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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Friday 26 October 2018**

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# House of Commons

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

## PRAYERS

[MR SPEAKER *in the Chair*]

9.34 am

**Lyn Brown** (West Ham) (Lab): I beg to move, that the House sit in private.

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

**Mr Speaker:** I hope that the appetite has now been satisfied and we can proceed with alacrity to business.

## BILL PRESENTED

### HEALTHCARE (INTERNATIONAL ARRANGEMENTS)

*Presentation and First Reading (Standing Order No. 57)*

Secretary Matt Hancock, supported by the Prime Minister, Secretary Dominic Raab, Secretary Esther McVey, Secretary Jeremy Wright and Stephen Barclay, presented a Bill to make provision about paying and arranging for healthcare provided outside the United Kingdom and giving effect to healthcare arrangements; and for connected purposes.

*Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 279) with explanatory notes (Bill 279-EN).*

## Homes (Fitness for Habitation) Bill

*Bill, as amended in the Public Bill Committee, considered.*

*Third Reading*

9.36 am

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

I am very grateful for the cross-party support for this Bill. I will not seek to detain the House, as we have other business, but I will take a few minutes to explain why the Bill is important and should continue its passage through the House.

Living in a cold, damp or unsafe home is hell. It damages people's physical and mental wellbeing, erodes the income of the poorest households and impacts on children's education. The most vulnerable tenants are those most at risk of being trapped in substandard accommodation, and they are often the least able to withstand the damage such conditions do, or to fight their corner unaided.

The emails that flow in from constituents—and, indeed, many others, including the hundreds of people who took part in the parliamentary digital involvement exercise before the Second Reading debate—about bad housing conditions make truly heart-rending reading. I am sure that everyone in this House will have received similar representations.

In one of the recent cases that have come to me, a constituent wrote:

“My flat has metal casement windows around 50 years old that were installed when they converted the houses into flats...My kitchen window leaks when it rains. I have video evidence catching water in a bowl as it pours in...The weather is changing into autumn now and I'm worried for my health...it's difficult to afford to heat my home. I am on benefits so have limited funds. The windows let in a lot of draught so I get very cold in winter. I recently had a level access shower fitted after having spinal fusion surgery last year but in the winter the condensation from the shower forms ice inside the window and it's freezing in there, everything is damp.”

Another wrote:

“I am tenant of a privately rented accommodation with my partner and two kids...It's been a struggle to get us out of it as it is not conducive to live in especially for my son who has chronic lung disease, autism, asthma...He was also previously in a coma at St. Mary's hospital due to a virus caused by excessive cold. The mould and damp in the house turns our clothing, toothbrushes and cups black. I cannot begin to explain how many hospital visits we have had with the ambulance coming sometimes twice a day as my son's breathing deteriorated. His GP also wrote them explaining his medical condition and this was also ignored.”

Another wrote:

“Hope all is well. I have been complaining about my freezing cold smelly damp mouldy flat for numerous years. The condensation brings in the cold air from outside that makes my flat extremely freezing cold.

I was told to leave my heating on low...I cannot afford to leave the heating on constantly low...in the winter months and when it is really cold I go without food to put the heating on and to try and stay warm. So that has not solved the problem...The cold aches my bones and muscles. The damp and mould affects my asthma. As a type 1 diabetic and asthmatic I am constantly ill living in this flat...I got pneumonia and blood poisoning...I guess the way they are progressing it will be done the day I am being removed from this flat in a coffin.”

Those are the kinds of cases that come to all of us.

**Lyn Brown** (West Ham) (Lab): I thank my hon. Friend for her speech and, indeed, for the entire Bill, which I genuinely believe will make a massive difference. Will she join me in congratulating Newham Council, which has been a pioneer in taking on bad landlords and making sure that our citizens have homes that are fit for habitation?

**Ms Buck:** I am grateful for that intervention and I will happily congratulate Newham Council, because although it has a problem with its housing stock, it has led the charge on local enforcement. I am happy to give it credit for doing that.

Many landlords take their responsibilities seriously, but still 1 million households across the private and social sectors are forced to endure conditions that harm them or pose a serious risk of harm. According to the latest English housing survey, 15% of private tenanted properties have category 1 hazards classed as a serious risk to the occupier's health—that is 750,000 households—at least a third of which contain children. A further 250,000 socially tenanted properties have a category 1 hazard under the housing health and safety ratings system, which works out at about 6%.

**Rachael Maskell** (York Central) (Lab/Co-op): My hon. Friend is making a powerful speech. Does she agree that it is completely unacceptable that in my constituency families of four are living in a box bedroom with only a single mattress on the floor?

**Ms Buck:** I totally agree; overcrowding is a scandalous problem in our social housing, and it is often equated with some of the very poor standards people experience, with damp and condensation linked to overcrowding. These are tragic cases and we urgently need not only an expansion of social rented housing to enable people to escape these kinds of conditions, but the provisions in this Bill and other measures that the Government have introduced.

Landlords currently have no obligation to their tenants to put or keep a property in a condition fit for habitation. A requirement does exist to ensure the structure and facilities such as the heating, gas and water are in repair, but this does not cover issues such as fire safety, heating that is functioning but inadequate, or poor ventilation that can lead to the condensation and mould growth seen in the kind of cases I have outlined. A range of fitness issues seriously affect the wellbeing and safety of tenants and about which tenants can do nothing at all.

For private and housing association tenants, it is possible for the local authority to enforce fitness standards under the housing health and safety rating system, under the Housing Act 2004, but there is a huge degree of variability across councils in terms of inspection, the issuing of notices and enforcement rates. About 50% of councils have served none or only one Housing Act notice in the past year. One London council, Newham, which has an active enforcement policy, accounted for 50% of all notices served nationally and 70% of those served in London. A freedom of information inquiry by the Residential Landlords Association found an average of just 1.5 prosecutions per council, and my own freedom of information research found that enforcement action of any kind accounted for only 1% of the estimated number of category 1 hazards. That means there is a

complete postcode lottery on the prospect of councils taking steps, with the real prospect being that the council will not do so.

For council tenants, the decent homes standard requires homes to be free from category 1 hazards, and considerable progress was made in improving the quality of housing stock, thanks to the decent homes initiative, but the 2004 Act and housing health and safety rating standards have little impact, as local councils cannot enforce against themselves. So council tenants have no way to enforce, or seek to have enforced, fitness standards, including fire safety, if their landlord does not do anything. The Bill enables all tenants, whether private or social, to take action on the same issues and standards as local authorities can.

**Chuka Umunna** (Streatham) (Lab): May I shower a huge amount of congratulations on my hon. Friend, because this Bill will make an immediate difference in my constituency? For all the case examples she has described, we see exactly the same thing in my constituency. I am pleased the Government appear to be supporting the Bill. If this Bill passes, we need to make sure that tenants all know that they have this power she is proposing to give them and this ability to enforce their rights. Does she agree that it is important that if the Government are going to support this Bill, they make sure that everybody knows they will be empowered to do something beyond what the local authority can now do for them?

**Ms Buck:** I am very grateful to my hon. Friend for his intervention and for his congratulations. I totally agree that in addition to the legislation we pass in this House it is crucial that we use all the tools of government communications to get a message out that people have rights, that they need to be able to exercise them, and that they need to know how and where they can go in order to do so. I am sure that the Minister will support that point.

This Bill will enable all tenants, whether private or social, to take action on the same issues and standards as local authorities, following recommendations made by the Law Commission and the Court of Appeal dating back some two decades. This is therefore very much a legislative updating whose time has come. The effect of the Bill will be that the tenant will be able to take action against the landlord to make them put right any problems or hazards that make their dwelling unfit, and the tenant could seek compensation when the landlord has not done so.

**Jim McMahon** (Oldham West and Royton) (Lab/Co-op): I congratulate my hon. Friend on introducing this important Bill. Many of us will have received representations from private landlords who are screaming about the impact of this Bill on their ability to make profit. Let us be absolutely clear: if someone cannot make profit by providing a clean and safe place for people to live, they should exit the game completely.

**Ms Buck:** I totally agree with my hon. Friend on that. It is also fair to say that the majority of good landlords are happy to endorse that view, because their reputation is dragged down by the behaviour of the rogue minority.

The Bill is not intended as a replacement for the work of local authorities but is complementary to it, enabling tenants to take action where the council has not done so

or cannot do so. For all new tenancies after the Bill comes into force, it would make it a right to have a home that did not create a risk to the health and safety of its occupants. As the excellent House of Commons Library briefing on the Bill says:

“The Grenfell Tower fire has focused attention on housing standards in the social rented stock and also in privately owned blocks of flats.”

So I am also pleased to say that the Bill was amended in Committee, with the support of the Government, to extend the fitness obligation to the building within which the dwelling forms part. So the tenant of a flat, a room or part of a shared house will be able to enforce against defects, including fire risks, that threaten their health or wellbeing in their home, even if the defect is in another part of the building.

It has been marvellous to have secured Government backing for this Bill, even to the point of strengthening it. We have had support from across the spectrum. It has come from bodies ranging from the National Landlords Association and the Residential Landlords Association, to the Chartered Institute of Environmental Health—CIEH—the Association of Residential Letting Agents, Shelter, Generation Rent, the Law Society, Mind, the National Housing Federation, the Local Government Association, Citizens Advice and others.

**Andy Slaughter** (Hammersmith) (Lab): I am delighted to say that the Government have now got behind the Bill, as that is very welcome. Does my hon. Friend agree that it would also be useful if they gave more security to private tenants, because that is necessary to ensure that they are not evicted as a result of reporting faults, and if they restored early legal advice for housing matters, because without that it is going to be difficult to enforce this?

**Ms Buck:** I totally agree with my hon. Friend on that. This Bill is one tool and there are many others we need to adopt to ensure that tenants have a full range of rights and, indeed, are protected against retaliatory eviction. That is outwith the scope of this Bill, but there is much more we will seek to do and will no doubt be pressing the Government to do, on matters ranging from security of tenure protection to the provision of legal aid and advice services

I have always believed that politics is a collective effort. For most of us, most of the time, what we do in here is part of a team effort. Although that can sometimes drift into tribalism, there is no shame in the fact that politics is not primarily about what we do as individuals. Private Members' Bills are one of the few ways in which we, as individual Back-Bench MPs, can make a difference, but in truth this, too, has been a team effort. I am grateful to the Minister and to the officials, who have been brilliant; it has been a joy working with them on this Bill. I also thank all the MPs, from both sides of the House, who spoke on Second Reading, who served in Committee and who are here today to see us through Third Reading.

**Will Quince** (Colchester) (Con): May I, too, congratulate the hon. Lady on introducing this important Bill? It has been a pleasure to serve on the Bill Committee. Does she agree that this is a shining example of the huge amounts that can be achieved when Back Benchers work with the Government?

**Ms Buck:** I do agree with that. In the end, what we want to do here is to make changes, and it is hard for individuals to do that without having that kind of support, including from the Government.

Information, help and lobbying came from all the organisations I have mentioned, and very much from Sam Lister at the Chartered Institute of Housing and Stephen Battersby, the former president of the CIEH. But none of this would have happened without the inspiration and commitment of Justin Bates and Giles Peaker, the housing lawyers who brought forward the concept of this Bill and have given their time and their considerable brains to it for the past three years. I can only offer my inadequate thanks to them for that effort, but I will say that if anyone can claim credit for securing this important step forward in the protection of tenants, it is them. With that, I conclude my remarks and commend this Bill to the House.

9.49 am

**Eddie Hughes** (Walsall North) (Con): It is a pleasure to follow the hon. Member for Westminster North (Ms Buck) and a privilege to be here to support the Bill. I speak as an accidental landlord myself: when my second wife and I got together 10 years ago, she was shrewd enough to want to hang on to the property that she had, just in case it did not work out, and 10 years later we are still renting out that property. I believe that we are excellent landlords, and that is because it makes financial sense and moral sense: if we maintain our property to a high standard, we will retain our tenant. There are, though, parts of the country where that is not the case—where demand outstrips supply. Some 1.2 million houses have been identified as non-decent. That is clearly appalling and I am delighted that the Bill will address it.

In October 2015, legislation was introduced putting an obligation on landlords to provide a smoke detector on each storey of a property and to provide a carbon monoxide detector if the property has solid-fuel-burning appliances, such as a wood-burning stove. I introduced a private Member's Bill that would have made it an obligation for landlords to provide a carbon monoxide detector in all properties, socially and privately rented, in which any fuel is burned and carbon monoxide produced. That is an absolute necessity to ensure that all homes are fit for human habitation and do not present a danger to the occupants.

**Kevin Foster** (Torbay) (Con): My hon. Friend is making some interesting points based on his experience in the social rented sector. Does he agree that no landlord should have any problems with the Bill and that we should be clear that it will create an additional power to help tenants, not replace the powers that councils have?

**Eddie Hughes:** When we consider how many properties are rented out, for both social and private purposes, it is important that they are all as safe as possible.

Unfortunately, when I became a Parliamentary Private Secretary in the Ministry of Housing, Communities and Local Government, I had to step down from my position as chair of the board of Walsall Housing Group, a housing association with 20,000 properties in Walsall. I had been leaning very heavily on the association to get it to provide carbon monoxide detectors in its

[Eddie Hughes]

properties, and I believe it now does that for all its new build properties. I shall continue to try to influence the association to do that in its existing social rented properties.

I completely support and endorse all elements of the Bill and look forward to its becoming law.

**Mr Speaker:** The board is now sadly deprived of the hon. Gentleman's expertise and commitment, but at least we have been able to enjoy his eloquence today.

9.52 am

**Faisal Rashid** (Warrington South) (Lab): I am pleased to be here to support this vital Bill. I commend the hard work of my hon. Friend the Member for Westminster North (Ms Buck), to whom we all owe a debt of gratitude for her tireless work on this issue, without which we would not be considering the Bill today.

The Bill will make huge leaps in the strengthening of tenants' rights by ensuring that they have the power to hold their landlords to account if appropriate standards are not being met. That is especially important in the age of generation rent, when the proportion of individuals and families living in the private-rental sector has doubled in the past decade and figures for individuals and families occupying properties in the social-rented sector continue to number in the millions.

Since I became an MP last year, I have been dismayed by the number of constituents who have contacted me with housing issues. Some of my constituents have been left without central heating for up to six months, and others have faced serious fly and rat infestations. By any reasonable account, these situations have made my constituents' homes inhabitable, yet often they have been powerless to act. I am pleased that these issues are finally getting the attention they deserve, but it is utterly dreadful that it has taken a tragedy as serious as the Grenfell Tower fire to throw into sharp focus the issue of unsafe rented accommodation in this country. Grenfell serves as a harrowing reminder of the difficulties that tenants face in getting their voices heard, and it is right that we act to ensure that a tragedy like that never happens again.

It is simply wrong that in 2018 some 2.5 million to 3 million people are renting homes in which there is a "serious and immediate risk to a person's health and safety", as defined by the housing health and safety rating system. I am hopeful that with cross-party support the Bill will give a long overdue voice to those individuals and families.

For many years now, the Government have placed the duty of ensuring that a rented property is fit for habitation on local councils, while simultaneously slashing their budgets by unprecedented amounts and thereby preventing them from taking any meaningful action to fulfil their responsibilities in this policy area—and many others. This is simply not good enough on an issue as pivotal as the habitation of homes. I am hopeful that if the Bill is given its Third Reading today, tenants will be empowered, burdens will be lifted from over-stretched local authorities and the small number of rogue landlords who refuse to resolve issues that make their homes unfit for habitation will be forced to clean up their act.

9.55 am

**Neil O'Brien** (Harborough) (Con): I wish to make a brief contribution, mainly to congratulate the hon. Member for Westminster North (Ms Buck) on an excellent piece of incredibly important legislation, which I am glad to support.

Those of us have been following the #ventyourent campaign initiated by Generation Rent on Twitter have seen incredible squalor in some parts of the private rented sector. Even this week, we have seen on the front page of *The Guardian* two days in a row incredible examples of problems with repeat offending slum landlords. There is clearly a big problem and I know that Ministers are thinking about it. The Bill, which I hope will be given its Third Reading today, is an important contribution to the empowering of tenants to help to clean up some of these problems. It will clearly not be the end of the story, and we need to think about enforcement and how we can enable it to pay for itself by fining and taking the property of repeat offending slum landlords, but it is a pleasure to support this important legislation today.

9.56 am

**Matt Rodda** (Reading East) (Lab): I rise to speak in favour of the Bill and to urge the Government to go further. I wish to point out just how serious the issue of poor-quality private rented accommodation is in my constituency and to show why urgent action is so sorely needed.

Just last week, I met a constituent who was desperate for help. She is a single mother who lives in damp terraced accommodation, with mould growing on the walls. She was desperate. Her son and daughter both have problems with their breathing. One of them has asthma and was seeing the doctor about it. She had asked the landlord for help, but he was unwilling or unable to make changes to the property and solve the damp problem. She is applying for a council house, but because of the severe shortage in places such as Reading and Woodley, she is unable to progress quickly up the list of those seeking homes. The woman's plight explains the seriousness of the issue and why urgent action is needed.

In Reading, nearly a third of houses are in the private rented sector. There are many good landlords, but there are also many who do not provide a good service. Problems with damp, difficulties with landlords and high fees all make for deep-seated problems that affect thousands of local people. At the same time, as was mentioned earlier, councils have few powers to tackle rogue landlords and there are simply not enough good-quality private rented properties or council houses available in many parts of the country. I urge Ministers to take steps to address this serious problem by considering Labour amendments to the Bill and other related measures on the issues that affect the wider housing sector.

Several amendments to the Bill were proposed, and I am grateful to the Government for taking some of them on board. I hope that they will look again at one in particular. Earlier this year, I spoke about the potential loophole that allows landlords to charge for items such as lost keys. That could provide less scrupulous landlords with a loophole through which they could bypass the Bill's intent. I urge the Government to look into the matter again.

Other changes that are needed include a much larger programme of council house building and wider measures to improve the planning and development sector.

I urge the Government to support Reading Borough Council's bid for about 140 new council houses and ask them to go much further in considering the funds that are available for council house building. In my area, we could easily find families to fit into another 1,400 council properties, let alone the 140 that have been bid for.

**Kevin Foster:** I welcome the spirit of the hon. Gentleman's speech. Does he agree that his local council may well benefit from the removal of the cap on borrowing to fund housing and therefore might be able to fund more of the council houses he is talking about?

**Matt Rodda:** I do welcome that. My council colleagues tell me that they are waiting for further details from the Ministry of Housing, Communities and Local Government, and I look forward to Ministers being more amenable to local authorities on this matter.

To sum up, as time is pressing, poor-quality rented housing is a serious issue for many residents and urgent action is needed to address both the problem of rogue landlords and the problems in the wider housing market.

10 am

**Kevin Foster (Torbay) (Con):** It is a pleasure to speak in this debate and to give my support to what is a welcome and timely Bill. It is welcome that I am able to speak on this matter. While I was in the Department for Communities and Local Government, I would have been unable to do so, but now that I have the joy of being in the Cabinet Office I can, although I have to be careful not to go into some of the issues around Grenfell, given the ongoing inquiry for which the Cabinet Office is responsible.

It is welcome that the Bill has cross-party support today. In summing up, I know that the Minister will want to reflect on how the Government will take it forward and how they will publicise these rights, as was touched on earlier. A key point to make is that the Bill is about additional powers; it is not about replacing the role of local authorities. That clear message will have to be given through local authorities. I accept that the vast majority of them will act on that basis.

A tenant who makes a housing standards complaint should not just be told that there is now an opportunity to pursue it via a civil route; the Bill is about providing an opportunity to pursue complaints via a civil route in addition to the housing standards enforcement work of local authorities. It would be helpful if, in summing up, the Minister reflected on what promotion and engagement work might be done with local authorities to ensure that that is clear in their approach.

A landlord in my constituency came to see me after my speech on Second Reading, when I said that the Bill was absolutely needed because of the actions of a small number of people. They were concerned about the Bill. I said quite bluntly that if they were concerned about a standard that meant they had to maintain their property as fit for human habitation, they really were in the wrong place entirely. Being fit for human habitation is about the lowest standard one can imagine for a property. It covers basics, such as making sure that the heating is

on, that there is not undue damp, that it is safe and that the windows are fixed. It really is not the highest of standards. It is therefore right that there is another way for tenants to enforce it.

As my hon. Friend the Member for Walsall North (Eddie Hughes) said, most reasonable landlords will not fear the Bill at all; they have no reason to fear it. If people are maintaining a reasonable property, the Bill is utterly irrelevant to them. It will never have any impact on them; it will not change how they run their business; and it will not cost them any money. The only people who need worry are those who constantly ignore reasonable requests for repairs, those who have just about avoided prosecution on a couple of occasions because their actions did not quite come up to the criminal standard that is used for local authority offences and those who skimp at every opportunity. Those are the landlords who need to worry.

Landlords who are part of a quality assured system and who work closely with groups such as the Devon Landlords' Association have absolutely nothing to worry about and will see absolutely no change to their business. As I said on Second Reading, the vast majority of landlords provide reasonable properties at a reasonable rent. Those who do not are the ones who will have to think about the implications of the Bill.

As the Bill covers civil matters, when they go to court they will be dealt with on the balance of probabilities, rather than against the criminal standard. Being able to enforce something as a civil matter gives a court slightly more leeway. When things are done to the criminal standard—beyond reasonable doubt—different evidential standards apply.

**Eddie Hughes:** With reference to recourse to the law, does my hon. Friend recognise that tenants who have complained about repairs are 50% more likely to be evicted?

**Kevin Foster:** I thank my hon. Friend for his intervention. He will realise that I have to face the House and am not deliberately turning my back on him as I reply. He is absolutely right that if someone makes a legitimate complaint to their local authority or pursues a case under the Bill, there must be clear actions to be taken if so-called revenge evictions take place.

I am conscious that that danger may vary between areas. In some parts of the country, a large amount of housing may be available at reasonable prices, although I accept that affordability is an issue across the country. However, in other places, particularly the area represented by the promoter of the Bill, the cost and availability of housing are huge issues. The threat of having to move out is much more significant in such places than somewhere where people could just move down the road. There is a need to tackle revenge evictions, because if revenge evictions are the result of the Bill, it will not be a success.

Again, the vast majority of landlords respond to complaints fairly and reasonably and will work with their tenant in their mutual interests. If the landlord has a long-standing tenant, they do not have to pay agency fees to relet their property. Likewise, the tenant is able to make more of a life for themselves and does not have the disruption to their family life and their children's schooling that comes with regular moves.

[Kevin Foster]

My hon. Friend the Member for Walsall North, as always, brings his vision and knowledge to this debate, and rightly highlights that we must not only ensure that the powers are used, but that revenge evictions do not take place.

**Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): What would my hon. Friend say to those who say—I disagree with them—that any legislation that impacts on landlords will have an unwarranted impact on the availability of housing, because people will be more unwilling to rent out their properties in areas where there is already a pressing demand for housing?

**Kevin Foster:** What I would say to them is, as an Opposition Member said earlier, “If you are renting out a property that is unfit for human habitation, you really should not be in the business of being a landlord. If that is the standard of what you are renting out then, bluntly, we do not want you to carry on.”

Will there be an impact on availability? Possibly, but—and it is a very big but—if someone cannot afford to do a property up to the standard where it is fit for habitation, they have an obvious option, which is to sell the property to someone who can. Another option is to discuss with the local authority whether planning permission needs to be granted to allow for a proper redevelopment.

I recently went to see a superb development in Paignton. It used to be poor-quality, guild house-style accommodation. In theory it was sheltered accommodation, but it was more like guild house-style accommodation, with shared bathrooms and facilities that were not particularly good. It was on the site of a former brewery. It was really not that great and the local housing association took the view that it did not meet the standard. It has been done up properly and there are now 22 new homes. The new apartments are modern properties that meet modern standards of disability access; the facilities reflect this era, rather than the 1950s; and young families have moved back in.

Let us be clear about what happens when we take action on housing standards. I know my hon. Friend the Member for West Aberdeenshire and Kincardine (Andrew Bowie) will agree with this point; indeed, he probably made his intervention so that I would put it on the record. There is always the theory that when we introduce legislation and take action on housing standards, we might reduce the supply and make it more difficult or more expensive—because if we contract the housing supply, the price clearly goes up—for the tenant to find housing. However, in my experience when enforcement action is taken by local authorities, which will still happen, in many cases it results in the same amount of housing, or even slightly more of it, but this time of the right standard.

If a landlord feels that one of their properties is not up to standard—again, I refer to the landlord with a property in Paignton—they should start engaging with the local authority. Most councils will be reasonable and sensible if a landlord is trying to do the right thing. That could mean looking at how the property is used, perhaps converting the property or getting planning permission to allow the proper redevelopment of the site, as happened in Paignton. I am happy to take another

intervention but I think that my hon. Friend can be reassured that, although there is always an argument about how much we do in terms of pushing measures so far that we reduce supply, this Bill will not do that. In fact, it could reduce the supply of completely unsuitable accommodation and increase the supply of the type of rental properties that we want to see.

Let me turn to the matter of implying terms into a lease—a sensible and proportionate measure. For those wondering what that means, this is about how the legislation creates the civil enforcement. Any tenancy will now contain this provision in the lease. As has been said, this is not about bringing back a piece of Victorian legislation, where the maximum rental price is now woefully out of date—probably as historical as the piece of legislation itself. Rather, this is about having a modern piece of legislation that does not come with the idea that every so often we need to decide the maximum rent to which it would apply. That makes this a more secure piece of tenancy legislation.

Following amendment in Committee, it would be interesting to understand how the Bill will affect those who rent out a property in a block where the leaseholders are the freeholders. A concerning issue came out following the fire safety work in Torbay after the Grenfell Tower fire. To be clear, there is not a large local authority owner of tower blocks in Torbay, as some hon. Members might have in their constituencies. We have a lot of apartment blocks and blocks of flats, particularly for those entering retirement, where the leaseholder is the freeholder—that is, the leaseholder owns a share in the freehold—and some of these flats may be rented out. In these cases, the freeholder, who is supposed to be dealing with certain issues and maintaining certain safety standards, has absolutely no incentive to enforce against its own shareholders. In fact, the shareholders are not very keen at all for the freeholder to take enforcement action.

There was an example in my constituency whereby a block had been built in the late 1960s—not a dissimilar era from that of Grenfell Tower. There were two apartments on a floor, which had two fire doors, then the corridor and then the door to the stairwell. About 20 years ago, the owner of one flat bought the other flat on the floor and turned it into one property along the whole floor, so instead of having two doors and the fire door to the stairwell, there was now just a fire door to the stairwell. This had not been picked up, partly because the freeholder had no great incentive to take action against the leaseholder, because the leaseholder was the freeholder. In the Minister's contribution, she might wish to reflect on whether a tenant of a leaseholder would be able to enforce against the freeholder in such a situation.

**Matt Rodda:** Does the hon. Gentleman agree that there is a related issue—cuts to fire services—to which he is almost referring in his very thoughtful contribution? I have had representations from Royal Berkshire fire and rescue service about the dire need for more fire safety officers, who take a long time to train. Many properties in multiple occupation actually have multiple fire safety issues, including small adjustments made by landlords and tenants, as the hon. Gentleman has described, and because of the nature of the buildings, which are often old and in some cases dilapidated. I have heard some very concerning stories about this in my county. Will he refer to that aspect?



**Kevin Foster:** My uncle, Station Officer John Griffin, was for many years a fire safety officer in Plymouth fire service and then Devon fire service, which Plymouth service became. I do not want to get into the grounds that will be covered by the inquiry, as that is not right, but there is an argument about whether the change made just over a decade ago by a previous Government—removing the fire service from being proactively involved in fire safety inspections and very much reducing the role of fire safety officers from the fire service—was the right move.

I put on my hat as a former member of the Local Government Association's national fire services management committee and as a former member of the west midlands fire and rescue authority, and I do think we should look at rebuilding a more proactive role for the fire service in fire safety. To be fair, I will not criticise everything the previous Government did with the fire service. Some of the measures regarding home fire safety checks and moves to more proactive areas made sense. However, we may well reflect that the changes to the fire regulations and moving the fire safety inspections away from the fire service were perhaps not right. Perhaps we will move forward and review that, although there will need to be a balance in outcomes.

**Mr Speaker:** I very gently say to the hon. Gentleman, to whose contribution in mellifluous tones I am listening with close attention, that he has now spoken for a little longer than the Member in charge of the Bill. I know that he is not the sort of Member who would respond to any exhortation from any quarter to speak at length for any reason, because he just would not do that, but there is a lot of business to get through and I therefore express cautious optimism that he is now approaching his peroration.

**Kevin Foster:** As always, Mr Speaker, you can incisively see what is happening with my speeches; you have worked out that I was moving towards the end of my remarks. I know that some colleagues will be very disappointed that I am not going to try to break my record for a speech.

