth of his child. Although we helped one mother to be at the graduation of her son, others have been unable to attend graduation ceremonies, and parents have been unable to spend time with children and grandchildren.

My hon. Friend said that there is a strong suggestion—this is what we feel from our case load, which I admit might seem small—that certain countries seem to produce an automatic refusal. I urge the Minister to consider looking into whether that is the case, because that is our experience. That is not helpful for democracy. It does not help our constituents to feel faith in the democratic process. They feel increasingly that even MPs cannot help to right wrongs. That does not seem right: no matter how hard my caseworkers work and if we feel

that there is a mountain of evidence but we have not been able to change anything, it gives our constituents the idea that even democratically elected representatives are impotent and useless, and have no power in the system whatever, no matter how hard we try.

I have three requests of the Minister that come from my caseworkers, whom I, again, thank greatly. Will she consider introducing an automatic right of approval of visitor visas for families of British citizens? I believe that family members of UK citizens should not have to meet exactly the same criteria as other applicants for a visit visa. Not being a citizen does not make our parents, siblings, children and grandchildren any less a part of our family. I believe that the only requirement should be that a British relative sponsor them.

I understand that the Minister might wish to introduce other requirements, but the requirements at the moment seem terribly, heartbreakingly unfair for the relatives of British citizens. For instance, I know, because I have looked into this, that were I to try to bring over my cousins from India, whom I am able to get a visitor visa to visit, the requirements would be very high. I am afraid even to ask for a visa, because I am terribly afraid of disappointing them.

Will the Minister introduce a super visa category for the parents of British citizens? My hon. Friend the Member for Warrington North laid out very well some of the problems and shortcomings of the Canadian super visa system, but there must be some way to allow the parents of British citizens to come here—parents who definitely want to go home, and have a life to go home to. There should be some way to make it easier for British citizens to be able to see their parents. The Minister might say, "They can visit their parents in their country of origin," and I have said that, too, but if they are working parents with children at school, it is not practical to do that as often as their parents wish to see them.

I ask the Minister to consider whether British citizens should be able to appeal the refusal of a family visit visa. My constituents consider the removal of the right to appeal to be one of the most egregious acts. They simply do not understand how that could be so in a democratic country. The appeals process for family visit visas was removed on 25 June 2013, allegedly to cut costs, but in my recent experience the UK Border Agency seems to have cut the process of justice and accountability at the same time as cutting costs. How can that be justified? Is the UK Border Agency now judge and jury—the administrator and the rule maker? It certainly feels that way to my constituents, my caseworkers and me.

I respectfully ask the Minister to consider this. We are a modern, democratic country, and I am sure she wishes us to be known, post-Brexit, as outward facing. We live in a very confusing world—a world that increasingly feels divided, rather than united—so is now not the time to show the world what a country that is capable of bringing people together and reuniting families can truly do if it tries hard enough? I ask her to consider the requests made by the petitioners, my caseworkers and me.

5.1 pm

**Faisal Rashid** (Warrington South) (Lab): I thank my hon. Friends the Members for Warrington North (Helen Jones) and for Bristol West (Thangam Debbonaire) for

putting the case very eloquently and for giving us information and examples. We are debating this petition because, across the United Kingdom, the relatives of British citizens, who want nothing more than to visit their family, are being prevented from doing so. My hon. Friends have given examples of constituents who have contacted them, and I have been contacted by many constituents who are victims of the Government's cruel and inhuman approach to immigration. I am pleased that we have the opportunity to raise their plight today.

My constituent, Mr Sul, came to the United Kingdom in 2006 to study for his masters. He has worked in the United Kingdom ever since and was granted citizenship in 2015. He owns a home in the United Kingdom and his children were born here. How did the Government choose to thank him for making this country his home, for contributing to our economy and for his family's contribution to their local community? They denied his wife the opportunity to have her mother present for the birth of their first child, and they denied his father the opportunity to travel to the UK to meet his grandchildren and take pride in the home his eldest son had built. That is absolutely inhuman. My constituent is not alone; many others have contacted me and my hon. Friends.

Unjustly refusing visas causes unnecessary emotional distress and keeps families apart, preventing them from sharing important moments together. The practice of preventing visitors from entering the country is not only deeply unfair to those UK citizens and their families, but harmful to the UK's tourism industry. Those people are potential tourists who would spend their money on local goods and services, boosting the local economy.

We all recognise the need to secure our borders, reduce illegal immigration, tackle organised crime and protect national security, and I commend the work of the vast majority of Border Agency officials who work hard daily to do just that, but let us be clear: denying those visas is not about border security. It is an ideological choice by the Conservative Government to create a hostile environment for immigrants and their families, which was first launched by the Prime Minister. The Home Office is misusing immigration rules to prevent honest people from visiting the country, and is so afraid of any challenge to its unjustifiable decisions that, as my hon. Friend the Member for Bristol West said, in 2013 the Government removed the right of appeal for family visitor visas. They have allowed the Home Office to become judge, jury and executioner in relation to the lives of the families of British citizens. This gross misuse of immigration rules is similar to an issue we debated in Westminster Hall last month, at which the Minister was also present—the use of paragraph 322(5) of the immigration rules to deport honest, hard-working immigrants.

The rejection of family visit visas and the refusal to hear appeals in cases such as that of my constituent are yet another manifestation of the hostile environment policy. We have a new Secretary of State, but we appear to have the same old problems. Will the Minister tell us that things will be different under the new Secretary of State? Will he tackle the hostile environment policy, which has infected the Home Office since the days when the Prime Minister was Home Secretary, or should we expect more of the unfair mistreatment of British citizens and their families that we have witnessed since 2010?

I second the positive suggestions made by my hon. Friend the Member for Bristol West and urge the Minister to look at them seriously.

5.6 pm

**Kate Green** (Stretford and Urmston) (Lab): It is a great pleasure to participate in this debate under your chairmanship, Dame Cheryl. I draw the House's attention to my declaration in the Register of Members' Financial Interests, in respect of the research support I receive in my office for the work I do on immigration and asylum matters.

My constituents' experiences are similar to those that my hon. Friends have related this afternoon. There is, to a degree at least, a sense that there is a culture of disbelief in the Home Office when cases come forward for decision. I am sure the Minister will wish to address that. The consequence is often heartbreak for families: relatives miss important family occasions and celebrations. As we have heard, they miss the births of grandchildren and come too late to visit terminally ill relatives. Sometimes they worry that there is little hope that very elderly relatives will ever have the chance to see family members again. Even if a favourable decision is eventually made, they may have had many months and years of heartbreak, during which time the family members remained apart.

I am sure the Minister understands that, in many such cases, timely decision making is of the essence, because the events are often one-off, significant occasions that cannot be repeated. The first question that I want to put to the Minister is, how can the process be made speedier, as well as more reliable and compassionate?

**Thangam Debbonaire**: Are my hon. Friend and the Minister aware of the speed with which the Indian e-visa system now operates? One can fill in a form on Sunday and have an e-visa returned by Wednesday.

**Kate Green**: I did not know about the speed of the Indian e-visa system, but I am sure the Minister will want to comment on that comparison.

