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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY
DEBATES

(HANSARD)

Monday 17 December 2018

House of Commons

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The House met at half-past Two o'clock

PRAYERS

[MR SPEAKER *in the Chair*]

BUSINESS BEFORE QUESTIONS

ELECTORAL COMMISSIONERS

The VICE CHAMBERLAIN OF THE HOUSEHOLD reported to the House, That the Address of 21 November, praying that Her Majesty will appoint Lord Gilbert of Panteg and Joan Walley as Electoral Commissioners with effect from 1 November 2018 for the period ending on 31 October 2022; and Alastair Ross as an Electoral Commissioner with effect from 1 November 2018 for the period ending on 31 October 2020, was presented to Her Majesty, who was graciously pleased to comply with the request.

INDEPENDENT PARLIAMENTARY STANDARDS AUTHORITY

The VICE CHAMBERLAIN OF THE HOUSEHOLD reported to the House, That the Address of 12 December, praying that Her Majesty will appoint Richard Lloyd to the office of ordinary member of the Independent Parliamentary Standards Authority for a period of five years with effect from 1 December 2018, was presented to Her Majesty, who was graciously pleased to comply with the request.

Oral Answers to Questions

EDUCATION

The Secretary of State was asked—

Children in Care

1. **Lucy Allan** (Telford) (Con): What recent estimate his Department has made of the number of children in the care system. [908209]

The Secretary of State for Education (Damian Hinds): At 31 March this year, there were just over 75,000 looked-after children in England, 4% up on the previous year following a small fall in the number entering care, but also a decrease in the number leaving.

Lucy Allan: Does the Secretary of State agree that if funding for family support and early intervention was ring-fenced, that would reduce the number of children subject to expensive statutory intervention and care proceedings?

Damian Hinds: I understand why my hon. Friend makes that point. It is important that authorities should have flexibility in managing their budgets in line with local priorities, but I also very much agree that early-help services have a really important role to play in promoting the welfare of children and supporting them in achieving better outcomes.

Rachael Maskell (York Central) (Lab/Co-op): Will the Secretary of State review the amount of resources put per family to support the birth mother around raising their children? We have had so many cases in York where children have been taken into care or for adoption because of a lack of resources reported by the local authority.

Damian Hinds: We do believe that in most cases it is right for the child to be with their parents and that they should be taken into care only as a last resort. We are putting resources into local authorities to help with that, but money is tight—I totally recognise that—and that is why we are seeking always to improve processes, including by some of our partners in practical innovation programmes.

Mr Philip Hollobone (Kettering) (Con): I thank the Secretary of State for appointing a children's commissioner to Northamptonshire. Why did he feel it necessary to effect such an appointment, and how quickly does he expect results to be realised?

Damian Hinds: Of course, the safety of children must always be paramount, and we consider it to be the right approach, in the circumstances in Northamptonshire, to do that. These things do not all change overnight in terms of systems and processes, but we do expect to see good progress.

Mrs Emma Lewell-Buck (South Shields) (Lab): Seventy-three per cent. of children's residential care providers are now run purely for profit. Alongside this, Ofsted has reported a rise in serious enforcement action against providers with regard to safeguarding concerns, poor use of physical restraint, children going missing, and children at high risk of sexual exploitation. How much longer will the right hon. Gentleman preside over the commodification of vulnerable children, and how many children's residential homes has he visited in his time as Secretary of State?

Damian Hinds: I do not recognise the hon. Lady's characterisation of what she called commoditisation. A variety of providers are operating in children's residential placements, and we expect the very highest standards of care for those children. That is why the Ofsted inspections are as they are.

Social Mobility

2. **Nigel Huddleston** (Mid Worcestershire) (Con): What steps his Department is taking to improve social mobility. [908210]

9. **Scott Mann** (North Cornwall) (Con): What steps his Department is taking to improve social mobility. [908217]

17. **Mike Wood** (Dudley South) (Con): What steps his Department is taking to improve social mobility. [908225]

22. **Fiona Bruce** (Congleton) (Con): What steps his Department is taking to improve social mobility. [908230]

The Secretary of State for Education (Damian Hinds): Social mobility is one of our top priorities, and we have seen the attainment gap for disadvantaged pupils narrow at all levels, from pre-school to university entrance.

Nigel Huddleston: My Mid Worcestershire constituency is one of many rural constituencies that received a disappointingly low ranking in the latest social mobility index. The fairer funding formula will help, but what else will the Department do to close the gap in social mobility between rural and urban areas?

Damian Hinds: My hon. Friend is right to identify the issue in rural areas. It is encouraging that the number of good or outstanding schools in his constituency is up from 37 to 41 since 2010, but he is correct that rural areas can face distinct barriers. Through the opportunity areas programme, among other things, we will see what else we can learn to assist social mobility in rural areas.

Scott Mann: Recent Policy Exchange research shows that poor behaviour is holding back learning and driving teachers out of the profession. Does the Secretary of State agree that if we drive out that poor behaviour, we can give every child a chance to climb the ladder?

Damian Hinds: Yes, indeed. Classrooms must be safe, calm and stimulating places for both children and teachers. The Policy Exchange report highlights what the best-performing schools do. We recently pledged £10 million to help share best practice in behaviour management, which we know is so important to teachers.

Mike Wood: Is my right hon. Friend aware of the Institute for Fiscal Studies report of 31 October, which shows that since 2010, our reforms have meant more funding going to pupils from poorer backgrounds? If so, will he join me in welcoming that report?

Damian Hinds: I welcome the IFS report. We want a country with maximum opportunity for everybody, regardless of their background. The IFS report identifies how reforms since 2010 have increased funding in favour of pupils from poorer backgrounds. That is part of starting to redress the balance and ensure that there are no limits on any child's potential.

Fiona Bruce: Does the Secretary of State agree that one of the best ways to give children a good start in life is for them to be brought up in a stable and loving home? What is the Department doing to strengthen family relationships in this country?

Damian Hinds: I agree with my hon. Friend that strong families can help social mobility and so much else. Our reform programme, "Putting children first", aims to ensure that vulnerable children and families receive high-quality support as soon as need is identified.

Stephanie Peacock (Barnsley East) (Lab): As today's shocking research from the National Education Union shows, one simple step that could help the most disadvantaged children is providing them with a healthy meal. It is more than two years since the Government committed to a healthy schools rating system. When will they act?

Damian Hinds: I am glad that the hon. Lady mentions the issue of providing meals for children at school. We have done a great deal on breakfast, and we have also extended eligibility for free school meals on three different occasions—in a way the Labour party never did when it was in government—through universal infant free school meals, free meals in further education colleges and, most recently, the roll-out of universal credit.

Stephen Twigg (Liverpool, West Derby) (Lab/Co-op): In 2015, I set up the Liverpool to Oxbridge collaborative, to encourage more students from schools in my constituency to apply to Oxford or Cambridge. Will the Secretary of State join me in congratulating the 19 students who have had interviews this month at either Oxford or Cambridge and have been part of that scheme? Will his Department work with me to encourage other areas of the country, particularly those with high levels of deprivation and poverty, to adopt similar schemes?

Damian Hinds: I am delighted to do so on both counts. I commend the hon. Gentleman for his work in this area. Encouraging young people to aim higher—whether that is to Oxford, Cambridge or other universities, or into professions—is very worth while, and I certainly join him in what he says.

25. [908233] **Dr Rupa Huq** (Ealing Central and Acton) (Lab): The further education sector—famously an engine of social mobility—is now under threat from the insolvency regime that comes in next year. Karen Redhead has turned Ealing, Hammersmith and West London College around, but she would like assurances that the support mechanisms that allowed that will continue next year, so that such colleges do not just disappear down the plughole when the new rules kick in.

Damian Hinds: The framework that the hon. Lady mentions is, among other things, there to protect students studying at colleges. FE colleges have a central role to play in our system, particularly as we develop the apprenticeships programme and bring in T-levels.

John Cryer (Leyton and Wanstead) (Lab): The same NEU report shows that more children will be going hungry this winter than ever before, in the experience of most teachers. Is that helping or hindering social mobility?

Damian Hinds: I am pleased to be able to confirm to the hon. Gentleman that we have record levels of employment, which have helped to contribute to record levels of household income. We have brought in the national living wage and brought in tax cuts for millions of people—all to help to support working families' household budgets.

Robert Halfon (Harlow) (Con): Given that many apprentices are from disadvantaged backgrounds, will my right hon. Friend make sure that the apprenticeship

levy is fit for purpose? A lot of employers are rebadging and retraining senior employees, and denying new apprentices the chance to do apprenticeships. Will he confirm that there is a £500 million overspend on the apprenticeship levy budget?

Damian Hinds: I can confirm to my right hon. Friend that it is of course very important that we continue to monitor the way in which the apprenticeship levy works. We have committed to having a review, and we will work with businesses on how it works after 2020 to make sure that young people, but also older people or people who are further into their careers, can benefit from this programme.

Carol Monaghan (Glasgow North West) (SNP): According to UCAS figures, the number of young Scots from deprived backgrounds gaining a place at university is at an all-time high—firm proof that the Scottish Government's policy of free tuition is working. Rather than become involved in creative accounting with student loans, will the Secretary of State now follow Scotland's lead in improving social mobility, and scrap tuition fees?

Damian Hinds: The picture that the hon. Lady paints of the higher education sector in Scotland—it of course features many very high quality higher education institutions—is not the same one on admissions, I have to say, that I hear from everybody. I am pleased to be able to confirm that in England we have a record number and proportion of young people going on to university.

Tracy Brabin (Batley and Spen) (Lab/Co-op): The Social Mobility Commission's recent survey revealed a deep unease at the gap between the rich and poor, with the public believing that the Government, employers and schools are not doing enough. The Secretary of State's response to this urgent problem is to make £2 million available for more research, but there is still no concrete plan of action. Can he tell us exactly how much of the £2 million will be spent on the most important time for social mobility—the early years—and will it investigate the impact on the poorest children being locked out of 30 hours of free childcare?

Damian Hinds: The concern that the hon. Lady mentions is a concern shared by me—I want to go further and faster on social mobility—but I am not quite sure where she gets the idea that the social mobility strategy consists of the research budget of the Social Mobility Commission. Social mobility is at the heart of everything that we do, and we see it in the narrowing of the attainment gap in nursery school, in primary school, in secondary school, in the attainment of level 2 maths and English by age 19 and in university admissions.