**Chris Philp** (Croydon South) (Con): My hon. Friend speaks so rarely.

**Kevin Foster:** My hon. Friend is enjoying this because it is such a rare chance to hear me in the Chamber.

This Bill is very worthwhile, and it is appropriate and proportionate. It has been strengthened in a welcome way in Committee with regard to the provisions on communal areas. I am pleased to support its Third Reading, and look forward to hearing the Minister's response to the points raised during the debate.

10.17 am

**Emma Dent Coad** (Kensington) (Lab): Eighteen years ago in my Notting Hill Housing flat, after prolonged complaints had been ignored, my ceiling collapsed, narrowly missing my young daughter's head. The five-year battle with my social landlord and the help that I received from my local councillors at the time propelled me into active politics, so I am devastated that social landlords have stepped even further away from their

responsibilities over the years. I know from my casework that a collapsed ceiling narrowly missed a young child's head just recently.

Some residents who attend my surgery have brought photos of the massive cracks across their ceilings—they fear a ceiling collapse—as well as of large gaps in stucco facades, which they fear could fall into the street. However, they have been told by their social landlord that they will not be helped unless they stop talking to me, so little or nothing has changed. That is shameful. I do not need to tell anyone in this House that disrepair followed—if people are lucky—by botched refurbishment can put people in mortal danger. Grenfell Tower residents who complained about their botched refurb were sent cease and desist letters, and had no legal recourse.

Since I became an MP last June, my office has dealt with nearly 1,500 cases of all kinds. Around half are housing cases, most involving disrepair. The majority of cases relate to social housing. Kensington and Chelsea Tenant Management Organisation was among the worst performers, as it has been during my nearly 13 years on the council, but has now improved slightly, leaving Notting Hill Housing—Notting Hill Genesis, as it is now—as our worst performer.

One of my constituents lives in a flat suffering from subsidence, which their landlord has been ignoring. From time to time, due to that subsidence, her front door becomes stuck and she is trapped in her flat for hours. Shame on Notting Hill Genesis. I have told her to call the fire brigade the next time that happens. Another group of constituents who were fleeing domestic abuse with young children were found a place in a hostel where they felt safe, until the ceiling collapsed. They moved downstairs to be safe, but then two more ceilings collapsed. That happened just last year—Notting Hill Genesis again.

Another case involved an elderly and confused woman. Her heating and hot water broke down about a year ago and was not fixed for three months. Her doctor told her that she was close to hypothermia and she then told her neighbour, who luckily reported it to us. Her landlord ignored our pleas, so I put the details on Twitter and there was a response within hours—shame on London and Quadrant. Another constituent's damp was so bad that he had severe respiratory problems. When I visited, the poor gentleman had to move his nebuliser out of the way to show me the toxic black mould—that was KCTMO.

In yet another case, a constituent who fled from Grenfell with his young child was placed in temporary accommodation in a council flat that was so damp that the toddler's clothes were literally rotting. Another constituent had a manhole cover in their downstairs kitchen and sitting room that regularly overflowed with raw sewage, by up to a foot. That was Peabody housing. In the last case I shall report on, there were concerns about fire safety that had been reported to a landlord, but were completely ignored. The landlord was told that if they did not fix the problem that they were being emailed about, there could be another Grenfell. A month later, a massive explosion ripped through the flat. There was a huge fire and a constituent died instantly—that was Catalyst housing.

It is such a difficult and long-winded process to get an environmental health officer to visit a home and manage damp that I have my own damp meter. If we have another very cold wet winter, I will be using it

[Emma Dent Coad]

extensively and reporting on social media if landlords do not respond, which they often do not, even to an MP. We ask every family that comes to us with problems of damp whether anyone in the family has asthma. So far, every single family reporting damp has at least one such family member. Poor housing is damaging health and sometimes killing my constituents, and until now they have had no legal redress. My office is working on a casework report that will include photos, anonymised examples and timelines of responses from landlords. We will expose the truth. The state of social housing in my constituency is, in many cases, Dickensian.

**Ruth Cadbury** (Brentford and Isleworth) (Lab): Many of the social landlords mentioned in my hon. Friend's speech are also active in my constituency, where I have some similar examples to hers. Does she share my concern that many of them started as charities and, by behaving in the way that they are and not delivering quality housing, they are breaching their charitable objectives?

**Emma Dent Coad:** I agree. Many of them have become developers with social purpose, as they are called, and have lost their charitable status—and they have left it well behind. Many are focusing on building new and often poorly constructed developments, while letting their old stock decline, and they are then selling into the private market. This is deliberate. Tenants are ignored, derided and, on occasion, bullied, with their pleas ignored. They need this legal recourse, so I am delighted to support the Bill proposed by my hon. Friend the Member for Westminster North (Ms Buck), a dedicated and hard-working heroine, and I ask the House to pass it.

10.23 am

**Melanie Onn** (Great Grimsby) (Lab): I pay tribute to my hon. Friend the Member for Westminster North (Ms Buck), whose hard work and dedication to improving the lives of tenants has got this Bill to where it is today. We need no more stark reminder of the dangers of housing hazards and unfit properties than the Grenfell Tower disaster, as my hon. Friend the Member for Warrington South (Faisal Rashid) mentioned when he spoke up so determinedly for his constituents about the difficult situation in which many of them are forced to live. No tenant should be allowed to live in housing with such fire safety hazards, and no tenant should ever be ignored when they make a complaint about the severe risks that they see in their property. This disaster cannot be allowed to happen again.

The Bill can be the foundation of ensuring that we never see tenants housed in such unfit accommodation ever again. It gives tenants direct rights to compel social and private landlords—my hon. Friend the Member for Kensington (Emma Dent Coad) just highlighted the importance of including social landlords in the measure, and her comments also brought to the fore the importance and imperative nature of the Bill, which comes not a moment too soon—to carry out repairs if their accommodation is not fit for habitation and presents a serious and immediate risk to their health and safety. My hon. Friend the Member for Reading East (Matt Rodda) rightly highlighted that, given the number of

private rented sector properties in his constituency. He also talked about the growing issues that will come as the sector looks only to expand.

The Bill is undoubtedly a positive step for tenant safety, but the Government must do more to empower tenants to challenge unfair conditions if the Bill is to reach its full potential. The Government must ensure that tenants do not fear retaliatory action when they complain about unfair conditions, as the hon. Member for Walsall North (Eddie Hughes) rightly pointed out in his intervention. Unfortunately, a study by Citizens Advice showed that the current measures against retaliatory evictions are simply not working, with local authorities not reporting a downturn in evictions as a result of the Deregulation Act 2015. Protection against retaliatory eviction is vital to the Bill's success, so will the Government listen to groups such as Citizens Advice and Shelter, and introduce a Bill on the back of their consultation to make three-year tenancies the norm and to give tenants the security they need, which was mentioned by my hon. Friend the Member for Hammersmith (Andy Slaughter)?

We saw news this week about the fact that despite the introduction of the Government's rogue landlords register, some landlords who have been deemed in law to be unfit to let properties continue to be rewarded with rental income, including from the public purse as a result of housing benefit. The landlord register is not being properly used as it might be, and it is also not public. Is this not an opportunity to give that mechanism real meaning, to use it properly and to give consumers their full rights by enabling them to see where rogue landlords are in operation? Such measures would have made the Bill even stronger, but we are very pleased to see it finally reach Third Reading. We hope that it will put an end to the scourge of unfit housing once and for all.

10.27 am

**The Parliamentary Under-Secretary of State for Housing, Communities and Local Government (Mrs Heather Wheeler):** Thank you—[*Interruption.*] Get on with it, absolutely—God almighty! I just think that this is an important Bill and it needs all the time and love that it can have.

Before I start my speech, I draw Members' attention to my entry in the Register of Members' Financial interests. I thank the hon. Member for Westminster North (Ms Buck) for everything she has said and congratulate her for tenaciously taking this Bill through Committee and bringing it to the House today. Her Bill is an important part of our work to raise awareness of this vital issue of standards in rented properties. I want to talk about rented houses and flats, both social and private, and the sort of unacceptable conditions that some tenants have to put up with. Many Members have already mentioned the minority of landlords who do not think that they need to comply with the law, and how their tenants suffer as a result. I would also like to describe some of the new requirements we have brought in to help improve the lives of tenants and make sure rogue landlords are either driven out of the sector or forced to sort out their properties and their attitude. The hon. Lady's Bill is an extremely valuable part of this work.

We had, I felt, a very productive, interesting and worthwhile debate in Committee. I am going to set out the other work we are doing to help tenants, which

includes some new requirements but also makes sure we sharpen the tools we already have. In England, privately rented houses and flats provide housing for 4.7 million households—20% of all households. The social rented sector provides a further 17%, another 3.9 million households. The majority of these are safe, secure, warm and dry.

People are tenants for all sorts of reasons—maybe the flexibility is convenient for them, maybe it makes more financial sense or perhaps it means they can live in the area they want to. Some 84% of tenants in the private rented sector and 81% of social housing tenants have said they are satisfied with their accommodation. These tenants have already seen an improvement in the quality of the houses and flats they live in. In 2008, serious category 1 health and safety hazards would have been found in around 30% of properties in the private rented sector and 15% in the social sector. By 2016, those figures had fallen to 15% of private rented and 6% of social properties.

However, it is still not acceptable that there is a hard-core, stubborn minority of landlords who rent out places that are not fit for their tenants to live in. Not all tenants have the luxury of choosing where to live, and some of the most vulnerable people in society live in these unfit properties. It is precisely this minority of houses and flats which still have serious hazards that the Bill will help to tackle.

We have been working hard to improve housing conditions and tackle rogue landlords. For example, since 2015 landlords must install a smoke detector on every floor of their properties, and they must have carbon monoxide detectors where the heating comes from solid fuels. I congratulate my hon. Friend the Member for Walsall North (Eddie Hughes) on all the work he has done on that issue.

We also used the Housing and Planning Act 2016 to give local authorities tough new powers to tackle rogue landlords and poor property conditions in their areas. If landlords do not comply with legal notices served on them because their properties are not safe to live in, local authorities can now impose civil penalties of up to £30,000. Bristol City Council, for example, has imposed 12 civil penalties, with the lowest at £628 and the highest at £25,800. Local authorities do not even have to take rogue landlords to court to give them that short, very sharp shock, and they can use the revenue to further fund their enforcement activities. That is hugely important for council finances.

As well as that, if tenants have had to live with a serious health and safety hazard in their house or flat and the local authority has served a legal notice on their landlord, they may be able to reclaim up to 12 months' rent. If the rent was paid through benefits, the local authority can get that back, too. Really serious offenders can have their name added to the new database of rogue landlords and property agents and could be banned from being a landlord, possibly for life.

In addition to those powers, we have extended the licensing of houses in multiple occupation. These properties are occupied by tenants who are not related but who share facilities such as bathrooms and kitchens. They are often good value and form a useful part of the housing market for many tenants. However, they are higher risk. Landlords of larger HMOs—those on three or more floors with five or more tenants—require a

licence issued by the local authority for each property. On 1 October this year, we extended that to include HMOs with one or two storeys and five or more tenants. We have also introduced requirements for minimum room sizes, to help prevent some of the overcrowded conditions that local authorities have reported to us.

I am pleased to say that this is the third private Member's Bill introduced by a Labour Member that this Government have supported, following the Assaults on Emergency Workers (Offences) Act 2018, which was promoted by the hon. Member for Rhondda (Chris Bryant) and received Royal Assent in September, and the Mental Health Units (Use of Force) Bill, which was promoted by the hon. Member for Croydon North (Mr Reed) and is now in the other place.

The Bill before us builds on the work that has been done and adds a new dimension to the fight against rogue landlords. It will empower tenants by allowing them to seek redress from their landlords if their rented house or flat is in an unacceptably dangerous condition. Landlords will have to keep their properties free from hazards from the outset and for the entirety of the tenancy. Tenants will be able to seek redress without having to rely on their local authority, if they prefer to, and local authorities will still have the same strong enforcement powers to serve legal notices where they find serious health and safety hazards.

No further obligations will be put on landlords who rent out safe, secure, warm and dry properties. If a landlord is quick to carry out repairs when they are reported, manages their property well and takes their responsibilities seriously, the effect the Bill will have on them will be to level the playing field. Rogue landlords will have to improve their properties or leave the business. Landlords who do not maintain safe properties prevent an effective and competitive rental market where all landlords operate on an equal footing.

It is those two aspects of the Bill—giving more power to tenants but putting no new obligations on good landlords—that allow it to sit so well with the range of initiatives we have already introduced. The Bill will give power to tenants, which will complement the existing powers and further enforcement options we have provided to local authorities. Good landlords have nothing to worry about because there are no new obligations or costs for them under the Bill.

It was reassuring to hear such support and general agreement from Members across the House on Second Reading. That is a testament to how seriously all parties take this issue. In Committee in June, I once again heard cross-party support for the Bill and agreement that we need to act now. Members drew attention to issues in the private and social rented sectors that concerned them, and no one argued against the Bill.

Amendments were made in Committee that have further tightened the provisions of the Bill and made it more effective. For example, the common areas of rented properties will now be included. That is important because properties with common areas such as shared stairwells can be at a higher risk from hazards such as fire, as we have heard. Tenants need to be confident that they can hold their landlord to account when it comes to health and safety hazards in those common areas. That amendment will further help tenants in properties such as houses in multiple occupation.

[*Mrs Heather Wheeler*]

The Bill will extend tenants' rights and, for the first time, allows them to seek redress if their landlord rents them a property that is not fit for human habitation. It is vital that tenants understand their rights and know how to use them, as Members have said. Subject to the Bill receiving Royal Assent, we will produce guidance for tenants that will explain their rights and how to represent themselves in court should that prove necessary. We will also signpost where and how they can get any support they might need. That guidance will complement the "How to" series of guides produced by my Department, which have recently been revised and expanded. The guides include checklists for new and existing tenants, landlords and letting agents. Whatever the circumstance, we want to ensure that tenants are armed with information, so that they know their rights and responsibilities and can challenge poor behaviour.

There is still more to do. Our support for the hon. Lady's Bill is an important part of our programme of work to drive up standards in rented houses and flats, and that support does not sit in isolation. We recognise the important role that landlords play in providing homes to millions of people around the country. We want to bring fairness to the market and promote good practice. It is key to the Bill that landlords ensure their properties are fit for human habitation.

Whether a house or flat is fit is determined by the presence of serious hazards. Those hazards are set out in the housing health and safety rating system—or the HHSRS, as it is natively known. The HHSRS focuses on the hazards that are most likely to be present in housing. Tackling those hazards makes homes healthier and safer to live in. As part of our ongoing work to improve standards, we will commission a review to ensure that the HHSRS continues to work well, and that will take place next year.

Tenants are, of course, at the heart of the Bill. The intention behind it is to empower tenants, which is our intention as a Government. We have introduced legislation banning letting agents from making unfair and hidden

charges, making it easier for tenants to find a property at a price they are willing to pay and saving renters an estimated £240 million in the first year alone. In addition, we have announced plans to make client money protection mandatory for letting agents and will introduce requirements on training and accreditation to ensure that tenants are protected. We will further empower tenants by requiring all landlords to belong to a mandatory redress scheme. The work the Government have already done to improve conditions for tenants, as well as the work we are now doing and the hon. Lady's Bill, will mean a real improvement for tenants and a serious driving up of standards in both the social and rented sectors.

I want to thank the right hon. Member for East Ham (Stephen Timms), the hon. Members for York Central (Rachael Maskell), for Streatham (Chuka Umunna), for Oldham West and Royton (Jim McMahon), for Hammersmith (Andy Slaughter), for Warrington South (Faisal Rashid), for Reading East (Matt Rodda), for Kensington (Emma Dent Coad), for Brentford and Isleworth (Ruth Cadbury) and for Great Grimsby (Melanie Onn), and my hon. Friends the Members for Colchester (Will Quince), for Walsall North, for Torbay (Kevin Foster), for Harborough (Neil O'Brien) and for West Aberdeenshire and Kincardine (Andrew Bowie) for all their contributions today and in Committee. I am grateful for all the hard work on the Bill across the House.

To conclude—

**Tim Loughton** (East Worthing and Shoreham) (Con): Oh!

**Mrs Wheeler:** I could go on, if my hon. Friend would like me to.

It is clear that there is support for the Bill across the House. The Bill will empower tenants and help to further improve standards in rented houses and flats. It has been a pleasure working with the hon. Member for Westminster North, and I am sure her Bill will get the continued support it deserves as it progresses.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

## Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill

*Consideration of Bill, as amended in the Public Bill  
Committee*

### New Clause 1

#### REFORM OF CIVIL PARTNERSHIP

(1) The Secretary of State must make regulations to change the law relating to civil partnership to bring about equality between same-sex couples and other couples in terms of their future ability or otherwise to form civil partnerships.

(2) Regulations under this section must give effect to such equality within 6 months of this Act being passed.

(3) For the purposes of this section, “other couples” means couples who but for the provisions of section 3(1)(a) of the Civil Partnership Act 2004 would be eligible to register as civil partners of each other.—(*Tim Loughton.*)

*Brought up, and read the First time.*

**Madam Deputy Speaker (Dame Rosie Winterton):** With this it will be convenient to discuss amendment 1, page 3, line 12, leave out clause 2.

10.40 am

**Tim Loughton** (East Worthing and Shoreham) (Con): I beg to move, That the clause be read a Second time.

May I pay tribute to the Minister who has just spoken, the Under-Secretary of State for Housing, Communities and Local Government, my hon. Friend the Member for South Derbyshire (Mrs Wheeler)? Her speech was a masterpiece of clarity, conciseness and succinctness on a Friday morning on which there is important business to proceed with.

We had a very thorough and constructive Committee stage. I thank all the Members who took part in it, as well as the Minister, the Under-Secretary of State for the Home Department, my hon. Friend the Member for Louth and Horncastle (Victoria Atkins). She is not in the Chamber today, but she has been part of the Bill process. I welcome the Minister for Immigration, my right hon. Friend the Member for Romsey and Southampton North (Caroline Nokes), who I hope will deftly manage the Bill without incident on its passage through these important stages. I am sure she will want to carry on the continuity of support that the Government have given, because there is very widespread support from both sides of the House for all four major parts of this Bill. Virtually all of them are now Government policy, so there is no reason why they should not want it to proceed. I anticipate that today should be a breeze, and that we can get on to the Third Reading of my Bill and swiftly go on to the Organ Donation (Deemed Consent) Bill, which so many of us support. We offer our good wishes to the Bill’s promoter, the hon. Member for Coventry North West (Mr Robinson), who cannot be in the Chamber today.

Since the Committee sitting on 18 July, there has been a crucial change regarding the extension of civil partnerships, which is why the new clause and the amendment are necessary. That change is of course the announcement by the Prime Minister through the medium of the media—namely, the *Evening Standard*, on 2 October—when the Government confirmed that, for the first

time ever, gay and straight people will have the same choices in life, which will be achieved by new laws to extend civil partnerships to opposite-sex couples. There are now some 3.3 million such couples cohabiting in the United Kingdom. That was welcome news, and I was expecting a call beforehand from the Government to discuss how we could collaborate on my Bill to bring about that Government policy in the speediest and most effective way.

The change was of course spurred on by the ruling of the Supreme Court on 27 June, in the case of *Steinfeld and Keidan*, which revealed that the Government were in breach of the European convention on human rights. That followed a nearly four-year battle by Rebecca and Charles, which was almost as long as my own campaign in Parliament on this subject. I have proposed amendments going back as far as the Marriage (Same Sex Couples) Bill, I had a subsequent private Member’s Bill and of course there is the ballot Bill that we are debating today.

**Sandy Martin** (Ipswich) (Lab): Will the hon. Gentleman give way?

**Tim Loughton:** Of course I will give way—not too often.

**Sandy Martin:** May I offer the hon. Gentleman my congratulations on achieving this step forward? As he will remember, I intervened on him on Second Reading about the necessity of treating everyone equally according to the law. Obviously, everyone could be treated equally badly; I am glad that everyone is now going to be treated equally well.

**Tim Loughton:** The hon. Gentleman quite rightly spoke very eloquently and with his own personal experience in support of this part of the Bill on Second Reading, for which I was very grateful, and that was very effective.

As I say, I was not warned about this advance in Government policy by the Prime Minister, and I have not really been briefed since about exactly what it amounts to. At the moment, I have no idea whether the Government will now accept this new clause, will vote against it, or will allow debate to go on—perhaps beyond 2.30 pm today. Frankly, if there are objections from the Government, I hope they will be based on fact, not conjecture or some of the scare stories about what my new clause might actually achieve. However, I have been involved in some very helpful discussions with the lead officials in the Government Equalities Office on civil partnerships legislation, and of course the continued support of the excellent lead official from the Home Office on this Bill, Linda Edwards.

The problem the new clause addresses is that at no point have the Government indicated a timeline or a method for bringing the extension of civil partnerships into effect. Delay and obfuscation was a major criticism in the ruling by the Supreme Court earlier in the year. More than three months after the Supreme Court ruling, the Government have simply indicated that they will address the inequality by extending civil partnerships, rather than abolishing them. Abolishing them was never a practical option, but that confirmation is very welcome.

Four months on, the Government have not indicated a timeline, despite the urgency factor pressed by the judges. If we read the Supreme Court ruling, we can see

[Tim Loughton]

that it absolutely highlights the fact that the Government could have acted before now. On several occasions, it refers to this private Member's Bill and my previous one as a way of rectifying this matter. It actually criticises my private Member's Bill for not being tougher in proceeding with a change in the law on a timeline, rather than just agreeing to have a report, which I had to do to get the Bill through Second Reading and into Committee.

My Bill, with the addition of this new clause, is actually very helpful to the Government on a number of fronts. It confirms in law that civil partnerships will be equalised and that the breach with the convention will be rectified. It gives a clear cut-off date for the Government to get on and do it, and it would be effective before the end of next year. If this change goes through, a couple who have been looking to have a civil partnership rather than a marriage—for all the reasons we have debated at length—could make plans from the end of next year to make that a reality. Many people have waited years, and the Government have been on notice about this for years. This is now the time to end the delay.

Crucially, the new clause makes no prescription about the method, wording and reach of the legislative change that is required; that is entirely up to the Government. I know there are some technical matters still to be settled, and I do not want to dictate to them how we achieve that. That is why this is a very flexible amendment to what is a very flexible Bill.

I am afraid that the Government have had plenty of time. Back in the Second Reading debate on 2 February, the then Minister stated at the Dispatch Box about this Bill:

“There is a sense of urgency—very much so.”—[*Official Report*, 2 February 2018; Vol. 635, c. 1122.]

Yet, since that time, the Government have not been able to report on the progress of the review work that was announced then, and they did not do so in Committee in July either. Indeed, I gather that the Government Equalities Office was given the go-ahead to undertake much of the review work only in the past few weeks.

I remind the House that that is on the back of two full-blown reviews in the past few years of the whole subject of extending civil partnerships. This must be the most over-reviewed piece of legislation that this House has seen for some time. Why has it all moved so slowly, not least since the Supreme Court ruling that made it inevitable that the law would have to change—and change quickly? I pay tribute to the Equal Civil Partnerships campaign and to the now well over 130,000 people who have signed its petition for a change in the law. They are understandably growing impatient, and despite the Government's announcement, they are sceptical in thinking that the legislative changes will be kicked into the long grass.

I gather that the Government plan to bring forward primary legislation in the next Session. That has been indicated in a written ministerial statement released only this morning—at the last moment. I am always rather sceptical of ministerial statements from the Dispatch Box or in written form at the eleventh hour. However, even if there is primary legislation in the next Session, it might be 2021 before a couple could actually take

advantage of a civil partnership, and that is only if it is in the Queen's Speech and survives the vagaries of the parliamentary timetable, which is likely to be under huge pressure during the next Session from potential emergency Brexit-related legislation.

I am afraid, however, that is just not good enough for me, for campaign supporters—including those with life-limiting conditions who are desperate to formulate a relationship while they can—or indeed for the Supreme Court. My Bill is the cleanest and quickest way to change the law, to satisfy the Supreme Court and, most importantly, to address a significant pent-up demand from couples who have waited for this change and the chance of equality for a long time. I cannot understand why the Government have not more proactively used my Bill as a vehicle for achieving that right from the start.

Ministers have put it around that the new clause is flawed and unworkable, but neither is true. I have discussed its wording and terms at length with Clerks of the House and lead officials from the Government Equalities Office, and because of flexibility in the wording of the Bill and new clause, the timetable can be achieved by using a truncated six-week review process. Indeed, the Scottish Parliament is currently undertaking its own review into the extension of civil partnerships, and I am sure that it would not mind if we just nicked that. A ready-made “one we made earlier” is on the table, and with a little tweaking it could go into the consultation process in a matter of weeks. A statutory instrument could then be designed in the new year, to be drafted by parliamentary counsel and put before Parliament ahead of the summer recess. I know that will be tight and demand a lot from officials—frankly, those officials would be better placed if they had been allowed to get on with the work when the writing was on the wall some time ago. However, it can be achieved in a way that enables the law to allow opposite-sex couples to enter a civil partnership before the end of 2019. That is what the new clause would do. The statutory instrument route gives greater flexibility on a subject which, frankly, we have debated almost to death. It is less vulnerable to the vagaries of the parliamentary timetable than primary legislation.

**Maggie Throup** (Erewash) (Con): Has my hon. Friend considered civil partnerships when the relationship is platonic, such as between siblings who live together, and how to protect their future?

**Tim Loughton:** My hon. Friend makes a fair point that has been raised several times. Indeed, an amendment to the Civil Partnership Act 2004 has been tabled in the other place to that effect. I have some sympathy with those changes, but for me they are largely a matter of taxation and an issue for the Treasury, because they mainly concern inheritance tax and other tax matters. My Bill is a social family Bill, and one reason for it is an attempt to cement family units and create greater stability for children—recognising a partnership in law, with all the protections that goes with that, is a good fillip for family stability. The point raised by my hon. Friend is a separate and largely financial issue, and I would be sympathetic to separate legislation that will not mess up my Bill but will address that point elsewhere.

**Sir Peter Bottomley** (Worthing West) (Con): My hon. Friend knows that I support him in his endeavours. Given his response to our hon. Friend the Member for Erewash (Maggie Throup), perhaps the Government should indicate that they will consider taxation relationships between people who have a relationship but not a partnership. That may involve siblings, or someone who has stayed at home to look after an elderly parent, but the current taxation arrangements are desperately unfair. However, my hon. Friend is right to say that that issue should not necessarily complicate the Bill.

**Tim Loughton:** My hon. Friend is right. This Bill is about civil partnerships, which are a different sort of relationship. I know the issue is fraught with all sorts of nuances, but my original point stands.

Just this week, the Government announced that primary legislation could be introduced to prescribe food labelling in the light of the recent death of a customer of Pret a Manger and that those measures could be in place by next summer. No Supreme Court ruling hangs over that problem with the law, so why cannot we achieve today the change under discussion with the new clause to my Bill? If the Government allowed the amended Bill to proceed, they would send a strong and reassuring message about their real intent and put their money where their mouth is.

**Kevin Foster** (Torbay) (Con): Will my hon. Friend give way?

**Tim Loughton:** I will give way for the very last time, and then I will conclude my remarks.

**Kevin Foster:** Like my hon. Friend, I am keen for the provisions in the Bill to be introduced. Will he outline briefly why his new clause only covers provisions on civil partnerships when, for example, we have been waiting to get mothers' names on marriage certificates for many years?

**Tim Loughton:** My hon. Friend pre-empts my closing remarks. If there is a problem getting this Bill through the House, it must be one of the most complicated private Member's Bills there has ever been, which is my fault. It so happens, however, that all four tenets of the Bill are now Government policy, so there should not be a problem. We still have some way to go before, hopefully, the Bill passes to another place and becomes subject to the vagaries there. If we do not get there, there is the important issue of adding mothers' names to wedding certificates—that has been an anomaly since the reign of Queen Victoria and should have been addressed ages ago. Now at last we can do it.

The Bill contains important provisions on allowing coroners to look into certain stillbirths, and again, huge cross-party support for that has been aired on many occasions. There are also other important matters regarding how we view stillbirths before the 24-week gestation period. This Bill is not just about civil partnerships; it is about a whole load of other things for which there is widespread support. I hope that the Government will see that the new clause is well intended and will hold the feet of officials to the fire as they work long hours to get this legislation through. It is achievable. I have tabled new clause 1 in the spirit of being helpful to the Government

in achieving equality. Consequential amendment 1 has now become redundant, because it is now Government policy to allow civil partnerships, and the new clause will ensure that we get on with it.

**The Minister for Immigration (Caroline Nokes):** When warned that I might be speaking early, Madam Deputy Speaker, I had not expected it to be this early.

My hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) has raised important points, and I am grateful to him for having promoted this Bill in its entirety and for his enormous and, as he pointed out, long-standing campaigning work in support of civil partnerships.

As most hon. Members will know, when the Bill was first introduced back in February, the Government had not yet taken a final decision on the future of civil partnerships. We were clear that the current situation, in which same-sex couples can marry or enter a civil partnership but opposite-sex couples can only marry, needed to be addressed. Indeed, earlier this year, we published a Command Paper that set out how we would proceed with our deliberations to ensure that we chose the right course of action. Events over the past few months have moved on substantially, not least thanks to the efforts of my hon. Friend in promoting this Bill, and I am pleased that the Prime Minister recently announced our intention to make civil partnerships available to both opposite-sex and same-sex couples. We intend to introduce specific legislation to do just that, and I know that in conversation with my hon. Friend the Minister for Women and Equalities made those intentions clear.

**Chris Bryant** (Rhondda) (Lab): When?

**Caroline Nokes:** If the hon. Gentleman will have some patience, I will come to that in due course.

**Chris Bryant:** I have no patience.

**Caroline Nokes:** I can hear that the hon. Gentleman has no patience at all—that may not be news to the Chamber.

**Chris Bryant:** Play nice!

**Caroline Nokes:** I shall undertake to play nicely with the entire House today, because there are some really important components to the Bill and I feel hugely passionate about the inclusion of mothers' names on marriage certificates—I do not, however, hope that my young daughter will be in a position to demand my name on her marriage certificate any time soon, but you never know, she is 20. *[Interruption.]* I doubt she would find a partner in that manner of haste.

I am very conscious that my hon. Friend's amendment has the support of a large number of right hon. and hon. Members from across the House. We support the common objective of an early move to enable opposite-sex couples to form civil partnerships. We made clear our position and the reasons for our concerns about the amendment in a written statement laid this morning by my right hon. Friend the Minister for Women and Equalities.

11 am

My hon. Friend made a point about the written statement being somewhat at the eleventh hour. I am going to play nicely, but I would gently chide him back by saying that his amendment was also somewhat at the eleventh hour, particularly as the Bill went through an intense Committee stage in which right hon. and hon. Members had the opportunity to debate it very fully. Of course, we would not want to be in a position where we do not have an opportunity to debate the amendment and consider the issue properly. None of us wants to still be debating the Bill at 2 o'clock this afternoon and not have the opportunity to make the progress that we want to make on other Bills further down the Order Paper.

**Andy Slaughter** (Hammersmith) (Lab): I do not want to delay the Bill; I want us to get through the business with all speed. It was for that reason that I read the written statement very carefully. It discloses nothing to me that should mean the Government cannot support the Bill promoter's new clause 1. Will the Minister just indicate whether she will support the new clause, so that we can get on and get the Bill through?

**Caroline Nokes:** There are a number of important points I would like to make with particular reference to the amendment and some of the challenges we think it poses. Perhaps the hon. Gentleman will be patient and allow me to get to them.

There are a number of reasons why we are concerned about my hon. Friend's amendment and a number of reasons why the Bill may not be the most appropriate legislative vehicle in which to equalise access to civil partnerships between same-sex and opposite-sex couples. As I have said, the Bill contains a number of important measures that we certainly do not wish to jeopardise by allowing the substantive amendment on civil partnerships at this late stage in the Bill's progress through Parliament. I think that these substantive changes deserve to have been debated more thoroughly at earlier stages of the Bill's progress, rather than just in the limited time available to us today.

I also need to make the point that, while we are happy to have announced our intention to extend civil partnerships to opposite-sex couples, there are still quite a number of significant issues that need to be resolved before we can move on to implement opposite-sex civil partnerships. Some of these are entirely practical. *[Interruption.]* The hon. Member for Rhondda (Chris Bryant) from a sedentary position is yelling, "Such as". If he will give me a chance, I will get to them. For instance, we need to check all the existing legislative provisions that cross-refer to the civil partnership regime to make sure that they still work as intended for opposite-sex couples as well as same-sex couples. These existing provisions are spread across a wide range of current legislation, from arrangements for adoption through to pension entitlements, so this is not an insignificant body of work. Any existing provisions that are not appropriate to extended civil partnerships will need to be changed. There are also a number of sensitive policy issues that will need to be resolved, such as whether convergence from a marriage to a civil partnership should be allowed and whether the terms for the dissolution of an opposite-sex civil partnership should mirror those for same-sex couples or be the same as for opposite-sex marriages.

We also need to resolve a number of cross-border and devolution issues, such as how we should provide for recognition of similar relationships entered into in other countries and how our own relationships should be treated in other parts of the United Kingdom, which have their own legislation on civil partnerships.

I am disappointed that the amendment tabled today seeks to replace the provisions in clause 2, particularly the requirement for Government to consult and report to Parliament on the way in which they intend to equalise civil partnerships between same-sex and other couples. We particularly supported this original requirement, as we see consultation prior to the implementation of the extension of civil partnerships as key in both helping us to set out the Government's views on the issues I have just mentioned, as well as getting a broader view of the implications of the various options.

**Tim Loughton:** My hon. Friend will acknowledge, of course, that the requirement for review and consultation is not a statutory requirement. It did not need to be in the Bill, but it was the only way of getting it through. And of course the Government, by their own admission, have started that review and consultation, albeit at a late stage. Taking the clause out of the Bill does not mean that it stops it, so it is actually not required.

**Caroline Nokes:** This is a subject on which we conduct long conversations, reviews and consultation across the Government, and the fact that the review has started does not mean that it should stop, but we do want to conclude it. It is important to us to have those views.

The Government are keen to progress the review and to do so as quickly as possible. The planned consultation is not some sort of prevarication; it is a necessary step to help us to ensure that when we introduce legislation it is fit for purpose and does not slow down its parliamentary passage. Officials are already starting to identify all the matters on which we want to consult. I hope that we will soon be in a position to say more about our proposed timing for that consultation, but we wish to conduct it as soon as possible. I stress that the consultation will be about how we make the provisions to ensure that civil partnerships work as intended for opposite-sex couples, not about whether we intend to extend them in that way.

**Sandy Martin:** Will the Minister accept that it is not just about how; it is also about when? Given that there is a High Court ruling against her, she needs to move quickly.

**Caroline Nokes:** It is about how and we are proceeding. We are determined to do it. The hon. Gentleman is right to highlight the court judgment. *[Interruption.]* The hon. Member for Rhondda says we are doing nothing. In fact, the reality is very much that we are seeking to move forward on this as quickly as we can, but we do think that consultation is important.

However other people may view civil partnerships, our intention is clear. They are intended to have at least one thing in common with marriage: to be a formal bond between couples in a loving relationship. I do not wish to digress too much, but a couple of hon. Members raised this point. I am aware, however, that there are those in this place and the other place who wish to see civil partnerships extended to sibling couples. We do



not consider that to be a suitable amendment to either my hon. Friend's Bill or to a future Government Bill to extend civil partnerships. In the context of today's debate, I merely note that the addition of substantive amendments on civil partnerships to my hon. Friend's Bill would make it an easier target for amendments on siblings that would then wreck the Bill, and all its valuable provisions on marriage registration and pregnancy loss would be jeopardised. I note that there is already a Bill in the other place that proposes the extension of civil partnerships to sibling couples. We consider that that Bill, rather than this one, offers an appropriate opportunity to debate the merits of how cohabiting sibling couples should be protected in older age.

The amendment put forward today introduces a wide-ranging delegated power. This causes us concern for several reasons, as I mentioned earlier. We are not yet in a position to know precisely what will be required legislatively, which is why it would be too risky to take a power to change the law by secondary legislation when we are not yet able to explain how we intend to use that power.

**Justine Greening** (Putney) (Con): When does the Minister think the Government will be in a position to understand the scope of legislative changes that are needed? Does she plan to publish a further written statement setting out to the House that information once she has it?

**Caroline Nokes**: I am sure that my right hon. Friend the Minister for Women and Equalities is best placed to make written statements on this matter rather than me, but we will provide as much detail to the House as we possibly can. Hopefully, that will be provided as soon as possible.

The Bill, as introduced, contained provisions for such a power to be included, but those provisions were removed in Committee as we did not wish to provoke parliamentary opposition in either place that could prevent the Bill as a whole from proceeding. Those are the reasons why our preference would be to introduce our own Bill in the next session to extend civil partnership as soon as a suitable legislative opportunity is available, which is what my right hon. Friend the Minister for Women and Equalities has indicated in her written statement. However, I do not want anyone to think that the Government are merely paying lip-service to the need to press on with resolving this matter.

Government research that was originally due to conclude next autumn has already been brought forward by a year. It has been wound up and officials are now using its findings to help with the impact assessment for the new civil partnerships. The Government Equalities Office has also been in contact with Departments across Whitehall to begin discussions on how to undertake the necessary legislative sweep and with its counterparts in the devolved Administrations to identify UK cross-border issues that will need to be considered.

I am very conscious of the keen interest that Members of both Houses take in extending civil partnerships to opposite-sex couples and of the private Member's Bill brought forward by my right hon. Friend the Member for Meriden (Dame Caroline Spelman) and her continued support for our introducing measures through that Bill. In addition, as I have said, a Bill has also been introduced in the Lords on this matter.

My hon. Friend the Member for East Worthing and Shoreham has pursued this matter with passion and enthusiasm, and these are legislative proposals that will get on to the statute book, but we are keen to do so in the right way. I hope that this reassures the House that the Government are working hard to extend civil partnerships to opposite-sex couples, as well as same-sex couples, despite not being able to actively support his new clause for the reasons I have outlined.

**Sir Christopher Chope** (Christchurch) (Con): The Minister speaks in riddles. Is she saying that the Government are not actively supporting my hon. Friend's excellent amendment and new clause and so will abstain, or is she saying that the Government are opposing them?

**Caroline Nokes**: I think I made it clear that we are not actively supporting my hon. Friend's amendments, but he has done an excellent job over the last few days of making sure he has enormous support for his amendments both on paper and in the House today.

**Sir Christopher Chope**: I take it from that that, because of the forces lined up against the Government, they are throwing in the towel, which is good and encouraging news. I congratulate my hon. Friend on the progress he has made.

I despair at the way the Government have been dragging their feet over this issue for so long. It was on 21 May 2013—more than five years ago—on the Third Reading of the Marriage (Same Sex Couples) Act 2013 that I intervened on the then Secretary of State for Culture, Media and Sport and Minister for Women and Equalities asserting that I believed that doing what the Government were doing in that Bill would be in breach of human rights law. The answer from the Minister, obviously on the advice of Government lawyers, was that the provisions of the European convention on human rights would not be compromised by the fact that the legislation made unequal provision for civil partnerships.

How wrong were the Government and the Minister! For five years people have been in limbo, while the Government have connived over legislation that is at odds with human rights requirements under the European convention. Surely there must be a greater sense of urgency from the Government than was demonstrated in my right hon. Friend's response to the new clause. I also find it extraordinary that today's written statement makes no mention of the Supreme Court ruling.

I hope that when the new clause and amendment are put to the vote, they will go through without a Division, but if there is a Division, I will be interested to see whether the Government try to argue against what the Prime Minister has already assured us of—namely, that the Government are on the side of the proposal in the new clause.

**Chris Bryant**: I will be very brief. I just want to explain to the Minister why I feel very impatient—she looked grumpy with me for complaining that she was taking a long time. She used words such as “soon”, “as soon as possible” and “quickly”, and while Ministers often use those words, they mean absolutely nothing in parliamentary language.

[Chris Bryant]

On the Minister's timetable, we might get a Bill in the next Session, but I would not be surprised if the next Session was a two-year Session, like this one, which might mean us waiting another two and a half years. Every year, I have straight people coming to my surgeries who had lived with a partner of the opposite gender for years and years in a relationship that had felt in every respect like a marriage, but who never wanted to enter into a marriage and consequently suffered when their partner died due to a lack of a legal arrangement because civil partnerships were not available to them. They suffer exactly the same distress as gay couples did until civil partnerships were brought into law.

11.15 am

We must reflect on the misery and anguish that such people feel when lawyers then say, "Well, you could have got married but chose not to. Obviously your partner did not intend you to succeed to the tenancy"—or get the house, or whatever it is. Everybody should be treated equally under law and we should all be impatient about that. The right hon. Lady is a wonderful Minister, however, and I am sure she will rush away from the House today determined to make sure that her timetable is beaten, and that we have all this sorted out in months, not years.

*Question put and agreed to.*

*New clause 1 accordingly read a Second time, and added to the Bill.*

## Clause 2

### REPORT ON CIVIL PARTNERSHIP

*Amendment made:* 1, page 3, line 12, leave out Clause 2—(Tim Loughton.)

*Third Reading*

11.17 am

**Tim Loughton:** I beg to move, That the Bill be now read the Third time. I said at the beginning of my previous remarks that this morning would be a breeze. There have been a few headwinds, but so far, so good. I hope we can continue in that spirit of agreement and consensus across the House regarding all four measures in the Bill, which are much needed and much supported. My Bill has been referred to as the hatch, match and dispatch Bill because it covers so many junctures in people's lives. I like to view it rather more as a Bill to address anomalies and iniquities in the law that, in many cases, should have been dealt with a long time ago.

I want to apologise in advance to officials, because if the Bill now goes through as amended, as I hope will be the case, they will have a lot of work to do in a relatively short space of time, but we now have a timeline, and that work should be a welcome distraction for them from Brexit, so there are upsides as well as downsides.

There are four aspects of the Bill, as I have mentioned. Clause 1, which is about marriage registration, seems to have excited the most vociferous support this morning. I am sure that the Minister will actively support it, rather than not actively support it—she appeared to say earlier that she did not like new clause 1 but would not actively oppose it, although passively she would have done. But we have moved on to Third Reading now—we are on the final bend.

I pay tribute to the Bishop of St Albans for the Bill that he has steered through the Lords, ably supported by my right hon. Friend the Member for Meriden (Dame Caroline Spelman), whose name is attached to it on today's Order Paper, albeit somewhat later on. She has been a champion for this issue over many years, as have other Members who have attached their names to various private Members' Bills to try to address this anomaly. It is absurd that mothers have been able to put their signatures on marriage certificates in Scotland since 1855—and indeed in Northern Ireland—and in respect of civil partnerships in England and Wales since 2004, but that not since Victorian times has a mother's name been recognised on a marriage certificate.

On Second Reading, I produced my own marriage certificate. My dear late mother's name is absent from it, and to add insult to injury, my father's name is on it twice, because he signed not only as witness but as the vicar who married us, adding double insult to injury. There are countless cases of people saying, "I never knew my father because he assaulted my mother and did a runner on us before I ever knew him, yet his name has to go on my marriage certificate, and the name of my mother, who has done all the heavy lifting, suffered all the abuse, and brought up, nurtured and loved me as a daughter, does not appear." That is not right. I hope that the Bill will at last address that anomaly and that mothers can then proudly put their names on the marriage register in the new electronic form, which will bring it up to date for the future.

I am not going to go into the second aspect of the Bill, which is civil partnerships, at length again. We have been debating the matter since the 2013 same-sex marriage Bill. If my amendment had been agreed at that time, we would not still be having this discussion now. There have been many opportunities to address this unintended inequality.

**Sir Christopher Chope:** Since the Government are in the mood to apologise for all sorts of historical events, does my hon. Friend think they should apologise for getting the law completely wrong?

**Tim Loughton:** I am in a generous frame of mind this morning, and rather than their saying sorry, we should be saying hurrah that we are now doing something about it—[HON. MEMBERS: "Hurrah!"] I do not know how *Hansard* will treat that.

The third aspect of the Bill relates to the production of a report on the registration of pregnancy loss. Again, clause 3 has already achieved its objective, partly in the light of our Second Reading debate, which we had back on 2 February, when we were all moved by the extraordinarily touching personal testimony of the hon. Member for Washington and Sunderland West (Mrs Hodgson) about her own experiences—I wonder whether she will draw her attention away from her mobile phone, because I know she would like to listen to this tribute and not be distracted. As a result of the strength of feeling in the speeches and the subsequent response from our constituents, the then Health Secretary—he is now Foreign Secretary—said, "Well, actually I think we just need to get on with changing the law." A group was set up with a mandate to see how we could change the law to acknowledge in some way those births that are stillborn but happen, by whatever quirk,

to fall below the 24-week gestation line and are therefore not recognised in the eyes of the state. The situation has brought huge distress to parents who are already in distress at the trauma of losing a child. The fact that they happened to lose that child at 23 weeks and six days means that, in the eyes of the state, that child never existed and is classed as any other baby loss. In saying that, I in no way diminish the trauma of all baby loss, but there are so many examples of this.

My constituent Hayley Petts first brought this matter to me, and she served on the working group with the hon. Member for Washington and Sunderland West. The group has been discussing many aspects of how the law can be changed and has also thrown up a lot of problems about how we go about changing the law. Should we have a universal certificate for all baby loss, for example? Should the scheme be voluntary or mandatory? Should it be subject to medical verification, as is the case under the Australian scheme, and should it be retrospective? There is then the whole thorny issue of how we avoid getting into the minefield that is abortion and other forms of termination. The Bill has done its job before it has become an Act because such work is going on under the aegis of the Department of Health and Social Care, and I hope we will have some results in due course.

**Lilian Greenwood** (Nottingham South) (Lab): I congratulate the hon. Gentleman on bringing his Bill to Third Reading. On clause 4, does he agree that when parents lose a child—a healthy full-term baby—as my constituents Jack and Sarah Hawkins did, they should not have to fight to get answers? A coronial inquest might provide them with independent, public, open and honest answers so that they can concentrate on grieving, rather than having to fight to get to the truth of what happened.

**Tim Loughton:** I am grateful to the hon. Lady because she pre-empts my clause 4 moment. The fourth, and very important, component of this Bill, which is addressed in clause 4, is coroners' investigations. She participated in earlier debates and worked very helpfully with me and others to move this important issue up the agenda. I am grateful for her contribution.

Clause 4 will allow part 1 of the Coroners and Justice Act 2009 to be amended. That is not easy, and the matter is slightly complicated by the fact that it falls under the jurisdiction of both the Ministry of Justice, which is responsible for coroners, and the Department of Health and Social Care, which is responsible for healthcare in relation to baby loss. I must pay tribute to some very helpful and proactive support for this measure by MOJ officials. I had a very helpful meeting with the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar), who I am glad to see is present on the Front Bench. He was a great champion of many of the Bill's provisions when he was just a commoner on the Back Benches and added his name to many of the measures I have been trying to get through today.

The Minister has confirmed that an immense amount of work has gone on at the Ministry of Justice. There are issues still to be resolved, such as whether coroners should have the power to investigate all stillbirth loss or should concentrate, which I think is practically the

better approach, on full-term baby loss, when there are the fewest excuses or reasons for stillbirths to happen. Also, should this be mandatory or effectively subject to parental veto? There are serious problems with that, as there are some cases in which a stillbirth may have been connected to domestic violence and some sort of cover-up may be wanted, so I think we are coming to the view that the scheme should be mandatory. Should there be specialist coroners or should all coroners have the ability to investigate? Of course, there are also capacity constraints. The fact that a lot of work has been going on in the Department in the last few months shows that this can be done.

**Will Quince** (Colchester) (Con): I congratulate my hon. Friend on introducing this important Bill, which is, in effect, enabling legislation in this regard. It is worth reiterating something he has already mentioned, so will he join me in thanking the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar)? It is one thing to have enabling legislation, but given the complex nature of what my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) is trying to introduce, a Minister who is so supportive is worth their weight in gold?

**Tim Loughton:** Give my hon. Friend the Member for Colchester (Will Quince) a job—I am sure that will happen shortly. We should be paying tribute to him, too, because although many other Members have been part of this crusade, including my hon. Friend the Member for Banbury (Victoria Prentis), who is sitting next to him, he has probably done more than anyone to put stillbirth absolutely on the parliamentary and national radar.

It is because of the Minister's empathy, understanding and preparedness to work with parliamentarians that we are in a position in which, if this enabling legislation is enacted, we can have practical measures in fairly short order, perhaps even ahead of the first civil partnership for opposite-sex couples happening in this country before the end of 2019. This enabling clause gives a good deal of discretion to the Minister, and there is no other Minister I have greater faith in to make sure that something actually happens. Now that we have praised him to the rafters, we will expect a very early announcement on when the change will happen.

This is a complicated Bill, as I have said, and that is my own fault, but it contains four really important measures that have widespread support across the whole House and across the country.

**Luke Graham** (Ochil and South Perthshire) (Con): Will the hon. Gentleman give way?

**Tim Loughton:** If my hon. Friend wants to ruin my peroration, I will allow him to do so.

**Luke Graham:** I apologise to my hon. Friend and thank him for giving way. I am in full support of the Bill, but I have one technical question that I hope he will be able to answer. Clause 6 clarifies that clause 5 applies to Scotland, England and other parts of the United Kingdom. Clause 5(1)(a) states that

“the Marriage of British Subjects (Facilities) Acts 1915 and 1916...no longer apply in England and Wales”.

[*Luke Graham*]

Under clause 6, that will also apply to Scotland. As I am sure the House will know, those Acts make reference to the recognition of marriage certificates in the United Kingdom and those of British dominions, basically giving British citizens getting married in the dominions and those getting married here in the United Kingdom almost equal recognition. I am all for increasing rights, but I just want to make sure that that provision will not reduce any of our constituents' rights in their future marriage choices.

**Tim Loughton:** I am grateful to my hon. Friend for that very pithy intervention. He makes some good points, and no doubt some other smartarse in the House of Lords will want to bring them up as well. With the greatest respect, I am sure that he can speak further to those points on Third Reading—as long as he does not go on for too long. To coin a phrase from Front Benchers, I would be happy to write to him and give him more details. I shall now somehow try to return to my peroration.

As I was saying before I was so helpfully interrupted, the Bill is long overdue. It sets out a practical route and a timeline—certainly in the case of civil partnerships—for these iniquities and inequalities to be resolved. I know that it has widespread support in this House, and I am grateful to all those who have made it possible to get this far. I will be particularly grateful to the Immigration Minister if she ensures that the Bill gets through its Third Reading so that we can have further discussions in the other place. I very much hope that it will be granted its Third Reading without a vote today.

11.32 am

**Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): I would like to start by thanking the hon. Member for East Worthing and Shoreham (Tim Loughton) for introducing the Bill and for his excellent campaigning and commitment on all aspects of the Bill. It has been a genuine pleasure to work with him, particularly on the registration of very early stillborn babies, and I thank him for his earlier kind words. Following my speech on Second Reading in February, I was overwhelmed with messages of love and kindness from people up and down the country, and even from as far away as the Netherlands and Italy. I also received messages from families who, like me, had experienced the heartbreak of losing a baby pre-24 weeks and who had been distressed to find that they were unable to register their birth and death because the baby had been born a few days, or perhaps a week or so, before the 24-week gestation threshold. Their messages have inspired me to continue the campaign to change this, and I am pleased to be working on the Department of Health and Social Care's advisory panel for the pregnancy loss review, which will make recommendations to the Secretary of State.

I also support the clause to give coroners the power to investigate the deaths of full-term stillborn babies. Along with the much-improved additional support that now exists due to the very successful national bereavement care pathways—for which the all-party parliamentary group on baby loss successfully lobbied—it will give solace to parents, at the most devastating time in their lives, to know the cause and circumstances that led to the death of their much-anticipated baby.

Moving on to the other elements in this Bill, I believe that it is way beyond time for a mother's details to be included in marriage registration. We have an outdated system that prioritises fathers over mothers, and it must be brought into the 21st century. The mother's details can be found on marriage certificates in Northern Ireland and Scotland, and in civil partnership certification. Believe it or not, I was married 28 years ago—[HON. MEMBERS: “No!”] I know; it is unbelievable. The sad thing is that, after being brought up single-handedly by my mother after my father abandoned me and my brothers when we were little, it is my father's name on my marriage certificate, not my mother's. It is even more sad that, at the time, I did not even think to question that, so endemic was the patriarchy of officialdom to me as a young woman in 1990.

The fact that, almost three decades later, this antiquated patriarchal anomaly is at last to end shows how far we have come, and that women are not, and never were, chattels to be handed over from father to husband. This change will turn the marriage certificate into what it should be: a legal document, not a transfer certificate. It also never occurred to me that the ceremony may also be a little bit outdated. As my father was not present to “give me away”, I asked my uncle to step in—again believing that this had to be done by a man. I would now insist that it had to be done by my mam—I hope she is watching this; I can tell the hon. Member for East Worthing and Shoreham that that is who I was texting earlier, but he is not listening—if indeed I felt I needed to be given away by anyone. However, I am happily married, so that is bit of a moot point. I say that in case my husband is listening, so that he will know that I am not planning on doing it again.

That brings me to my final point on the clause to allow opposite-sex couples to enter a civil partnership. I was pleased when the Government announced earlier this month that they intended to do this, and I am pleased that the amendment calling on the Government to do it within the next six months has been added to the Bill. The clauses in the Bill will help to ensure more equality and fairness in all four of the very different areas that we are discussing. As the hon. Member for East Worthing and Shoreham said, it is a unique Bill, and I am proud to have worked with and supported him in securing its passage through the House. I wish him and the Bill well and look forward to the day it receives Royal Assent.

11.37 am

**Victoria Prentis** (Banbury) (Con): I intend to speak very briefly—no cheers, please! This is a great Bill, and it is great that the Government are taking it seriously. I want it to get on as quickly as possible, but I must first convey my thanks to my dear friend the hon. Member for Washington and Sunderland West (Mrs Hodgson), who has spoken so passionately on these subjects. We have had tears and laughter, which is as it should be. If we cannot talk with passion and enthusiasm about birth, marriage and death, what on earth are we here for? Speaking as a serious Government lawyer specialising in inquests and as a bereaved parent, I think it is great that both those skill sets and life experiences have been brought together to enable me to play my small part in forming a law on this subject.

I cannot speak highly enough of my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), who, with his own unique mix of sarcasm and charm, has managed to persuade the Government to feel competitive about getting the different elements of the Bill into law. He has given us a challenge, and this is now a race. We have to work out whether we can marry or give birth first and then, if the birth goes wrong, whether we can register it. It is right that we take this seriously, because these are desperately serious issues, particularly the registration of stillbirths and when and how we as a society should consider these matters.

11.39 am

**Mohammad Yasin** (Bedford) (Lab): I congratulate the hon. Member for East Worthing and Shoreham (Tim Loughton) on his success in getting the Bill through the House. I will focus on the registration of stillbirths because parents and coroners have asked me to support that aspect of the legislation. As the law stands, coroners have no jurisdiction to investigate stillbirths that occur after 36 weeks, which is generally regarded as full term. Coroners can hold an inquest in cases where it is appropriate, particularly when either the family or medical staff are critical of the level of care, but all deaths after 36 weeks should be examined.

As it stands, the system for reporting and investigating deaths is inconsistent, and that matters because the UK has one of the worst stillbirth rates in the developed world, with one stillbirth in every 200 babies born. The grief and sorrow that the parents go through at the loss of the child is unimaginable, and we all recognise that a bereaved parent may not feel that they can face the extra intrusion of a coroner's inquest. That may not be appropriate and, of course, the decision must still be one for the parents, but an investigation is the only way to understand the circumstances of prenatal deaths so that recommendations can be made to improve future outcomes.

11.41 am

**Julian Knight** (Solihull) (Con): I rise briefly to add my support to this Bill. It is a fantastic piece of legislation in all respects, and I want to congratulate my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), who has been tenacious in his pursuit of this change for a long time. Like all pieces of really good legislation, the question always is, "Why hasn't this happened before?" It seems so obvious in many respects. The Bill seeks to let opposite-sex couples enter into civil partnerships, permits the registration of the name the mother on a marriage certificate, allows the registration of stillborn deaths before the 24th week of pregnancy and gives coroners the power to investigate stillborn deaths.

As for the first part, allowing opposite-sex couples to enter into a civil partnership, it is often said, "Why don't they just get married?" Well, I am a person of faith, and I must say that it can sometimes be quite fragile—it can be difficult to retain that faith in the modern world—but part of being a person of faith is also about recognising and respecting no faith. Many people feel that marriage perhaps has religious connotations that they do not wish to enter into. Marriage is also expensive. It can be a huge undertaking at a time of student debts and other financial difficulties for young

people embarking on life together, or for people of any age, to take on what can often be a crippling expense. People may also have different experiences of marriage. They may have seen their parents married or perhaps been married themselves, and they may have seen that marriage did not work for their parents or for themselves. We need to respect that and to understand that the days in which people just jumped into a marriage or in which marriage was the natural progression are now gone for many in our society.