The decision making often seems irrational and random, in terms of the way factors determine the outcome of applications. As we have heard—I have experience of this from my constituency—people who have previously been granted visitor visas, made a visit to this country and then returned to their home country find that when they submit subsequent applications to do exactly the same thing, often with exactly the same facts, their new application is rejected. As we have heard, visas are often refused because they lack some key piece of information. It has often never been made clear to the applicant that it is necessary, so it is hardly surprising that it is not supplied. Again and again in my constituency, I have heard examples of very clear evidence of an intention to return that has seemingly simply been ignored.

We heard about the reports of the independent chief inspector of borders and immigration. The 2015 report found considerable evidence of the systemic problems mentioned by my hon. Friends and of the rules not being applied appropriately. In one overseas visitors section, in Jordan, the inspector found that evidence was overlooked or misinterpreted in more than 10% of applications, and that 43% of refusal notices were “not balanced”. In a wider report, again by the inspector, 30% of visit visa cases sampled failed the Department's

[Kate Green]

own quality standards. I know that the Minister will not be satisfied with that kind of performance, and we need to hear what she will do about it.

In cases from my constituency, applicants have provided evidence of land ownership and substantial personal wealth, or income statements from their employers, only for such evidence of resources seemingly to be ignored. In other cases, children, grandchildren, the spouse or other family dependants have remained at home—clearly an applicant will want to return to them—but cases have simply been dismissed for not demonstrating strong enough family ties. It is hard to think what more an applicant can do than to demonstrate a tie to a spouse, child or grandchild.

I have heard of refused cases of applicants who have held responsible roles in their home country. In one case I have been dealing with recently, the visitor was a councillor—an elected member of the local legislature—and in another, a doctor and university professor was deemed likely, for some reason, not to return home. I have seen the Home Office dismiss what it characterises as “claims” to be in employment, implying that an applicant is lying in the application. Applicants feel very offended, hurt and alarmed about that. I have heard of cases in which families have been forced to make multiple applications, as they receive refusal after refusal, costing them thousands of pounds and going on for years and years. None of that is satisfactory or acceptable, and I do not think that the Minister will tolerate it either. I look forward to what she has to say.

The Minister is aware of my particular concern, because I have expressed it to her directly in the past: family members seeking to visit who are resident in refugee camps. I understand how difficult such a situation is for the Government to assess but, by definition, such people cannot demonstrate an immediate intention to return to their home country, because that country is not safe. Often they will not have documentation because they have fled, leaving everything. However, she knows—I have discussed a particular case with her—that those families are as desperate to visit as any. Family members have gained asylum in this country successfully, which is greatly to this country’s credit—for example, under the community sponsorship scheme—but, having given that initial welcome to such desperate people, we cannot agree to their family members making visits at a time of important family need. Will the Minister look at what can be done in this situation—I recognise that it is difficult and challenging—to ensure that when applicants are resident in refugee camps we have the most flexible and compassionate approach possible to give them the chance of family visits, too?

We heard from all my colleagues about the problems that have arisen following the removal of appeal rights. Not only is that unjust and worrying for applicants, because they feel that the refusal of an administrative application will taint a future one, but it is disingenuous of the Home Office to advise that a fresh action is quicker and more straightforward than making an appeal. I have heard cases of constituents who have had to go through the process again and again.

Equally importantly, however, the lack of an appeal process might remove any route or incentive for the Home Office to learn from and improve on poor and wrong decision making. The lack of such a process

removes the feedback loop that might drive up quality standards. With my colleagues, I urge the Minister to look again at some reinstatement of appeal rights.

In conclusion, we are clearly not talking about isolated incidents; the system is poor, irrational and painful for families, and none of us can see any sign of things getting better—indeed, we fear that they are getting worse. As my hon. Friend the Member for Bristol West (Thangam Debbonaire) said, in the context of global travel, of it being more common for families to live in different countries, and of Brexit—whatever happens about settled status, in future more European visitors will visit family members who may not qualify for settled status—and when, as we understand, the Home Office faces so many pressures, to streamline and simplify the visitor visa system would surely be an early win for the Government, and one that would make an enormous difference to families who simply long to see their loved ones at times of important family events.

5.15 pm

**Stuart C. McDonald** (Cumbernauld, Kilsyth and Kirkintilloch East) (SNP): It is a pleasure to serve under your chairmanship, Dame Cheryl.

I congratulate the hon. Member for Warrington North (Helen Jones) on the way in which she introduced the debate. I was tempted to accuse her of misleading the House, because she said that she was not an expert, but by the sound of her speech, she certainly is now. In fact, we have had four excellent contributions so far.

I also congratulate the petitioners sincerely on securing a parliamentary debate on this important issue. The numbers signing the petitions have been remarkable—the first petition, in particular—and that indicates clearly how strongly the rules impact on people and families and how strongly people feel the need for change.

An important preliminary point to make is that I suspect that one reason why so many have been attracted by the petitions is that, increasingly, many people find that a family visit is the only way they get to see their partners, husbands, wives, children and parents—close family members—as well as distant relatives. Why? The reason is that we have some of the most draconian family immigration rules in the world. Tens of thousands of families are split apart, all in the name of the net migration target.

Almost half our population would not be able to meet the maintenance requirements imposed by the coalition Government, and the rules have a disproportionate impact on young people, women and those living outside London and the south-east. One reassurance that the Minister could give us today is that she has—I hope—ditched the proposals in the Conservative party manifesto to make those rules even more draconian by increasing the thresholds for various family visas.

We should not pretend, however, that improvements to the family visit visa rules would be the big fix or the final outcome that we are looking for. Such improvements would be welcome, but fundamental reform of the family migration rules is needed. Whether we look at the report of the all-party group on migration or of the Children’s Commissioner on the so-called “Skype families”—they included 15,000 children in 2015, according to the commissioner, so how many thousands more are there now?—or various other critiques, the pain that the rules are causing cannot be ignored.

Compared internationally, the UK is an outlier with its severe family immigration policies. One 2014 comparison of 38 western countries on facilitation of family unity put the UK in last place. UK requirements are difficult to meet, not only in the substantive rules but in the impenetrability of the evidence rules that must be met.

Family visits have therefore become even more important. That is not to say, of course, that they were not already important, and they certainly remain important for people who want to visit more distant relatives. As the hon. Members for Stretford and Urmston (Kate Green) and for Warrington South (Faisal Rashid) pointed out, the sense of injustice and heartbreak that many feel in such circumstances would be compounded if the result was missing a special occasion such as a wedding, a special birthday, a baptism or a passing out ceremony.

A number of colleagues have highlighted some very sad individual cases—elected councillors, doctors, transplant donors, charity visitors, long-serving nurses, grandparents and wedding guests all being denied visit visas—and I join the hon. Member for Bristol West (Thangam Debbonaire) in paying tribute to the caseworkers who do so much of the hard work in such cases. I could mention a handful of examples, but I think we have heard enough about the sorts of decisions that are too often being made.