SEND Services: Lancashire

3. **Rosie Cooper** (West Lancashire) (Lab): What assessment he has made of progress on delivering the actions set out in the written statement of action issued in response to the 2017 inspection of services for children and young people with SEND in Lancashire. [908211]

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): Lancashire produced a written statement of action, which Ofsted has assessed as fit for purpose. Advisers from the Department and NHS England are now monitoring and supporting the implementation of the written statement of action. Ofsted and the Care Quality Commission will revisit the area in early 2020 to assess progress.

Rosie Cooper: Will the Minister indicate what funding is being made available to Lancashire County Council, for example through the high needs block of the dedicated schools grant, to enable it to fix the failings outlined in the Ofsted report, given that Lancashire County Council is already £10 million overspent and it is estimated that there is an overspend in this area of half a billion nationally?

Nadhim Zahawi: Yesterday, we announced that local authorities will receive an additional £250 million of high needs funding over two years, plus £100 million of capital funding to make more places available. That will take our total spend per annum on high needs funding to over £6 billion.

Mike Kane (Wythenshawe and Sale East) (Lab): That answer shows that the Minister has his head in the sand. In addition to what is happening in Lancashire, new research for the Local Government Association shows that by 2020-21 there will be a potential £1.6 billion gap in funding for special educational needs and disabilities nationally. Given that there is no new money, according to what the Secretary of State said on the television at the weekend, when will the Government ensure that children with SEND are able to access the education they deserve?

Nadhim Zahawi: This is new money—£250 million plus £100 million for capital spending—from the underspend in the Department. The additional funding will help local authorities and schools with the increasing costs of provision for some of our most vulnerable children and young people. I think it is a shame that the Opposition are scaremongering in this way with the most vulnerable families in our society.

Secondary School Standards

4. **Andrew Bridgen** (North West Leicestershire) (Con): What steps his Department is taking to raise standards in secondary schools. [908212]

The Secretary of State for Education (Damian Hinds): The dedication of teachers along with our reforms has seen the proportion of good or outstanding secondary schools increase from 64% to 75%, in terms of the pupils in them, between 2010 and 2018.

Andrew Bridgen: Unlike the vast majority of senior schools, most of my constituency still operates a middle and upper school system. Does my right hon. Friend agree that the all-through education model is better for raising standards and preferable to pupils having to move school only five terms before they take their GCSE exams? Will he do everything in his power to assist schools in North West Leicestershire that want to transition to the 11-to-16 model?

Damian Hinds: These decisions are best made at a local level in the light of the local circumstances, but to support schools that decide to change their age range, we publish online guidance for maintained schools and academies on the process involved. I am pleased that my hon. Friend is in touch with my right hon. Friend the Minister for School Standards.

Lucy Powell (Manchester Central) (Lab/Co-op): During the recent Education Committee inquiry, we heard from many businesses and experts about how the current UK curriculum is taking us in the wrong direction. They said that it is about regurgitating knowledge rather than equipping young people with skills—communication skills, and the ability to do projects, science practicals and so on. Does the Secretary of State agree or disagree with those people?

Damian Hinds: If parents, employers and others heard us suggesting that there was some sort of conflict between knowledge and skills, they would despair. People need both when they come out of school. The development of skills is in many ways about knowing how to deploy knowledge. We believe that a knowledge-rich curriculum is incredibly important and helps to develop the skills that young people need for the world of work—and, indeed, for life.

Theresa Villiers (Chipping Barnet) (Con): Does the Secretary of State agree that, if we are to continue to raise standards in schools, it is important that schools funding is given a high priority in next year's spending review?

Damian Hinds: Indeed. Schools, and education more broadly, are a unique case in our national life because they are all about bringing up the next generation and social mobility, and ensuring that our economy works at its full productive potential.

Peter Kyle (Hove) (Lab): Ofsted has proved to be one of the most effective regulators in the country, but with cuts of almost 50%, inspections are too short and inspection teams are too small, and many schools simply do not get the inspections they need—some should require improvement or be in special measures and are not; and some good schools should be outstanding but are not. Will the Secretary of State commit to putting more resource into Ofsted so that parents can have faith that their schools are delivering for their students?

Damian Hinds: I have faith in the Ofsted system, which is an incredibly important part of our system alongside performance measures and so on. It is a vital part of what parents use to select their school. The new Ofsted framework, which is due to come in next year, is a further opportunity to develop that, but we want a proportionate system.

STEM Subjects

5. **Luke Graham (Ochil and South Perthshire) (Con):** What steps his Department is taking to increase the take-up of STEM subjects. [908213]

21. **Antoinette Sandbach (Eddisbury) (Con):** What steps his Department is taking to increase the take-up of STEM subjects. [908229]

The Minister for Apprenticeships and Skills (Anne Milton): The Government's industrial strategy specifically targets STEM shortage skills. Between 2012 and 2018, entries to A-level maths rose by 25%. It is now the most popular A-level. Exam entries for GCSE computer science have increased from 2013, when it was first examined, from just over 4,000 to more than 70,000 in 2018. That is in part down to the £7.2 million funding that is going into maths hubs. A number of programmes have given STEM a real drive in schools and further education.¹

Luke Graham: I recently co-hosted a STEM workshop in Crieff High School in my constituency with the support of the Royal Navy. Will my right hon. Friend meet me to talk about what education opportunities we can provide across the United Kingdom working with educational institutions, the Ministry of Defence, the Department for International Development and the National Citizen Service?

Anne Milton: Well done to Crieff High School, NCS, DFID and the Royal Navy. There is no doubt that weaving education into life jobs and everything we do with young people is how we get results. I would be delighted to meet my hon. Friend any time.

Antoinette Sandbach: When I visit STEM businesses in my constituency, I often ask how many of their apprentices are women. They say that there are not enough coming through the pipeline, the same excuse for why they do not have female directors. What is the Minister doing to increase the take-up by women and girls of STEM subjects?

Anne Milton: My hon. Friend is right that, without doubt, gender stereotypes affect what young girls do. Those stereotypes are changing because we are making sure that we change them. For instance, since 2010 we have seen 26% more women entering STEM A-levels. However, we recognise that the take-up for physics is notably low and we have put money into the Stimulating Physics Network. I praise hon. Members who have taken part in the Year of Engineering. We know that at primary school girls and boys have similar levels of interest in STEM subjects, but that that tails off quite substantially at secondary school. We are doing research to understand that better.¹

Jessica Morden (Newport East) (Lab): Students from Coleg Gwent had great success recently at the WorldSkills UK competition, including a gold in forensic science, which is a great advert for taking up STEM subjects. Will the Minister join me in congratulating all Welsh students and colleges who did fantastically well across the board in that UK-wide competition?

Anne Milton: Yes, I am very happy to join the hon. Lady in congratulating them. Right hon. and hon. Members who do not know anything about WorldSkills should take a look—it is fantastic. I am disappointed that the Scottish Government have chosen not to put in any money, despite its success. WorldSkills is a way of showcasing exactly what young people can achieve.

Carol Monaghan (Glasgow North West) (SNP): I was about to thank the Minister for her positive comments about STEM, however I should point out that the Scottish Government properly fund further education.

1. [Official Report, 20 December 2018, Vol. 651, c. 5MC.]

STEM careers are still not attracting enough young people and we have a continuing need to tap into Europe's talent streams. Does the Minister share my concern that limited uptake of STEM subjects, now coupled with potential restrictions on EU nationals based on salary, is a serious issue? What discussions has she had with the Home Secretary on keeping the EU talent pipeline open?

Anne Milton: It is extremely important that we use talent from wherever it comes. I reiterate that I am disappointed at the Scottish Government for refusing my invitation to put some money into WorldSkills. This is an opportunity to boost engineering careers and choices, particularly for women. I am disappointed in the Scottish Government's attitude.

School Places: England

6. **Mr Marcus Jones** (Nuneaton) (Con): What steps his Department is taking to increase the number of good school places in England. [908214]

The Secretary of State for Education (Damian Hinds): There are 1.9 million more pupils in good or outstanding schools compared to 2010 and we are on track to create 1 million places this decade. That compares with a loss of 100,000 places in the six years up to 2010.

Mr Marcus Jones (Nuneaton) (Con): A badly planned new housing development is putting enormous strain on school places in my constituency, particularly primary places. We have a new school that will open in 2019, but the funding process through the Education and Skills Funding Agency has been very elongated and bureaucratic. I would be grateful if my right hon. Friend could say how the process can be simplified, so that in future we can ensure that the supply of good new school places matches the demand in areas where there is new development.

Damian Hinds: I thank my hon. Friend for his support on the Lower Farm primary academy. The Department is always looking for ways to improve our processes, driving efficiency and value. That now includes the establishment of a specialist property company and the use of modern construction methods to help to build schools faster. I am very grateful to him for his helpful feedback.

Emma Hardy (Kingston upon Hull West and Hessle) (Lab): I am deeply concerned that schools are using isolation rooms as a form of unregistered exclusion for pupils for extended periods of time, thereby severely harming their education. What assessment has the Secretary of State made of how good the education is that is received by the children forced into using them?

Damian Hinds: We think it is up to headteachers, within the rules, to set the behaviour policy in their schools. They have to set it out clearly in their behaviour policy, on which there are clear guidelines.

Sir David Evennett (Bexleyheath and Crayford) (Con): Does my right hon. Friend welcome the rising percentage of good and outstanding places in special schools, meaning that no matter what challenges someone faces, real opportunities are on offer for all?

Damian Hinds: I do welcome that. As part of yesterday's announcement, we also said that we would take off the cap on the current round of special and alternative provision free school applications and approve the full set that met the criteria.

Catherine West (Hornsey and Wood Green) (Lab): Good school places include good school music teaching, but headteachers tell me that they cannot afford to provide high-quality music education, which flows into a lack of access to tertiary places. We have more international students studying at tertiary level than we do our domestic students in some cases. Will the Government urgently review the provision of high-quality music education, so that every child, regardless of their region, background, skin colour or religion, can study music at our wonderful universities?

Damian Hinds: I agree with the hon. Lady about the essential importance of music. That is one reason why music is the second most financially supported subject in our school system, after PE. We have invested £300 million in funding for music hubs and other music programmes between 2016 and 2020.

Air Quality: School Sites

7. **Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): What plans he has to ensure that all schools monitor air quality at their sites. [908215]

The Minister for School Standards (Nick Gibb): Local authorities are responsible for air quality and must ensure that it meets the standards set in local air quality action plans. If there is concern about the air quality in a school building, it would fall to the body responsible for the school to check that and establish what measures need to be taken to improve air quality.