The hon. Member for Rhondda (Chris Bryant) made a powerful point about rights on Report that resonated with me given an event in my own life. His point was about the rights of people who are in a long-term relationship and experience a catastrophe in their lives and then discover, frankly, that their word does not count for what it should. In 1999, my partner at the time was involved in a car accident. She was hit on 9 July, suffering catastrophic head injuries, and she died on 13 July in Whitechapel hospital. This is no indication about the family, who were absolutely fantastic throughout, but she was estranged from her family and we did not actually see each other—our relationship was outside that family framework.

Now, I was not even given any medical updates at first, and it took me a day to get in to see her. Although our relationship may not have been at the stage at which we would have considered a civil partnership if we had had that option, our relationship was legitimate and deserved recognition. I remember that moment when I went to see her, a day after she had been hit, and I was warned that she would have tubes going into her body and all the paraphernalia that comes with a serious head trauma. I was warned that she would look very strange and that I was not to be shocked. Well, as far as I was concerned, she looked as beautiful as ever. I was touched by what the hon. Gentleman said, and it was that that made me rise in support of this Bill more than probably anything else.

The Bill's second key aim is to review the registration of marriages. I am pleased that my right hon. Friend the Member for Meriden (Dame Caroline Spelman) has pursued the matter relentlessly in her role as Second Church Estates Commissioner, and it is a great privilege to sponsor and support her Registration of Marriage (No. 2) Bill. There are roughly 2 million single parents in the UK, around 90% of whom are women, so it is curious that, as the law stands, should their children go on to get married they would be permitted to put the details only of the father into the marriage register. My mother brought me up from the age of 10 after my father left home. I still have good relations with him, but she brought me up, working two jobs and all the hours that God sends, yet when I got married in 2014 my mother's name did not appear on the marriage certificate. That is just ridiculous on every level, and I hope that the Government brings forward secondary legislation to end that anomaly.

I want to reiterate a point made by Baroness Williams on Second Reading in the Lords, when she highlighted how the proposed changes would also enable all marriage entries to be held within a single electronic registry, negating the need for multiple bound marriage registers. That seems like a sensible change, but it is obviously not the sole reason to do it.

[Julian Knight]

The third part of the Bill seeks to assist people who experience a stillbirth after 24 weeks' gestation. I congratulate my hon. Friends the Members for Colchester (Will Quince) and for Banbury (Victoria Prentis) and the hon. Member for Washington and Sunderland West (Mrs Hodgson) on their work in raising baby loss awareness.

This legislation is well overdue. It is finely drafted, and it covers off so many things—so many wrongs in our society—that we as parliamentarians need to address. I congratulate my hon. Friend the Member for East Worthing and Shoreham and urge everyone to support it.

11.47 am

**Andy Slaughter:** I rise briefly to support the hon. Member for East Worthing and Shoreham (Tim Loughton) and to commend all those who have ensured that the Bill has reached this point. On civil partnerships, I want to mention just briefly my constituents Charles Keidan and Rebecca Steinfeld, who fought a four-year battle through the courts, ending with a magnificent victory in the Supreme Court this summer that was absolutely clear, unequivocal and unanimous in telling the Government to get on with making this change.

The hon. Member for East Worthing and Shoreham has pursued these matters to a head, as he always does, without fear or favour, including with his Front-Bench colleagues. I also mention everybody at the Equal Civil Partnerships campaign and all those thousands of couples who are waiting, with bated breath, to be able to cement their relationships. The measure also has the potential to affect millions of couples who do not have rights in this country but often think that they do. I also thank those who have over many years supported same-sex civil partnerships and marriage, including Peter Tatchell and Stonewall, for continuing to support equality.

I hope that the Minister will take back to the Government the message sent by all those voices, and by those on both sides of the Chamber, that we really have waited long enough. Given that the Government did not oppose new clause 1, I hope they will develop a sense of urgency. They have been urged to act by the highest court in the land and by many people. This significant change in public policy will allow millions of co-habiting couples across the country to secure the rights that, as I have said, many of them believe they already have but then often find, to their financial and other costs, that they do not. I say to the Minister: please, get on with it.

11.49 am

**Neil O'Brien** (Harborough) (Con): There are many extremely good things in this Bill, the first being the righting of the wrong, which has been in existence since the Victorian era, of not being able to include mothers' names on marriage certificates. When I got married in 2012 and was told I could not include my mother's name, I thought that there had been a mistake and that they were using an old book. I had not realised that the law could still be so ridiculously out of date in the modern era. Members such as the hon. Member for Washington and Sunderland West (Mrs Hodgson) and

my hon. Friend the Member for Solihull (Julian Knight) have reminded us that that is a really important change for some people.

Likewise, the opportunity for parents who have lost a baby before 24 weeks to register the life of their child is hugely important, as are the new powers for coroners. I congratulate my hon. Friends the Members for Colchester (Will Quince) and for Banbury (Victoria Prentis) on all the work they have done on that hugely important subject.

I rise today, however, with more mixed emotions than ever before about any proposed legislation, because I do not agree with the extension of civil partnerships to heterosexual couples. To be clear, I support—and supported—equal marriage for gay people. I ran the think-tank Policy Exchange at the time—I was not in this House—and published a paper arguing in favour of it. I thought, and still think, that it was really important for everybody to be treated the same and for everybody to be able to get married, as a further step towards reducing prejudice against gay people in this country.

It is very easy for heterosexual people not to notice the high levels of prejudice that continue to exist in this country, even in this modern era, and not to see that suicide rates for gay people are still higher. I went to school in the 1990s, which was not that long ago, and remember a lad walking up four flights of stairs with kids all around him chanting, "Gay. Gay. Gay." at him. I do not even know if he was gay, but I am sure he remembers that and will do so for the rest of his life. It is a reminder that prejudice is still out there and still very strong. So, for me, equal marriage was a really important and brilliant reform.

Civil partnerships, however, were, for me, only ever a stepping stone towards creating equal marriage. I thought that, rather than creating two types of marriage, we should have got rid of civil partnerships at the point when marriage was opened up to same-sex couples.

I respect and understand why other Members do not agree with that, and we have heard some of those arguments today. However, I do not accept in particular the argument that we should legislate in this House today because there has been a court case. I think that it is profoundly the business of elected politicians in this House to make such decisions, not unelected judges across the road.

**Chris Philp** (Croydon South) (Con): My hon. Friend is making a case as to why civil partnerships should not be equally available; indeed, he is suggesting that civil partnerships should not be available to anyone. However, does not the term "marriage" carry very long-established religious connotations? Some people may not want to sign up to that. Should not the individual have the liberty to make that choice themselves, rather than be prevented by this House from doing so?

**Neil O'Brien:** I hear my hon. Friend's argument, but I do not agree with him. During the process of arguing the case for equal marriage, one of the important points made was that it did not affect religious institutions. It did not affect religious marriage; it affected civil marriage. In fact, that is all we have the power to do in this House; we do not and should not control people's religious practice.

**Justine Greening:** I appreciate that my hon. Friend is making what is in many respects an intellectual argument, but this Bill is about matters of emotion and matters of the heart as much as anything else. I have not received a single letter or email from constituents asking for civil partnerships to be scrapped, but I have had emails and letters from constituents asking for them to be extended. If this place is basically about taking people's priorities and making them ours, why would we argue to do something different?

**Neil O'Brien:** I recognise absolutely that this an incredibly emotional debate, and I want to tread as carefully as I can for that reason, but perhaps I will come on to some of the reasons—all kinds of reasons—why it is not just an intellectual case I am making, but an important pragmatic one.

I really worry about the attempt to create, in effect, two tiers of marriage. Apart from any of the other lovely things about it, marriage is what social scientists call a "commitment device": it is a way of binding ourselves in for the future. That is one reason why it is a big public occasion and if a couple get married in the Church of England everyone will be asked to shout, "We will" to support them. I am aware that I am playing into my right hon. Friend's point about sounding too intellectual when calling it a commitment device, but it is lots of other things, too. Why is such a device needed? It is because life is hard, as is staying together. If people are lucky enough to have children, they find that is incredibly tiring and hard, and they are more likely to split up in the years when the children are small. One big problem, and one of the reasons why relationships often break up—we are not trying to create a perfect happy families world in this House; we have no power to do that—like many of the world's problems, comes down to men. Men, in particular, have a habit of sliding rather than deciding; they want all the benefits of being in a relationship but they do not want to lose the option to bale out. So there needs to be a moment when they fully commit.

About half the children born today will not be living with both parents by the time they are 15, and it is profoundly sad that they would be more likely to have a smartphone than to grow up with a father living at home. I grew up in a very average household, but I consider myself rich because I was lucky enough to grow up with two parents who got on and got on with us. Not everybody in this House has had that benefit. Parents who are married before they have a child are far more likely to stay together, and nearly all parents—about 93%—who stay together until their children reach 15 are married rather than cohabiting. Cohabiting parents account for about 19% of couples with dependent children but for about half of all families with family breakdown.

It worries me that we would do something that creates a status that is sort of halfway between marriage and cohabitation—a sort of marriage-lite. Some of the reasons given for doing this make me nervous. People say marriage is a patriarchal institution, but it is not; I am not oppressing my wife by being married to her. People say it is a religious institution, and actually there is a profound difference between civil marriage and religious marriage—

**Luke Graham:** Does my hon. Friend's argument not surely mean that civil partnerships are a step in the right direction, because they allow couples to formalise their cohabitation and make a formal commitment to each other? Does he not agree that we in the Conservative party are champions of individual freedom and we should be providing people with the opportunity to make their choices? This issue is before this House and out for consultation in Scotland. Does he not think this House should lead so that the rest of the UK can follow?

**Neil O'Brien:** I hear the argument my hon. Friend makes and I say, "Of course", but the thing I gently point out is that a lot of other Members have made the case for civil partnerships as a final status for people who do not want to get married and said that we should deliberately create a halfway house, not as something that people can be in a for a time but for something that they—

**Chris Bryant:** In a way I am sorry to do this, but as someone who is in a civil partnership, I really want to steer the hon. Gentleman away from this idea of civil partnership as being some kind of halfway house or second-rate version of marriage. It is a settled fact now in British society that we will have this form of relationship available for gay couples. The question is simply whether it is going to be available to others. It feels like a fully endowed relationship to me—not second-rate at all.

**Neil O'Brien:** I am always grateful to take interventions from the hon. Gentleman, who is so thoughtful on all these issues and has worked on them for a long time. I do not mean in any way to suggest that people do not have committed relationships or that they are in some sense second-class because they are in a civil partnership; all I would say is that I am nervous about some of these arguments. If we had a system where everybody—gay people and straight people—can get married, what would be the argument for creating a new tier of marriage? Imagine a world in which we just had these two things. What would the argument be for that? I would be happy to take an intervention from the hon. Gentleman, because I think he has something to say—

**Chris Bryant:** One difference between the two is that people do not have to have a big ceremony. We did, though—we had a great old party. The gays have probably added to the wedding industry quite significantly. Many people, especially if they have been in a relationship for a long time, do not want to feel that by suddenly having a big event they are invalidating the previous 30 years for which they have been together. They just want the legal certainty of making that commitment to one another and to have the legal privileges that the state affords them. That is the difference.

**Neil O'Brien:** I am genuinely grateful to the hon. Gentleman for his thoughtful intervention. It has been brilliant to go to some of the equal marriages that have happened since the change in the law. One learns some wonderful things and hears people's stories in a way that one would not have done had those marriages not existed. I am glad that they are also powering the marriage industry. I do not, though, buy the argument that people need to spend more to be married than to

[Neil O'Brien]

have a civil partnership. I think that is a canard. I hear the argument about not wanting to feel like what went before is invalidated, but I just do not think that that is true. Getting married does not invalidate the fact that a couple were together happily before it. I hear all these arguments, but ultimately I am not persuaded by them—

**Chris Philp** *rose*—

**Neil O'Brien:** Here comes another, more powerful one.

**Chris Philp:** A moment ago, my hon. Friend asked why we need to have civil partnerships when marriage exists and people are perfectly at liberty to choose marriage as an option. The answer is this: marriage has existed for thousands of years and has a profoundly religious connotation for most people, as a social practice dating back millennia. Some people, exercising their own choice, are not happy to enter into an institution that has that religious connotation and therefore want an alternative arrangement. That is why we need civil partnerships as an alternative.

**Neil O'Brien:** I almost always agree with my hon. Friend about almost all things, but on this issue we find ourselves in disagreement. Marriage in this country predates almost any religion that one can name. I am worried by the argument that is being made in the House today that if someone enters into a marriage—I had a civil marriage; I am an atheist—they are in some way being lured into a religious institution. I just do not think that is the case. I did not notice it. In fact, people who have a civil wedding are not even allowed to play something like Madonna's "Like a Prayer", because apparently it is a religious thing. There is a clear distinction in my mind between civil marriage and religious marriage.

I feel that I have made my points. I respect Members from all parties who have made arguments to the contrary, but I feel differently.

12.2 pm

**Maggie Throup:** It is a pleasure to follow my hon. Friend the Member for Harborough (Neil O'Brien), even though we perhaps do not agree on every point. I congratulate my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) on bringing this important piece of legislation to the House and getting it to this stage. It will strengthen how individuals and their loved ones are formally recognised in law at every level.

As I said on Second Reading, I see the Bill as very much like a pick and mix, but I do like the "hatch, match and dispatch" description of my hon. Friend the Member for East Worthing and Shoreham. That is a good way to describe the Bill. Its provisions change the way in which marriages and stillbirths are recorded. They are small but important reforms that will make a huge difference to so many. In practical terms, the two events could not be further apart: one is supposed to be the happiest day of a person's life, yet the other is probably the most tragic day of a person's life.

I commend those brave colleagues from all parties who have spoken so openly about their own tragic personal experiences of baby loss, in the hope that they can further highlight the issue and give others the courage to do the same. Having talked to people throughout the House and in my constituency during Baby Loss Awareness Week a couple of weeks ago, I know that they have made a huge difference. It has been so powerful. Many colleagues have also spoken in this place about the loss of a loved one at a later stage in life. It is never easy to talk openly about such tragic events. Indeed, the right hon. Member for Belfast North (Nigel Dodds) shared his personal and very moving story in the Chamber just yesterday.

The two elements of the Bill are linked by the acknowledgment that a life existed, for however long or short that time may have been. Because these delicate pieces of paper, birth and marriage certificates, are often treasured by families for generations, they are part of social history and of our story. They often provide comfort to the bereaved when the person recorded on the certificate is no longer there.

On marriage certificates specifically, it is quite astonishing in the centenary year of the Representation of the People Act that this archaic example of inequality has not yet been righted. It is a matter of equality, as well as of family history and social history. Looking at my own family, my parents were married in 1950. Their marriage certificate states that my father's father was a millworker, but there is no mention of my grandmother. It states that my mother's father was a stoker on the railway, but there is no mention of my grandmother's occupation on that side either. Sadly, I have no way of finding out.

Almost 70 years on, we have not moved on at all. To me, that is quite bizarre, which is why I welcome the measures that my hon. Friend the Member for East Worthing and Shoreham has brought forward today and that other right hon. and hon. Friends, including my right hon. Friend the Member for Meriden (Dame Caroline Spelman), have worked on in the past.

I support the Bill because every measure will achieve progressive changes that are well overdue, and changes that we can all be proud of.

12.5 pm

**Chris Philp:** I rise to add my warm congratulations to my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) on the tremendous work he has done to compile the Bill and steer it through its various stages.

I am happy to support all the clauses of the Bill, as it has been amended, not least clause 1, under which, as hon. Members have said, mothers will be recorded on the marriage certificate.

Of course I support the concept of the electronic register that will be set up under the Bill—it is a modern way of recording very important information—but I would be grateful if the Minister confirmed from the Dispatch Box when she sums up the debate that there will still be some form of paper signing in the church or other venue where the marriage takes place. I ask that because my constituent Councillor Tim Pollard has made the good point to me that the traditional ceremony in which the piece of paper is signed is an important part of many people's experience of marriage. I would



be grateful if the Minister confirmed that the signing ceremony will still be part of the process, even if the information is ultimately recorded electronically, rather than in the old bound books.

Clause 2 is about preparing a report on bringing in civil partnerships for people of all orientations. I strongly support that provision. I respectfully disagree with the comments my hon. Friend the Member for Harborough (Neil O'Brien) made in his speech a few moments ago. He criticised the proposal on the grounds that it would create a two-tier system of relationship recognition: civil partnerships and marriage. He referred to civil partnerships as a "halfway house". I do not accept that they are a halfway house at all; in my view, they are entirely equal to the institution of marriage. I associate myself fully with the hon. Member for Rhondda (Chris Bryant). On this issue, I am entirely at one with him—I mean that intellectually, rather than in the biblical sense. I think that people should have the choice. As a Conservative, I believe in personal liberty and personal choice. The individual should be able to choose which of the two institutions they subscribe to.

I do think there is a difference between the two institutions, because marriage carries religious connotations. My hon. Friend the Member for Harborough said that the institution of marriage predates religion, but even in times before Christianity and Judaism, the marriage ceremony always had religious overtones. Some people may decide, for their own reasons, that they do not want to associate with that. Indeed, my hon. Friend said that he had in the past been one of them. I therefore think that the choice should be available. Personal liberty and personal choice must sit at the heart of our philosophy in relation to these matters.

Clauses 3 and 4 introduce welcome measures. The report under clause 3 will look into how we might go about implementing the registration proposals. I suggest that parental choice should be the overriding consideration. Different parents will probably feel differently depending on their personal circumstances, and it should be up to the parent to choose whether the registration takes place. Perhaps that could be my early submission to any consultation that takes places on the matter.

Clause 4 is about investigations. My hon. Friend the Member for East Worthing and Shoreham, I think, raised a concern about providing only for parental choice, as there might be some circumstances where the parent—for reasons of domestic violence, for example—might not exercise their choice when properly they should. I wonder whether another way of handling this would be to say that an investigation should take place if either parent or one of the clinicians involved opted to trigger a coroner's investigation. That is, if any of the interested parties felt that an investigation was appropriate, one would take place. That might guard against my hon. Friend's concern, while also allowing an element of parental choice.

As parliamentarians, we should focus on trying to reduce—as far as we can—the awful tragedy of stillbirth and neonatal death. Of course, my hon. Friends the Members for Colchester (Will Quince) and for Banbury (Victoria Prentis) have campaigned tirelessly on the issue. I draw the attention of the House to the work of Tamba—the Twins and Multiple Births Association—which has run a pilot over the last couple of years, encouraging 30 maternity units to fully adopt National Institute for

Health and Care Excellence guidelines in relation to multiple births. As a result, stillbirths in those units declined by 50% and neonatal deaths declined by 30%.

Tamba is campaigning to get these guidelines rolled out across all maternity units. I am a father of twins who were born very prematurely, at 25 weeks and one day. They were very fortunate in that they received excellent care from the NHS and survived, but that is not an experience that all parents have when their children are born as prematurely as 25 weeks and one day. I strongly support Tamba's campaign and ask the Secretary of State for Health to adopt its recommendations and carry them forward.

12.12 pm

**Trudy Harrison** (Copeland) (Con): It is a pleasure to follow my hon. Friend the Member for Croydon South (Chris Philp). This Bill affects an emotive area of public policy that deserves a great deal of attention. I commend my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) for bringing it before the House, and of course all those who have worked so hard to bring it to this stage.

The momentous decision taken by the Supreme Court in June this year represents a changing point in how we treat civil partnerships. The review that will be conducted following the passage of this Bill will mean a profound change in how our society treats the concept of marriage and partnership. Following the case, the Government stated that they were considering the Supreme Court decision carefully. The Prime Minister has said that, given the sensitive and personal issues involved in the case, no legislative changes would be taken until the consultation on the future of civil partnerships had been completed. I agree with such an approach as it represents an air of pragmatism with which the Prime Minister has worked throughout this issue.

I fully commend the amendments made in Committee regarding the report on civil partnerships. It is crucial that we ensure that this debate is not lost to the revolving cycle of 24-hour news and social media. Committing the Secretary of State to preparing, consulting and presenting a report on civil partnerships will surely avoid this. We must accept that some people in this country have fundamental disagreements with religion and religious convention. Therefore, some will see a review that supports equal access to civil partnerships as a natural step towards a more secular society. Some go even further and believe that marriage represents a time of patriarchy and a social religious structure that fundamentally discriminates against women. I disagree. Although I fully support the equalisation of civil partnerships, I believe that the concept of marriage should still be cherished. For many families, marriage is the foundation on which the home is built, and we should never lose sight of that. We also should not forget the integral role a two-parent household plays in raising children.

Perhaps I should note that I am slightly biased, as Mr Harrison and I have enjoyed 20 years of wonderful marriage. Indeed, they have been the happiest years of his life—[*Laughter.*]

**Chris Bryant:** Even if you say so yourself.

**Trudy Harrison:** And mine. I thank the hon. Gentleman for his comment.

In relation to the marriage components of the Bill, I find it outrageous that a mother's name can still not be included on their children's marriage certificates. That does represent a time at which patriarchy was widespread and sounds akin to the domestic practices of countries where equality is far from adopted. The current practice in no way resembles the liberal, egalitarian democracy in which we live. If we want to stand by all parents in this nation, we cannot claim to be on the side of single parents when 90% of them are women and, as it stands, if any of their children were to get married they would be able to include only their father's details in the marriage entry.

**Rachel Maclean (Redditch) (Con):** I support wholeheartedly the contents of the Bill introduced by my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton), and it also has a personal significance to me as my daughter announced her own engagement just last week and is due to get married next summer. I very much hope that the Bill will be enacted to enable me, her mother, to sign the marriage certificate of my daughter Ruth and her fiancé Aled.

**Trudy Harrison:** I thank my hon. Friend that intervention, and I am sure that the whole House will join me in congratulating Ruth on her engagement. We look forward to many more mother of the bride conversations in the Members Tea Room.

I thank my constituents Julie Fisher and Howard Johnstone for writing to me about their civil partnership plans after 30 years of being together. It is crucial that this change is made by primary legislation. Although secondary legislation could be used, it would necessitate the replacement of all of the 84,000 marriage register books that are in use and would be costly and ineffective, whereas if we proceed with this Bill, a new unitary digital database could be created for the marriage register, providing not only a safe and secure model but one that is cost-effective and efficient.

I also commend my hon. Friend the Member for East Worthing and Shoreham for seeking to change the registration procedure for stillbirths. The fact that people go through such a traumatic experience only for the loss of the parents to go unregistered is a long-running travesty. The story of parents such as Sarah Henderson, who lost her daughter at 23 weeks and four days and yet received no certification, exposes the incompatibility of such rigid legislation and such a personal and emotive area. Sarah's story compelled 370,000 people to sign her petition supporting a change in the law very similar to that being proposed today. That shows the strength of feeling in this country about such a sensitive issue.

Although I commend previous Parliaments for scrutinising this area and making amendments, we must take this step to bring greater humanity to our birth-related legislation. Parliament previously supported a change to the stillbirth definition from "after 28 weeks" to "after 24 weeks" following the then clear consensus from the medical profession about the age in which a foetus should be considered able to survive. The pain and distress that parents might feel when they may not register the birth of a baby born before 24 weeks is unimaginable, but parents might also be distressed at the possibility of having to do so.

This Bill affects three areas of life that are often missed in our intense political climate but have an immeasurable emotional impact on the people of this country. Births, marriages and deaths occur every day, and we must reflect upon and amend legislation affecting them. Finally, I would like to once again commend my hon. Friend the Member for East Worthing and Shoreham for his efforts on the Bill and the campaigning he has persisted with on the issues within it.

12.20 pm

**Will Quince:** It is a pleasure to follow my hon. Friend the Member for Copeland (Trudy Harrison).

I thank and pay tribute to my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) for bringing forward the Bill. I congratulate him on getting it to this point with Government support, which is significant. I applaud him for the parliamentary dexterity with which he has incorporated into the Bill so many issues that he has seen as wrongs and injustices over his career in Parliament—I am sure it has a long way to go—since 1997. It is certainly a lesson for us all that we can squeeze a huge number of issues into one private Member's Bill and still get it through Parliament.

It is a great honour to co-chair the all-party parliamentary group on baby loss, and it is the parts of the Bill relating to baby loss that I would like to focus on briefly in my contribution. The group exists only really for two purposes: to reduce miscarriage, stillbirth and neonatal death; and to ensure that we have world-class bereavement care and support right across our NHS for those who sadly still go through one of those tragic occurrences. The Bill goes a long way to addressing both those objectives.

First, the element of the Bill on coronial involvement is really quite significant, particularly in relation to stillbirth. We still do not know why around 50% of stillbirths happen, and there is a huge lack of research and evidence. Allowing parents, whether it is voluntary or not—that is still to be decided—and whether it is a late-term stillbirth or slightly earlier, to have coronial involvement is really significant. As part of that evidence-gathering exercise, it is so important that when mistakes are made—the NHS and the medical profession are human businesses, and inevitably mistakes do happen—we learn from every single one. That is why the element on coronial involvement is so significant.

I mentioned this in an intervention, but I would like to pay tribute to the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar). In respect of coronial involvement, the Bill is just a piece of enabling legislation. As soon as a Department accepts that we are going to do something, it can still take months and in some cases years to introduce legislation, but my understanding is that the work that the Minister and his departmental officials have already done means that a measure could come in as soon as within 12 months. That may strike fear into the hearts of officials, but it is quite incredible when we consider the complexity of this issue. Given my point about ensuring that we have the research and evidence base to look at and some understanding of why stillbirths happen, that will enable us to start implementing the measures that we know need to be introduced and start to address it. Working in tandem with the new Healthcare Safety Investigation Branch, which was introduced by

my right hon. Friend the Member for South West Surrey (Mr Hunt), the former Health Secretary, this could have a huge impact, in particular on reducing stillbirth.

The second element, in relation to the registration of pre-24-week baby loss, is part of the bereavement piece and also really significant. I cannot continue my contribution without again paying tribute to the hon. Member for Washington and Sunderland West (Mrs Hodgson), who has spoken so movingly about her personal experience of this issue—a hugely brave thing to do—and campaigned tirelessly. She has been key in both forming and working with the all-party group, including as part of her work as a shadow Health Minister.

This is really important because it is so difficult for any parent who suffers a miscarriage or a stillbirth, however it is termed, at 23 weeks and a few days or at 22 weeks to go home with no recognition whatsoever. We have an opportunity to give great comfort. Whether it is still classed technically as a miscarriage or a stillbirth, that baby is still born: the mother has given birth and, in many cases, the father is present. Such a recognition, albeit seemingly quite a small element, is important—that life existed; that individual existed. I know that I do not need to make that point to my friend on the other side of the Chamber.

This Bill has probably achieved such an aim, in that the former Secretary of State has set up the pregnancy loss review, which is being spearheaded by Zoe Clark-Coates and Samantha Collinge. This work is already being undertaken, and it is recognised at the highest level of the Department of Health and Social Care. I have no doubt that we are going to find a solution, but again it is very complex. There are lots of different views about exactly how we do it, such as whether it is voluntary and at what point in the pregnancy it applies. I have differing views on that, and I will certainly feed them into the review.

**Fiona Bruce** (Congleton) (Con): On this very sensitive subject, does my hon. Friend agree that if a baby has to be induced very early due to a foetal abnormality, the parents often experience just as much grief as on the other occasions he mentions, such as natural stillbirth?

**Will Quince:** Yes is the honest answer, and I thank my hon. Friend for that intervention. I have now met many bereaved parents as part of this process, and the reality is that everybody grieves in different ways, and the more ways in which we can provide comfort and support to those bereaved parents the better. She raises a very good point about foetal abnormality—whether there has to be induction, this is classed as a medical termination, or whatever terminology is used. In fact, I find some of the terminology used by medical professionals pretty harsh, and I would love to tone down some of it and use very different language. She is absolutely right in her fundamental point. My personal view, for what it is worth, is that regardless of the point in the pregnancy, if it provides comfort for bereaved parents to have a certificate, a piece of paper or a document that shows that the baby existed, I feel very comfortable about ensuring that such a system is brought in.

I conclude by again thanking my hon. Friend the Member for East Worthing and Shoreham because his Bill will make a huge difference. I have focused on two

of its aspects, but I also wholeheartedly support the other provisions. It is fantastic that we have full cross-party support for the Bill, and indeed Government support. The sooner the measures incorporated in the Bill can be implemented, the better.

12.28 pm

**Caroline Nokes:** As my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) has described the Bill as one about hatches, matches and dispatches, I feel it is incumbent on me to dispatch it swiftly from the Dispatch Box, so I shall not detain Members for long. My hon. Friend has been described today as tenacious. I certainly know that he is very diligent and committed in relation to these issues, and I thank him for his work to raise the profile of them.

We have heard excellent contributions from Members on both sides of the House, particularly the hon. Member for Washington and Sunderland West (Mrs Hodgson). She spoke about the work she has done alongside colleagues, but also alongside the Department of Health and Social Care. Many tributes have been paid to the Under-Secretary of State for Justice, my hon. Friend the Member for Charnwood (Edward Argar), and I delighted to see that the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), is also now in the Chamber. I know that she has worked very closely with Members on these issues, particularly when it comes to baby loss, and I congratulate her on that.