Mistakes happen, and there will always be decisions with which we disagree. I recognise that entry clearance officers have a difficult job, but, as a number of hon. Members pointed out, there are deeper issues. Some of them were touched on in the 2015 inspection by the chief inspector of borders and immigration, which the hon. Member for Stretford and Urmston highlighted. Those systemic issues, as she put it, included a lack of proper reasons being kept on file and, too often, the ignoring of positive evidence by decision makers, so that more than 40% of decisions were considered by the inspector to be imbalanced. Requirements were, in essence, made up by individual entry clearance posts. The inspector found quality concerns in 25% of entry clearance management reviews. The hon. Members for Bristol West, for Warrington North and for Stretford and Urmston were also right to highlight the danger of making decisions based on the country of origin alone.

It must be heartbreaking, especially for those who face the double whammy of being excluded from having their loved ones—husbands, wives and partners—join them here permanently, and being excluded from even having their loved ones come to visit on a temporary basis. In response to the points raised in the three petitions, there is a very strong case for arguing that there should be at least a strong presumption in close family cases that in the absence of specific, individual information to the contrary, an applicant who has shown that he or she can afford the visit and has suitable accommodation should be taken to be just that—a visitor, who will leave again in accordance with their visa. There must be an end to the deep-seated culture of disbelief and the failure to take into account things such as positive immigration or visit histories. Too often, decisions have been made because something is not clear or a document is missing. Why not pick up the phone instead of simply reaching straight for the refusal paragraphs?

There is so much we can learn from Canadian immigration laws and policies, which tend to be based on evidence and respect instead of random targets.

The hon. Member for Bristol West rightly said that there seems to me to be real merit in providing family members with better access to the country than random tourists would generally get. I note the concerns that the hon. Member for Warrington North raised, and I will have to look at them.

The hon. Member for Warrington North made a persuasive case for a proper appeal right, and I absolutely agree. That would simply recognise the importance of these visits and the challenge that it poses to family relationships if there is no ability to pay short visits. It would also help, as the hon. Member for Stretford and Urmston said, to concentrate the minds of the decision makers and improve the quality of decision making. Most importantly, it would simply be a way to access justice.

In conclusion, I welcome these petitions and I am happy to provide my broad support to them. However, the Government should be in no doubt that fundamental reform of their outrageous, outdated and inhumane family migration rules is urgently required.

5.22 pm

**Afzal Khan** (Manchester, Gorton) (Lab): It is a pleasure to serve under your chairmanship, Dame Cheryl. I also thank my hon. Friend the Member for Warrington North (Helen Jones) for opening this important debate and for so eloquently and forcefully putting the case forward. I thank all my colleagues for their contributions. It is also appropriate to thank all the tens of thousands of people who signed the three petitions. I am glad that we are debating this important topic.

The petitions we are considering raise two questions. First, do we want an immigration policy that respects the right to a family life, or one that breaks up families and prevents British citizens from being able to see their loved ones? Secondly, do we want a process that is effective, fair and transparent? I believe the answer to both questions should be yes. Our family visa system is not working. Too many visas are routinely rejected on false or unfounded grounds. Removing the right of appeal has meant that decision makers are not being held to account for poor performance. Where there is no accountability, prejudice and unequal treatment can flourish unchecked.

There are three main grounds on which family visa applications are unjustifiably rejected. As an MP with probably one of the largest immigration case loads, I can say this from personal experience and from evidence provided by campaigners and lawyers. First, the Home Office will claim an applicant does not have the means to support themselves while they are in the UK, when in fact they have proven that they can or that someone in the UK will take care of their expenses. My constituent's mother wanted to visit her children in the UK after the passing of her husband. Clearly, it was an extremely emotional time when we would all want to be able to mourn our close family members. Her application was rejected because the Home Office claimed that she could not provide evidence that she was able to support herself while she was here, even though both her sons had agreed to support her for the duration of her stay.

Secondly, the Home Office will claim that it is not confident that the applicant will leave the country after their stay, even when they are here for a specific purpose

[Afzal Khan]

or event, they have booked a hotel only for a certain period and possibly even a return flight, and they can prove they have permission from employers to leave work only for a limited period. Another constituent wanted her aunt to come and visit her. Her aunt has seven sons, two daughters and 10 grandchildren who she takes care of as a housewife in Pakistan. It is clear from her case file, and from my conversations with my constituent, that she fully intended to return after her visit, yet her family visa application was rejected because the Home Office did not believe she would go back at the end of her stay.

Thirdly, possibly the most infuriating and outrageous grounds for the Home Office to reject an application is because it has made a mistake. The case of Chinwe Azubuike was reported in *The Guardian*. She had not seen her family for 14 years when she invited them to London for her wedding. All of her seven applications on behalf of her family were rejected on the grounds that they did not “have sufficient funds available”, a claim that her immigration lawyer called “unlawful, spurious and plainly wrong”.

As well as ignoring the fact that Chinwe and her husband had committed to pay all her family’s expenses, the decision was based on a basic error by Home Office decision makers, who confused yearly with monthly income. The accusation that the couple were lying about their income was therefore particularly insulting.

Basic errors resulting in outright rejections are not unique to the visitor visa system. I will discuss later wider failings in the Home Office, but from highly skilled migrants to the Windrush scandal, the Home Office cannot seem to get even the most basic information and checks consistently correct. The rate of refusals for visitor visas cannot be blamed solely on mismanagement and inefficiency. The assumption behind many of refusal letters is that, given the chance, nobody from Africa or the Indian subcontinent—such as Pakistan, Bangladesh, India and Sri Lanka—could possibly want to return home at the end of their visit to the UK. That is deeply offensive, not to mention plainly wrong.

I represent the great city of Manchester where, every two years, we have an international festival. Festivals up and down the country have difficulties.

**Kate Green:** My hon. Friend will know because the Gurdwara is in his constituency, although many of the worshippers are my constituents, that there is particular difficulty in getting visitor visas for members of the Sikh community to come to participate in religious festivals.

**Afzal Khan:** I am aware of that difficulty. There are similar issues when events are going on at the mosques. Manchester International Festival invited Abida Parveen, a renowned artist of international calibre, but it was a struggle—we all had to get involved to make sure she could get here. Only about a month ago, I got involved with another incident concerning an international artist. Many people, including my hon. Friend the Member for Warrington South (Faisal Rashid), I am sure, enjoy listening to Abrar-ul-Haq. He struggled to get a visa for a charity event and the whole event had to be cancelled. There are issues here that the Minister should consider.

My hon. Friend the Member for Bristol West (Thangam Debbonaire) touched on the introduction of e-visas in India, which is proving effective. I hope the Minister will elaborate on that and tell us whether e-visas will be rolled out to Pakistan, Bangladesh and other countries.

Let me turn to my first question: do we want an immigration policy that respects the right to a family life? Article 8 of the European convention on human rights states:

“Everyone has the right to respect for his private and family life, his home and his correspondence.”

The Labour party believes that right should be protected. We are committed to allowing spouses to come to the UK without a minimum income requirement, we will not force children to pay more than £1,000 to obtain citizenship just because their parents were not born here, and we will allow all reasonable requests for visitor visas.