Mr Sheerman: Will the Minister and the Government take air pollution in our country and the effect that it has having on children's brains far more seriously? A target of doing something about air pollution in our country by 2040 is not good enough. The research evidence shows that children's brains are being affected now and more so in homes where incomes are lower and in ethnic minority homes.

Nick Gibb: The Government take the safety of pupils extremely seriously. We recently published technical guidance on air quality in schools. This takes into account the latest developments in air quality management and monitoring to support the design of new schools, and it promotes best practice and covers air quality as a matter of controlling both external and internal pollutants and setting maximum standards for levels of pollutants in classrooms.

Tim Loughton (East Worthing and Shoreham) (Con): The Minister will know that a controversial housing development on the A27, one of the busiest roads in the south-east, includes plans for a new school. Local air pollution monitoring equipment does not even work. Does he not think that it is crazy to put a new school right next to such a busy road and should that not be a planning consideration when locating schools in future?

Nick Gibb: My hon. Friend raises an important point; we take air quality very seriously. It is a matter for West Sussex County Council to ensure that every school that is built in that county has high-quality air for the pupils in those schools.

Education Funding

8. **Peter Heaton-Jones** (North Devon) (Con): What recent comparative assessment he has made of the level of education funding in England and other countries. [908216]

The Minister for School Standards (Nick Gibb): OECD data shows that the UK spends as much per pupil on state school education as any major economy in the world, apart from the United States. However we cut the data, the UK is among the highest spenders, and that is also true when we look at expenditure as a share of GDP.

Peter Heaton-Jones: I thank the Minister for that answer, and I welcome the work that he is doing to ensure that we compare well internationally, but will he continue to work with me to ensure that that funding is equitably distributed within England? I am thinking particularly of a fairer share for places such as Devon.

Nick Gibb: My hon. Friend fights hard for the interests of the schools in his constituency, as I know at first hand from the schools that he has invited me to visit and the headteachers to whom he has introduced me at round-table discussions that he has organised on school funding. He will know, therefore, that under the fairer national funding formula, Devon will gain £13.6 million for its schools by 2019-20, rising from £382 million to £396 million in 2019.

20. [908228] **Liz Twist** (Blaydon) (Lab): Turning to further education, funding for students aged 16 to 19 has fallen by 8% since 2010 according to the Institute for Fiscal Studies—the biggest squeeze of any part of the education budget—and the Government announced last week that the base funding rate for 16 to 19-year-olds would be frozen for the seventh year running. Does the Minister agree with the chief inspector of Ofsted, Amanda Spielman, who says that the “sustainability and quality” of further education and skills provision have been hit by the cuts to their funding?

Nick Gibb: Of course, we have guaranteed the amount per pupil for post 16, but we understand the constraints of post-16 funding. There is £500 million extra a year coming into the FE sector with the introduction of T-levels.

Ben Bradley (Mansfield) (Con): The Education Committee is conducting an inquiry into special educational needs and disability funding and provision. Does my right hon. Friend recognise that improving SEND support would go a long way to helping give schools a financial breathing space, given the extent that it impinges on schools' core budgets?

Nick Gibb: My hon. Friend is absolutely right. High-needs funding for children and young people with more complex SEN needs has risen by more than £1 billion since 2013. It is now £6 billion. As my right hon. Friend

the Secretary of State announced yesterday, there will be another £125 million this year and another £125 million next year for high needs.

Mr Speaker: I gently exhort the Minister of State to face the House so that we can all benefit from his mellifluous tones.

Sir Vince Cable (Twickenham) (LD): The level of educational funding will be radically affected by the new treatment of public sector pensions. Can the Minister confirm that it is the Government's policy to cover the majority of costs for schools and colleges, but not for universities, and explain the different treatment?

Nick Gibb: Yes, I can confirm that.

Foreign Languages in Schools

10. **Jamie Stone** (Caithness, Sutherland and Easter Ross) (LD): What steps he is taking to support the take-up of foreign languages in schools. [908218]

The Minister for School Standards (Nick Gibb): The Government's ambition is that 90% of pupils will study the EBacc combination of GCSEs, including a foreign language, by 2025. We offer generous financial incentives to recruit more language teachers, and we have introduced the Mandarin excellence programme and modern foreign languages—MFL—teaching hubs to increase languages take-up and to support schools to improve the quality of foreign languages teaching.

Jamie Stone: I thank the Minister for his answer. One way to stimulate learning foreign languages in our schools is by using foreign exchange students. Indeed, in my school days, a charming French lady greatly stimulated my knowledge of the language. I am not a member of the governing party in Scotland. I therefore ask whether Her Majesty's Government will do everything they can to continue using exchange students and to build on that in future.

Mr Speaker: I think the whole House would digest the hon. Gentleman's personal memoir. We are indebted to him for it.

Nick Gibb: The hon. Gentleman makes an important point and I can absolutely confirm that.

John Howell (Henley) (Con): The Europa School in my constituency teaches languages by teaching other subjects in foreign languages. Does my right hon. Friend accept that that is proving popular with parents of all types, including from the UK, and that it is a good model to follow?

Nick Gibb: I share my hon. Friend's admiration for the Europa School. It teaches the European baccalaureate, which is of a very high standard. The continuation of that qualification will depend on discussions with the European Schools system after the UK leaves the European Union.

Nic Dakin (Scunthorpe) (Lab): There has been a significant contraction in the post-16 modern languages curriculum as a result of the significant funding cut.

Funding has been frozen since 2013-14. Is it not time to raise the rate so that that curriculum can get back to where it should be?

Nick Gibb: To make A-level foreign languages classes viable, we need more sixth formers to opt for the subjects. To raise the uptake of A-level, we first need to increase the number of pupils who take a GCSE in a foreign language, reversing the damage caused by the last Labour Government in 2004, when they downgraded the importance of languages.

Michael Fabricant (Lichfield) (Con): My right hon. Friend may recall that schools used to teach Latin to give a better understanding of English grammar. Does he agree that German, Spanish and Italian give a better understanding of grammar than French? When will we get some teachers of those languages?

Nick Gibb: Of course, we need all those European languages, as well as Mandarin and other languages, to be taught in our secondary schools. Since 2010, there has been an increase from 40% of the cohort taking a GCSE in a foreign language to 46% this year. However, we need to go further, which is why we have the target of 90% studying the EBacc combination of GCSEs by 2025.

Angela Rayner (Ashton-under-Lyne) (Lab): Non, nee and nein are among the European words the Prime Minister has learned this week, but a generation of children is being denied the same opportunity, with nearly 20,000 fewer hours of modern languages taught in secondary schools now compared with 2010. The decline is particularly stark in German and French. Will the Minister commit today to reversing that trend, or is it only the Prime Minister who is being taught a lesson?

Nick Gibb: I must say, it is rich for Opposition Members to criticise the reduction in modern foreign language teaching. It was their Government—the Labour Government, in 2004—who downgraded the importance of foreign languages, and we are trying to reverse that. We have increased the proportion of young people studying a foreign language from 40% in 2010 to 46% this year, and we want to go further.

Social Work Profession

11. **Mr Robert Goodwill (Scarborough and Whitby) (Con):** What progress his Department has made on strengthening the social work profession. [908219]

12. **Alex Burghart (Brentwood and Ongar) (Con):** What progress his Department has made on strengthening the social work profession. [908220]

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): Social workers do an invaluable job in protecting the most vulnerable children and families in our society. We are improving initial education standards, and providing professional development at key stages throughout a social worker's career. A new independent regulator, Social Work England, will have a strong focus on better standards, while the national assessment and accreditation system will provide additional confidence in the quality of practice.

Mr Goodwill: The independent regulator will help to raise still further the already high standards of practice in social work. Does the Minister agree that social workers who achieve accreditation status should also earn the right to put some initials after their names—for example, ASW, standing for “accredited social worker”?

Nadhim Zahawi: My right hon. Friend is right to point out that the national assessment and accreditation system is a critical means of embedding high standards in the social work profession. We are currently in phase 1, and more than 100 social workers have been accredited so far. We will be considering questions like my right hon. Friend's during the national roll-out.

Alex Burghart: Initiatives such as Step Up to Social Work and Frontline have done a very good job in bringing high-quality graduates into the profession, but what is the Department doing to encourage better continuing professional development for those who are already in the workforce?

Nadhim Zahawi: Continuing professional development is crucial to high-quality social work. The Department funds it through the assessed and supported year in employment for new social workers, and an aspiring practice leaders programme. This autumn we launched a programme for more than 1,000 people moving into supervisory roles.

Ruth George (High Peak) (Lab): The Secretary of State said that early help services delivered by social workers were vital. What assessment has he made of the proposals to abolish 90 social work jobs in Derbyshire—where the number of children in care has risen by 50% in the last five years—and to transfer the early help service to schools?

Nadhim Zahawi: In the Budget we announced a further £410 million for local authorities to invest in adults' and children's social care services in 2019-20. We also announced £84 million to scale up good practice from, for instance, Leeds, Hertfordshire and North Yorkshire to 20 other local authorities. We hope that places such as Derbyshire will look at those models and scale up that good practice.

Wes Streeting (Ilford North) (Lab): I know that the Minister will want to join me in congratulating Frontline not just on bringing 1,000 people into the profession, but on elevating the status of social work. Does he recognise, however, that notwithstanding the additional investment to which he has just referred, unless we deal effectively with the funding crisis facing children's social services, we will not be able to keep and promote those people who do such wonderful work in keeping children and young people safe and well?

Nadhim Zahawi: The hon. Gentleman has made an important point about funding. We are working with the sector, and with the Local Government Association, to ensure that we are in a good place for the spending review.

Cost of Living: Higher Education

13. **Afzal Khan (Manchester, Gorton) (Lab):** What recent assessment he has made of the financial effect on students in higher education of the current cost of living. [908221]

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): It is good to be back at the Dispatch Box.

The most recent assessment of the living costs of English-domiciled full-time and part-time undergraduates was the 2014-15 student income and expenditure survey, which found that the average living costs of full-time undergraduates were about £7,000.

Afzal Khan: According to a recent report in the *Huffington Post*, the living costs of students in Manchester has rocketed by 37% in the last 10 years. Cost should not be a barrier to accessing the country's best universities, such as the University of Manchester. What is the Minister doing to encourage universities to keep students' costs affordable?