My hon. Friend the Member for Banbury (Victoria Prentis) brought a perfect combination of humour and seriousness to what is sometimes a difficult subject for us to talk about, and I congratulate her on that. Many Members raised issues faced by their constituents—the hon. Member for Bedford (Mohammad Yasin) mentioned bereaved parents in his constituency, and the hon. Member for Hammersmith (Andy Slaughter) spoke about his constituents who were successful at the Supreme Court. My hon. Friend the Member for Solihull (Julian Knight) made an excellent and thoughtful contribution, speaking about a difficult experience in a moving way. He made an interesting point about the distinction between civil partnerships and marriage, and those who may simply not wish to go through a marriage, but for whom a civil partnership would be the right thing.

We had an interesting discussion across the House with my hon. Friend the Member for Harborough (Neil O'Brien) and I thank him for the points he raised, which clearly provoked strong feelings and interesting conversations. My hon. Friend the Member for Croydon South (Chris Philp) wished to know a specific point about marriage certificates and schedules and whether couples who marry in a church would still be able to sign a schedule. I reassure him that they and their witnesses will be able to sign that schedule, which will include all the relevant information such as name, date of birth and occupation, as well as, for the first time, the details of both parents. That is something we all welcome and have wanted to happen for a long time.

I thank my hon. Friends the Members for Erewash (Maggie Throup) and for Copeland (Trudy Harrison), as well as my hon. Friend the Member for Colchester (Will Quince). He has spoken previously in the Chamber about his personal experience and the work he is doing

[Caroline Nokes]

with the hon. Member for Washington and Sunderland West. He always speaks thoughtfully, and Ministers welcome his serious thoughts on this matter.

As we have heard, the Bill will introduce the first reform of how marriages are registered since 1837. It removes the requirement for paper marriage register books to be held in more than 30,000 religious buildings and register offices, moving to an electronic system of marriage registration. I assure my hon. Friends that the Bill will not prevent couples who want to marry in the Church of England or Church in Wales from marrying following ecclesiastical preliminaries, such as the calling of banns and the issue of a common licence. As I said earlier, instead of a schedule, the clergy will issue a marriage document that will be signed at the ceremony by the couple, and returned to the register office for entry into the register. The Government—I know this will put fear into the heart of the hon. Member for Rhondda (Chris Bryant)—will aim to implement those reforms as soon as possible, subject to the successful passage of the Bill, and will enable changes to be made to include the names of both parents of the couple.

Clause 3 has progressed with strong support from hon. Friends, all of whom agree that the report is both timely and urgent. Work on that report is already under way, and the Department of Health and Social Care is engaging with many key stakeholders, including health practitioners, registrars, charities and academics. The review team has spoken to parents with lived experience of losing a baby before 24 weeks' gestation to learn about their experience and how best to ensure that the NHS is able to provide the best possible care and support when such a tragedy takes place. The clause requires the Secretary of State to publish a report. Many hon. Friends have already contributed to the report for which the clause provides, and I encourage Members on both sides of the House to support that extremely important work.

On civil partnerships, the Bill certainly sets the Government a challenge, particularly on timing. As I pointed out, there is a great deal of work to be done, including a substantial legislative trawl to ensure that the existing statute book works for opposite-sex civil partnerships. There are policy decisions to be made, and consultations on issues such as the conversion and dissolution of marriages and civil partnerships, as well as the resolution of cross-border issues. Although the Government are firmly committed to equal civil partnerships, for all those reasons, we must ensure that we proceed carefully and thoroughly, as I am certain we will.

The Government are grateful to all those who have taken time to speak to the matters raised by clause 4, and it is important that a broad and diverse range of

views is heard and considered carefully. It is clear that when considering whether to enable coroners to investigate stillbirths, we must engage the wider public so that any proposals are thoroughly explored and understood. We think that the review is the right approach, and the Bill is an important step in that direction.

I once again thank my hon. Friend the Member for East Worthing and Shoreham for bringing forward these important issues, and I congratulate him on his tenacity. I look forward to the future passage of the Bill.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

**Judith Cummins** (Bradford South) (Lab): On a point of order, Mr Deputy Speaker. On Wednesday I raised with the Prime Minister the police pension shortfall of £165 million. In my area alone, 400 officers could be lost. The Prime Minister responded:

“She refers to pensions; this issue has been known about for some years.”—[*Official Report*, 24 October 2018; Vol. 648, c. 276.]

Yesterday, the National Police Chiefs Council and the Association of Police and Crime Commissioners issued a joint statement saying:

“no guidance has been given to what that would mean in terms of costs for employers or a timeline for implementation of those changes.”

It went on to state:

“The first notification that has enabled forces to calculate the impact of pension changes came in September 2018.”

I will write to the Prime Minister demanding an urgent meeting with me, the NPCC and the APCC. Can you advise me, Mr Deputy Speaker, on how the Prime Minister can correct the record?

**Mr Deputy Speaker** (Sir Lindsay Hoyle): In fairness, the hon. Lady has corrected the record by what she has just said, so I think that part has been dealt with. On her point about having a meeting, I know that the Prime Minister meets many hon. Members and I am sure Government Whips will pass on the hon. Lady's request for a meeting.

**Nick Smith** (Blaenau Gwent) (Lab): Further to that point of order, Mr Deputy Speaker. Is it in order to ask for a Government statement on this matter? According to Chief Constable Dave Thompson:

“It is an extraordinary amount of money policing has been asked to pay with no notice and with no proper consultation. A serious rethink is needed.”

**Mr Deputy Speaker:** The Chair has not been given notice of any forthcoming statement, but I think the request will have been noticed. It is certainly on the record that that request is pursued and, knowing the hon. Gentleman, I am sure he will do just that.

## **Organ Donation (Deemed Consent) Bill**

*Bill, as amended in Public Bill Committee, considered.*

*Third Reading*

12.37 pm

**Dan Jarvis** (Barnsley Central) (Lab): I beg to move, That the Bill be now read the Third time.

It has been an immense privilege to be a part of the campaign that has brought the Bill to its Third Reading today. I want to pay particular tribute to my hon. Friend the Member for Coventry North West (Mr Robinson), who has provided real leadership throughout the promotion of the Bill. He and I have sat through many meetings and many committees together. It has been his focus and his determination that has led us to this point where we have today an opportunity to do something very worthwhile. I know I speak for the whole House when I wish him a very speedy recovery from his recent operation.

I want to take this opportunity to pay tribute to other hon. Members who have provided outstanding support: my hon. Friends the Members for Newport West (Paul Flynn) and for Sunderland Central (Julie Elliott), my right hon. Friend the Member for Don Valley (Caroline Flint) and the hon. Member for North Devon (Peter Heaton-Jones), as well as the many other hon. Members, too numerous to mention, right across the House who have worked collectively to get us to this point today. I also want to pay tribute to Trinity Mirror. Its contribution to this campaign has been very significant and I am grateful for everything it has done. In particular, I thank Alison Phillips, Andrew Gregory, Michelle Klepper, Paul Millar and Owen Pritchard for their commitment to this important cause.

In the spirit of paying tribute and giving credit where it is due, I am looking very firmly at the Minister, who has responded in the most sensible, co-operative and constructive way. We have sat in a lot of meetings over many months. She has been an absolute pleasure to work with. The leadership that she has shown has been instrumental in ensuring we have the opportunity to pass this very important Bill today. I thank her and her officials for the important job they have done in getting us to where we are. I am also grateful—and a little relieved—that we can rely on the support of both the Prime Minister and the Leader of the Opposition. I am determined to ensure that we maintain this consensus on Third Reading today and send the Bill safely to the other place.

I want to reflect for a moment on why the Bill is so important. The bottom line is that it will save lives, but it is important to note that of all the people who died in the UK last year, only about 1% died in circumstances that would have made a donation possible, which means that, even though hundreds of thousands of people across the country are registered as potential donors, only a small handful will ever be in a situation that would allow a donation to take place. This is one of the main reasons why today in the UK there are thousands of people waiting for an organ donation and why every year hundreds of people die waiting. This loss of life is devastating, but it is not inevitable. Today we have the most precious of opportunities to save lives and give hope to many. We must not miss that opportunity. Moving to an opt-out system for organ donation, such

as the one in Wales, will add thousands of names to the donor register, meaning that once the Bill is passed, hundreds of lives could be saved.

The Bill is not about the state taking control of people's organs or shaming people into donating. If people want to opt out, that is absolutely fine, and I am entirely respectful of any decision, for whatever reason, so to do. No questions will be asked and there will be no hard feelings. Instead, the Bill is about making it easier for those who might wish to donate to do so. The current system requires people to take the time to discuss this most serious and difficult matter with their loved ones in order to reach a judgment about whether, in the event of some tragedy occurring, they would want their organs to be donated. It is incredibly important that, if people feel able to have that conversation with their loved ones, they do so. Many of us are guilty of not having had them and of putting this important task on hold. I believe that we can no longer afford to ignore this issue, that we must seek to increase the number of people on the donor register and that we must save as many lives as we can, and I believe that the Bill is an important way to do that.

That said, I acknowledge that the Bill is only part of the way to increase the number of people willing and able to donate their organs, so, in concert with the Bill, it is important that we also have an open discussion with our families and in our communities about the importance of making a contribution in this way.

**Justine Greening** (Putney) (Con): I am very supportive of the Bill. It could be transformative in helping to save lives in our country. Does the hon. Gentleman agree that these conversations should be had in school so that children grow up understanding the role they can play in helping to save people's lives and so that we encourage young people from an early age to think about becoming organ donors? The power of inertia he is talking about can make a big difference for good.

**Dan Jarvis:** The right hon. Lady makes an important point. None of us who is here to support this Bill believe that it is in its own right a silver bullet that will solve the problem we are encountering; it is not, and therefore it needs to sit alongside some very important conversations on difficult issues. Many of us will potentially feel uncomfortable about having these conversations, but the right hon. Lady is correct: it is important that from the earliest possible opportunity we have these conversations with our loved ones so they are absolutely clear about what we would wish.

That point reinforces that, in addition to the Bill, all of us who believe in the value of organ donation should seek to ensure that as many people as possible come forward to register as organ donors. This Bill serves as another important opportunity to raise the profile of that issue and provides a platform for us to be having these conversations with our loved ones. As leaders within communities, we have a responsibility and an important role to play in seeking to encourage people to have those conversations.

Time is short and I do not intend to detain the House for much longer as I am keen to make progress with the Bill, but I do want to take this opportunity to say a final word of thanks to Max Johnson, to Max's mother Emma and to the whole Johnson family. Many Members

[Dan Jarvis]

will recall that Max is the 10-year-old who fronted the *Daily Mirror* campaign on organ donation. He is an exceptional young man. He was kept alive by a tiny metal pump that was in his chest for seven months. I am absolutely delighted that, after finally receiving a heart transplant, Max is doing well. He has been given a chance to live a relatively normal life because of a donation made by a donor, Kiera Ball. I believe that Keira Ball and her family should serve as an inspiration to us all, and I would like to take this opportunity to make a request—I am sure the hon. Member for North Devon (Peter Heaton-Jones) will be happy to do this—that our collective thanks are passed on to the family of Keira Ball for their bravery and dignity and the example they have set. It has been an inspiration to us all, and I want to personally extend my thanks to the hon. Gentleman for the dignified way in which he has represented his constituents over a number of debates in this House.

Quite simply, we are here today to save lives—to save the lives of people like Max, but also of thousands of other people who would benefit from the change this Bill sets out. We have a rare opportunity at our fingertips to make this powerful and meaningful change. I hope very much that we do not miss the opportunity to save lives and that this Bill goes forward; I hope hon. Members will support the Bill.

12.48 pm

**Matt Warman** (Boston and Skegness) (Con): I begin, as I suspect many will, by paying tribute not only to the hon. Member for Barnsley Central (Dan Jarvis), but of course to all those he mentioned who have played such an incredibly important role in bringing this Bill so close to, and I hope by the end of the day on to, the statute book. This is a piece of legislation whose time has come, because we live in a society that is less religious than ever before and we are ever more aware of what good medical science can do. It is of course vital that we respect the wishes of those who do not want their organs to be donated, but it is also vital that we have a conversation about the good that organ donation can do. I particularly agree with the hon. Gentleman's central point that this is not a panacea or a silver bullet. It is a surprisingly small part of the conversation that we need to have, now more than ever, about what organ donation can mean for the people who need those organs so much.

As my right hon. Friend the Member for Putney (Justine Greening) said, it is right that we are beginning to have this conversation in schools, and it needs to be surprisingly detailed. Many people whose consent will now be presumed will not realise that their presumed consent applies not only to internal organs but to corneas, for example, and to other parts of the body. Some people will find that genuinely invasive, even though the donation of those parts would do a huge amount of good. This is one of the many reasons why this Bill's time has come.

People who wish to opt out must have a conversation with their doctor and with their family, so that when the time comes, the information that they have opted out is known, understood and easily accessible. I was hugely envious of the progress that has been made on this in Wales. It is inevitable that the family of someone who

went on to give their organs and make a huge a difference would be profoundly unhappy if it later came to light that the person had expressed a wish, which had not been discovered, that their organs should not be donated. This is an immensely complex area, and the Bill provides as many opportunities as possible to opt out in a sensible and informed way. We also need to ensure that, if those opportunities are taken, they are known about and understood, because time is often of the essence when it comes to taking organs and ensuring that they do all the good that they can.

There will be a huge burden on the Human Tissue Authority to ensure that this works as well as it possibly can, because it will be the regulator for this scheme. This is a challenge that we have not faced before, and I know that the HTA is confident of the good that it can do, but we should be careful not to put doctors in the difficult position of being asked to take advantage of the legislation. There will now, I hope, be deemed consent, but it will ultimately be down to the doctors to make the call on whether to proceed.

**Sandy Martin** (Ipswich) (Lab): Does the hon. Gentleman agree that one way to ensure that there are not misunderstandings is for everyone who is concerned about organ donation to discuss it with their nearest and dearest so that they all know that the person is happy to have their organs donated?

**Matt Warman:** I absolutely agree with the hon. Gentleman. This is all part of the broader conversation that we need to have. None of us wants to be in this position. We would all like everyone to have signed up to the organ donation register because they had already had that conversation. Given that we are where we are, however, the more people who have those conversations, the better.

There will be an increased burden on doctors as a result of this provision, not in workload but in decision making. If they have not been able to locate evidence of an opt-out, they will still have to be sufficiently content that they may take those organs that will be so important to others. We should be careful that the presumption of consent is not interpreted as a compulsion on a doctor to take organs. Of course doctors will not behave rashly; we know that they will be considered, cautious and sensible, not only because of the regulatory regime but because they would never seek to upset either the deceased or their family and friends in this situation.

I should like to conclude where I began, by saying that these are immensely complex matters and that this is not a panacea. It should be the beginning of a conversation to make more and more people aware of the huge good they can do, whether by donating corneas or kidneys. Such donations can now make a profound difference to multiple people, and even in moments of extreme sadness, families and friends can do a small amount of good. This Bill enables not only those individual operations, but hopefully a far broader conversation that will allow us to say that great good can be done and that presuming consent is the right balance and that, in the context of that broader conversation, we can ensure that people do opt out where necessary.

I commend this Bill and commend the bravery that some have shown in getting it through the House, because there is sensible and legitimate opposition to

some aspects of it. I hope that the Bill will mark a serious bit of progress and will make the difference that everyone here hopes will be made to so many lives. In collaboration with the regulators and the medical profession, I hope that we can strike the right balance to get the maximum benefit and do not inadvertently cause pain and distress to people who are placed in a position that they would never wish to be in.

12.56 pm

**Mrs Sharon Hodgson** (Washington and Sunderland West) (Lab): I thank and congratulate my hon. Friend the Member for Coventry North West (Mr Robinson) on introducing the Bill and on the constant campaigning that has led to the Bill reaching its final stages. As we heard from my hon. Friend the Member for Barnsley Central (Dan Jarvis), my hon. Friend the Member for Coventry North West is unable to be with us today, so I wish him well and I am sure that the whole House will want to wish him a good recovery. I thank my hon. Friend the Member for Barnsley Central for so ably standing in for today's final stages and for his many years of campaigning, and I thank the hon. Member for Boston and Skegness (Matt Warman) for his thoughtful contribution.

Many hon. Members have brought this issue to the House over the years, and I want to pay tribute to my hon. Friends the Members for Mitcham and Morden (Siobhain McDonagh), for Newport West (Paul Flynn) and for Sunderland Central (Julie Elliott) and, again, to my hon. Friend the Member for Barnsley Central. I also commend the *Daily Mirror* on its sterling work, its awareness-raising campaigns and especially for supporting the case of Max Johnson, then a nine-year-old boy badly in need of a new heart. Thankfully, Max got a new heart due to the bravery of the family of Keira Ball, his donor, and it was great to hear from my hon. Friend that Max is doing so well.

There is no doubt that we need more organ donors in England. As of 19 October 2018, a total of 6,198 people were registered on the active waiting list for a transplant, with 285 of them needing a new heart. That is why I am proud to support this Bill, which will hopefully help to deliver an increase in the organs available for donation and shift social norms towards donation.

The gap between the number of organ donors and patients requiring organ transplantation is higher in black and minority ethnic communities than in the general population. Earlier this year, I sat on a panel with my hon. Friend the Member for Wolverhampton South West (Eleanor Smith)—I am pleased she is here today—and my right hon. Friend the Member for Tynemouth (Mr Campbell) to review BAME blood, stem cell and organ donation and to hear real-life stories of why more organ donors are needed for these communities.

It is important to recognise that the campaign to increase organ donors will not end with this Bill. We need a comprehensive communications strategy that can reach everyone, but especially those who may not already be convinced by the call to be an organ donor. Will the Minister commit to working with Public Health England to establish a national media campaign to raise awareness and enable people to make an informed decision on organ donation? Any media campaign should

be followed up regularly, to ensure that the message is spread far and wide. We will also require investment in health structures, including the workforce, to maximise the potential of a soft opt-out system. Will the Minister consider increasing the number of organ donation specialist nurses, so that families can be supported in their decision?

In closing, this Bill is so very important, but what happens next is crucial. Just one donor can save up to nine people and give them a future with their loved ones. That is why we need any future system to be supported by a national media campaign and increased resources for our healthcare structures, so that everyone has the information they need to make an informed and important choice.

1 pm

**Victoria Prentis** (Banbury) (Con): It is always an immense honour to follow the hon. Member for Washington and Sunderland West (Mrs Hodgson). I associate myself with everything she said.

I have been asked to speak on behalf of one of our colleagues. My hon. Friend the Member for Eddisbury (Antoinette Sandbach), who cannot be here, is Max's MP and she has asked me to say that Max has been inspirational to everybody, both locally and nationally, in fighting for change and that his work has been remarkable. As a nation, we need to understand how important the gift of organ donation is to others. Max has demonstrated how valuable that gift is.

Eddisbury is in an area of the country that was affected by the Alder Hey scandal, and my hon. Friend says that we must not fail to take into account the lessons of the past and that those affected by Alder Hey need reassurance that appropriate safeguards are in place. The wishes of the family must always be paramount. Without safeguards, the work of the Bill risks being undermined by people opting out. My hon. Friend is keen that we work together to ensure that the positive benefits of donation are made clear so that lives may be saved.

I am happy to act as a mouthpiece for my hon. Friend, because I, too, approach this Bill with the scars of my involvement in previous inquests. I was partially involved in the Marchioness inquiry. Horrific acts were carried out on the bodies of those who had died. I have always been interested—including, sadly, through my own experience, which we have already talked about this morning—in how we treat the bodies of those who have recently died. It is something that we really do not like talking about in our clean, hygienic society. Many people have never had personal experience of the bodies of the dead, and it comes as a tremendous shock when we do, often in the most dreadful circumstances because it is the person closest to us who we see lying dead.

I, too, approach this Bill with caution, but I pay enormous tribute to another friend on the Labour Benches, the hon. Member for Barnsley Central (Dan Jarvis), for steering the Bill through so sensitively. Those who, like him, have served bravely with the armed forces—or, as in my case, have helped support the armed forces from a safe place in London—have to have these conversations, and we have them when we are very young. It is important that the whole of society can learn from that. They are difficult conversations but

[Victoria Prentis]

they are not impossible. It is important that we get with it and say these things, however difficult it may be to do so.

The medical teams dealing with the recently bereaved family or the dying individual are themselves often traumatised by the experience and may not be the best people to have such sensitive conversations. Whatever else we learn from all the sharing we have done during this morning's debates, training is key and we must be very careful about the training and support we put in place for hospital staff to be able to have those really difficult conversations.

I will close by speaking on behalf of another colleague who, though present, is not allowed to speak, namely my hon. Friend the Member for Bury St Edmunds (Jo Churchill). She has asked me to mention her constituent Liam Byrne, who is a campaigner. I should say in this context that he has also been a political opponent of my hon. Friend, but she speaks with great passion and vigour about him, and feels very proud of the campaigning he has done. He has received two life-saving liver transplants, and he strongly believes that we need to get on with this Bill and change the law before Christmas. He would like me, as I am the mouthpiece, and my hon. Friend to make it clear that time is not an option for people who need these organs.

1.5 pm

**Kevin Foster** (Torbay) (Con): It is always a pleasure to be called to speak in a debate with you in the Chair, Mr Deputy Speaker, and it has been a particular delight to listen to the hon. Member for Barnsley Central (Dan Jarvis), who is moving the Bill's Third Reading on behalf of the hon. Member for Coventry North West (Mr Robinson), with whom I share two things. Clearly, we do not share a political party, but we support both Coventry City football club and his excellent Bill, which he has diligently pursued through the House. It is a compliment to his skills that he has managed to secure such wide-ranging support across the House, and in a very sensitive area. I know that for Government Members this would be a free vote issue and I believe the same would apply to Opposition Members, given the issues it touches on. The fact that he has skilfully managed to assemble such a broad ranging coalition of support is a tribute to him, as is the work that has been done to assuage the genuine concerns some people have about this.

I am quite a religious person, and Members will know from some of my previous speeches the role I play in my local church. This Bill does not raise any issues for me, but I respect the fact that it does for some groups out there. I suspect that many Members will not have seen the reassuring email that has come into my inbox while we have been in the House today from the Board of Deputies of British Jews, forwarding a letter from the Minister setting out a number of reassurances and making it clear that the Board of Deputies is reassured by what has been said and does not see a reason for any objections on the grounds of its faith.

We are calling this Bill the Organ Donation (Deemed Consent) Bill, but we could just as easily call it the "Birthday someone is going to be around for Bill", the

"Job that will be kept Bill", the "School that will be started Bill", the "Grandchildren who will be seen Bill" or "The father or mother who will get to see their son or daughter graduate Bill", because that is ultimately what this is about. In this debate, it is natural that we can sound as though we are just talking about anatomy, and I will probably sound as though I am doing that in a minute. It can sound as though we are talking about bits in our bodies being transplanted into someone else, and we can go through the list of things. The reality is that the benefit of transplants and making more organs available is that this gives people back their life or saves their life. We are talking about the person who no longer has to go for dialysis and is able to do other things with their life. We can keep such people alive but once they have been able to have their transplant, they are able to move on. So this Bill is very welcome.

I am clear that this Bill would not force anyone to have their organs transplanted against their stated will—that will not happen. Even if someone did not know about these provisions, protections have been well crafted by the hon. Member for Coventry North West, working together with the Government, that provide reassurance to anyone and any family who might have a concern that that would take place. It was a delight to serve in Committee where this was explored in some detail. It was made clear that people could provide evidence on what the person's views would have been; clear evidence could be provided showing that they were part of a particular religious group or movement that has an objection, or showing that they had raised their objection. For me, this is therefore very clear.

It is also clear that this Bill is not about taking organs from those who would lack the capacity to make that choice for themselves; clear protections are in place that would be available in respect of those who would not genuinely understand the provisions and what this Bill would mean. So for me, the Bill is welcome.

Just before I was elected, there was a well-known campaign in Torbay called the Green Star Man campaign. A chap dressed up like a superhero and went around hanging stars around the bay, and he tried to get people talking about what it was all about. He did not tell anyone until the great reveal. He had hung them off a palm tree and the town hall, and I think my predecessor, Mr Sanders, brought one up to Parliament and sat out on the Terrace with it to make it look like it had been hung here. I give him credit for supporting that campaign. It was all there for the big reveal, which was that the stars were the people who became organ donors. This chap was motivated by the experience of his daughter, who had needed a transplant, and by the fact that someone could give the gift of life when they could no longer give any other gift or make any other gesture like it. It is such a special and unique gift.

One key thing that drives my support for the Bill is that currently the conversation about organ donation comes up at what will be the darkest time in a lot of people's lives. It will normally be in the case of a surprise or sudden death. Let us be candid: that is particularly true for those most likely to be candidates for organ donation—people in their 20s, 30s and 40s—who may have had no comprehension that something was going to happen to them. This sort of discussion will bring up some difficult memories, even for some Members present. To be sat down at that moment to have a



conversation about organ donation is one of the most difficult things for anyone to do. The doctors need to do it at that time, but the Bill will rightly change the perception, and it will be done only if there is an objection. That will make the conversation at that moment easier.

I was lucky. I can remember when I was 13 and my grandfather had just died. My grandparents were getting older and my father sat me down—I did not think anything of the conversation at the time—and told me his views on organ donation and that if ever I was asked, I should say yes. My mother did the same shortly afterwards. Years later, they revealed why they had done that: their parents were getting older—my mother had lost both her parents by that point and my father's parents were just about to turn 80—and they realised who it was who was likely to have to have that conversation if something happened to them. It would no longer be their parents, and it would probably be me. They felt that if I, as a 16, 17 or 18-year-old, was suddenly presented with that choice, it would be immeasurably harder for me to make it if I did not know what they thought. Knowing what they thought would make it much, much easier. They also shared one or two other thoughts about medical treatment in extreme situations.

I benefited from that conversation, but not many people find it an easy conversation to have, particularly if we think of someone talking to potentially teenage children about the fact that they may be presented with a situation in which their parents are in a desperate state medically and, if the parents' views are not fully known, it might come to them, at 18, to make the choice about what happens. The Bill will make that process much easier and much simpler. That is very welcome and will have a genuine benefit in expanding the number of organs available for donation.

The provisions of the Bill cover off any technical concerns that any Member may have. Indeed, this is already the law in Wales. It has not caused particular problems in Wales and we do not see many people there raising huge objections to it. We have not seen huge demonstrations since it came into law there. I have absolutely no reason to believe that the implementation of these provisions in Torbay will be any more difficult than the implementation of the change was in Torfaen. The practical effect on the ground is there to see. Members who represent Welsh constituencies have certainly not come into the Chamber to argue that the change has been a problem. In fact, it is quite the opposite: they have come into the Chamber and made it clear that they welcome the fact that England and Northern Ireland will now go down the same path.

For me, this is a welcome and timely Bill. It is also one of the few occasions when, as a Conservative MP, I will stand up in the House of Commons and praise the *Daily Mirror*. It is not usually my favourite newspaper—I have been in it a couple of times and it has not normally been positive—but it deserves credit for this campaign because many ordinary working people across the country, the very people the *Mirror* likes to give a voice to, will benefit.

**Mr Khalid Mahmood** (Birmingham, Perry Barr) (Lab): The hon. Gentleman is making an impassioned, fantastic speech. I do not know if he is aware that I have had a transplant. It came from a friend, a live donor, rather

than from a deceased person. A transplant is hugely important to people who are on dialysis due to kidney failure, like I was, because of the pain they go through, what their families go through and the huge amount of care it takes, quite apart from the cost that is incurred by the national health service. That is why this measure is important and why it is working in Wales. I thank the hon. Gentleman for his contribution. Does he recognise that the old system required the consent of the next of kin, which is the difference that we are talking about today?

**Kevin Foster:** I genuinely thank the hon. Gentleman for that intervention. For many people, it will be inspiring to see a Member of Parliament who has benefited from a transplant playing a full part in our parliamentary proceedings, passionately representing his constituents and passionately serving his community in Birmingham. That is what this is about. I could have added to the start of my speech that this is the “Carrying on as an MP Bill”. Such examples are so important.

The hon. Gentleman is right that the issue is the consent of the next of kin. Although I can understand why that was the original process, I have always taken the view that if someone has expressed unconditionally that they wish to be an organ donor, that should be final. I have expressed that wish and it will now be on the record in *Hansard*. I hope nothing does happen, but I have said that even if my wife was presented with the choice, my view would be the final view.