An estimated 15,000 children live without a parent because of restrictions on family visas. When a reasonable request for even a visitor visa is turned down, families can be devastated. Children grow up used to the possibility that they may never see their parents, even for a short visit. The Government’s spouse visa rules have already been found to breach article 8. The Government have tweaked the wording of their policy since that ruling, but the Joint Council for the Welfare of Immigrants argues that that has not made a difference to decision making. The right to a family life will be a guiding principle for Labour as we review our immigration system in government.

Does the Minister believe that charging £1,000 for citizenship is in the best interests of a child and their family? Does she think denying people the right to come for family visits—for weddings and funerals—respects the right to a family life? Family visitors are tourists, who contribute to our economy by visiting our great sights. Does she believe it helps her colleagues in the Department for International Trade sell the idea of a “global Britain” post-Brexit for it to be almost impossible to sustain family ties across borders? How does the fact that anyone who comes to Britain runs a high risk of not being able to have their family visit them while they are here help to build trade links?

My second question is: do we want an immigration process that is effective, fair and transparent? The right to appeal in family visa cases was removed in 2013—a move the Labour party opposed. Before their abolition, one in three appeals was successful, which raises concerns about how decisions were—and still are—made. The Minister must address the underlying issues with the application process and reinstate appeals so that her Department can properly be held to account.

In a recent report, the Select Committee on Home Affairs made a powerful and convincing case that the “refusal culture” in the Home Office is in dire need of root-and-branch reform. It pointed out that the removal of legal aid and of the right of appeal removed a

“valuable legal check on decision-making within the Home Office despite no obvious signs that the quality of decisions had improved”.

That lack of vital checks and balances was a strong factor in the Windrush crisis.

A system that sets people up to fail, coupled with the removal of checks and balances, has caused the wrong people—some of them British citizens—to be caught

up in the hostile environment. On top of that, there is no evidence that any of those policies achieve their apparent aims. The chief inspector of borders and immigration said that the right-to-rent scheme

“had yet to demonstrate its worth as a tool to encourage immigration compliance, with the Home Office failing to coordinate, maximise or even measure effectively its use, while at the same time doing little to address the concerns of stakeholders.”

The Government’s approach to visitor visas is part of a refusal culture and a punitive hostile environment, which work against people who want to come to the UK, against British citizens who want to maintain family ties and against our country’s best interests. The chief inspector of borders and immigration and the Home Affairs Committee—independent bodies that spend significant time and resources investigating the Home Office—are united in saying that the effectiveness of the hostile environment has not been proved, and the Government have consistently ignored legitimate concerns that it hits the wrong people.

We clearly need to re-examine the visitor visa system and immediately reinstate appeals. It took too long for Ministers to realise the extent and devastation of the Windrush crisis. We need proper checks and balances to avoid a repeat of that scandal.

5.35 pm

**The Minister for Immigration (Caroline Nokes):** It is, as ever, a pleasure to serve under your chairmanship, Dame Cheryl, and I congratulate the Chair of the Petitions Committee, the hon. Member for Warrington North (Helen Jones), on introducing this important debate.

I thank Members for their contributions and echo the comments of the hon. Member for Bristol West (Thangam Debbonaire) on the work of not only Members’ caseworkers, but UK Visas and Immigration decision makers. I think everyone in the Chamber would agree that their job is not easy.

I am not going to pretend that we at the Home Office always get things right. Although I am not in a position to comment on the individual cases that hon. Members raised, it is of course perfectly true that, both as a constituency Member and as Immigration Minister, I see cases where mistakes have been made. I am painfully conscious of the human impact of those mistakes—the missed graduation ceremonies, births and marriages at which families had wished to come together and celebrate, and the occasions when families had wished to come together to mourn. I know how difficult those situations are.

I do not wish to come across from the outset as unsympathetic, but I am going to point out the scale of visitor visa applications and of the visa and immigration service more generally, and the rate and average speed at which visas are granted. In the year to December 2017, UKVI received just over 3 million visa applications globally, of which 2.7 million were granted. Some 2.1 million visitor visas were granted last year—an increase of 10% on the previous year. The average processing time for a non-settlement visa globally was less than eight days. Some 97% of non-settlement visa applications were decided within the standard processing time of 15 working days.

[STEWART HOSIE *in the Chair*]

It is important to reflect that UKVI works hard and at scale to process the number of visas it processes. It is completely incorrect and misleading to suggest that visa decisions are based on nationality bias. All applications are and must be considered on their individual merits and in line with the immigration rules, regardless of the nationality of the applicant.

The Government of course welcome genuine visitors to the UK. We want people to come here on holiday and to visit family, to study and do business here. It is a key Home Office goal that, as well as keeping the country safe, we should contribute to the prosperity of the United Kingdom. In 2016, more than 38 million people visited the UK. Those visitors in combination spent more than £22.5 billion. VisitBritain forecasts that in 2018 we will welcome close to 42 million visitors, who are projected to spend almost £27 billion. More specifically, the Government recognise the importance of family ties. Families should be able to spend quality time together, take part in important family events and build strong connections.

**Thangam Debbonaire:** The Minister is generous in giving way. Will she clarify something? I think she said that in 2017, 2.1 million visitor visas were granted, each in less than eight days. Is that figure for family visitor visas or for visitor visas, full stop? If the latter, does she know how many were family visitor visas? There are aspects specific to those visas.

**Caroline Nokes:** The hon. Lady is correct to pick that up. I was specific in what I said, which was that, in total, 2.1 million visitor visas were granted. I do not have the number for family visitor visas in front of me, but I am happy to write to her after the debate with that.

The petitions we are discussing focus on visitor visas, and I will begin by setting out why we must have them. The first duty of the Government is to keep citizens safe and the country secure, and visas are one of the effective means we have in that regard. They are a good tool for reducing illegal immigration, tackling organised crime and protecting our national security.

Nationals of some non-European economic area countries need a visa to visit the UK. However, the requirements that must be met are the same for everyone whether there is a visa requirement or not. All applications, whether lodged at a visa application centre or at the UK border, are assessed case by case according to individual merits and against the part of the immigration rules that relates to why someone is coming to the UK. Visitor visas are available with validities of six months, two years, five years and 10 years, which allows those wishing to visit the UK regularly or at short notice to do so without having to apply for a new visa each time they wish to travel.

**Thangam Debbonaire:** The Minister is being terribly generous in giving way, but I must press her. The debate is specifically about family visitor visas, which are for a specific group of people whom the Home Office often seems to suspect will stay on because they are family visitors. That is not the same as general visitor visas.

**Caroline Nokes:** If the hon. Lady will be a little generous with her patience, I will come to the point of the three petitions we are considering. I did think it important to give a little context to begin with.

[*Caroline Nokes*]

I am absolutely committed to ensuring that the UK visa service is high performing, customer focused and continually improving—that last point is important—in terms of both products available and the route to apply for them. There is always room to improve and—as we respond to evolving demands and requirements, harness new technology and reflect customer experiences and needs—we have a good story to tell.

As I said, 99% of non-settlement applications were processed within 15 days and the average processing time last year was just under eight days. Overall, customer satisfaction remains high. Comparisons are not straightforward, but we continue to believe that our visa service stands up well against key competitor countries. Having said that, I accept that we occasionally make mistakes, and I will address that later.