Chris Skidmore: Students who started their courses in the current academic year have had access to the highest ever funding levels to support their living costs. We now have a system of support that targets those from the lowest-income families, who need it the most. A record number of 18-year-olds from disadvantaged backgrounds went to university this year, 68% more than in 2009.¹

Gordon Marsden (Blackpool South) (Lab): As a fellow historian, I warmly congratulate the Minister on his appointment, although I am afraid that he arrives to a perfect storm for students, battered by high tuition fees and extortionate interest, with evidence now piling up from FOIs—the latest in *The Huffington Post* report that my hon. Friend the Member for Manchester, Gorton (Afzal Khan) has just referred to—that many are unable to cope with spiralling accommodation costs in London and other cities. Yet recent questions I put to the Department on what it is doing about this got the answer that it was not a Government issue. On the day we are told that the London Business School head gets a half a million pound a year package, is it not appalling that students at his and other HE institutions are being brushed off like this? Will the Minister make this a priority for his in-tray?

Chris Skidmore: The hon. Gentleman and I have a mutual interest in history, particularly the reign of Henry VII, and I hope that we can continue to be civil in our conversations on HE funding, but I reiterate on the loan package that we have seen not only a 10.3% increase compared with the previous grant system in 2016-17 but in November a further 2.8% increase, which means there is currently a maximum loan of £8,944. On accommodation costs, I am interested in looking in particular at the private rented sector. We have been working with the British Property Federation to develop advice on protocols that will encourage collaborative working between universities and private providers. I do want to go further and I hope that we can work together to look at this issue.

Support for SEND Learners

14. **Debbie Abrahams (Oldham East and Saddleworth) (Lab):** What recent assessment he has made of the adequacy of the level of support for SEND learners. [908222]

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): A programme of local area inspections is under way to ensure that the SEND reforms are being implemented effectively and weaknesses addressed. Yesterday, we announced an additional £250 million to local authorities for higher needs budgets to support those with more complex needs across this year and next. The core schools and higher needs budget will increase from almost £41 billion in 2017-18 to £43.5 billion in 2019-20.

Debbie Abrahams: Although the additional funding is welcome, I am sure that the Minister recognises the absolute crisis in support for children with special educational needs and disabilities and the absolute desperation that the parents, who are taking legal action on this very matter, feel, so will he announce an early new year resolution to plug the gap—estimated to be £1.6 billion by 2020, which these children will need?

Nadhim Zahawi: I attended the conference that the Parents and Carers Network held in Coventry. It is important to listen to the sector. Many local authorities are co-creating their SEND provision with parents, and it is important that we listen and deliver the £250 million additional funding announced yesterday, and of course the £100 million in capital funding as well, taking the funding to over £6 billion per annum on SEND students. I know you take a great interest in this matter, Mr Speaker, as well.

Mr Speaker: Thank you; that is very much appreciated.

18. [908226] **Mark Pawsey (Rugby) (Con):** Brooke School in Rugby caters for children with autism, physical disabilities, medical needs and learning difficulties, and it has recently opened a shop in Rugby town centre where pupils learn to produce products from recycled materials and sell them to the public. Does the Minister agree that that is an excellent opportunity to learn workplace skills? Will he join me in commending the inspirational head teacher, Chris Pollitt, for this initiative?

Nadhim Zahawi: I commend the school for taking the initiative to provide its pupils with the opportunity to learn skills for the workplace in a safe environment. I hope that Mr Pollitt will share that excellent practice with other educational professionals and explore the possibility of running supported internships as well.

Topical Questions

T1. [908234] **Mike Amesbury (Weaver Vale) (Lab):** If he will make a statement on his departmental responsibilities.

The Secretary of State for Education (Damian Hinds): In the last two weeks, I have set out the next steps in our major upgrade of technical education. We have announced additional funding for high needs budgets, plus capital funding and enhanced training and commissioning, and we have had confirmed a further narrowing of the attainment gap at primary school. We are striving for a world-class education for everyone, whatever their background and roots, and as we approach the end of the Christmas term, as ever our thanks and appreciation go to the 450,000 dedicated teachers and all the other professionals who make education in our country live.

1. [Official Report, 20 December 2018, Vol. 651, c. 6MC.]

Mike Amesbury: Last week, it was confirmed that teachers and students at Sir John Deane's sixth-form college in my constituency and elsewhere will lose out yet again following the confirmation that the national funding rate for sixth formers will remain at £4,000 per student next year. That is the seventh consecutive year that funding has been frozen. How can the Secretary of State claim that austerity is over?

Damian Hinds: It is true that five-to-16 education funding in this country has been protected since 2010 and that that pledge did not apply to sixth forms. Yes, funding has been tight for sixth forms and that is one of the things we will consider when looking at future funding.

T8. [908241] **Robert Courts** (Witney) (Con): West Oxfordshire has a plethora of high-tech engineering companies, including ICE Oxford, Polar Technology, Siemens, Owen Mumford, and Abbott. What progress is being made with T-levels to ensure that those vital local employers have access to the local high-quality skills they need?

The Minister for Apprenticeships and Skills (Anne Milton): The first three T-levels—digital and construction in particular—are on track for teaching from 2020, and we have recently announced seven more for introduction in 2021. This is the way we build skills—by making sure that pre-16 and post-16 education gives young people the drive, desire and ambition to succeed at whatever level. The industry is a critical component of T-levels, and this will be an ideal opportunity for local employers to build local skills.

Angela Rayner (Ashton-under-Lyne) (Lab): Over the weekend, the former Universities Minister, the hon. Member for East Surrey (Mr Gyimah), suggested that the Prime Minister was not acting in the national interest. On that theme, the hon. Member for Orpington (Joseph Johnson) has said:

“I was in strong disagreement with keeping foreign students in the immigration cap. The sooner it is dropped, the better.”

I am glad that he agrees with us on that. We have been told to expect the immigration White Paper later this week. Can the Secretary of State tell us whether it will finally take students out of the migration target, allowing the Government to find at least one policy that the majority of this House and indeed the country can support?

Damian Hinds: I fear that the hon. Lady is mistaken. Our higher education sector rightly attracts students from around the world, thanks to its great quality, and we want to grow the number of students coming to our universities. There is no limit on the number of students who can come to our universities. I think she is referring to the statistical measurement, which is an international measurement that defines people who come to this country for more than 12 months as being in the immigration statistics, but of course, when they leave again, they count as minus 1 in those statistics.

T9. [908242] **Sir John Hayes** (South Holland and The Deepings) (Con): I rushed here today from witnessing the publication of a piece of research based on a wide-ranging survey by Policy Exchange. It reveals that low-level disruption in classrooms across Britain affects

the learning opportunities of pupils and drives teachers from the profession. Will the Secretary of State issue guidance to school governors and headteachers saying that when headteachers take action to deal with this—for example, by banning mobile telephones from classrooms—they will receive the backing of the schools and of the Government?

Damian Hinds: I am very happy to do that; they have my absolute backing.

Mr Speaker: I would have thought that the right hon. Member for South Holland and The Deepings (Sir John Hayes) strongly disapproved of the very creation of the mobile phone in the first place.

T2. [908235] **Daniel Zeichner** (Cambridge) (Lab): Parents and staff in maintained nursery schools are waiting for the Government to stop dithering on future funding. Excellent schools in Cambridge and all over the country face a funding cliff edge next year. Can the Minister give them the assurance they need, and commit today to the future of our maintained nursery schools?

The Parliamentary Under-Secretary of State for Education (Nadhim Zahawi): We have made £60 million available to maintained nursery schools up to 2020 because of the excellent provision that they deliver. My message, and that of the Secretary of State, to local authorities is not to take any decisions until we get to the spending review.

Chris Davies (Brecon and Radnorshire) (Con): Does my hon. Friend share my concern about a creeping culture of censorship taking hold on some of our university campuses?

The Minister for Universities, Science, Research and Innovation (Chris Skidmore): The Government are deeply committed to protecting freedom of speech in higher education. The Equality and Human Rights Commission and key partners in the higher education sector worked with the previous Universities Minister—to whom I pay tribute as a friend and colleague—to develop a single piece of guidance that will set out key principles. This will enable universities and student unions to understand their obligations to protect and support free speech, which must happen in our universities.

T3. [908236] **Joanna Cherry** (Edinburgh South West) (SNP): Staff and students at the Heriot-Watt and Napier universities in my constituency want assurances that Brexit will not adversely affect their studies or their research. Given the current uncertainty, is the new Universities Minister in a position to give those reassurances?

Chris Skidmore: Delivering an EU deal is the Government's top priority, and we do not want a no-deal scenario. However, a responsible Government should prepare for every eventuality, including the possibility of no deal. We have already guaranteed the rights of EU residents in the UK by 29 March 2019, and we are calling on EU member states to do the same for UK nationals. For education, that will mean that they have broadly the same entitlements to work, study and access to public services and benefits as now. In addition, the

Government have made an underwrite guarantee that will cover all committed payments to UK participants in programmes such as the European social fund and Erasmus Plus.

Kevin Foster (Torbay) (Con): The Schools Minister will be aware of the concerns in Torbay schools around the consultation on the high needs funding formula, so we welcome the additional funding announced yesterday. Will he confirm whether the indicative amounts per council will be published?

The Minister for School Standards (Nick Gibb): Yes, I can confirm that the allocations to local authorities from the £125 million that the Secretary of State announced yesterday will be published imminently.

T4. [908237] **Drew Hendry** (Inverness, Nairn, Badenoch and Strathspey) (SNP): A report from the Science and Technology Committee in the other place points out that the UK's influential position will be diminished if we are cut off from EU funding, shared research facilities and the to and fro of talented researchers as a result of Brexit. Does the Secretary of State think that that is an acceptable outcome, stemming from his party's internal civil war over Europe?

Chris Skidmore: As I have already stated, the Government are committed to ensuring that we have a deal with the European Union. A deal will ensure that we have stability and security going forward after 29 March 2019, but we have also committed to putting in place protections to ensure that our HE institutions are protected under a no-deal scenario.

Rebecca Pow (Taunton Deane) (Con): Will the Minister join me in congratulating the fabulous University Centre Somerset, part of Bridgwater & Taunton College, on being awarded centre of the year in the Lion awards for innovation across the centre in learning, vocational courses and apprenticeships? It is a phenomenal establishment.

Anne Milton: I will happily join my hon. Friend in congratulating that institution. What a wonderful story it is. Apprenticeships are how we ensure that young people have opportunities that would otherwise not be open to them.