The hon. Gentleman is right that people are not asked for their consent at a nice time when they can go home, have a think about it and then come back and have a cup of tea when everything is going great. It probably happens after they have received a phone call to tell them that their loved one is very unwell. They then get to the hospital and are sat down, and clearly the conversation is a very difficult one. It is then that the next of kin is asked to make the choice. For some people, it provides a bit of comfort at that moment that at least something good has come of the situation. Many people take at least some satisfaction in the fact that, despite what has happened to their loved one, they can still do something positive. However, for most people, it is not the easiest time to make that decision. The Bill will turn that around and make it easier.

Hopefully in future debates on this issue, more Members will be able to do what the hon. Member for Birmingham, Perry Barr (Mr Mahmood) has done and demonstrate exactly how transplants change lives, whether from living donors as in the case of his kidney transplant or from someone who has made the most special gift that they can make once they can give no more. It literally means people carrying on with their jobs, carrying on with their lives and still being there for their loved ones and their families, just as the hon. Gentleman is doing today in this House. Again, I thank him very much for his intervention.

A member of my office has recently had a transplant. I will not go into the details, because I am conscious that they are a member of staff. They are now in the process of coming back to work. We have certainly seen a great difference in them. They are looking a lot better, a lot fresher and a lot keener. Their view is that they have got their life back. Our thanks go to the family who made that difficult choice. There were occasions

[Kevin Foster]

when the staff member concerned had to go up, only to find that an organ was not suitable. Finally, I think on the third occasion, the organ was suitable for transplant.

I have seen lives turned around and changed, and we will see more of that because of the Bill. It is genuinely a Bill that will save some of our constituents' lives. Over the next few years, I doubt there will be a single constituency in the country that does not see at least one person have their life turned around by the provisions of this Bill.

The hon. Member for Coventry North West has been in the House for an incredibly long time, during which he has been in the Government and held numerous positions. Whenever he finally decides to retire, I suspect that he will rightly take the most pride in this Bill. I can genuinely say that it will be viewed as one of his legacies, and I am sure that the hon. Member for Barnsley Central (Dan Jarvis) is pleased that he has been able to play a role in bringing it to the House today.

I am conscious that I have now been going on for about 15 minutes, and I do not plan on trying to break one of my Friday records—not least given how much I support the Bill. I am pleased to have seen the general support in the House and to have had the chance to say a few words in support of the Bill. I very much look forward seeing it pass its Third Reading in the very near future.

1.20 pm

**Julian Knight** (Solihull) (Con): It is a great pleasure to follow my good and hon. Friend the Member for Torbay (Kevin Foster), who made a typically thoughtful, telling and long contribution.

The question of organ donation, as with so many debates about what the Government can tell us to do with our bodies, can be contentious. There are deeply held beliefs on both sides of the debate. A move towards a system of presumed consent is exceptionally worth while, but the right to opt out must be clearly and consistently protected at every stage. There are three factors to consider: first, is there a clear need for the Government to pursue an increase in donations; secondly, does the available evidence suggest that an opt-out donation policy will lead to such an increase; and, thirdly, is such a policy compatible with the private right of the individual citizen to ultimate ownership of their own body?

On the first question, I believe that the only answer is a resounding yes. Every year, hundreds of people die waiting for a transplant and many thousands more languish on waiting lists that create a bottleneck for life-changing—indeed often life-saving—surgery. Even worse is something that I see my own constituency and have raised with the new Birmingham and Solihull clinical commissioning group: black and minority ethnic patients, who are more likely to suffer diseases that require transplants, such as kidney diseases, face an even more acute shortage due to lower take-up of voluntary donation among their communities. Such insufficiencies and inequalities demand that we address them in whatever way we can.

It was a great pleasure to see my good friend the hon. Member for Birmingham, Perry Barr (Mr Mahmood) in the Chamber and to hear his intervention. I know the

circumstances of the individual donation, and the story is even more remarkable than we have heard in the Chamber today. The hon. Gentleman's vibrancy, which we see day in, day out, is a testament not only to him, but to the medical staff who helped him through the operation.

Of course, there has been a consistent trend of more people opting in under our current regime. Indeed, there are more than 25 million people on the NHS organ donor register, and we thank every single one of them, but it is an unfortunate fact that only a fraction of people die in circumstances that make their organs suitable for transplant—just 1% percent of that 25 million, according to NHS figures. Would a shift to presumed consent address that problem? The available evidence is promising, although not wholly conclusive, but I am willing to go with an act of faith.

Several countries that have moved to an opt-out donation model have seen a rise in donations, including—this is most pertinent to us—Wales, which introduced an opt-out system only recently and has seen increases in both deceased donors and transplants. Countries such as Spain have coupled the approach with other measures, such as heightened public awareness campaigns and an overhaul of the infrastructure underpinning the donation system. That obviously muddies the waters, as does the fact that any uptick in donations often occurs years after the switch to the new system. In some countries, such as Brazil, donation levels have actually fallen slightly after the change to the new system. However, I feel that there is enough positive evidence to suggest that a switch to an opt-in system for England would be very worth while, provided that the rights of individuals to refuse consent are adequately safeguarded.

It is important that the deceased's family has a role to play. For example, if they are aware of an expressed opposition to donation that was not formally registered with the NHS, I believe that they should have the right to register it. Over the longer term, the right to opt out must be reinforced by robust protections to ensure that doing so remains a simple and easy thing to do, with no questions asked. The hon. Member for Barnsley Central (Dan Jarvis) was very particular about that, which I was grateful to hear.

Individuals who refuse consent should not be subject to any pressure to change their minds or asked at intervals to think again. We must never lose sight of the fact that our bodies are ours, however valuable and useful they might be to others, and that they are not the property of the state in any way.

In summary, I support the Bill. I have considered the evidence, and while it is contradictory in part, we should look at the examples from Wales and Spain. The system should be married up with the correct procedures, encouragement and public information, and an understanding that it is our body. I believe wholeheartedly that this Bill should be passed and that there should be a fundamental change in this area.

1.25 pm

**Neil O'Brien** (Harborough) (Con): It is a pleasure to support this important Bill. I grew up in Huddersfield, and Barnsley are our great rivals, but despite that it is a pleasure to congratulate the hon. Member for Barnsley Central (Dan Jarvis) on this hugely important Bill. As

my hon. Friend the Member for Solihull (Julian Knight) said, it protects important rights. He made the incredibly important point that our bodies are not for the state. They belong to us, and it is essential that we have the right to say no if we have objections, but I believe that the Bill includes safeguards to achieve that.

The hon. Member for Barnsley Central mentioned the case of Max Johnson, just nine years old, whose life was saved by a heart donation from Keira Ball, who had been tragically killed. I wonder whether I might also mention the Leicestershire case of Albert Tansey, whose life was saved by a heart transplant at the amazing Glenfield Hospital when he was just four years old. The hospital is home to the now saved children's heart unit, which we have all strongly supported in Leicestershire. Thanks to the miraculous work done at Glenfield, he is now enjoying his ninth birthday, and his family are strongly in favour of the Bill. It has already been said that this could be called the "Getting on with your life Bill", or the "Being a Member of Parliament Bill", but it is also the "Enjoying your ninth birthday Bill".

Although this debate could be rather bleak, there is some good news: 50,000 people are alive today thanks to organ transplants, including the hon. Member for Birmingham, Perry Barr (Mr Mahmood), who is looking very well on it, I must say. The number of people registered as donors is rising—we thank them for that—and the numbers on the transplant waiting list have fallen steadily over the past eight years. However, the Bill is still necessary because some people are missing out. Between 2005 and 2010, some 49,000 people had to wait for an organ transplant, and 6,000 died while waiting, of whom 270 were children. We could save more lives if we had more donations. I am particularly conscious that for some groups, particularly ethnic minorities, it can be particularly difficult to find a transplant. I have seen the good work done by the NHS and visited a temple just north of my constituency to see the outreach work it is doing to try to find more donations, but none the less there is still a big problem.

In 2008, only one of the top eight countries with the greatest number of organ donors per capita had an opt-in system. All the others had opt-out systems, so there is strong evidence that such systems can increase the number of donations. In 2017, we know that 1,100 families refused to allow an organ donation because they were not sure whether their relatives would have wanted to donate. My hon. Friend the Member for Torbay (Kevin Foster) made the important point that asking people to make a proactive decision to donate at an incredibly emotional and difficult moment is harsh and unfair. I think that many families would later come to value the fact that a loved one's organs had gone on to help someone else to live.

**Julian Knight:** Does my hon. Friend agree that sometimes in that situation, relatives could make a decision that they later regret, because in the emotion of the moment, they might not make the decision to say, "Let's go ahead and make the donation."?

**Neil O'Brien:** I absolutely agree.

Let us also think about the medical staff who need to have these incredibly difficult conversations. A long time ago, I was a medical student. I remember the first time I ever saw someone who had died and the medical

staff's incredibly difficult conversations with his family in the hospital. Imagine then having to ask the family to make the donation of an organ to save another life. It is almost an unbelievable thing to have to ask people to do.

We know that, since the introduction of the opt-out system in Wales, the number of deceased donors is up from 60 to 74. Those are small numbers, but none the less that is a rise of 23%. It is early days, but the opt-out system does seem to help. Obviously, we need the safeguards that my hon. Friend the Member for Solihull described, but at the end of the day, the Bill will save lives—it is as simple as that.

It is ironic that often on a Friday, when there are relatively few of us here, we talk about matters of life and death. This is one of them. This Bill will save lives. It means more careers, more lives and more ninth birthdays. If I can have a moment of poetry, it is what one poet called the

"million-petalled flower of being here".

This Bill will save people's lives, and it is a pleasure to support it.

1.31 pm

**Peter Heaton-Jones** (North Devon) (Con): The reason that I take a particular interest in this Bill has already been alluded to by many Members on both sides of the House, but I make no apology for rising once again to refer to the story involving my constituent.

Before doing so, may I join others across the House in wishing the hon. Member for Coventry North West (Mr Robinson) all the best in his recovery? In many ways, we would not be this far in the process were it not for him, and I pay tribute to the way he has led the Bill through the House. It has been my pleasure to speak at each stage of the Bill's passage and to serve on the Bill Committee. I also thank the hon. Member for Barnsley Central (Dan Jarvis) for his kind words, which I will pass on to my constituents.

It is to them that I turn now and the story that has been alluded to but is worth retelling. If there is anything about this Bill that we need to keep in mind, it is that it is about people—it is about individuals, it is about saving lives and it is about the double-edged sword of a life being saved, but for that to happen, a life has to tragically be cut short. It is one such life that I wish to retell the story of.

On a Sunday morning last year on 30 July, there was a road traffic collision on the A361, otherwise known as the north Devon link road. It happened only about five minutes from my constituency home. Tragically, we had four fatalities on that short stretch of road in the space of a week. To go off slightly left-field, I am delighted to say that since then, because of persistent campaigning by many people, the Government have granted £83 million for major improvements on the road, mainly because of the safety concerns and the poor accident rate on that particular stretch.

Last summer, an accident took place involving two vehicles. Occupants of both were seriously injured. Before going any further, it is worth recognising that those who survived this accident are still living with its aftermath, and my thoughts remain with them nearly 18 months on. One of the cars involved in the accident was carrying members of the Ball family from Barnstaple.

[Peter Heaton-Jones]

There was Keira Ball, her younger brother Brad and their mum Loanna. The paramedics, the emergency services and the NHS staff at the four different hospitals that the victims of this accident were taken to all did their best work, but sadly, young Keira Ball passed away two days later on the Tuesday afternoon. She was just nine years old.

Keira's mother and brother were very seriously injured in the accident, and they were in hospital. They were not able to make decisions at this time, so the agonising decision came down solely to Keira's father, Joe. He took the decision—and what a brave and courageous decision it was in these circumstances—that, in the midst of this tragedy, he wanted the life that had just been so cruelly taken away from his young daughter Keira to be given to somebody else, so he took the decision that Keira's organs should be donated.

Following that brave decision, four people are alive today who otherwise almost certainly would not be. This is the power and the strength of organ donation, and this is why it is incredibly important that we get this Bill on to the statute book today: it is about these people. Keira donated her kidneys, her heart, her liver and her pancreas. One of her kidneys was given to a man in his 30s who had been on the waiting list for a transplant for two and a half years. The other kidney was given to a woman in her 50s, and she had been on the waiting list for nine and a half years. A young boy received Keira's pancreas and liver.

Then we come on to Keira's heart. It was given to a very brave and very sick 10-year-old boy, who has since very much become the figurehead of this campaign. I refer of course to Max Johnson. Max has been mentioned, quite rightly, so many times in this House and so many times during the passage of this Bill through Parliament. The media are calling it, quite rightly, Max's law. I have a slight preference for it to be Max's and Keira's law, but it is actually the law for everyone who has found themselves in this situation—every parent, every relative or loved one, who has had to make the sort of agonising decision that Keira's father made on that day—and for everyone who has benefited from the donation of an organ from a deceased person, as Max Johnson did.

It is Keira's story; it is Max's story; and it is a story of how a very brave and, I am sure, a very difficult decision to allow Keira's organs to be donated has given life to other people who would otherwise almost certainly not be here today. Surely, of all of the arguments for supporting this Bill and for securing its swift passage on to the statute book, that is the strongest one—that this Bill is about saving lives. It is about giving people the gift of life just at the point when it might be taken away from them, and just at the point when it has been cruelly taken away from somebody else.

More organs are going to be available for donation as a result of this Bill, and that is crucial. We have heard some of the statistics from other Members, so I will not rehearse all of them, but I want to mention a couple of figures that I think are important. According to the latest NHS statistics, only 1% of people who die each year do so in what the NHS describes as “suitable circumstances” to allow their organs to be donated. I think we can probably guess, without going into too much detail, what lies behind that careful use of language.

It means that only a very tiny proportion of people who die each year are not only suitable to have their organs donated, but have signed up voluntarily to the organ donation register.

If we cast our minds back to O-level or GCSE maths—depending on our ages—and the world of Venn diagrams, we can see that we need to have a lot of people in the middle bit where the circles intersect to ensure that enough organs will be donated to save lives. Because of the current way in which the law operates, that bit in the middle is not big enough: it does not have enough people in it. Bluntly, we do not currently have a system that allows for enough organs to be available to save enough lives. This Bill changes that, and that is why it is welcome.

**Neil O'Brien:** My hon. Friend is talking about the circles in a Venn diagram. I just make the point that many people would actually like to give their organs so that other people could live, but their relatives simply do not know that at present. This Bill is one way of solving that terrible problem.

**Peter Heaton-Jones:** My hon. Friend makes a perfect point. That is indeed the case, and another reason why the Bill is incredibly important.

**Mr Khalid Mahmood:** I commend the bravery of Keira's father in making that decision at the very difficult point of the end of her life. Importantly, the Bill will allow families to discuss this issue before things get to that stage and, as has been said, a difficult decision made at a difficult time could become somewhat easier to confront, and other lives could be saved.

**Peter Heaton-Jones:** That is correct. As someone said earlier, we do not like talking about this stuff, although we should be talking about it more. If the Bill provides us with such an opportunity, that is another reason why it needs to be welcomed.

Although three people a day die from a lack of suitable organs, the situation is worse among people from the BAME community who are more likely to suffer from illnesses that require an organ transplant. The National BAME Transplant Alliance has highlighted that issue, and said in its submission that consent to organ donation must be increased among ethnic minority communities, because transplants are more likely to be successful when the donated organ is a closer match to the recipient. Sadly, however, within that community there is a lack of organs available for donation. That has to do with many issues, including a lack of willingness—perhaps for cultural reasons—to discuss the issue within the family, or perhaps a lack of access to knowledge about the way that the organ donation system works. There are a number of issues, but it is simply iniquitous that the BAME community should suffer more, for whatever reason, and that is why the Bill is so welcome and necessary.

**Mr Khalid Mahmood:** That is a key part of this Bill because it will allow BAME communities to discuss this issue. I know that there are barriers in terms of some religious thought on this matter, and we are working with the kidney transplantation unit at the Queen Elizabeth Hospital in Birmingham to try to make people aware of

this issue during Ramadan and other periods. More such campaigns would enable us to get the message across to people that organ donation saves lives, and in terms of religious matters, we have a letter from the Board of Deputies to recognise that. We need more support from within the Muslim community to say that this is permissible.

**Peter Heaton-Jones:** That is an extremely interesting point, and just the hon. Gentleman raising the issue in such a way will help to raise awareness. We are doing part of the job merely by discussing it in this way.

I have fully supported the Bill through all its stages, and it is significant that it sailed through Committee in record time—I think we were there for about 35 minutes. There were no amendments, which is a legacy of how well it was drafted in the first place and a tribute to the fact that the Bill enjoys cross-party support. However, one issue raised in Committee is worth mentioning again, although I am sure the Minister will address it in her remarks. To understand it, we need to look to Spain, where a similar Bill to the one under discussion has been in force for some little while. In Spain, it appears that the legislation has significantly increased the number of organs available for donation and saved lives, but—and this is an important but—the Bill introduced not only a change to the legislation, but additional Government investment to ensure that people could access an education and information campaign and understand that the law had been changed. The campaign encouraged people to hold conversations with their families and to ensure that there was no misunderstanding, and that the Government or the state were not saying “We’re taking your kidneys and liver from you whether you like it or not.” It was extraordinarily important that the public information campaign went hand-in-hand with the change in legislation.

In Committee, the Minister said that the Government would commit £30 million over three years for a public information campaign, with an additional £2 million for one-off spending at the start when there will be a spike in interest and administration. That is most welcome. However, in fully supporting the Bill, I gently make the point that I look forward to hearing confirmation from the Government that they will support the Bill with the necessary financial backing.

It is very important not only that everyone has their say but that we pass the Bill in the time available, so I will conclude my remarks. I fully support and welcome the Bill. Many people deserve credit for getting it to this stage, not least the hon. Member for Coventry North West, the hon. Member for Barnsley Central and many others. The Government have supported the Bill. The Minister has been tireless in personally driving it forward and I thank her for that. I also thank the other parties in this House—the Bill has received cross-party support. It is refreshing in these times, when we seem on a daily basis to talk about conflict in the political arena, that we have an issue that has rightly brought all sides of politics together. I join my hon. Friend the Member for Torbay (Kevin Foster) in thanking the *Daily Mirror*. That is perhaps unusual on the Conservative Benches, but, working with Max Johnson’s family, it has been instrumental in pushing this forward.

It has been a pleasure to support the Bill at every stage. I have done so while thinking of Max and Keira. It is their Bill. Let us not forget that it is thanks to the

brave decision taken by Keira’s dad on that most difficult of days that four more people are alive today who otherwise might not be. I can think of no better reason than that to ensure the Bill reaches the statute book as soon as possible.

1.47 pm

**Vicky Ford (Chelmsford) (Con):** It is a huge pleasure to be in Westminster today. I genuinely believe that the vast majority of people who stand for Parliament do so because they want to make the world a better place. I have to admit that on many days I wonder, when I sit on the train on my way home, whether we have actually achieved very much in that regard. Today, however, we have done three exceptional things.

The first Bill will enable tenants to take action against rogue landlords. It will make a real difference to the lives of many of my Chelmsford constituents. The second Bill will mean that mothers will have their names on the marriage certificates of their daughters, a step forward for equality that should have happened many years ago. It will also mean that anyone who wants to can join their partner in a civil partnership, which is so much the right thing to do. Finally, I am so proud to be here for this Bill on organ donation and a register. I know that lots of people, when they look at our proceedings, think that there are only a tiny number of Members in the Chamber. Actually, there are many, many more hon. Members in Parliament today just in case a vote is needed.

I would like to put on record my huge thanks to the hon. Member for Westminster North (Ms Buck), my hon. Friend the Member for East Worthing and Shoreham (Tim Loughton) and the hon. Member for Barnsley Central (Dan Jarvis), who have helped to drive these Bills through Parliament. As an Essex woman MP, I give huge thanks to my hon. Friend the Member for Thurrock (Jackie Doyle-Price) on the Government Front Bench, who as the Minister responsible has steered the Organ Donation (Deemed Consent) Bill. I also thank the other woman Essex MP, my hon. Friend the Member for Castle Point (Rebecca Harris), who is hiding behind the Speaker’s Chair right now—she has actually just come back—and who as Whip has been key in making sure there are lots of Members here to support the Bill.

I am pleased to support the Bill because organ donation saves lives. For many people, it is the only way their life can be saved, but the system needs changing. According to statistics from the British Heart Foundation, as of last Friday, 6,198 people in this country were waiting for an organ donor, and 285 of those were waiting for a heart transplant. The good news is that more and more people are putting themselves on the register, which is excellent, but the sad news is that it is not keeping pace with the number of people who need a transplant.

Eight out of 10 people in the UK support organ donation, but only one in three are on the register. We need to change that, especially for people from black and minority ethnic communities—one in five of the people who die while waiting for a transplant are from those communities—so I thank the Minister for the helpful toolkit in our inboxes today. It will help us as Members of Parliament to reach out to those communities and give them the necessary information and reassurance to encourage them on to the register.

**Will Quince** (Colchester) (Con): My hon. Friend rightly references the very important toolkit, which will be useful in sharing information about this new policy with our constituents, but does she agree that for it truly to work we need to educate people about why the Bill is so vital?

**Vicky Ford:** I thank my other fellow Essex MP for his excellent point. Essex MPs get things done, as do we all.

I try to think about what has worked in other countries, and it is clear from other countries that an opt-out system makes a difference. As my hon. Friend points out, however, it must go hand-in-hand with information systems and improving the resources available to our excellent health service staff. That is key to ensuring best practice. In countries that have introduced an opt-out system as part of a wider package of measures, it is associated with an increase in the number of donations and lives saved.

I support the soft opt-out system, as it is called, under which family members can say that they do not want their love one's organs used for donation. It is important that family members have that choice. I have been struck listening to family members who have made that difficult decision after losing a loved one—we just heard the beautiful example of the young lady whose heart went to Max—talk about how much pride and hope it has given them to find out that their loss has resulted in many other lives being saved. That said, it is important, where family members feel strongly that a loved one's organs should not be used, that they have the option of that soft opt-out.

Having said all that, I believe that with a clear and detailed communications strategy following the introduction of the system, and with investment in the right health structures to give our outstanding NHS workers the resources they need, the Bill will make the world a much better place for many of our constituents. Thank you Mr Deputy Speaker, for making sure we all came here today to pass these Bills.

1.54 pm

**Trudy Harrison** (Copeland) (Con): This private Member's Bill has my full support. It was introduced by the hon. Member for Coventry North West (Mr Robinson) and inspired by the *Daily Mirror* campaign to find an organ donor for a little boy from Cheshire, Max Johnson, whom we have heard so much about this afternoon from the hon. Member for Barnsley Central (Dan Jarvis) and many others.

In preparing for this debate, I was saddened to learn of just how many people lose their lives due to the lack of a suitable donor. In adopting this Bill, England would have a similar system to Wales, essentially an opt-out system where consent would be presumed unless otherwise stated.

There is already overwhelming public support for organ donation. According to the NHS Blood and Transplant website, over 80% of adults in England say they would definitely donate or would consider donating their organs, but only 37% of the UK population have registered as a donor on the NHS organ donor register.

While the then nine-year-old Max was the inspiring story behind the *Daily Mirror* campaign, at any one time there are more than 6,000 people waiting to have

life-saving transplants. I spoke to one such person, a chap in my local West Cumberland Hospital, during his dialysis treatment in our new renal unit just last month. There are still many desperately sad accounts of lives being lost, with families destroyed and children without their parents.

The Johnson family spent almost eight months on a transplant ward; they said it was a “rollercoaster” of a year, sometimes worrying that their son's weight might have dropped too low to continue on the transplant list. After 196 days of waiting, a tragically fatal car crash resulted in a suitable heart donation from a little girl, Keira Ball. I echo the comments of the hon. Member for Barnsley Central, and of my hon. Friend the Member for North Devon (Peter Heaton-Jones) in his emotional speech, in expressing admiration for Keira's family.

Being a mum of four daughters myself, I was devastated to learn of other accounts, particularly that of Jade Gulliver's sister. Jade, a mum to two little boys, died at just 27 while waiting for a liver transplant. She had viral hepatitis. Her sister said:

“You hear about transplants on the telly, but you never expect it to happen to someone you know. She kept getting sicker and sicker. I can't explain what it was like—waiting every day for a phone call that never came. We take the boys to the bench we have in Jade's memory for birthdays and anniversaries and we show them pictures.”

Jade's sister went on:

“I will be the first to admit, before this tragedy, I also was almost ignorant to organ donation. Now I want to do everything in my power to prevent this from happening, so that no more families have to go through what our family has been through, and is still going through.”

It is not at all difficult to opt in. In fact, while preparing for my speech last night I decided that, in order to speak with any conviction and to be in an honest position to encourage the country to take the decision to donate, I at least needed to ensure that I had joined the register, so that is exactly what I did. But what dawned on me at that time, working late in my office here in Parliament and enjoying a mug of coffee and looking forward to getting back up to Cumbria to see my family and friends at the weekend, was how relatively relaxed I felt about making a decision that could only come into effect after my death. Online, I made a choice to donate all the bits of me that could ever be useful, and was rewarded for my choice by being informed that my decision could improve or save up to nine lives. I could instead have individually chosen my heart, lungs, kidney, liver, corneas, pancreas, tissue or small bowel, or any combination of them.

After I had registered, the website encouraged me to take three next steps to make clear my decision to my loved ones. It gave me advice on how to introduce the conversation, how to explain that my decision could improve or even save a life and how to tell them why and how I had arrived at my decision. I have had this conversation many times at home; it is a popular topic around our kitchen table with my four daughters. Personally, I have a positive outlook on life and understand that the only certainty in life is death, but it is a much more difficult to have that conversation with my husband. We are all different. One thing is sure: if the worst had happened, and if my daughters and husband, or my mum and dad, had been forced to make that decision shortly after my sudden death, it would have been very difficult for them.

For me, last night, registering was a simple choice, made without any doubt in my mind, but it is important to note that of the 500,000 deaths each year in this country, only around 5,000 people die in circumstances, or from conditions, that mean their organs could be considered for transplantation. I am sure the Minister will agree that the Bill will significantly improve the chances of finding a suitable donor for the 6,100-plus people currently waiting for that phone call to tell them of a suitable donor who could improve or save their life. It is a tragedy that three people will die today because of the lack of a donor.

The Bill seeks to improve and save lives, but it also seeks to take out some of the decision making at a time when families are suffering the worst possible ordeal of losing a loved one. There are nearly 25 million people on the NHS organ donor register, and such high rates of voluntary donation should be applauded, but I realise that there will be people who, for a range of religious or other reasons, do not want to become full or even partial donors. That choice must be respected. I hope that the Minister can reassure the House that opting out will be possible under the Bill. We know that the numbers of registrations have significantly increased following public awareness campaigns—I hope that this afternoon's debate will result in such an increase—but that is still not enough to prevent the unnecessary deaths of an average of three people each and every day. Thousands of lives are needlessly being lost, and in thinking of all those who continue to suffer and the inevitable devastation for their family and friends, and in the belief that the Bill will save and improve so many lives, I will be supporting it through its parliamentary stages. I hope that colleagues across the House will do the same.

2.2 pm

**The Parliamentary Under-Secretary of State for Health and Social Care (Jackie Doyle-Price):** It really is a pleasure to confirm the Government's support for this important measure from the Dispatch Box today. I join other Members in sending my good wishes to the hon. Member for Coventry North West (Mr Robinson), who has been the driving force behind the Bill, and I am grateful to him for choosing this as the subject of his private Member's Bill, because it will save lives. I also want to thank the hon. Member for Barnsley Central (Dan Jarvis), who actually began this journey for me with his Westminster Hall debate on the subject, which took place before we launched the campaign to take this Bill ahead. This has been quite a journey for us, and it has been a pleasure to work with him and the hon. Member for Coventry North West. They have made it very easy for me to work with them; we were all very focused on the outcome that we were trying to achieve, which was to save more lives, and we have approached the matter practically and pragmatically. I wish the Bill Godspeed to the other place, from where I hope it will emerge unscathed to take its place on the statute book very soon. I shall certainly be saying my prayers to ensure that it does so.

Lots of colleagues mentioned the debt that we owe to Trinity Mirror for a campaign that captured the public's imagination, and we are grateful to Max and his family for their role in it. However, we cannot thank the family of Keira Ball enough, and my hon. Friend the Member

for North Devon (Peter Heaton-Jones) has been fantastic at telling their story. One of the joys of doing this job—I always feel inadequate and utterly humbled—is meeting donor families. It is great to have the hon. Member for Birmingham, Perry Barr (Mr Mahmood) here, because we should not forget live donors and their altruism. It is incredible that people will make such donations voluntarily and, it must be said, at great personal risk. Giving the gift of life is something that donors and their families should be proud of, and I never fail to be inspired by those stories. We think today not only of those who benefit from organ transplants and those on the waiting list—we hope to be able to save more of them—but of donors and their families, without whom we would not be having this debate. I thank them all.