We continue to innovate, and our mission to deliver world-class customer service is informed by customer insight. For example, Access UK, a new intuitive online application service, has been successfully rolled out. Within the next few months, almost all customers worldwide will be able to apply for their new visa, visa extension or change of visa type via the new digital platform. UKVI also offers premium services, which mean that a visit visa can typically be processed in five days, and in some locations there is a super-premium service.

I am pleased that the hon. Member for Manchester, Gorton (Afzal Khan) referred to e-visas. I have much enthusiasm for the introduction of electronic travel authorisations, which I very much hope to see when the immigration Bill is introduced. Perhaps I might be able to look forward to his support on that.

The immigration rules set out the requirements to visit the UK, usually for up to six months. They apply to all visitors, and all applications are considered on their merits, regardless of the nationality of the applicant. Visitors must satisfy the decision maker that they are genuine visitors to the UK, that what they are coming to do here is allowed and that they will not work or access public funds. The decision maker looks at all aspects of an individual's application and makes a credibility assessment against the immigration rules on the balance of probabilities.

I turn to the petitions, which call for a new visa category for parents of British citizens similar to that in Canada, automatic approval of visitor visas for families of British citizens and British citizens to be able to appeal the refusal of a family visitor visa. I shall address each in turn.

The Canadian super visa permits the parents or grandparents of a Canadian citizen or permanent resident of Canada to visit for up to two years, rather than for six months at a time as is usual. There are additional eligibility requirements, including minimum income thresholds, financial sponsorship guarantees from the family in Canada, Canadian medical insurance policies and medical examinations. Facts about applicants' ties to their home country, as well as the overall economic and political stability of that country, are considered.

The UK's long-held position is that visitors are those individuals who, in the vast majority of cases, come to the UK for a maximum of six months. We do not consider being in the UK for two years at a time as

temporary or visiting, and therefore we do not intend to adopt a model like that of Canada. To do so, thereby allowing a select group of people to remain in the UK for two years as visitors, would mean that important considerations against the immigration rules would not be applied consistently, which could raise equality concerns.

Visitor visas are available with long validities, which means that people do not have to apply for a new visa each time they want to visit. Additional services are also available that reduce the processing time if, for example, people need to travel urgently. Long-term routes for family members are available; I will address them later.

The next petition calls for automatic approval of visas for family members of British citizens. Automatically approving visas rather undermines the benefits that the visa system gives us in border security. Visas are an effective tool for the UK in reducing illegal immigration, tackling organised crime and protecting national security. Automatically approving visas for a select group of people without consistent consideration could also lead to discrimination against people who do not have family members settled in the UK, but have just as valid a reason for wishing to visit. There would also be a danger of additional complexity in the assessment process around how someone confirmed that they were the family member of a British citizen. Unintended consequences could make the application process longer, more difficult and costly for everyone, due to the resources needed to undertake any additional verification that may be required.

The vast majority of visitor visa applications made are granted. Last year, the figure stood at 90%. That equates to more than 2 million visitor visas issued last year, which is an increase of 10% on the previous year. Those statistics mean little to those who do not get the visa they have applied for, especially if they feel that a mistake has been made in processing the application.

**Afzal Khan:** Does the Minister believe that a relative abroad of anyone who lives here would fall into the same category as anyone else, or would they have a special position because family life required that relationship to be maintained?

**Caroline Nokes:** The hon. Gentleman asks an interesting question, but it is important that visa applications are considered consistently wherever the individual comes from in the world and whether they have family here or not. When we are seeking to attract visitors to the UK, we do not wish to discriminate against people who do not have family members here, which he pointed out was important.

That brings me to the third petition, on appeals. As we heard earlier, family visitor appeals were removed by the Crime and Courts Act 2013. At that point, no other type of entry clearance application, including those involving work or study in the UK, carried a full right of appeal in the event of refusal. The wide-ranging appeals reform introduced by the Immigration Act 2014 means that rights of appeal are now available only in cases involving asylum or humanitarian protection, human rights or rights under EU law. Where someone makes an application for a visitor visa and that application is refused, they will be provided with reasons for that refusal. It is open to those who have been refused to make a fresh application in which they can address any reasons given for the previous refusal.

There are practical reasons why a new application is a better approach than an appeal, both generally and for the individual visitor. Before the removal of the appeal right, such appeals accounted for about a third of all immigration appeals and, because of the volume of such cases in the system, they could take up to eight months to be concluded. Asylum appeals and other appeals on fundamental rights issues were therefore also delayed.

By the time the appeal had been determined, the circumstances might well have changed. For example, a document relevant to the application may have been found. There was also the possibility that the family event for which the visa was needed had already taken place, in which case the visitor, the person being visited and the appeal system—everyone—lost out. By contrast, the service standard for straightforward non-settlement visa applications is 99% processed within 15 days.

**Stuart C. McDonald:** I do not think it is fair to say we are asking for an appeal right instead of the ability to put in a second application; it is about having the choice. If there is urgency about it, someone can make a second application. However, if they receive two or three refusals, surely the only way they will ever be able to challenge that is through an appeal.

**Caroline Nokes:** Speed is important, but also when someone receives a refusal the reasons are given and can be addressed in a fresh application.

The removal of the right of appeal for family visitor visas was regarded as a proportionate measure to ensure that a right of appeal was available in the most significant and complex cases and that another avenue—that of making a new application taking into account the reasons for refusal—was available in visitor visa cases. However, I accept that sometimes mistakes are made and I take the distress caused very seriously. I reassure hon. Members that if a customer is unhappy with any aspect of the service they receive, there are routes to provide feedback, request a refund or lodge a complaint. Those are all made clear in the communications that go out to customers at every point of their application. Locally, teams rigorously interrogate complaints data and respond to arising issues.

I reassure Members that the Government are absolutely committed to welcoming genuine visitors to the UK. I take seriously my duty to balance border security and the priority of having a high-performing, customer-focused and continually improving visa service.

5.51 pm

**Helen Jones:** I thank all those who have spoken today, for despite what the hon. Member for Cumbernauld, Kilsyth and Kirkintilloch East (Stuart C. McDonald) kindly said, I am not an expert on the subject of the debate. In fact, the only family in my constituency that I can think of, currently, who have someone abroad are called Lingard—but I think we will let Jesse back in.

It is important that Members have spoken about individual cases. We have heard a record of poor and inconsistent decision making and failure to read documents properly. I am sorry that the Minister is not taking that on board as she should. It is not possible always to get things right in any visa system, but there are systemic problems that affect British residents, taxpayers and citizens.

We have raised the individual cases not in the expectation that the Minister will comment on them—of course she cannot—but to illustrate the problems. In her response, she confused visitors to this country with those who need visas. They are not the same thing, as we all know. She needs to take the problems with visas for families more seriously. The mistakes are not occasional. They happen frequently, as we have heard, and cause distress to people in this country who are denied contact with their families. The vast majority of people the Committee has heard from are respectable, decent British citizens who simply want to have contact with their families. That is not a big ask.