T6. [908239] **Ms Karen Buck** (Westminster North) (Lab): New figures show that primary schools in my borough of Westminster are now operating with one in five places unfilled, meaning that some schools will be threatened with closure. Will the Minister tell us when conversations were last had with the Department for Work and Pensions and the Ministry of Housing, Communities and Local Government to establish why we are exporting families from an area with a surplus of school places to boroughs with a shortage?

Nick Gibb: We have created 825,000 new school places in our system since 2010. We want parents to have a choice of school, which contrasts sharply with the previous Labour Government, who cut 200,000 primary school places.

Tom Pursglove (Corby) (Con): A fortnight ago, I was delighted to visit Tresham College in Corby to meet many of its brilliant engineering apprentices. Would my right hon. Friend be willing to join me on another visit to share in that success? What is being done to promote such opportunities more widely?

Anne Milton: I would be delighted to join my hon. Friend on a visit to Corby. We are seeing the success that he describes right across the country. It is an awful shame that Opposition Members do not join us in congratulating good colleges and the work that they do.

T7. [908240] **Lilian Greenwood** (Nottingham South) (Lab): My constituent, Keith Tilson, a senior maths teacher in Nottingham, asks:

"Given the real-terms funding cuts to schools, growing class sizes, year-on-year decline in properly qualified teacher numbers, and given also the fact that the Government has missed its teacher recruitment targets for the last 6 years, how does he intend to reduce the hours worked by UK teachers, which are the longest in Europe by 20% and the third longest in the world?"

Nick Gibb: We are spending record amounts on school funding—£43.5 billion by next year—we recruited 2,600 more people into teaching last year, which is an 8% rise on the prior year, and record numbers of pupils are taking A-level maths.

Eddie Hughes (Walsall North) (Con): Two grammar schools in Walsall have benefited from the selective schools expansion fund, but does the Minister endorse the work that they are doing to improve access for disadvantaged children?

Damian Hinds: Yes. The selective schools expansion fund was targeted precisely at ensuring that grammar schools which do not yet admit enough pupils from disadvantaged backgrounds and those on free schools meals are encouraged to admit such pupils. I have been very encouraged by the applications that we have seen from the 16 successful schools, and I look forward to seeing accessibility increase.

T10. [908243] **Gareth Snell** (Stoke-on-Trent Central) (Lab/Co-op): The "jam tomorrow" approach to the funding of further education is letting down our 16 to 18-year-olds. When will the Secretary of State get a grip, speak to the Treasury and raise the rate? That is the only answer to the crisis we see in further education.

Anne Milton: Some £500 million is going into T-levels as they are rolled out in 2020. I have got a grip, as has the Secretary of State, and I would remind the hon. Gentleman that we have put considerable funding into FE. I am very aware of the challenges it faces, which is why we are looking at the resilience of the FE sector right now.

Several hon. Members *rose*—

Mr Speaker: One sentence of fewer than 20 words.

Michael Fabricant (Lichfield) (Con): Some 3,000 parents have signed a petition against King Edward VI School's policy now of attracting students by catchment area, rather than by the 11-plus. What is my right hon. Friend's view of the petition?

Damian Hinds: I think it is right that parents are consulted on these important matters, but I also think it is important that our selective schools and grammar schools, which are very popular with parents, should also be extending their reach and making sure they are accessible to a wider group of pupils.

Several hon. Members *rose*—

Mr Speaker: One short sentence.

Thangam Debbonaire (Bristol West) (Lab): Despite the Government's warm words, headteachers tell me that they do not have enough money for children with

special needs. What comfort can the Secretary of State give to the headteachers of maintained schools in my constituency of Bristol West that children with special educational needs will have the funding they need in 2019?

Damian Hinds: I recognise the issues on the tightness of funding for special needs, which is one of the reasons why yesterday we announced the package that includes not only additional revenue funding but provision for more capital funding towards facilities, for more places, for more training for educational psychologists and for making sure that all teachers have the support and training they need.

European Council

3.31 pm

The Prime Minister (Mrs Theresa May): With permission, Mr Speaker, I would like to make a statement on last week's European Council. But before turning to Brexit, let me touch on two significant conclusions from the other business of the Council.

First, we expressed our utmost concern over the escalation we have seen at the Kerch strait and the sea of Azov, and over Russia's continued violations of international law. We agreed to roll over economic sanctions against Russia, and we stand ready further to strengthen our support, in particular for the affected areas of Ukraine. Secondly, we also agreed to work together on tackling the spread of deliberate, large-scale and systematic disinformation, including as part of hybrid warfare. On this I outlined some of the world-leading work that the UK is doing in this field. And I was clear that, after we have left the European Union, the UK will continue to work closely with our European partners to uphold the international rules-based system and to keep all our people safe. That is why it is right that our Brexit deal includes the deepest security partnership that has ever been agreed with the EU.

At this Council, I faithfully and firmly reflected the concerns of this House over the Northern Ireland backstop. I explained that the assurances we have already agreed with the EU were insufficient for this House, and that we have to go further in showing that we never want to use this backstop, and if it is used, it must be a temporary arrangement. Some of the resulting exchanges at this Council were robust, but I make no apology for standing up for the interests of this House and the interests of our whole United Kingdom.

In response, the EU27 published a series of conclusions making it clear that it is their

"firm determination to work speedily on a subsequent agreement that establishes by 31 December 2020 alternative arrangements, so that the backstop will not need to be triggered."

The House will forgive me, but I think this bears repeating: the backstop will not need to be triggered. The conclusions underline that

"if the backstop were nevertheless to be triggered, it would apply temporarily".

And that in this event, the EU

"would use its best endeavours to negotiate and conclude expeditiously a subsequent agreement that would replace the backstop".

And the EU27 gave a new assurance, in relation to the future partnership with the UK, to make it even less likely that the backstop would ever be needed by stating that the EU

"stands ready to embark on preparations immediately after signature of the Withdrawal Agreement to ensure that negotiations can start as soon as possible after the UK's withdrawal."

In these conclusions, in their statements at the Council and in their private meetings with me, my fellow EU leaders could not have been clearer: they do not want to use this backstop. They want to agree the best possible future relationship with us. There is no plot to keep us in the backstop. Indeed, President Macron said on Friday:

"we can clarify and reassure...the backstop is not our objective, it is not a durable solution and nobody is trying to lock the UK into the backstop."

As formal conclusions from a European Council, these commitments have legal status and should be welcomed. They go further than the EU has ever done previously in trying to address the concerns of this House. And of course they sit on top of the commitments that we have already negotiated in relation to the backstop, including ensuring that the customs element is UK-wide; that both sides are legally committed to using best endeavours to have our new relationship in place before the end of the implementation period; that if the new relationship is not ready, we can choose to extend the implementation period instead of the backstop coming into force; that if the backstop does come in, we can use alternative arrangements, not just the future relationship, to get out of it; that the treaty is clear the backstop can only ever be temporary; and that there is an explicit termination clause.

However, I know this House is still deeply uncomfortable about the backstop—I understand that, and I want us to go further still in the reassurances we secure. Discussions with my EU partners, including Presidents Tusk and Juncker, and others, have shown that further clarification following the Council's conclusions is, in fact, possible. So discussions are continuing to explore further political and legal assurances. We are also looking closely at new ways of empowering the House of Commons to ensure that any provision for a backstop has democratic legitimacy—[*Interruption.*]

Mr Speaker: Order. This is very irregular. The statement must be heard. There will be a full opportunity for exchanges, but the statement by the Prime Minister must be heard and heard with courtesy.

The Prime Minister: We are looking at new ways of empowering the House of Commons to ensure that any provision for a backstop has democratic legitimacy and enabling the House to place its own obligations on the Government to ensure that the backstop cannot be in place indefinitely. But it is now only just over 14 weeks until the UK leaves the EU, and I know many Members of this House are concerned that we need to take a decision soon. My right hon. Friend the Leader of the House will set out business on Thursday in the usual way, but I can confirm today that we intend to return to the meaningful vote debate in the week commencing 7 January and hold the vote the following week.

When we have the vote, Members will need to reflect carefully on what is in the best interests of our country. I know that there are a range of very strongly held personal views on this issue across the House, and I respect all of them. But expressing our personal views is not what we are here to do. We asked the British people to take this decision; 472 current Members of this House voted for the referendum in June 2015, with just 32 voting against. The British people responded by instructing us to leave the European Union. Similarly, 438 current Members of this House voted to trigger article 50, to set the process of our departure in motion, with only 85 of today's Members voting against. Now we must honour our duty to finish the job.

I know this is not everyone's perfect deal—it is a compromise—but if we let the perfect be the enemy of the good, we risk leaving the EU with no deal. Of course, we have prepared for no deal, and tomorrow the Cabinet will be discussing the next phase in ensuring we

are ready for that scenario. But let us not risk the jobs, services and security of the people we serve by turning our backs on an agreement with our neighbours that honours the referendum, and provides for a smooth and orderly exit. Avoiding no deal is only possible if we can reach an agreement or if we abandon Brexit entirely.

As I said in the debate earlier this month, do not imagine that if we vote this down, a different deal is going to miraculously appear. If you want proof, look at the conclusions of this Council. As President Juncker said, it is the “best deal possible” and the “only deal possible”. Any proposal for the future relationship—whether Norway, Canada, or any other variety that has been mentioned—would require agreeing this withdrawal agreement. The Leader of the Opposition and some others are trying to pretend that they could do otherwise. This is a fiction.

Finally, let us not break faith with the British people by trying to stage another referendum—another vote that would do irreparable damage to the integrity of our politics, because it—[*Interruption.*]

Mr Speaker: Order. Many Members of this House, including an illustrious Chair of a Select Committee, are heckling noisily. Mr Angus Brendan MacNeil, you are a cheeky chappy, but we need much less of the cheek and more by way of courtesy in listening to the Prime Minister.

The Prime Minister: Another vote would do irreparable damage to the integrity of our politics, because it would say to millions who trusted in democracy that our democracy does not deliver. Another vote would likely leave us no further forward than the last, and another vote would further divide our country at the very moment we should be working to unite it. And let us not follow the Leader of the Opposition in thinking about what gives him the best chance of forcing a general election, for at this critical moment in our history we should be thinking not about our party’s interests, but about the national interest. Let us find a way to come together and work together in the national interest to see this Brexit through.