The real objective of this Bill is to ensure that we improve the chances of the thousands of people who are desperately waiting for a transplant. Again, I totally associate myself with the comments of the hon. Member for Barnsley Central when he introduced the Bill, because it will not achieve the degree of change that we want on its own, but one of the happy advantages of this Bill and of the *Daily Mirror's* campaign is that we have raised awareness of organ donation. Such things were rare 40 years ago, but donation has almost become so commonplace that people may think, "That is somebody else's problem. I don't need to worry about registering my preference. Somebody else will do it. There isn't the need." Well, there is a huge need. We also need to remind people that dialysis is a life-saving process, but it is not nice. We have become desensitised to just how challenging such illnesses are.

The Bill provides us with a fantastic opportunity to raise awareness of the whole organ donation issue, which I have been pushing NHSBT to take full advantage of, and I am pleased to say that it has. We will obviously have to build on that progress as the Bill moves forward. My hon. Friend the Member for North Devon pressed me on that, and if the hon. Member for Coventry North West was here, he would have done the same. I can tell the House that we will be investing £18 million over the next three years to raise awareness of the new scheme and to encourage people to register their wishes and have conversations with their families, which is by far the most important thing. There will be £18 million over the first three years, but ongoing communication to raise awareness will very much be part of how we take things forward.

If Members and anyone watching today have not had that conversation with loved ones about their wishes in the event of their death, please have it. The last thing we want is for loved ones, in the unhappy event of a loss of a life, to be put into a position where they have to make a judgment not knowing the true wishes. We have heard how people have approached that and doing so is immensely brave. I sometimes hear from donor families that the decision was easy because they had had that conversation, and I cannot repeat that message often enough.

I associate myself with the comments of the hon. Member for Barnsley Central when he said that the Bill is not about the state taking control of people's organs. Organ donation is a gift, and that is a fundamental principle of the Bill. We are altering the basis on which people's wishes can be expressed, which will have the effect of altering the conversation at the bedside when it

[Jackie Doyle-Price]

most needs to take place. However, we will continue to invest in the specialist nurses who are trained to have those conversations in the most sensitive way. It is important that they are specialists, because the surgeons and medical staff who are emotionally invested in trying hard to save a life should not be the ones who then must have that conversation with the family—that clearly would not work.

I totally endorse the argument that, in addition to the new system, the accompanying measures relating to all support staff and communication will contribute to an increase in the number of organs available for transplant. It is only by taking those measures together, rather than in isolation, that the scheme will be successful.

In the time remaining, I want to address some issues that have arisen. There is a lot of nervousness. People are inhibited from signing up to organ donation mostly by a sense of mistrust—of institutions of the state and of medical professionals—and because they do not really know what happens. I want to put some points on the record to calm the situation and provide reassurance.

We have talked extensively about the need for more donors from black and Asian communities because they are more likely to suffer from conditions that require a transplant. Obviously, the most successful transplants are those with a strong genetic match, so we need more of those donors.

We know that the issue is taboo in some communities. Some people believe that there are reasons of faith for not supporting transplantation. We have been working with various faith leaders to develop messages and materials to reassure people that the practice is consistent with their beliefs. I am grateful to my hon. Friend the Member for Torbay (Kevin Foster) for mentioning that the Board of Deputies of British Jews supports the Bill. We have had similar conversations with representatives of the Hindu faith, the Sikh faith and the Muslim faith, as well as with Christian Churches.

That dialogue needs to continue. It is clear that people will respond to messages from people whom they trust and respect, so it is very important that we continue to engage with faith communities. It cannot all be done at once; we need to keep chipping away and sending messages. I hope Members will use the toolkits I have circulated today. They are designed to equip Members of Parliament, who are trusted in their communities and are good advocates for the proposal, with the material to engage directly with communities.

Much reference has been made to the role of families at the bedside. There is concern that families often overrule the wishes of people who want to donate, but we need to protect the family's ability to have that final consent. It is very easy for us to imagine situations in which we would want our wishes to be respected, but we do not know the circumstances when it comes to matters of life and death. It is very important that families have that final consent, and I emphasise that that will remain the case. I cannot emphasise enough that if people have that conversation with loved ones, their wishes are less likely to be overruled.

I remind the House that guidance on the current system of consent is detailed in a series of codes owned by the Human Tissue Authority. We will update those codes and people will have the opportunity to make

representations. The idea is to have a complete, up-to-date document providing information on the approach taken in England. The guidance will cover how consent can be expressed; how people can register their wish to opt out; the role of the organ donor; and how specialist nurses will interact with families. It will also give people the opportunity to record that their faith is important, if they wish that to be an issue of consideration.

It is also worth noting that as we develop technological solutions to addressing things in the NHS, people will be able to amend their views on donation regularly by direct interface with an app. They will be able to change their mind. One day they might decide that they are happy to give their corneas and then on another decide that they are not. People will be able to make that selection and make anything that they would wish to be considered clear.

On timing, we hope that the Bill will receive Royal Assent by March, in which case the HTA is all set to go to produce a first draft of the code by May. That will be followed by a 12-week consultation on the draft guidance with stakeholders, including faith groups, so there will be another opportunity for us to address any concerns properly at that time. We expect to lay that guidance before Parliament next September. I can therefore assure the House that we intend to make use of this Bill speedily once it has received Royal Assent.

I wish to make a point about children. Obviously, children below the age of 18 will be exempt from the Bill, as they are not at the age of majority in order to make their choices known. As before, the family will be fully consulted. The safeguard will be as it is now, and children are always dealt with extremely sensitively.

I have mentioned that we will continue to engage with faith groups. I wish to emphasise that NHSBT is updating and extending its faith training, so that as we can expect more conversations to be taking place on the part of specialist nurses following this change, people will be kept fully up to date with any religious and cultural issues that might need to be considered.

Finally, I wish to say something about an issue that Members may have been lobbied about: novel transplants. We have all talked a lot today about kidney, liver, heart and lung transplants, and these are the organs we are all used to talking about. Clearly, medical advances being what they are, other things will materialise; I have heard evidence of hand, face and uterine transplants. They will not be covered by the Bill. They will be exempted by our introducing regulations that exempt certain organs from the deemed consent procedure. We have done it that way because this Bill needs to be able to have a life and to respond to medical advances, so it is better to have regulations that enable us to exclude rather than to have a list of organs that are covered. In that way, it is easier to keep this law in date.

**Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): Does my hon. Friend know whether the proposals she has set out on protecting parts of the body such as hands and the other things she mentioned will be marrying up with legislation going through the devolved legislatures now? Will we therefore have a similar code of practice across the entire UK?

**Jackie Doyle-Price:** Just as this Bill has progressed with good will from those in all parts of this House, so it has progressed with good will from all nations. We



have all been sharing our experience to make sure that we get this right. So I am sure that that will be taking place in a consistent way.

In conclusion, as I said at the beginning, I am so proud that I have been able to play my part in taking this Bill forward. I am so grateful for the good will from both sides of the House in taking this forward. It has been a fantastic piece of cross-party working. It has made the process quick and speedy, and we have all been focused on what we are trying to achieve, which is to save more lives. I am very confident that Max's and Keira's law will have a very positive impact on how we treat people with organ failure and that it will also kick-start a cultural change in how we address these issues. In fact, it already has: people are talking about organ donation much more and joining the organ donor register at increased rates. I hope that the House will give the Bill its wholehearted endorsement.

2.19 pm

**Dan Jarvis:** With the leave of the House, and on behalf of my hon. Friend the Member for Coventry North West (Mr Robinson) as well as myself, I thank all Members who have contributed to and supported this important debate. We have seen the House at its very best with Members from right across the political spectrum working together to deliver meaningful, real change on behalf of their constituents. I take this opportunity to extend formally my thanks to my Front-Bench colleagues for their support, to the Minister, of course, to the Government and to all the officials who have made this possible.

The Bill is a welcome measure that will make a huge difference to thousands of people right around our country. Max and Keira's law will save lives and give hope to many. I look forward to the Bill receiving Royal Assent at the earliest available opportunity. As many Members have said, this is only part of the process by which we increase awareness and encourage the most important conversations around organ donation. I thank all Members who contributed to the debate and supported the Bill's safe passage through the House. It is much appreciated.

*Question put and agreed to.*

*Bill accordingly read the Third time and passed.*

## **Physician Associates (Regulation) Bill**

*Second Reading*

2.21 pm

**Anne Marie Morris** (Newton Abbot) (Con): I beg to move, That the Bill be now read a Second time.

Physician associate is a new profession. Physician associates are clinically trained to be able to work across several disciplines. For example, they can work in A&E, with GPs and in gynaecology. It is something that is very necessary in today's modern world: we need more specialist generalists, which is exactly what physician associates are. Indeed, it is often a second career, making the profession very popular.

We currently have some 2,000 physician associates. Some are in training, while some are actually practising. With that number of them, it is only right and responsible for any Government to regulate, because without regulation, we do not have the safety that members of the public really deserve. The Bill will regulate this much-needed profession that will give great support to doctors across primary and secondary care. Indeed, even the Government have committed to introducing regulation.

**Julian Knight** (Solihull) (Con): I heartily congratulate my hon. Friend on introducing the Bill. As she says, this important industry is growing in prominence. One of the most interesting things about the Bill is that it will provide greater protection against those who wilfully and falsely pretend to be physician associates. Will my hon. Friend talk more widely about that?

**Anne Marie Morris:** I thank my hon. Friend for his helpful comments. When I get a little further into speech, I will indeed talk a little about that, time permitting.

The previous Secretary of State for Health and Social Care said that he wanted 1,000 new physician associates in training each year, and the current Secretary of State said on 12 October that he wanted to push forward with legislation to regulate physician associates. It therefore seems to me that there is no divide between what I wish to achieve with the Bill and what the Government say that they want to achieve, so I certainly hope to get Government support for the Bill. If minor—or even major—amendments need to be made, that can happen in Committee. If the Government feel that they really want to get behind the Bill, they could adopt it and give it Government time. That would be welcome.

Why is the Bill so important? Regulation would ensure the necessary competence, accountability and safety of care provided by these healthcare professionals. It would provide legal authority and accountability, which is not currently there. It would provide a valuable framework for patient safety.

At the moment, professional standards are set by the Royal College of Physicians and the Faculty of Physician Associates underneath it, but they do not have the force of law. We need to ensure that those standards, which set standards of behaviour, guidelines for competence, educational requirements and conditions to ensure fitness for practice, are legally binding.

We also, as my hon. Friend the Member for Solihull (Julian Knight) set out, need to protect the title of physician associate. We do not want people holding

[*Anne Marie Morris*]

themselves up as physician associates, which they can do now, if they are not properly trained, educated and qualified to work in the role, because they have considerable levels of responsibility.

If we are to enhance the professional credibility of this group of professionals, as the Government and I wish to do, we need national recognition of the role. That is what the Bill would provide.

**Andrew Bowie** (West Aberdeenshire and Kincardine) (Con): I congratulate my hon. Friend on bringing forward her Bill. Does she agree that any regulation must not do anything to prevent people from taking up the profession of physician associate? She and the previous Secretary of State have spoken about its importance, and the current Secretary of State agrees, as do the devolved Assemblies in Cardiff and Edinburgh. Physician associates are employed to fill many jobs in the national health service across the United Kingdom. Does she agree that regulation, which I am sure we all back in principle, must not in practice put anybody off taking up the profession which, as she said, is vital?

**Anne Marie Morris:** I totally agree with my hon. Friend. I would say that the Bill will make the job more attractive. The reality is that physician associates cannot fully take on the role that we need them to take on because they cannot prescribe and they cannot authorise X-rays, which they would be able to do if they were regulated. That is an important next step. The Government would like physician associates to be able to do such things so that the workload burden on general practice and those working in A&E is reduced.

**Neil O'Brien** (Harborough) (Con): I want to press my hon. Friend on whether she thinks the Bill might lead to savings that we could reinvest in the NHS because it would allow these people to do more within the regulated profession she is seeking to create.

**Anne Marie Morris:** I think that the Bill will increase the attractiveness of the profession and the variety of professions that individuals can go into. It will also free up resource for those who are more specially qualified, such as general practitioners and anaesthetists. I think it is more about increasing resource than necessarily about money, although that is very important.

If physician associates were regulated, matters that are important to all members of the public and to Members of this House could be legally enforced—that is crucial. It would also ensure that we had a more diverse workforce and the variety of people that we need.

Of course, the most important thing to bear in mind is that this is about not replacing doctors, but enabling them to do the specialised tasks that only they are able to do and to pass down to others roles that those individuals can quite competently fulfil. The concern has been raised that by having these professionals regulated alongside doctors by the General Medical Council, we might put them into competition with doctors. I reject that concept because we have a shortage of doctors and we need as many individuals as possible to be medically qualified. It is therefore the right thing to do.

That brings me to a brief comment, before my time elapses, on why the GMC should regulate physician associates. It should do so because physician associates work very closely with doctors. They perform very similar functions and work under their supervision. They need to be regulated by a body that truly understands them, in the same way that nursing associates came under the Nursing and Midwifery Council when they were regulated. It is very important that these individuals are held to the same standards and that there is alignment across the piece in how they are educated. The GMC has a long history and wealth of experience in regulating doctors, so I think that it is the right body for this purpose. I sincerely hope that the Government will support the Bill and I commend it to the House.

2.30 pm

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

*Ordered,* That the debate be resumed on Friday 23 November.

## Business without Debate

### LEASEHOLD REFORM BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### LICENSING OF TAXIS AND PRIVATE HIRE VEHICLES (SAFEGUARDING AND ROAD SAFETY) BILL

*Resumption of adjourned debate on Question (2 February),* That the Bill be now read a Second time.

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### FOOD INSECURITY BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### LIVE ANIMAL EXPORTS (PROHIBITION) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### SHARED PARENTAL LEAVE AND PAY (EXTENSION) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**AUTOMATIC ELECTORAL REGISTRATION  
(NO. 2) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**BRITISH INDIAN OCEAN TERRITORY  
(CITIZENSHIP) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**FAMILY RELATIONSHIPS (IMPACT  
ASSESSMENT AND TARGETS) BILL [LORDS]**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**REPRESENTATION OF THE PEOPLE (YOUNG  
PEOPLE'S ENFRANCHISEMENT) BILL**

*Resumption of adjourned debate on Question (11 May)*, That the Bill be now read a Second time.

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**REPRESENTATION OF THE PEOPLE (YOUNG  
PEOPLE'S ENFRANCHISEMENT AND  
EDUCATION) BILL**

*Resumption of adjourned debate on Question (3 November)*, That the Bill be now read a Second time.

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**MARRIAGE (SAME SEX COUPLES)  
(NORTHERN IRELAND) (NO. 2) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**HOUSE OF LORDS (EXCLUSION OF  
HEREDITARY PEERS) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**PRIVATE LANDLORDS (REGISTRATION) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**YOUTH (SERVICES AND PROVISIONS) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**VIOLENT CRIME (SENTENCES) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**ALCOHOL (MINIMUM PRICING) (ENGLAND)  
BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**PACKAGING (EXTENDED PRODUCER  
RESPONSIBILITY) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**ASSET FREEZING (COMPENSATION) BILL  
[LORDS]**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**PEDICABS (LONDON) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**FOOTBALL OFFENCES (AMENDMENT) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### LEGALISATION OF CANNABIS (MEDICINAL PURPOSES) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### LOCAL HEALTH SCRUTINY BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### HOLOCAUST (RETURN OF CULTURAL OBJECTS) (AMENDMENT) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### JUNE BANK HOLIDAY (CREATION) BILL

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

**Hon. Members:** Object.

**Mr Deputy Speaker (Sir Lindsay Hoyle):** Second Reading what day?

**Mr Peter Bone** (Wellingborough) (Con): The first sitting Friday in 2019, as required by Standing Orders.

**Mr Deputy Speaker (Sir Lindsay Hoyle):** You need to name a date.

*Bill to be read a Second time on Friday 11 January 2019.*

**Mr Bone:** On a point of order, Mr Deputy Speaker.

**Mr Deputy Speaker:** Order. I would like to get through these motions.

**Mr Bone:** It is relevant to this point. Obviously, your ruling is unquestionable, Sir, but Standing Order No. 14 requires the appointment of private Members' days. We know that the Leader of the House will do that in 2019, but we have the farce here of every Member having to name a date in November because the other dates are not announced. It seems to me that Members should be perfectly entitled to request a future private Members' day, which we already know will be given by the Leader of the House, because she has committed to that.

**Mr Deputy Speaker:** In fairness, you are correct to name the date under Standing Orders, and I am sure that you will have helped the Whips with your little clarification to assist them with your future challenges ahead. Right, let us continue.

### BUSINESS OF THE HOUSE COMMISSION BILL

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

**Hon. Members:** Object.

**Mr Deputy Speaker:** Second Reading what day?

**Mr Bone:** I would try, Sir, the second private Members' day allocated in 2019, but that appears to be out of order, so can we try 18 January 2019?

*Bill to be read a Second time on Friday 18 January 2019.*

### HOSPITAL (PARKING CHARGES AND BUSINESS RATES) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 January 2019.*

### VOTER REGISTRATION (NO. 2) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 1 February 2019.*

### PUBLIC SECTOR EXIT PAYMENTS (LIMITATION) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### FREEDOM OF INFORMATION (EXTENSION) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### POSTAL VOTING BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

### TYRES (BUSES AND COACHES) BILL

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**NATIONAL HEALTH SERVICE (CO-FUNDING AND CO-PAYMENT) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**LOCAL AUTHORITIES (BORROWING AND INVESTMENT) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**PRINCIPAL LOCAL AUTHORITIES (GROUNDS FOR ABOLITION) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**COASTAL PATH (DEFINITION) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**JUDICIAL APPOINTMENTS AND RETIREMENTS (AGE LIMITS) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 11 January 2019.*

**BBC LICENCE FEE (CIVIL PENALTY) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 18 January 2019.*

**INTERNATIONAL DEVELOPMENT ASSISTANCE (DEFINITION) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 January 2019.*

**BENEFITS AND PUBLIC SERVICES (RESTRICTION) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 January 2019.*

**ELECTRONIC CIGARETTES (REGULATION) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 25 January 2019.*

**KEW GARDENS (LEASES) (NO. 2) BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**RIVERS AUTHORITIES AND LAND DRAINAGE BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**WILD ANIMALS IN CIRCUSES BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**FORENSIC SCIENCE REGULATOR BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**NATIONAL HEALTH SERVICE BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**HOME EDUCATION (DUTY OF LOCAL AUTHORITIES) BILL [LORDS]**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**LOCAL ELECTRICITY BILL**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**CREDITWORTHINESS ASSESSMENT BILL**  
**[LORDS]**

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

**Hon. Members:** Object.

*Bill to be read a Second time on Friday 23 November.*

**PETITION**

**Closure of Finedon Health Centre**

2.42 pm

**Mr Peter Bone** (Wellingborough) (Con): I present a petition on behalf of my constituents in Finedon, a small town that can be traced back to the Domesday Book. It has two medical centres, both of which are branches of other medical centres. One of them is being forced to close because it is not up to standard, and we need to find a solution whereby we have proper medical facilities in the town. Three constituents have signed the lead part of the petition: Mr Ray Ogle, Mr Laurence Harper and Councillor Barbara Bailey. I would like to thank them for their help in getting this petition to the House.

The petition, to the Honourable the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled, reads:

The Humble Petition of residents of Finedon, Northamptonshire and the surrounding areas,

Sheweth,

That the Petitioners believe that the proposed closure of the Health Centre in Finedon should not proceed on the grounds of the loss of business to the Finedon pharmacy; further that its closure would cause longer waiting times at the only other GP practice in Finedon, difficulty for vulnerable patients in travelling to other GP practices and the loss of a support network for constituents.

Wherefore your Petitioners pray that your Honourable House urges the Department of Health and Social Care and Nene Clinical Commissioning Group to take into account the concerns of the petitioners and decline to close the Finedon Health Centre.

And your Petitioners, as in duty bound, will ever pray, &c.

[P002279]

**Youth Obligation**

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

2.44 pm

**Stephen Timms** (East Ham) (Lab): Over the course of the past year, I have tabled a number of parliamentary questions about the Government's youth obligation support programme, which was introduced in April last year, and the answers to those questions have contained remarkably little information. I am delighted to see the Minister in his place, and I hope he will take this opportunity to provide the House with some more information to allow us to make at least an initial assessment of whether the programme is proving effective. At the very least, will he confirm to the House that such information will be forthcoming in the near future?

Just over two decades ago, I became the Parliamentary Private Secretary to Andrew Smith, who was the first holder of the post of Minister for Employment after the 1997 general election. We introduced the new deal for young people, which was a radical departure in state labour market intervention, and it has profoundly influenced all the programmes since.

By the way, as the youth obligation is the only current labour market programme for young people and is available only in areas where universal credit has been rolled out, there have been since April 2017—for the first time in two decades—parts of the country where there is no programme at all for young people. With universal credit being rolled out for new claims to every jobcentre by the end of the year, as I understand it, will the Minister confirm that we will again have a programme for young people in every part of the country by the end of the year?

Young people are still at a distinct disadvantage in the labour market. According to this month's labour market statistics, the unemployment rate among 16 to 24-year-olds is 10.8%, compared with an overall rate of 4% for those aged 16 and over. The unemployment rate among young people has consistently been two and a half to three times the overall rate for quite a long time. Of course the employment rate—the overall rate and the youth rate—is much lower than the peaks we saw five or six years ago, but the introduction of the youth obligation is an acknowledgement, rightly, that youth unemployment remains too high.

More than one in 10 young people are out of work and looking for a job, when they ought to be building the skills to secure for themselves a lifetime of employment and in a position to contribute to the economy. There is also of course a disastrously large number of young people outside the system altogether—not in education, employment or training at all. The Government are therefore absolutely right to focus effort on young unemployed people.

The question is whether the current programme is any good. From the answers given by the Minister's colleague, the Minister for Employment, the Government appear not to know whether it is any good, and indeed they appear not to have very much interest in finding out. I therefore hope that the Minister will be able to dispel that impression when he responds to this debate.

The only information provided in answers to my questions so far was in those from April and May, when I was told that, from when the youth obligation started

in April 2017 to this February, 24,600 people had started on the programme and 9,300 were still on it. Is the Minister able to provide the House today, after another six months, with an update on those figures? As far as I know, there are no figures in the public domain other than those in the answer I received at that time. The obvious and important question is: what has become of the 15,300 who started on the programme and then left it? I asked a series of questions about this—for example, how many of them had gone on to an apprenticeship—and in reply to each the Minister's colleague said that he did not know and that it would be disproportionately expensive to find out.

It is now 10 years since I was a Minister in the Department, but I cannot believe that the Department has forgotten the importance it attached at that time to evidence about effectiveness. Indeed, if the Minister is doubtful about the value of such data, he should read some of the speeches that the current Secretary of State made about the Work programme when she was the Minister responsible for employment. The Work Programme, for all its many faults, generated a great deal of valuable, published performance data. I understand that Ministers intend to publish comparable data for the Work and Health programme in due course, in some detail and with reasonable regularity, although I also understand that publication of that data has been delayed. It would be puzzling if Ministers really do not intend to gather, still less publish, evaluation data on the youth obligation.

On 26 April, I asked how many of those supported through the youth obligation had gone on to various destinations. The Minister for Employment replied on 1 May in a written answer, stating:

“It is not possible to say how many of them have subsequently gone on to (a) an apprenticeship (b) a traineeship and (c) a work placement without checking individual records, which would incur disproportionate cost.”

I asked how many young people had stopped receiving benefits since beginning the youth obligation, and an answer from 1 May stated:

“DWP does not hold this information as part of any centralised management information process. To answer this would require checking individual records at each Jobcentre, which would incur disproportionate cost.”

I tabled more questions on 6 September, and on 11 September the Minister for Employment replied, more encouragingly:

“The information requested is not currently readily available, however the Department does monitor requests we receive for new statistics and consider whether we can produce and release analysis that will helpfully inform public debate. The Department is therefore looking at this issue with a view to seeing what statistics could be produced on a regular basis.”

I hope that the Minister will provide us with an update on the Department's thinking on the matter.

Although the Department is not able to say how the youth obligation is going, others have started to provide valuable information about the effectiveness of the programme. Their findings so far are not encouraging, and I want to quote this afternoon from two pieces of research. Centrepoint, drawing on funding from the Trust for London, commissioned the University of Warwick to evaluate the extent to which the youth obligation supports disadvantaged young people into

employment, education or training. The researchers undertook longitudinal research in London and Manchester, including a survey of 80 youth obligation participants. Centrepoint has compiled interim findings, with a final report due to be published in the spring. Those interim findings concluded that only around half of those who started the youth obligation programme remained on it for the whole six-month period. That was not generally because the participants found work or entered training; instead, there were three key reasons for withdrawing from the programme.

First, 45% of London participants and 40% of Manchester participants left the programme because of continuing, pre-existing difficulties in their lives, such as homelessness, drug or alcohol problems, or mental health issues. Secondly, 45% of London participants and 57% of Manchester participants left because they ran into a specific problem, and afterwards—through fear, embarrassment or uncertainty about their continued status on the programme—did not go back. Thirdly, 10% of London participants and 3% of Manchester participants left because they did not like the programme. That included two participants with learning difficulties who found the activities they were asked to engage in impossible without support, which they said they were not offered.

Research found that the most positive aspect of the programme was the initial engagement, and nearly two thirds of participants thought that making an individual plan that identified their interests and the support they wanted was helpful. Beyond that the focus was on practical mechanisms for identifying and applying for jobs, such as how to write a CV and use websites. In the experience of those who took part, there appeared to be little acknowledgement of whether the participant was ready to find work, or of the specific barriers that many participants faced or how to mitigate them. For example, one participant with low qualifications commented:

“They just tell you how to make a CV. Then they tell you to make it a different way.

Like every day, that's all we did”.

Most participants were happy with their work coach, but there did not seem to be much substantive personalisation. Participants rarely noted that they had been offered access to particular activities or services to meet their specific aspirations, or additional or specialised support to address their more complex needs. Despite the complex needs of quite a number of the participants, referrals outside Jobcentre Plus were rare. In interviews, participants noted that they thought their work coach did not have time to discuss issues not directly related to looking for work.

A significant group of participants held very negative views about Jobcentre Plus and expected to be treated poorly. This made them less likely to disclose issues that were hindering their ability to work, such as worsening mental health or addiction issues. It also resulted in some participants viewing reasonable advice from the Jobcentre very negatively. In both London and Manchester, the sanction rate for those on the youth obligation was higher than for the comparator group claiming benefits in a non-youth obligation area. Some 36% of London youth obligation participants were sanctioned at some point in the past year, compared with 24% in non-youth obligation areas.

[Stephen Timms]

The second piece of research I want to draw on has been published today by the Young Women's Trust. It is brand new and I appreciate that the Minister and his officials may well not yet have had a chance to consider it. However, it, too, is a useful and informative piece of work. The research surveyed over 700 young Jobcentre Plus users in the UK over three years. It conducted interviews with staff in 13 jobcentres across three London boroughs and conducted focus group interviews with 28 young people aged between 18 to 25 who were living across 10 different London boroughs. It concluded that the youth obligation is misunderstood by Jobcentre Plus staff and is patchy in its implementation. Young people's employment outcomes are not recorded and there is little plan for support beyond six months. Only a third of young women and two fifths of men surveyed felt they were getting personalised support from their work coach. Some 21% of black, Asian and minority ethnic jobseekers said they were treated unfairly by Jobcentre Plus staff, compared with 15% of white jobseekers.

One youth obligation manager described their package for young people as intense specialist support for six months, which I think is what Ministers intended. Another manager, however, explained that over the course of six months they

"have two workshops where young people can learn how to write a good CV and meet providers".

That appeared to be it. Managers in all the boroughs studied acknowledged that they do not monitor referrals and that there is no effective monitoring system in place, as the Minister's difficulty in answering my parliamentary questions also illustrates. The policy, as I understand it, is that after six months on the programme, if young people do not have a job they should go on to a mandated apprenticeship or voluntary work experience. That is not happening in practice, according to the published research. In a small survey of voluntary sector service providers who work in youth employability and training, 79% were completely unaware of the youth obligation scheme, including a fair number of those who work with their local Jobcentre Plus on a weekly or monthly basis.

The report presents the positive conclusion that there has been a 17% increase in the number of users saying that the jobcentre helped to motivate them in their job search since 2016. However, it also reports that of the young women using Jobcentre Plus over the last three years, 52% have ranked their experiences as humiliating and 65% as stressful and that 63% have felt ashamed to go to the jobcentre.

It is clear from both pieces of research that the programme is not going well. I understand that one of the problems for the Department is that the universal credit IT system does not provide the basic information that would allow an assessment of how the programme is doing—information that was routinely provided under the older systems. I recognise that providing evaluation data may well not be the top priority among the current difficulties with the universal credit IT system, which I have been following closely for the last eight years, but I am sure the Minister will agree that it needs to be fixed.