I am sorry that the Minister does not seem to see the problems, and that she does not see that there is a problem in having no appeal system. That reduces the incentive to get things right first time. It means people do not learn from mistakes because, as has been said, there is no feedback loop. I am sure that we shall return to this problem, because it affects many citizens of this country and causes them anxiety. I hope that, in time, the Home Office will recognise that and separate the issue of immigration from that of visitor visas. That is not happening now but it needs to happen fairly urgently.

*Question put and agreed to.*

*Resolved,*

That this House has considered e-petitions 206568, 210497 and 201416 relating to family visitor visas.

5.53 pm

*Sitting adjourned.*



# Written Statements

Monday 9 July 2018

## TREASURY

### JHA Opt-in Decision: Assignment of Claims

**The Economic Secretary to the Treasury (John Glen):** The Government have decided not to opt in (under the UK's JHA opt-in protocol) to the proposal for a regulation on the law applicable to the third-party effects of assignments of claims.

In the proposed regulation, the competence for the EU to act stems from Article 81 (2) of the Treaty on the Functioning of the European Union. As such, the entire regulation represents justice and home affairs obligations, thereby triggering the UK's opt-in.

The proposal applies a general rule that the law of the country where the assignor has their habitual residence governs the third-party effects of the assignment of claims ("law of the habitual claim"), but carves out three exceptions to the above rule, applying the law of the assigned claim to (i) the assignment of cash credited to a bank account; (ii) the assignment of claims arising from certain types of derivatives; and (iii) in certain circumstances to securitised entities. This is different to current market practice in significant parts of UK financial services, where the law governing a claim is determined by contractual agreement ("law of the assigned claim").

The Government have concluded that it is in the UK's interest not to opt in to this regulation. Its provisions would have significant unintended consequences for financial services market practices in the UK. It would create uncertainty for financial services transactions, could require changes to business as usual functions, and introduces an applicable law test that may contradict existing applicable law provisions such as those relating to securities.

Until the UK leaves the EU it remains a full and participating member. We will continue to work with the EU institutions, with the aim of ensuring that UK objectives are preserved as the negotiations progress on any compromise text. The Government will also continue to consider the application of the UK's right to opt in to, or opt out of, forthcoming EU legislation in the area of justice and home affairs on a case by case basis.

[HCWS836]

### UK's Counter-terrorist Asset Freezing Regime

**The Economic Secretary to the Treasury (John Glen):** Under the Terrorist Asset-Freezing etc. Act 2010 (TAFE 2010), the Treasury is required to prepare a quarterly report regarding its exercise of the powers conferred on it by part 1 of TAFE 2010. This written statement satisfies that requirement for the period 1 January 2018 to 31 March 2018.

This report also covers the UK's implementation of the UN's ISIL (Daesh) and al-Qaeda asset freezing regime (ISIL-AQ), and the operation of the EU's asset freezing regime under EU regulation (EC) 2580/2001 concerning external terrorist threats to the EU (also referred to as the CP 931 regime).

Under the ISIL-AQ asset freezing regime, the UN has responsibility for designations and the Treasury, through the Office of Financial Sanctions Implementation (OFSI), has responsibility for licensing and compliance with the regime in the UK under the ISIL (Daesh) and al-Qaeda (asset-freezing) regulations 2011.

Under EU regulation 2580/2001, the EU has responsibility for designations and OFSI has responsibility for licensing and compliance with the regime in the UK under part 1 of TAFE 2010.

A new EU asset freezing regime under EU regulation (2016/1686) was implemented on 22 September 2016. This permits the EU to make autonomous al-Qaeda and ISIL (Daesh) listings. The first designation under the regime was made during this quarter, and is recorded in the fifth column of the annexed table.

The annexed tables set out the key asset-freezing activity in the UK during the quarter.

The recently passed Sanctions and Anti-Money Laundering Act will help ensure that UK counterterrorist sanctions powers remain a useful tool for law enforcement and intelligence agencies to consider utilising, while also meeting the UK's international obligations.

Under the Act, a designation could be made where there are reasonable grounds to suspect that the person or group is or has been involved in a defined terrorist activity and that designation is appropriate. This approach is in line with the UK's current approach under UN and EU sanctions and would be balanced by procedural protections such as the ability of designated persons to challenge the Government in court.

Attachments can be viewed online at:  
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-07-09/HCWS838/>.

[HCWS838]

### Crown Dependencies: Double Taxation Agreements and Protocols

**The Financial Secretary to the Treasury (Mel Stride):** Double Taxation Agreements and Protocols with The Crown Dependencies (Guernsey, the Isle of Man and Jersey) were signed on 2 July 2018 in London. The text of the agreements are available on HM Revenue and Customs' pages of the [www.gov.uk](http://www.gov.uk) website and will be deposited in the Libraries of both Houses. The text of the agreements and protocols will be scheduled to draft Orders in Council and laid before the House of Commons in due course.

[HCWS837]

## FOREIGN AND COMMONWEALTH OFFICE

### Chemical Weapons Convention: Conference of States Parties

**The Secretary of State for Foreign and Commonwealth Affairs (Boris Johnson):** On 26-27 June 2018, 152 States Parties to the Chemical Weapons Convention (CWC)

met in special session to address the pressing issue of upholding the global ban on the use of chemical weapons. In a previous statement on 30 November 2017, I updated the House on the use of chemical weapons in Syria and the organisation for the Prohibition of Chemical Weapons (OPCW)—UN Joint Investigative Mechanism [HCWS291]. The Prime Minister has briefed the House on various occasions following the use of a nerve agent in Salisbury in March this year [12 March 2018, Volume 637 and 14 March 2018, Volume 637] and the chemical weapons attack in Douma in April [Debate on 16 April 2018, Volume 639].

This special session of the Conference of States Parties was the first such meeting convened at a State Party's request since 2002. The UK alongside a number of international partners called this meeting to provide an opportunity for the international community to address the use of chemical weapons in Malaysia, Syria, Iraq (by Daesh) and the UK.

The UK proposed a draft decision, co-sponsored by 30 States Parties entitled "Addressing the threat from chemical weapons use". The aim was to bring together the 193 members who have signed and ratified the Chemical Weapons Convention to reaffirm their support for the Convention and for the OPCW, and to secure effective action to protect the global norm against CW use. We consulted widely with international partners on the draft of the decision, building broad support across all geographic regions.

Opposition from a few States meant, as we had anticipated, that consensus was not possible. But proposed amendments from Kazakhstan, Belarus, Bolivia, Iran and Burundi were defeated by substantial margins, leading to Russia, China and Burundi withdrawing alternative texts that sought to paralyse the work of the OPCW.

Most importantly, the decision we secured empowers the OPCW to attribute responsibility for chemical weapons attacks in Syria, both past and if needed, in the future. The crucial gap left by the ending of the mandate of the OPCW-UN Joint Investigation Mechanism last November, due to a series of Russian vetoes in the UN Security Council, has been filled. The decision also mandates the director general of the OPCW to make proposals at the next meeting of the Conference of States Parties in November to establish independent, impartial expert arrangements to identify those responsible for the use of chemical weapons, if requested by any State Party which is investigating possible chemical weapons use on its territory.