I will work tirelessly over these new few weeks to fulfil my responsibility as Prime Minister to find a way forwards. Over the past two weeks, I have met quite a number of colleagues on this important issue, and I am happy to continue to do so, so that we can fulfil our responsibilities to the British people so that together we can take back control of our borders, laws and money, while protecting the jobs, security and integrity of our precious United Kingdom; so that together we can move on to finalising the future relationship with the European Union and the trade deals with the rest of the world that can fuel our prosperity for years to come; and so that together we can get this Brexit done and shift the national focus to our domestic priorities: investing in our NHS, our schools and housing, tackling the injustices that so many still face, and building a country that truly works for everyone. For these are the ways in which, together, this House will best serve the interests of the British people. I commend this statement to the House.

3.43 pm

Jeremy Corbyn (Islington North) (Lab): I thank the Prime Minister for the advance copy of her statement.

On Ukraine, as NATO has said, we need both sides to show restraint and de-escalate, with international law adhered to, including Russia’s allowing unhindered access to Ukraine’s ports on the sea of Azov.

We face an unprecedented situation: the Prime Minister has led us into a national crisis. If any more evidence was needed of why we face this grave situation, the Prime Minister demonstrated it at last week’s summit. There were some warm words drafted, but the Prime Minister even managed to negotiate those away, to be replaced by words about preparing for no deal. The Prime Minister boasted:

“I had a robust discussion with President Juncker”,

but that cannot hide the cold reality that she achieved nothing. Standing at the Dispatch Box last week, the Prime Minister said,

“I have made some progress”.—[*Official Report*, 12 December 2018; Vol. 651, c. 274.]

She has not made any progress at all.

She said so herself while still in Brussels.

“The EU is clear, as am I, that this is the deal.”

The European Commission has been categorical. It said:

“It will not be renegotiated. The European Council has given the clarifications that were possible at this stage, so no further meetings with the UK are foreseen.”

The deal is unchanged and it is not going to change. The House must get on with the vote and move on to consider the realistic alternatives. There can be no logical reason for this delay, except that, in taking shambolic government to a new level, the Prime Minister no longer has the backing of her Cabinet. The International Trade Secretary has suggested that the Prime Minister’s deal no longer has the backing of the Cabinet. It is worth quoting his words. He said:

“I think that it is very difficult to support the deal if we don’t get changes to the backstop. I don’t think it will get through. I am not even sure if the Cabinet will agree for it to be put to the House of Commons.”

We have had the spectacle of the past few days with numerous Cabinet members coming forward with their own alternatives. The International Trade Secretary suggested that a two-year transition to a no deal is an option. The Work and Pensions Secretary says that the Government need “to try something different” and build a consensus in Parliament. The Attorney General is reported as saying that he wants her gone and for the deal to be renegotiated, while the International Development Secretary is allegedly liaising with the European Research Group to launch an alternative option. Others are reportedly working on a second referendum, but if even the Cabinet no longer backs the deal, then who knows what the options would be?

Will the Prime Minister give us some answers? First, does her deal still have the confidence of the Cabinet? Secondly, is Cabinet collective responsibility still in operation? Thirdly, does it remain Government policy to avoid a no-deal outcome? An unacceptable deal is on the table. No amendment has been secured. Renegotiations have been rebuffed and not even mere assurances have been offered. The Prime Minister’s shoddy deal no longer even has the backing of the Cabinet.

The Prime Minister ran away from putting her deal before Parliament, because even her own Cabinet has doubts, and she herself admits that Parliament will not

[Jeremy Corbyn]

back it, so we are left edging ever closer to the 29 March deadline without a deal and without even an agreed plan in Cabinet to get a deal. The Prime Minister has cynically run down the clock, trying to manoeuvre Parliament into a choice between two unacceptable outcomes: her deal or no deal.

The country, workers and businesses are increasingly anxious. Yesterday, the CBI said:

“Uncertainty is throttling firms and threatening jobs—not in the future but right now.”

The British Chambers of Commerce has said:

“There is no time to waste.”

A responsible Prime Minister would, for the good of this country, put this deal before the House this week so that we can move on from this Government’s disastrous negotiations. This is a constitutional crisis and the Prime Minister is its architect. She is leading the most shambolic and chaotic Government in modern British history; even Cabinet no longer functions. We have a Prime Minister whose authority has been lost, a Cabinet disintegrating into cliques and factions, and a Conservative party so fundamentally split that its very existence is being discussed. It is clear that the Prime Minister has failed to renegotiate her deal and failed to get any meaningful reassurances. There is no excuse for any more dither or delay. This Government have already become the first Government in British history to be held in contempt by Parliament. The debate on the meaningful vote was pulled at the last minute. The Prime Minister has now wasted five weeks having achieved nothing—not a single word renegotiated; not a single reassurance gained. This last week has embodied the failure, chaos and indecision at the heart of the Government’s shambolic handling of Brexit. Today, they have been dragged kicking and screaming to announce a date to restart the debate. It is—[*Interruption.*]

Mr Speaker: Order. Mr Ellis, you are a distinguished ornament of a Government Department—a representative of the Executive branch. Be good, man; you can do so much better when you try.

Jeremy Corbyn: It is disgraceful that a month will have been wasted since we were due to vote on 11 December. There can be no further attempt to dodge the accountability of Government to this Parliament.

The Prime Minister: The right hon. Gentleman asked me three questions during his response. Does the deal still have the confidence of the Cabinet? Yes. Does Cabinet collective responsibility still apply? Yes. Does the Cabinet want to avoid no deal? Yes, the Cabinet wants to ensure that we leave the European Union with a good deal, and that is this deal.

The real indecision is the indecision at the heart of a Labour party that has no plan and no alternative. The national crisis is an Opposition who are irresponsible and who put their party interest before the interests of the British people.

Mr Andrew Mitchell (Sutton Coldfield) (Con): It is clear, is it not, that the deal that my right hon. Friend has negotiated so assiduously is most unlikely to secure the support of this House of Commons. In the circumstances, does she not think it would be wiser to seek an extension to article 50, rather than—[*Interruption.*]

Mr Speaker: Order. I am not having the right hon. Gentleman shouted down. I say very gently to a Government Whip, do not stand near the Chair and shout at your colleagues. If you are going to do that, leave the Chamber and we will manage perfectly adequately without you.

Mr Mitchell: Does my right hon. Friend not think it would be wiser to seek an extension to article 50, rather than to leave with no deal?

The Prime Minister: I do not think it is right to seek an extension of article 50. What Parliament will be faced with is a decision to exercise its responsibility to deliver on the referendum vote and to deliver Brexit. I continue to believe that this is a good deal. Yes, we are seeking further reassurances, but I continue to believe that we can leave with a good deal and that this is it.

Ian Blackford (Ross, Skye and Lochaber) (SNP): I thank the Prime Minister for advance sight of her statement.

I have to ask, “Where is the leadership?”—a phrase that is often used. We thought that the Prime Minister had reached rock bottom, but she is still digging. We have four sitting days left in this place before the Christmas recess. We are then left with the narrow window, when we return in January, to find a way forward out of the Government’s Brexit timetable. It cannot be done.

After two years of negotiation, the Prime Minister has designed a deal that she knows she cannot deliver. It does not have the support of this House. It is time to call time on this Government. They are a laughing stock. Companies and their workers do not know if we are going to crash out of the European Union in three months’ time. We have just over 100 days to prepare for the risk of a no-deal outcome that most sensible folk would reject as unacceptable.

The Prime Minister is playing a game of brinkmanship. The European Council President, Donald Tusk, was clear when he said:

“I have no mandate to organise any further negotiations.”

What more does the Prime Minister need to hear to know that her deal is dead? This is embarrassing. The Prime Minister might be prepared to be embarrassed by this shambles, but the rest of us are not. Parliament needs to take control of this situation and seek to find a solution that prevents a risk to jobs and prosperity. It is the people of our countries that we are talking about.

Today the Prime Minister tells us that there are no other options. That is not the case. Standing before Parliament ruling out another referendum on EU membership is an act of desperation from the Prime Minister. Knowing that she cannot get her own deal through this place, she wants to silence debate. Having taken away Parliament’s voice—our right to a meaningful vote—she now wants us to take away the right of the people to vote: their democratic right to have their say; their democratic right to change their mind.

I plead with the Prime Minister to put all options back on the table. Stop operating in isolation; reach out and speak to the Opposition parties. We all have a responsibility to protect our citizens. It is time to move beyond the narrow party politics with which this place operates; it is time to operate in the interests of all

our nations. I ask her to bring forward the meaningful vote on her deal before the Christmas recess. There is no reason to delay. Let us have that meaningful vote this week.

Lastly, will the Prime Minister do the right thing and meet me and other Opposition party leaders this week, collectively? This is the true test of this Government's word. If we are to believe that we are a partnership of equals, then now, today, we must be heard.

The Prime Minister: First, I am happy to say to the right hon. Gentleman that if he wants to come to talk to me about this issue, I am happy to talk to him about it. But we do have a fundamental difference of opinion that was revealed in his party's response to what I said in my statement: I believe that we should deliver leaving the EU for the British people, and he believes we should stay in the EU, so that is a fundamental difference that we have. He talks about putting jobs and prosperity first. This deal does just that. It delivers on the referendum while protecting jobs and prosperity. He says he does not want to leave with no deal. Well, the only way to ensure that we do not leave having no deal is to support a deal. And may I just remind him gently that 56% of Scots voted for pro-Brexit parties?

Dame Cheryl Gillan (Chesham and Amersham) (Con): The report by the Independent Commission on Referendums published earlier this year recommended that any second referendum on a subject

“should be specified in the legislation enabling the first referendum, so that the requirement for or possibility of a second referendum, and the reason for it, is clear to the electorate before the first vote takes place.”

Does the Prime Minister agree that no such provision was made, and that calling for a second referendum at this stage is merely a ruse to try to reverse the result and is not in the nation's interests?

The Prime Minister: I am grateful to my right hon. Friend for pointing that out to the House. Of course, it is absolutely the case that there was no suggestion, when the referendum was put to the people in 2016, that there might be a second referendum. People were told—they were led to believe—that their vote would be delivered by the Government of the time subsequently, and that is what I believe it is certainly in our interests, as a Government, to do. We should deliver on that vote and leave the European Union.

Sir Vince Cable (Twickenham) (LD): The Prime Minister may be aware that the bookmakers have been offering 66:1 against her deal passing Parliament, but even money on a referendum and even money on her then winning it. Could it be that the Cabinet Ministers who are known to be preparing for a referendum are not being disloyal to her but are simply better at maths?