I am encouraged that the Minister's colleague told me in his written answer last month that the Department is considering what statistics could be produced on a

regular basis, and so I want to finish by suggesting what some of the statistics ought to be. I would hope they could be produced at least on a half-yearly or perhaps on a quarterly basis—statistics on the Work programme were published quarterly.

We need to know how many people have gone on to the youth obligation in the latest period and how many have left it, and how many were on the programme at the beginning of the period and at the end. It would also be helpful to know something about the age, geographic spread and gender of participants. For those who have left the programme, the crucial information we need is where they have gone: how many have gone on to an apprenticeship, in line with the policy intent; how many have gone on to a traineeship or work placement; how many have gone into education or training; how many have got a job; and how many have stopped claiming benefit but not started work or training. Finally, what is the sanction rate for those on the programme?

I welcome the fact that, as I understand it, by the end of this year we will again have a nationwide labour market support programme for unemployed young people, but we need to know how effective it is. At risk of teaching my grandmother to suck eggs, I make the obvious point that that requires at least basic data to be recorded, collected centrally and published. At the moment, none of that is being done for this programme. I hope the Minister can provide some reassurance that it will soon start being done, for the Department's benefit and the benefit of us all.

3.2 pm

**The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman):** I congratulate the right hon. Member for East Ham (Stephen Timms) on securing this debate. I have been asked to respond because the Minister for Employment sadly cannot be here.

Everyone on the Government Benches acknowledges that the right hon. Gentleman should be on the Opposition Front Bench, given his massive experience at the Department for Work and Pensions, and I welcome this opportunity both to debate this matter and to discuss in the more detail the subject of youth employment, which I think motivates every single Member of Parliament. We all want to improve the life chances of those whom we represent.

Nationally, the employment rate for 18 to 24-year-olds not in full-time education is 77%, which is up eight percentage points from 69% in 2010, and only 4.3% of young people aged 16 to 24 are unemployed or not in full-time education, which is a fall of 350,000 since 2010. Moreover, the national unemployment rate for this age group is 10.8%, as the right hon. Gentleman set out, which is a record low. It is worth commenting briefly that the decrease in youth unemployment is markedly better than that in the EU. When one compares our record low youth unemployment rate with that in Spain, at 34%, Italy, at 32%, France, at 21%, and Greece, at 39%, one realises that there has genuinely been a transformation, and one that I believe is among the driving successes of this Government. We all accept, I believe—I think the right hon. Gentleman accepts this—that the single biggest driver of social mobility and improvement of life chances is work, and the reality is that the universal credit programme and the Government



reforms since 2010 are helping to create an employment revolution in this country, which is a massive improvement on the old system.

The statistics reflect a real achievement, but while this is worth celebrating we must not be complacent. That is why the Government have introduced a wide range of support for younger people. The principle of support for young people is well known to the right hon. Gentleman; it has dated back through many different Governments and generations and has been developed by the DWP in collaboration with a variety of organisations. We recognise that providing early targeted help at the start of a young person's adult life helps them secure work and avoid unemployment. It is in that context that we introduced the youth obligation support programme.

The programme is for people aged 18 to 21 who make a new claim in a UC full service jobcentre. It is worth understanding how this programme came into being, and I will briefly outline that. We believe it takes the best types of support that previous individual evaluations have shown to work and puts them together in a single programme. The support starts with the intensive activity period. In 2016, the Department published an evaluation of this approach by the Institute for Employment Studies. It reported that it had an immediate positive behavioural effect on participants. It increased their confidence, and meant they engaged in a wider range of job search activities and made job applications to a higher standard. Earlier this year, the Work and Pensions Committee recognised in its youth employment report of 2018 that the Department had conducted a good quality trial of intensive activity. It said that the intensive activity element of the youth obligation should help young people overcome key barriers to work. We believe it encourages young people to think more broadly about their skills and job goals and identify any training they may need.

An example that applies to both the programme under discussion and the traditional model for younger people are sector-based work academies, which last for up to six weeks and include work experience, some bespoke training and a guaranteed interview for a real apprenticeship or other job. The Department published a quantitative impact assessment in 2016 that showed that young people who took part in this type of support spent on average considerably more days in employment and considerably fewer days on benefit than those who did not take part, and I know it had some success in the right hon. Gentleman's constituency of East Ham, particularly utilising the work of his local colleges.

**Stephen Timms:** I am grateful for the way the hon. Gentleman is answering my questions. Does he have any information about how many participants on the youth obligation programme had the opportunity of the sector-based work academy to which he refers?

**Guy Opperman:** I am going to come to the specific points the right hon. Gentleman raises on numbers and data, but let me make a quick point before returning to my speech. We are in utter agreement that data and statistics are needed on a long-term basis—no one is disputing that—and he will know from his knowledge of the DWP that it likes to focus on long-term figures. However, I am not in a position to give individual numbers in answer to that specific question.

However, the right hon. Gentleman surely accepts that sector-based work academies, which occur in many different types of profession but in particular teaching, retail, hospitality, transport and logistics, social care, manufacturing and engineering, are one of the most successful innovations that apply to all young people whether on the YOSP or the traditional support provided by jobcentres.

In addition, there are traineeships. Like the right hon. Gentleman, I have visited a multitude of jobcentres. In the last year, I have been from Hastings and Chichester in the south to Banff in northern Scotland, from Basildon to Blackpool last Friday, to Birmingham and Lambeth in London, and in the last four years I have hosted a jobs fair in Hexham and worked with my jobcentre, and I have seen the impact of traineeships, which are another part of the YOSP that are utterly key. I must mention Release Potential in my constituency, which provides these traineeships for younger people on an ongoing basis up and down the country, and I have seen their success.

The right hon. Gentleman will realise that this programme began only in April 2017 and that it is still being rolled out around the country. More than 500 jobcentres are now offering this support, but some started only this week. I accept that others started in April 2017, but I believe that the programme still has to be rolled out to 22 jobcentres before completion takes place at the end of this year. In his own area, jobcentres have strong links to Barking and Dagenham College, and there is also specialist guidance on training, apprenticeships, the Prince's Trust, the movement to work programme, the construction skills programme and English language classes.

I want to address a couple of points that the right hon. Gentleman raised. I take on board his suggestions, which have been noted, on statistical evaluations and pathways. He will understand that the Department takes these matters very seriously, and I will ensure that they are taken back to the Minister for Employment. As I have said, the programme is still being rolled out, and the automated management information process is still being developed as we speak. He raised the matter of young people in particular, and there is one point on which I want to push back. He said that there was no other programme for young people, but he will surely know that the Department is committed to providing targeted support for all young people, including those who are still claiming jobseeker's allowance or claiming through the universal credit live service. The traditional JSA includes basic skills training, traineeships and support funded through organisations such as the Prince's Trust. There are also opportunities involving sector-based work academy placements for those individuals. It would therefore be wrong to suggest that there is no other programme over and above the youth obligation support programme.

I repeat that we collect information on each individual claimant, but there is not at this stage an aggregated assessment of the kind that the Department traditionally produces. However, the right hon. Gentleman will understand that this programme started only in April 2017, that it has not finished being rolled out and that in some jobcentres it started only in the last week. With respect, therefore, I would say to him that we believe the programme is becoming more mature every day, that we

[Guy Opperman]

are continuing to test and learn and that we are holding workshops with work coaches to get their insight into what works well and into the local barriers that 18 to 21-year-olds can face in the labour market. We are also collating and sharing good practice, and we will obviously take on board the reports that he has outlined today, including the one that came out just this morning. We are genuinely committed to ensuring that any 18 to

21-year-old, whether they are from East Ham or Hexham, Carlisle or Cardiff, has the ability to work towards securing an income, to develop their skills and to improve their life chances. After all, that is what this is all about.

*Question put and agreed to.*

3.13 pm

*House adjourned.*

# Written Statements

Friday 26 October 2018

## DEFENCE

### HMS Victory 1744

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):** I wish to apologise for an error made in a written response to a parliamentary question asked by the right hon. Member for North Durham (Mr Jones). The question and answer were as follows:

*Asked on 28 October 2014*

Mr Kevan Jones : To ask the Secretary of State for Defence, whether completion bonds or other financial arrangements will be put in place before granting the Maritime Heritage Foundation permission to recover at risk surface items from the wreck site of HMS Victory 1744; and what specific communications there have been between government departments on that matter.

[212332]

*Answer on 5 November 2014*

Minister of State for Defence, Welfare and Veterans, the Rt. Hon. Anna Soubry MP: Funding for the approved next stage of the project (recovery of at-risk surface items, subject to a licence by the Marine Management Organisation) is underwritten by a financial bond provided by Odyssey Marine Exploration and held by the Ministry of Defence (MOD). Funding of the project has been discussed by officials from MOD and the Department for Culture Media and Sport as part of the assessment of the Project Design.

Additionally, this response was repeated in a second parliamentary question raised by the right hon. Member for North Durham on 28 November 2014, answered by the then Minister for Culture, Communications and Creative Industries, my right hon. Friend the Member for Wantage (Mr Vaizey), on 4 December 2014 (PQ UIN 216395).

Subsequent investigations have proved that this information was incorrect. No funding was held by either the Ministry of Defence or the Department for Culture, Media and Sport.

As the current Minister for Defence People and Veterans, I wish to correct this error. I have also written to the right hon. Member for North Durham, and the responding Ministers at the time, my right hon. Friends the Members for Broxtowe and for Wantage, to apologise for this error.

[HCWS1038]

## FOREIGN AND COMMONWEALTH OFFICE

### Foreign Affairs Council: 15 October 2018

**The Minister for Europe and the Americas (Sir Alan Duncan):** My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs attended the Foreign Affairs Council (FAC) on 15 October. It was chaired by the High Representative and Vice-President of the European

Union (EU) for Foreign Affairs and Security Policy (HRVP), Federica Mogherini. The meeting was held in Luxembourg.

### Current Affairs

Ministers discussed current affairs issues including the Jamal Khashoggi case on which they agreed the need for a full and transparent investigation by the Saudi authorities in complete co-operation with the Turkish authorities. My right hon. Friend welcomed the new chemical weapons sanctions regime and EU solidarity since the Salisbury attack. He noted the attack on the Organisation for the Prohibition of Chemical Weapons and called for new sanctions regimes to address cyber and human rights abuses. He also spoke about Burma and the UN fact-finding mission.

### Libya

The discussion on Libya focused on the political process, the stability of the country, and the economic situation. Ministers reiterated the EU's support for the political process led by the United Nations (UN) Secretary-General's Special Representative, Ghassan Salamé. The Council confirmed the EU's determination to support a Libyan-led solution for the Libyan people under UN auspices.

The discussions also considered the forthcoming high-level meeting on Libya that will take place in Palermo, Italy on 12-13 November 2018. The Council underlined the importance of holding both presidential and parliamentary elections as soon as possible, and the need to put in place a proper constitutional and legal framework before the elections take place.

### External aspects of migration

The Director-General of the International Organisation for Migration (IOM), António Vitorino, and the UN High Commissioner for Refugees (UNHCR), Filippo Grandi, briefed Ministers during this session. Ministers took stock of progress and recent developments, and underlined the importance of the strategic partnership between the EU, the IOM and the UNHCR in Libya. The Council emphasised the significant results delivered through the joint efforts of the EU, its member states and UN agencies. Irregular migration flows to Europe have significantly decreased, and efforts to tackle irregular migration and to fight smuggling networks have been considerably strengthened, in particular through Operation Sophia.

### Central African Republic

The Council discussed and adopted conclusions on the Central African Republic (CAR). The conclusions underlined that the situation in the CAR remained fragile and the EU continued to engage in supporting the country. The conclusions also stated that the EU would continue working, through its various instruments, to support the CAR to achieve stability, peace and development and to meet the aspirations of its entire population for lasting peace and reconciliation.

### Venezuela

Ministers discussed the situation in Venezuela, and its impact on the region, including on migration. Ministers reaffirmed the EU's strong position on the political crisis in Venezuela. They agreed that the crisis could only be solved through a political process and to

explore the possibility of establishing a contact group that could, if conditions were met, help to facilitate such a process.

The Council agreed a number of measures without discussion:

The Council adopted a new regime of restrictive measures to address the use and proliferation of chemical weapons;

The Council adopted conclusions on “Connecting Europe and Asia—Building blocks for an EU strategy”;

The Council adopted conclusions on Bosnia and Herzegovina/Operation EUFOR Althea;

The Council decided to extend the EU stabilisation action in Mopti and Ségou (EUSTAMS) for a period of three months;

The Council extended the EU restrictive measures against ISIL (Daesh) and al-Qaeda and persons, groups, undertakings and entities associated with them until 31 October 2019;

The Council adopted new rules of procedures for the Joint Committee established by the EU-Vietnam framework agreement on comprehensive partnership and co-operation;

The Council agreed the signing, on behalf of the EU, of a protocol to the Euro-Mediterranean agreement establishing an association between the EU and Tunisia or order to take account of the accession of Croatia to the EU;

The Council adopted the EU programme of exercises and exercise-related activities under the common foreign and security policy for the period 2018-22;

The Council extended the mandate of the EU advisory mission (EUAM) Iraq until 17 April 2020;

The Council adopted a recommendation providing detailed guidance on the objectives and progress indicators for the fulfilment by each participating member state of the more binding commitments that have been undertaken when the permanent structured co-operation (PESCO) was launched at the end of 2017;

The Council approved the High Representative’s report on the operation commander’s 28th six-monthly report on Operation EUFOR Althea;

The Council adopted a regulation on the research and training programme of the European Atomic Energy Community for the years 2019 and 2020;

The Council approved a joint statement for the occasion of the second Arctic science ministerial meeting that will take place in Berlin on 25 and 26 October 2018.

[HCWS1042]

### Wilton Park: Tailored Review

**The Minister for Asia and the Pacific (Mark Field):** I am announcing today the publication of the recent tailored review of Wilton Park, an executive agency of the Foreign and Commonwealth Office.

Wilton Park convenes discreet dialogue on the UK’s strategic foreign policy priorities. It has shaped and delivered events since 1946, which link a global network of experts from sectors including academia, the military, civil society, business, politicians and diplomats.

The principal aim of tailored reviews, which are carried out according to Cabinet Office guidance, is to ensure public bodies remain fit for purpose, well governed and properly accountable for what they do. The full report can be read on gov.uk.

This review involved consultation with a broad range of stakeholders across the UK and beyond, including Wilton Park staff, the Wilton Park board, commercial and academic sponsors, and a full range of partner organisations.

The review reported in September 2018. It found that Wilton Park is functioning well as an organisation. It recommended that it should remain an executive agency of the Foreign and Commonwealth Office and remain at Wiston House at least until the end of the current lease in 2027.

The review nonetheless contains a number of recommendations to refresh and strengthen Wilton Park’s corporate governance. A plan to implement all the recommendations by their stated deadlines has been developed and agreed between the FCO and Wilton Park, and will be taken forward by officials.

Copies of the review will be placed in the Libraries of both Houses.

[HCWS1041]

## HEALTH AND SOCIAL CARE

### Future Reciprocal Healthcare Arrangements

**The Minister for Health (Stephen Barclay):** Today, the Government are introducing the Healthcare (International Arrangements) Bill. This will provide the Government with the powers that are needed to fund and effectively implement arrangements for UK nationals to obtain healthcare abroad after the UK exits the European Union (EU).

Current EU reciprocal healthcare arrangements enable UK nationals to access healthcare when they live, study, work, or travel abroad and visa-versa for EU citizens when in the UK. They give people more life options, and support tourism, businesses, and healthcare co-operation. The UK also has a number of reciprocal healthcare agreements with non-EU and European Economic Area countries, such as Australia and New Zealand.

These arrangements ensure that UK nationals living and working in the EU, EEA and Switzerland can access healthcare in exchange for paying taxes and social security contributions. The UK also funds healthcare abroad for a number of current or former UK residents. This includes healthcare for UK state pensioners who spend their retirement in the EU and needs arising when UK residents visit the EU for holiday or study through the European healthcare insurance card (EHIC) Scheme.

The Bill is part of the Government’s preparations for EU exit and will ensure that whatever the outcome of EU exit, the Government can take the necessary steps to continue reciprocal healthcare arrangements or otherwise support UK residents to obtain healthcare when they move to or visit the EU.

Presently, the Secretary of State for Health and Social Care has limited domestic powers to fund and arrange healthcare outside the UK. When the UK leaves the EU the current EU regulations will no longer be part of UK law and new legislation will be needed.

This Bill confers powers on the Secretary of State to make and arrange for payments to be made in respect of the cost of healthcare provided outside the UK. This would allow for the funding of reciprocal healthcare arrangements for UK nationals living in the EU, EEA and Switzerland.

The Bill also confers powers on the Secretary of State to make regulations for and in connection with the provision of healthcare abroad and to give effect to

healthcare agreements with other countries or territories (both EU and non-EU) or supranational bodies such as the EU.

Finally, the Bill provides for the lawful processing of data where necessary for purposes of implementing, operating or facilitating the operation of reciprocal healthcare arrangements or payments.

Current healthcare agreements benefit people in all parts of the UK, assisting people to obtain healthcare when they are abroad. The UK Government are therefore engaging with the devolved Administrations to deliver an approach that works for the whole UK in a way that fully respects the devolution settlements.

The Bill underscores the Government's commitment to reaching a reciprocal healthcare agreement with the EU, or where necessary making agreements with member states, and to exploring potential agreements with third countries in the future.

The Government welcome the forthcoming scrutiny of the Bill, to ensure that it achieves its aims for the continuation of healthcare support for UK nationals in the EU, EEA and Switzerland after the UK exits the EU, but also enabling the UK to look to the future.

[HCWS1040]

## HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

### Housing Update

**The Secretary of State for Housing, Communities and Local Government (James Brokenshire):** I am today publishing a consultation on updates to national planning policy and guidance. This consultation proposes changes to the standard method for calculating local housing need to ensure consistency, with the objective of delivering 300,000 homes per year, on average, by the mid-2020s while providing the clarity that communities need. The consultation also proposes clarifications of national planning policy on housing land supply, the definition of deliverable sites and appropriate assessment for habitats sites.

Our reforms are enabling local planning authorities to plan for the right homes in the right places, in a way that is open, transparent and sustainable for local communities. A key part of this is a standard method for assessing housing need. This has been introduced to ensure a consistent starting point when understanding how many homes are needed in each local area.

Recent changes to one of the statistical datasets the standard method relies on has led to confusion and uncertainty in some areas about how many homes are needed. This consultation therefore proposes changes to the standard method to ensure consistency, with the objective of building more homes, while ensuring local authorities have the clarity they need to produce local plans.

This consultation is open until 7 December, and I will inform the House of the outcome of the consultation as appropriate.

[HCWS1044]

## INTERNATIONAL TRADE

### Trade Remedies Authority

**The Secretary of State for International Trade and President of the Board of Trade (Dr Liam Fox):** This Government are committed to establishing the new UK Trade Remedies Authority (TRA), which will be responsible for providing a safety net to domestic industries after the UK has left the EU.

We have made significant progress so far. The Taxation (Cross-Border Trade) Act 2018, which sets out the trade remedies framework that the TRA will be responsible for delivering, received Royal Assent on 13 September 2018. In parallel, we are in the process of establishing the TRA as a non-departmental public body through the Trade Bill.

The UK is a strong supporter of free trade. But this does not mean trade without rules. Trade remedy measures support free trade by ensuring it is also based on rules, in accordance with the UK's international obligations to the World Trade Organisation and our traditions.

We cannot risk leaving UK industry unprotected against these unfair trading practices. That is why it is in our national interest to ensure the TRA is established and appropriately staffed in case we do not negotiate a deal prior to the UK's departure from the European Union.

I hope all opposition parties in both the House of Commons and the House of Lords will give support to the Trade Bill to ensure that no UK industries, or parts of the UK, are at risk of being left unprotected. On 29 March 2018, the Department secured a technical ministerial direction to authorise spending on the implementation of the TRA prior to Royal Assent for the Trade Bill, in line with the guidance issued by the permanent secretaries of HM Treasury and the Department for Exiting the European Union as well as the written ministerial statement from the Chief Secretary to the Treasury in October 2017.

We have been focused on ensuring that the TRA has the right leadership in place from the start. That is why I am pleased to announce that Sir David Wright, the UK's former ambassador to both the Republic of Korea and Japan, has been appointed to DIT as TRA chair-designate. Sir David presents an outstanding profile in international and bilateral trade policy, having served as the first chief executive of British Trade International, which later became UK Trade and Investment. He also served as vice-chairman of Barclays Capital from 2003 to 2010, and then subsequently as vice-chairman of Barclays PLC until his final role as senior advisor from 2016 to 2018. Today he is global advisor of SMFG, chairman of Skarbek and chairman of TheCityUK's Japan market advisory group. I am confident that Sir David's unique experience in international trade, diplomacy and non-executive roles make him the ideal candidate.

Sir David will initially be appointed to DIT as TRA chair-designate until the Trade Bill receives Royal Assent and the TRA is legally established—which is, of course, subject to the will of Parliament. Once this has taken place, it is my intention that Sir David be formally appointed as TRA chair. The total length of Sir David's term—across both roles—will be three years.

I can also announce that Claire Bassett has been recruited to DIT as TRA chief executive-designate. Claire offers extensive public body leadership experience, having most recently served as chief executive of the Electoral Commission. Prior to that, she has been chief executive of the Parole Board for England and Wales and the Criminal Cases Review Commission.

Once the TRA has been legally established, the TRA chair will be responsible for making a final decision on the appointment of a TRA chief executive, subject to my approval. This is consistent with the appointment powers set out in the Trade Bill.

I am also pleased to say that the future TRA's wider senior leadership team has also now been recruited to DIT—including its chief economist, chief operating officer, general counsel and joint chief investigators. It is our intention that they will be transferred to the TRA once it has been legally established.

Sir David, Claire and the senior leadership team will join the Department's "shadow" TRA function in its Reading office premises in Northgate House, in the near future. Located in the heart of Reading, Northgate House offers excellent transport links and will enable the TRA to serve the whole of the UK effectively. Reading has one of the highest concentrations of relevant skills in the country and this is in addition to having access to Reading's university and leading businesses. By securing these office premises now, we have ensured that future TRA staff have a location in which to be properly trained in preparation for the UK's exit from the EU and the TRA being legally established through Royal Assent of the Trade Bill.

[HCWS1046]

## JUSTICE

### Justice Update

**The Lord Chancellor and Secretary of State for Justice (Mr David Gauke):** The "Supplement to the Fortieth Annual Report on Senior Salaries 2018" is published today. The supplement follows the Senior Salaries Review Body's (SSRB) annual and major reviews of judicial pay. Copies are available from the Vote Office and the Printed Paper Office. I am grateful to the chairman and members of the review body for their work in undertaking these reviews.

The Government value the vital role played by the judiciary. Our judges are the envy of the world. They deservedly have the very highest reputation for integrity and independence. They deliver justice every day in courts and tribunals across the land without fear or favour, and in doing so uphold the rule of law on which our society is founded. Beyond that fundamental role, the quality and dependability of our judiciary is a critical part of making the UK an attractive place to settle disputes, and English law a pre-eminent choice for contracts.

I am pleased therefore to confirm today that members of the judiciary will receive a pay increase of 2% in 2018/19, which is the biggest pay rise for judges in nearly 10 years. This award will be backdated to April 2018.

In reaching our final position for the 2018/19 pay award, the Government have had to balance the need for affordability for the tax payer and future sustainability of public services while ensuring that pay awards are

fair and consistent across the public sector. Therefore, the Government have not accepted in full the SSRB's recommended increase of 2.5%.

The SSRB has also, at the Government's request, conducted a major review of the judicial salary structure. This is a comprehensive assessment of the appropriate structure and levels of judicial pay for the future, taking into account the need to recruit and retain judicial office holders of the highest calibre.

In its major review report, which I am also publishing today, the SSRB highlight evidence of a growing recruitment problem at certain key levels within the judiciary—notably at High Court and circuit bench level. The SSRB conclude that these problems are principally occurring because the reward package has become much less attractive to potential applicants, and highlight in particular the impact of recent pensions changes on judicial reward.

The SSRB have made a series of recommendations, including that varying levels of pay increase are made across different salary groups, with the biggest increases recommended for those judges in salary groups where there is evidence of a recruitment problem and who are in the new judicial pension scheme 2015.

The Government take very seriously the threat that being unable to fill key judicial posts represents to the proper functioning of justice and the UK's wider prosperity. We are now carefully considering what changes might be made to the judicial remuneration package to address the particular issues highlighted by the SSRB's major review.

The Government will also be considering the SSRB's recommendations on changes to the current judicial salary structure and their proposals for new pay supplements for those judges who undertake extra leadership responsibilities. I can also confirm that the Government will honour their commitment to maintain the recruitment and retention allowance currently paid to eligible High Court judges until they have responded to the major review.

This Government remain committed to ensuring our courts and tribunals system is as efficient as possible. Through our reform programme we have already taken important steps towards enabling judges to make the best possible use of their time, and I will continue to work towards this objective in partnership with the Lord Chief Justice and Senior President of Tribunals.

I will make a further statement to the House when I am in a position to set out in full the Government's response to the major review.

[HCWS1045]

## TRANSPORT

### Crossrail Update

**The Minister of State, Department for Transport (Joseph Johnson):** On 31 August 2018, Crossrail Ltd, a wholly-owned subsidiary of Transport for London (TfL), announced a delay to the planned opening of the Elizabeth line.

Discussions between TfL and Government are under way as to how any additional funding will be provided, with London—as the primary beneficiary of Crossrail—bearing any additional costs via a financing arrangement.

TfL and the Department for Transport have commissioned an independent review of Crossrail's governance and a separate review on Crossrail's finance and commercial position.

Today, as an interim measure, we are announcing that £350 million of short-term repayable financing will be made available to the Mayor for the year 2018-19. This will ensure that full momentum is maintained behind Crossrail.

This project is already delivering benefits for the whole of the UK through its cross-country supply chain and its UK-built train fleet. When open, Crossrail will be transformative and carry up to 200 million passengers a year, delivering £42 billion of investment into the UK economy.

A further update will be provided once the discussions on the financing arrangements have concluded.

[HCWS1043]

## WOMEN AND EQUALITIES

### Civil Partnerships

**The Secretary of State for International Development (Penny Mordaunt):** This Government are committed to fairness and equal treatment in all areas of life. Families, in all their forms, are a fundamental element of society, and we want to ensure that they are as secure and stable as possible, in order for people to flourish.

Civil partnerships were originally created to enable same-sex couples to formalise their relationships at a time when marriage was not available to them. Since then, we are pleased to have introduced marriage for same-sex couples through the Marriage (Same-Sex Couples) Act 2013. However, this created a situation whereby same-sex couples have the option either to marry or form a civil partnership, but opposite-sex couples have only the option to marry.

The Government have been considering how to equalise access to civil partnerships between same-sex and opposite-sex couples and on 2 October, the Prime Minister announced that the Government will extend civil partnerships to opposite-sex couples.

There are around 3.3million cohabiting couples in the UK, almost half of them with children, and all of them without the protections and security that a formalised relationship can bring. The announcement ensures that, in future, opposite-sex couples will be able to benefit from the protections and security that a civil partnership provides.

I would like to pay tribute to those who have campaigned for this change over a number of years, including my hon. Friend for East Worthing and Shoreham, whose commitment to this cause has laid the foundation for the Government to take forward this important change through his support for the cause of equal civil partnerships, and his Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill, currently before the House.

The changes needed to effect the greater equality we wish to see are not all straightforward and there are a number of questions that arise specifically about opening civil partnerships to opposite-sex couples for the first time, on which we will need to consult. For example, whether couples can choose to convert their civil partnership into a marriage (or vice-versa) and what should be the grounds for dissolution of an opposite-sex civil partnership.

We are clear that Government legislation is essential to ensure that these and other consequential of opposite-sex civil partnerships are properly legislated for and adequately debated by this House and in the other place. This would not be possible through my hon. Friend's Bill as currently amended.

We intend to consult to enable us to introduce legislation in the next parliamentary Session to bring about the necessary changes.

[HCWS1039]





# WRITTEN STATEMENTS

Friday 26 October 2018

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*Bill presented, and read the First time*

**Homes (Fitness for Habitation) Bill [Col. 536]**

*As amended, considered*

*Read the Third time and passed*

**Civil Partnerships, Marriages and Deaths (Registration etc.) Bill [Col. 555]**

*As amended, considered*

*Read the Third time and passed*

**Organ Donation (Deemed Consent) Bill [Col. 587]**

*As amended, considered*

*Read the Third time and passed*

**Physician Associates (Regulation) Bill [Col. 612]**

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