The decision covers a range of related issues. It officially recognises the findings of the OPCW-UN Joint Investigative Mechanism in 2016 and 2017, confirming four chemical weapons attacks by the Syrian regime between 2014 and 2017 including significantly the sarin attack on Khan Sheikhoun in April 2017, and the use of chemical weapons by Daesh on two occasions in 2015 and 2016. It authorises the sharing of information gathered by the OPCW with the Independent Impartial and Independent Mechanism set up by the UN General Assembly under resolution 71/248 (2016) and other relevant investigatory entities established under UN auspices. And it provides for additional action by the OPCW to provide further assistance to the States to help prevent the threat posed by non-state actors.

The UK-drafted decision, adopted by 82 votes to 24 at a meeting attended by 152 (the largest number of States ever to have attended a Conference of States Parties) sends a clear message that the international community has not been deceived by the diplomatic manoeuvring of recent months and concluded that action must be taken to protect the Convention, and prevent impunity for chemical weapons use.

The Convention is a key element of the international disarmament and arms control system. This welcome outcome was the product of determined diplomacy over many years, and a particular effort in the weeks prior to the Conference. The achievement is all the more notable in light of the deadlock in the UN Security Council where all attempts to continue, or revive international investigations into responsibility for chemical weapons use in Syria were vetoed over the last year.

The UK is proud to have led the diplomatic efforts to secure this outcome. We look forward to working with all members of the Chemical Weapons Convention to implement the decision. The UK will continue to work with States around the world to support progress towards universal and effective national implementation of the Convention and uphold the ban on chemical weapons development, production, stockpiling and use. The UK will contribute an additional £1 million to the work of the OPCW in order to assist the implementation of the decision and the OPCW's work with States to uphold non-proliferation and disarmament.

[HCWS835]

## TRANSPORT

### Roads Update

**The Secretary of State for Transport (Chris Grayling):** Today I am publishing the Government's zero emission road transport strategy "Road to Zero". The transition to zero emission road transport is happening now across the world. It will mean fundamental changes to the global automotive market, worth over £1.5 trillion a year, bringing new jobs and growth opportunities for the UK. These include those we are already enjoying through Nissan in Sunderland, producing one in eight zero emission cars bought in Europe in 2017, and the London Electric Vehicle Company near Coventry, which put the world's first electric black taxis on the streets of London earlier this year.

This Government's vision is to build a Britain that is fit for the future. Leading the industries of the future and building the UK's competitiveness in the face of major global economic trends are key parts of our industrial strategy. That is why our 2040 mission to put the UK at the forefront of the design and manufacturing of zero emission vehicles is central to the future of mobility and clean growth industrial strategy grand challenges.

The benefits are not just economic. Road transport is one of the biggest contributors to poor air quality in some of the UK's towns and cities. And transport is the largest greenhouse gas-emitting sector in the UK. The work we are doing today to make road transport cleaner will mean we are handing the next generation a better,

cleaner, greener Britain. It will improve the health and lives of people across the UK. It will help us achieve our statutory long-term greenhouse gas targets and our air quality commitments.

We have already made significant progress thanks to this Government's £1.5 billion investment. Today there are more than 150,000 ultra low emission vehicles in the UK and around 14,000 public chargepoints, with hundreds more being added every month. There is a network of over 1,300 rapid chargepoints—one of the largest in Europe.

But we need action on a number of fronts to give certainty to the market and the consumer that the Government are fully behind this transition. The "Road to Zero" strategy sets out both our long-term ambitions and the measures we are taking to get there. It builds on our industrial strategy, automotive sector deal, clean growth strategy and the UK plan for tackling roadside nitrogen dioxide concentrations.

#### *Government's long-term ambitions*

As set out in the Government's NO<sub>2</sub> plan, we will end the sale of new conventional petrol and diesel cars and vans by 2040. By then, we expect the majority of new cars and vans sold to be 100% zero emission and all new cars and vans to have significant zero emission capability. By 2050 we want almost every car and van to be zero emission. We expect this transition to be industry and consumer led, supported in the coming years by the measures set out in this strategy. We will review progress by 2025 and consider what interventions are required if not enough progress is being made.

In addition, by 2030, we want to see at least 50%, and as many as 70%, of new car sales being ultra low emission.

Government have a key role to play. The strategy contains a package of measures covering the three key issues: supply of vehicles to the market; consumer demand; and a fit for purpose infrastructure network.

#### *The right infrastructure to support the transition*

If we are to help people to make the right choice of vehicle for their journey, then one element will be to reduce range anxiety on electric vehicles. The strategy sets out a package of measures to ensure that electric vehicle drivers will be able to easily locate and access charging infrastructure that is affordable, efficient and reliable. We will continue to provide grants to encourage people to charge at home overnight, both on and off streets. This is how we envisage the majority of charging will take place.

Today we are announcing our intention that all new homes, where appropriate, should have a chargepoint available. We plan to consult as soon as possible on introducing a requirement for chargepoint infrastructure for new dwellings in England. We will look at how to achieve this in the most cost-effective way, mindful of the Government's housing supply objectives. We also want all new street lighting columns to include charging points, where appropriately located, in residential areas with current on-street parking provision.

Workplace and public infrastructure will also be vital. The strategy contains a range of measures to support the development of these networks. These include an increase to the grant available for workplace charging, a joint pilot with Highways England to increase electrical capacity at a motorway service area, Highways England's commitment to ensuring there is a chargepoint every

20 miles along the strategic road network by 2020 and the £400 million charging infrastructure investment fund announced at Budget 2017 to accelerate the roll out of chargepoints.

In this parliamentary Session we have taken the Automated and Electric Vehicles Bill through Parliament, now only awaiting Royal Assent, to improve the experience and provision of chargepoints. The Bill gives Government powers to ensure that chargepoints are available at motorway service areas and large fuel retailers, with Metro Mayors granted powers in relation to the latter. It also gives powers to ensure that chargepoints are easily accessed and used across the UK. This includes providing a uniform method of accessing public chargepoints and refuelling points; making certain information publicly available in an open and transparent format; and setting reliability standards.

We will also ensure the electricity system now and in the future is ready for this transition. We and the energy sector are confident that existing market mechanisms will be able to meet additional electricity demand. Provisions in the aforementioned Bill to mandate smart charging, and our £30 million R and D investment in technologies allowing electricity to pass from vehicles into the grid at times of peak demand, will help alleviate these effects. We have launched an electric vehicles energy taskforce to bring together the relevant parts of industry and Government to ensure the transition is smooth.

#### *The supply of vehicles and associated technologies to market*

In our automotive sector deal, we made major new commitments to research and development in zero emission vehicle technology, and to developing competitive UK supply chains. This included the £246 million Faraday battery challenge, which is already supporting the development of battery technology in the UK. We will continue to support our established multi-million pound research and development programme for ultra low emission vehicles, which has been estimated to have a rate of return of £8 for every £1 invested.

The industry has an ambition to increase the level of UK content by value in domestically built vehicles to 50% by 2022. We want to work with industry to set a target at least as ambitious for the ultra low emission vehicle supply chain as we look to secure investment in UK battery manufacturing.