The Prime Minister: I am not sure that the right hon. Gentleman should spend too much time in the betting shops. I am not sure that the odds on the Liberal Democrats are very good at all.

Sir William Cash (Stone) (Con): Will the Prime Minister confirm that, despite the European Council's so-called legal endorsement of the withdrawal agreement, which it says is not open for renegotiation, this agreement has

not been initialled or signed by her and is only a draft—it is no more than a political agreement under which nothing is agreed until everything is agreed, including the backstop—and therefore she can still walk away?

The Prime Minister: I can certainly confirm that this deal has been negotiated between the UK and the European Union, but it has to go through certain processes in order to be ratified. Part of that is ratification here in the United Kingdom Parliament, and part is ratification in the European Parliament. It is those processes that lead to the final agreement and the withdrawal agreement.

Nigel Dodds (Belfast North) (DUP): I am sure the Prime Minister agrees that European Council conclusions and declarations are political statements. The Council has talked about clarifications and reassurances but ruled out renegotiating, contradicting or reopening the legal text. Indeed, it even struck out language saying that the backstop did not represent a desirable outcome for the EU27. Will the Prime Minister tell us exactly what she is asking for to deliver on the key concerns about the legally binding and indefinite nature of the backstop, with no right for this country to exit it on its own terms?

The Prime Minister: What I am asking for is to ensure that we can deal with the concerns expressed by the right hon. Gentleman and other Members of the House about whether the backstop could or would be indefinite. There are two ways to deal with that. The first is to put in place arrangements to ensure that the backstop is not triggered in the first place, and the second is to ensure that if it is triggered, it is only temporary. As I said in my statement, I am seeking further political and legal assurances in relation to those issues, which can be achieved in a number of ways.

Justine Greening (Putney) (Con): As others have said, on Thursday it will be 100 days until Britain leaves the European Union. At the moment, we have no deal and no plan B. This is a constitutional crisis because this House is not being allowed to express its will on behalf of our communities, who around the country are telling us that they reject this deal. That is why MPs want to be able to vote against it.

It is pointless criticising Members who are coming up with other solutions, whether it is a second referendum or Canada or Norway-style deals. We as a Parliament are trying to find a solution to the political cul-de-sac and mess that we find this country in. It was clear back in the summer that the Prime Minister's deal was not going to succeed. She is now not only not listening; she is not allowing debate. This is totally unacceptable. Will she agree to bring the vote before the House before Christmas, so that she can reflect on the outcome over the Christmas break and then lead us?

The Prime Minister: I know that my right hon. Friend and I have different opinions on the issue of a second referendum. I have indicated when the vote will be brought back to the House. It will be necessary for the usual channels to agree what the business motion would be and how many days of debate would be available. We are not trying to stop debate. I am trying to—[*Interruption.*]

[*The Prime Minister*]

I am recognising and reflecting to the European Union the concerns expressed in this House and seeking ways in which we can ensure that Members have sufficient confidence that those concerns have been addressed.

Hilary Benn (Leeds Central) (Lab): The Prime Minister went to the European Council seeking legal assurances and returned with none, and the next Council meeting scheduled is in the third week of March. Now that Cabinet Ministers are openly speculating about what should happen when her deal is defeated, can she tell the House what purpose it serves to continue to pretend that we might leave the European Union without an agreement, when she knows better than anyone else how damaging and disastrous that would be, and when she told the House just now that it would risk the “jobs, services and security” of the people?

The Prime Minister: I say to the right hon. Gentleman that I have responded on this point previously. We do have—this House has—a responsibility, and it will have a responsibility, to come to a decision on this matter and to determine whether to leave the European Union with a deal or to leave without a deal. There will also be those in this House who will try to ensure that, actually, we stay in the European Union. I think that would be wrong. I think we should be leaving the European Union, because that is what people voted for in the biggest exercise of democracy in our history. I believe that we should be leaving with a good deal, and this is it.

Dominic Raab (Esher and Walton) (Con): The final steps of contingency planning for departure on WTO terms are essential in case EU intransigence continues. Will the Prime Minister confirm that all of those necessary actions are now being taken to see us through any short-term disruption, including action to prepare for extra checks at the border, diversion of flow to friendlier ports, liberalisation of tariff schedules and cutting taxes for businesses?

The Prime Minister: My right hon. Friend is trying to tempt me into some budgetary decisions there, which, as he will know, would not be appropriate at the Dispatch Box. But I would say to him that we are making the plans—the contingency arrangements—for no deal. As I said in my statement, the Cabinet will be meeting tomorrow to discuss what further steps need to be taken. We have already stepped up those preparations—indeed, my right hon. Friend was responsible for them himself when he was the Brexit Secretary of State—but further stepping up of the no-deal preparations has gone on to address exactly the sorts of issues he is looking at, such as the flow of traffic into different ports here in the UK to ease the disruption. Disruption will take place under no deal in the short term. We want to take every step we can to mitigate that.

Yvette Cooper (Normanton, Pontefract and Castleford) (Lab): The Prime Minister ruled out a customs union, ruled out Norway, ruled out Canada, ruled out parliamentary votes on her objectives, ruled out parliamentary votes on the options and is now ruling out extending article 50, yet everyone knows she does not have support for her plan and she has no assurances

from the EU that she asked for. If she carries on like this, she is the one who will take us over a no-deal cliff edge.

This Christmas, businesses and Departments across the country are now going to be spending billions of pounds preparing for no deal. Does she not have a duty and a responsibility to them to rule out no deal, to say she will extend article 50 and to have a proper discussion in Parliament to work out the way forward?

The Prime Minister: First, the right hon. Lady says that we ruled out certain things. Actually, in the vote that took place in 2016, the majority of the British people voted to leave the European Union, and one of the key issues in that was bringing an end to free movement, which some of the suggestions that she has as alternatives would not allow to happen. So, actually, we are trying to reflect the views that took place during that vote, and the decision as to whether or not we go forward with the deal will be one that this Parliament will take.

Sir Nicholas Soames (Mid Sussex) (Con): My right hon. Friend continues to negotiate changes to the backstop. Does she not agree that if those efforts were, unfortunately, to fail and if we are to avoid leaving without a deal, which we must at all costs avoid, it must now be critical that we build consensus in this House and forge a compromise that delivers Brexit while protecting British jobs and interests?

The Prime Minister: I agree with my right hon. Friend that the aim of everything we are doing, and I believe the aim of what this House will do, should be to ensure that we deliver on that vote and do it in a way that protects jobs and prosperity for people up and down this country. That is exactly what we are working for, and I hope that every Member of this House will consider that when it comes to looking at whether or not we should support this deal. I believe we should because it does exactly what my right hon. Friend has suggested.

Liz Kendall (Leicester West) (Lab): Let me tell the Prime Minister what is irresponsible: delaying a vote on her agreement not because she is going to get any changes to it, but because she wants to run down the clock and try to intimidate MPs into supporting it to avoid no deal. Is it not the reality that this is not acting in the national interest, but in her personal interest, and that neither her party nor the country will forgive her for it?

The Prime Minister: I believe it would not have been right if I had not listened to the concerns expressed in the House. I listened to those concerns and I am working—discussions are continuing—with the European Union in relation to how we address them. It will then be for Parliament to decide but, at that point, Parliament and Members of the House will have a responsibility. The decision they come to will be about whether or not to deliver on the vote of the referendum in a way that protects jobs and our security.

Sir Michael Fallon (Sevenoaks) (Con): Given that the Prime Minister has listened and is still trying to improve the deal, would the deal be more palatable if the timetable

for starting on and agreeing the terms of future trade were as firm and as legally binding as the timetable for paying over all the billions?

The Prime Minister: My right hon. Friend makes an important point. From the Council conclusions, there has been further progress in relation to the EU's commitment to starting the next stage of negotiations, but it is important for us to continue to discuss the issue he raises about getting that confirmation and certainty—he refers to legal certainty—as to when those negotiations can start, and when it is the determination of both parties to ensure that those negotiations end. We want that trade deal in place by the end of December 2020.

Neil Gray (Airdrie and Shotts) (SNP): The Prime Minister has said for two years that no deal is better than a bad deal, but we now know why—her deal is a disaster and will never pass the House. As she desperately tries to let the clock tick down, will she publish her no-deal planning?

The Prime Minister: I have been and remain clear that no deal is better than a bad deal, but I believe this is a good deal.

John Redwood (Wokingham) (Con): Will the Prime Minister publish the tariff schedule for the UK for a World Trade Organisation exit? Will that include zero tariffs on all components coming in for manufacture to provide yet another great boost to Britain as a big manufacturing centre?

The Prime Minister: These issues would have to be addressed in relation to a no-deal scenario. The Government continue to discuss the plans we need to put in place to deal with the possibility of no deal in order to mitigate the disruption that would occur in that situation. Obviously, we will be looking closely at the tariff schedules.

Mr Ben Bradshaw (Exeter) (Lab): How much will it cost the NHS, our other public services and thousands of businesses up and down the country as they are forced to activate their no-deal contingency plans because of the Prime Minister's reckless time wasting?

The Prime Minister: Responsible government is about ensuring that contingency arrangements are put in place. That is the responsible thing that any Government in this situation would do—ensure that contingency arrangements are in place until we have the outcome and know with certainty whether we are leaving with a deal or no deal. We need to make those contingency arrangements. That is the right thing to do.

Ms Esther McVey (Tatton) (Con): After tomorrow's Cabinet meeting when no-deal preparations will be high on the agenda, will the Prime Minister please arrange for a Minister to come to the House to give a statement—this week and every week until we leave the EU—so that we know what is happening and so that the country, businesses and individuals can be reassured? It is vital that the preparations happen, and this House needs to know what is happening.

The Prime Minister: My right hon. Friend raises the important point of making planning information available to the House. There are a number of ways in which that is expressed to the House. The Secretary of State for

Exiting the European Union appears before the Select Committee and responds on those issues, and these matters have been addressed in debates in the House, but I understand the point she makes about wanting to ensure that Members are aware of the arrangements that have been put in place.

Frank Field (Birkenhead) (Ind): Does the Prime Minister accept that this House needs more time not to debate but to vote on the various options before it? Might she not therefore agree that we vote as soon as possible on the amendments that the Speaker will choose of those tabled? If she is unwilling to do that, might the Opposition parties think how they can use the time they have to debate on the Floor of the House to bring forward that vote? If Members agree with that line of action, might they sign the motion on the Order Paper in my name?