#### *Consumer and business demand for ultra low emission vehicles*

A recent survey indicated that around 38% of consumers considering a new car purchase would consider an electric car. However, only 2% of new car sales are currently ultra low emission.

More models are coming to market, giving consumers greater choice. Battery prices are coming down and we are committed to keeping in place our plug-in car and van grants until at least 2020. The tax system also favours ultra low and particularly zero emission vehicles over conventional ones. The strategy recognises that consumer incentives in some form will continue to play a role in driving uptake beyond 2020. And with industry we are launching the 2018-19 Go Ultra Low consumer campaign to promote the benefits of these vehicles and improve understanding of the choices available. Government will lead consumer uptake with 100% of central Government car fleets being ultra low emission by 2030.

### *Reducing emissions from conventional vehicles*

However, it's important to recognise that today over 99% of global car and van sales are petrol or diesel. Our strategy sets out how we will reduce emissions from the vehicles on our roads now and during the transition to zero emission vehicles. We will do this by increasing the supply and sustainability of low carbon fuels, accelerating the adoption of fuel efficient motoring and ensuring that our future approach to vehicle emissions regulation as we leave the European Union is at least as ambitious as current arrangements.

Cleaner diesel vehicles can play an important part in reducing CO<sub>2</sub> emissions from road transport during the transition to zero emission vehicles whilst meeting ever more stringent air quality standards. For diesel vehicles to play their part fully, their air quality impact must continue to be reduced. We welcome the continued innovation and investment by vehicle manufacturers to develop cleaner diesel vehicles that meet the more challenging real driving emissions (RDE) requirements, delivering critical improvements in NOx emissions on our roads.

In addition to working in Europe to set ambitious new EU CO<sub>2</sub> emissions standards for HGVs, we also recognise the need to reduce emissions from existing HGVs significantly. Working in partnership with industry leaders, the Government are also announcing a new industry-wide voluntary commitment for reducing HGV greenhouse gas emissions by 15% by 2025.

The strategy also sets out the results of our assessment of the environmental performance of the road vehicle fuels and technologies available to consumers. It is clear that zero emission vehicle options deliver the greatest environmental benefits regardless of vehicle type or use.

In the transition to zero emission vehicles, clear and consistent consumer information will be essential. We will set up a road transport emissions advice group to bring together Government, industry and consumer groups to work together to meet this challenge.

### *Conclusions*

We cannot deliver this strategy alone. We are committed to working in partnership with industry, businesses, academia, environmental groups and others. That includes the devolved Administrations of Wales, Scotland and Northern Ireland, who are taking significant steps to accelerate the transition. This is a UK-wide strategy and our core package of vehicle and chargepoint grants applies across the UK. We are working with local areas. We are also playing a leading role internationally, bringing together the international community in September's groundbreaking zero emission vehicle summit.

Other changes are happening to the automotive sector including automation and new business models, which are challenging our assumptions about how we travel. The future of mobility grand challenge has been established to harness the opportunities presented by these changes and consider their impact on our society. Later this year, we will be publishing our strategy for the future of urban mobility, and we will shortly be engaging on this.

By putting the UK at the forefront of the twenty-first century transport revolution, we can ensure our automotive sector—one of our greatest success stories—continues to thrive and create good jobs across the country. We can set a global standard for managing technological change to maximise economic and environmental benefits. We will work with industry to achieve this ambition, and share the benefits this opportunity presents. Helping us achieve our goals of cleaner air, a better environment, zero emission vehicles, a strong clean economy.

A copy of this document is being placed in the Libraries of both Houses.

The attachment can be viewed online at:  
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-07-09/HCWS839/>.

[HCWS839]

# Petitions

*Monday 9 July 2018*

## PRESENTED PETITIONS

*Petition presented to the House but not read on the Floor*

### **Home Education: draft guidance and the consultation**

*The petition of residents of Wolverhampton South East constituency,*

Declare that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and

further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.

[P002197]

*The petition of residents of Bexleyheath and Crayford Constituency,*

Declare that the “Home Education - Call for Evidence and revised DfE guidance” has been written following significant consultation with local authorities and no consultation whatsoever with the home education community; further that the consultation is consequently for little more than show as an intention to implement the content has already been stated: further that it seeks to encourage local authorities to breach the ECHR Article 8 and the GDPR; and further that the report provides no accessible means for a parent to address ultra vires behaviour by their local authority, where many of those authorities already act routinely in an ultra vires manner.

The petitioners therefore request that the House of Commons urges the Government to withdraw the draft guidance and the consultation, until it has put in place an accessible and workable complaints procedure and further has consulted with home educating parents, as it has with Local Authorities, what the contents should include.

And the petitioners remain, etc.—[*Presented by Sir David Evennett.*]

[P002198]



# Ministerial Correction

*Monday 9 July 2018*

## TRANSPORT

### **Transport Expenditure: London and the North-east**

*The following is an extract from Transport questions on 5 July 2018.*

**Grahame Morris:** The Transport Select Committee has found that a disproportionate amount of transport funding is being spent in the capital, at the expense of the regions. What steps will the Minister take to close the gap and to specifically address issues highlighted by my hon. Friend the Member for Jarrow (Mr Hepburn), including the “Safe A19” campaign, the Seaton Lane A19 junction improvement and ensuring that east Durham gets a rail halt at Horden?

**Joseph Johnson:** The Government are investing substantial sums in the north—£13 billion in the five years to 2020—and in the next control period for rail,

we will invest £2.9 billion on the trans-Pennine upgrade alone. The hon. Gentleman, I am afraid, is factually wrong to say that Government investment per head in London and the south exceeds that of similar investment in the north. IPA analysis shows that for the three years to 2021, the north will receive £1,039 per head, which is £10 more than similar figures for the south of England.

*[Official Report, 5 July 2018, Vol. 644, c. 486.]*

*Letter of correction from Joseph Johnson:*

An error has been identified in the response I gave to the hon. Member for Easington (Grahame Morris).

The correct response should have been:

**Joseph Johnson:** The Government are investing substantial sums in the north—£13 billion in the five years to **2020-21**—and in the next control period for rail, we will invest £2.9 billion on the trans-Pennine upgrade alone. The hon. Gentleman, I am afraid, is factually wrong to say that Government investment per head in London and the south exceeds that of similar investment in the north. IPA analysis shows that for the **four** years to **2020-21**, the north will receive £1,039 per head, which is £10 more than similar figures for the south of England.

# ORAL ANSWERS

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# MINISTERIAL CORRECTION

Monday 9 July 2018

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No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

**not later than  
Monday 16 July 2018**

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**Northern Ireland Budget (No. 2) Bill [Col. 797]**  
*Considered in Committee; read the Third time and passed*

**Electricity [Col. 821]**  
*Motion—(Jo Churchill); Division deferred till Wednesday 11 July*

**Petitions [Col. 821]**

**Parks (Sheffield, Brightside and Hillsborough) [Col. 825]**  
*Debate on motion for Adjournment*

**Westminster Hall**  
**Family Visitor Visas [Col. 233WH]**  
*General debate*

**Written Statements [Col. 27WS]**

**Petitions [Col. 7P]**  
*Presented Petitions*

**Ministerial Correction [Col. 3MC]**

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

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