The Prime Minister: I thank the right hon. Gentleman for his question. Obviously, the intention is to have a proper number of days for debate when the vote is brought back in January. At that stage, how the matter is put before the House will depend on the further discussions that have taken place with the European Union. As we have always said, any motion on this issue is of course amendable by Members of the House.

Sir Patrick McLoughlin (Derbyshire Dales) (Con): We are told that the United Kingdom does not want the backstop. We are told that the European Union does not want to enter the backstop. What on earth is stopping the European Union giving us a legal guarantee that such a backstop would last only for a very short time?

The Prime Minister: It is exactly that further political and legal assurance that we are looking at. There have been very clear statements from the European Union. Those have been reiterated not only in the Council conclusions but after the Council conclusions as well. The best way to stop the backstop coming into place is of course to have a firm date for introducing the future relationship. That is currently the intention and that is currently 31 December 2020. We will continue to discuss what further assurances we can get on this point.

Mr Chris Leslie (Nottingham East) (Lab/Co-op): When precisely will the Prime Minister be securing this “Miracle on 34th Street” guarantee from the European Union on the backstop that she will come back with before 7 January? If she does come back with it, will the House be debating it on a fresh Government motion? On her commitment to come back on 7 January to start the debate, is that a promise?

The Prime Minister: First of all, the business motion and the way in which the debate is to be dealt with by the House will of course be discussed through the usual channels. I said we would be starting the debate in the first week, with a vote in the following week. The hon. Gentleman asked me about the timetable. Discussions are continuing with the European Union and I expect them to continue into the new year.

Dr Sarah Wollaston (Totnes) (Con): Here is what would do irreparable damage to the integrity of our politics: to run down the clock and end up forcing

[Dr Sarah Wollaston]

through a deal that 48% did not want because they did not want to leave the European Union, and that the majority of those who voted for Brexit do not want. The mathematics simply do not stack up. The majority, in this House and in the wider country, do not want this deal. Can I ask the Prime Minister to get on with it, so that we can vote on it and then look at practical alternatives?

The Prime Minister: As I indicated in my statement, we will bring the vote back in the second week in January. It is our intention that the debate will start in the previous week, the first week of January. As I said earlier, I have listened to the House. Had I not listened to the House and started the work to try to get further assurances, I suspect hon. Members would have raised that issue. It is right that I and the Government are doing exactly what we said we would, which is work with the EU for those further political and legal assurances.

Mr Pat McFadden (Wolverhampton South East) (Lab): We now know what the plan is. Having failed to win support for the deal in Parliament and having failed to get any meaningful change to it at the EU Council last week, the Prime Minister now simply wants to run down the clock and intimidate Parliament into choosing between a bad deal and the disaster of no deal. I put it to the Prime Minister that it is wrong to threaten and intimidate Parliament in this way. More importantly, it is reckless to take options off the table, as she has tried to do today, that could prevent the disaster of no deal for the country.

The Prime Minister: Whatever the point at which this House faced the meaningful vote, it will be a decision for Members of this House as to whether to accept the deal or—[*Interruption.*] There are some who would prefer to see action taken so that we do not leave the European Union—I think that would be wrong. What I believe is right is that we deliver on the referendum. The question will be for Members of this House as to whether they accept that responsibility, and to come to a decision. At the moment, there have been lots of ideas around this House about what should happen, but no alternatives that actually deliver on the referendum in a way that protects jobs. That is what the deal does, but it will be a decision for individual Members of this House to bear the responsibility that they have.

Sir Oliver Heald (North East Hertfordshire) (Con): The Prime Minister will be aware that those of us who have large manufacturing companies in our constituencies—in my case, Johnson Matthey in Royston—that do integrated manufacture on a European basis with short supply lines are getting on to people like me and saying, “Look, it’s very urgent that we have a deal.” When she is negotiating and discussing in Europe with people like Mr Juncker, does she have the feeling that there is that urgent need to get a deal and that they are prepared to listen to what she says and really put in a shift? I must say that when I saw him looking so relaxed and really being rather patronising to our Prime Minister, I felt that was not really him putting in the sort of shift that she has.

The Prime Minister: The very clear message that comes back from the European Union—from the Commission and EU leaders—is that they do want a deal. We have obviously negotiated this deal. There are those further assurances that I am working to achieve, and it has been made clear by President Juncker and others that those further discussions can indeed take place.

Liz Saville Roberts (Dwyfor Meirionnydd) (PC): The Prime Minister knows that no better deal will be found in Europe and that no majority will be found in Westminster. She also knows that no deal is disastrous. She delayed a vote because she knew her deal would fail to get the support that it needed. She can employ the same logic again. Will she confirm that she holds the power to seek an extension for article 50?

The Prime Minister: First of all, the Government hold the power to seek an extension for article 50; and any extension of article 50 would have to be agreed with the European Union, but I have been clear that what I believe is the right course of action, having triggered article 50 and having undertaken the negotiations, is that we ensure that we leave the European Union on the timetable that we have already set out.

Nicky Morgan (Loughborough) (Con): The Prime Minister in her statement talked about empowering this House. The trouble is that she is asking the House to accept a deferral for several weeks of the meaningful vote on the draft withdrawal agreement, on the basis that further assurances can be agreed with the European Union, but there is nothing in what she has said today or in what has been reported from the EU Council to suggest that those further assurances are likely to be given. I say this as somebody who was going to vote for her draft agreement on the basis that she set out—that businesses need certainty and the country needs reassurance. I honestly do not think that businesses, employers and our constituents will understand why this House is going on holiday for two weeks when we should be having the meaningful vote this week.

The Prime Minister: What I believe is right is that, having heard the concerns that have been expressed by Members of this House, the Government are taking those concerns to the European Union. Yes, we have further statements from the EU with legal status in the Council conclusions than we have had before, but we are seeking yet more and further assurances from the European Union. I think that is the right thing to do, then that can be debated properly by this House and the vote taken.

Joanna Cherry (Edinburgh South West) (SNP): Last Thursday, the Attorney General told the House that he was reviewing the question of whether article 50 could be revoked by a simple vote of this House or by legislation. This Thursday, the Scottish case is being referred back from the European Court of Justice to the court in Edinburgh to look at this issue. Can the Prime Minister confirm for us that the Government’s position on how article 50 could be revoked—whether through legislation or whether simply a vote of this House is required—will be set out to the court in Edinburgh on Thursday?

The Prime Minister: I will certainly look into that issue and get back to the hon. and learned Lady about the specifics in terms of the Government's stance on the case that is going to the court in Edinburgh. I know that she has taken a considerable interest in revoking article 50. I simply remind all Members that the Government have said that we will not revoke article 50, because it means staying in the European Union.

Mr Jonathan Djanogly (Huntingdon) (Con): I am one of the Members who would have and will support the Prime Minister's deal, but I have to say that what is coming back to me from business, industry and the City is that we are haemorrhaging support and investment on a daily basis and it is getting worse. That is why I join hon. Members in saying, please think again about holding the vote and about considering a series of standalone resolutions, which mean that we can take a view and move on.

The Prime Minister: I understand the concern that my hon. Friend expresses about business. Business wants certainty. Business wants the deal. Business welcomed the deal when we negotiated it and I think that it still takes that approach. My hon. Friend referred to what have been called indicative votes—a number of motions that could be brought before the House. I have no plans for indicative votes. I say to him and other Members that it is necessary for the House to reflect on what Members want in terms of their responsibility to come to a decision on this matter. At the moment, there are a number of views in the House: some want to stay in the EU, some want to go for a second referendum, some would support no deal and some would support looking at other arrangements. As I said, any of those arrangements would require a withdrawal agreement, because they would require us to make clear the basis on which we are withdrawing from the European Union.

Angela Smith (Penistone and Stocksbridge) (Lab): Last week, the Prime Minister admonished Jean-Claude Juncker for his use of the word “nebulous”. Many Members would take issue with her use of the word “meaningful” because there is nothing meaningful about a vote that forces Members to choose between her deal and no deal. When will the Prime Minister stop digging, start listening and build a consensus with Members across the House to get us out of this mess?

The Prime Minister: It was always going to be the case, whenever the vote came before the House, that Members would have a decision on whether to support the deal that had been negotiated with the European Union, with the consequences that failure to support it would bring. That is the same whenever that vote is taken.

Dr Julian Lewis (New Forest East) (Con): Does the Prime Minister recall telling the House on 3 December that the £3 billion to £4 billion set aside in the Budget for contingency no-deal planning was about to be allocated in the next few days to relevant Departments? Has that allocation been made and is the money now available for essential contingency planning?

The Prime Minister: Yes, I do recall saying that. Of course, the 2018-19 financial year allocations are in place and money is being spent. I think my right hon.

Friend was referring to—and I was referring to—the 2019-20 allocations. Negotiations on those are well advanced, several Departments have settled and we expect to be in a position to confirm all those shortly.

Mr George Howarth (Knowsley) (Lab): Last Friday, a constituent said to me that although she had voted to leave in the referendum in 2016, she now wanted to register the fact that she had changed her mind, as she put it, for the sake of her grandchildren. If it emerges that a significant number of previous leave voters have reached the same conclusion, what would be more democratic: allowing them the opportunity to change their mind, or pressing on regardless?

The Prime Minister: I also hear from people who are in the opposite position: they voted to remain and now say that they would vote to leave the European Union. If there were a second referendum, which had the same result, would those hon. Members who wish people to be given the chance to think again continue to say that there should be a referendum? If there were a different result, I think many people would ask, “How many referendums shall we have?” We had the referendum and I believe that it is our duty to deliver on it.

Anna Soubry (Broxtowe) (Con): The problem is that there is a consensus in the country, and that consensus is that this is one unholy mess and a solution must be found. The Prime Minister has still not told us what her plan B is. Does she not understand that, if we left the European Union without a people's vote, knowing what Brexit looked like, and then it turned out that the people of this country, knowing what Brexit looked like, did not want us to leave the European Union, it would be the biggest betrayal of democracy in this country, and the people of this country, especially the young people, would never forget or forgive us—especially our party?

The Prime Minister: I know that my right hon. Friend has taken a particular view in relation to this issue, but I continue to believe that what we should be doing is delivering on the vote. As I said when I gave the figures in my statement, it was the overwhelming view of this Parliament that the people should have a vote in the referendum, and it was the overwhelming view of this Parliament that article 50 should be triggered. Article 50 leads to our leaving the European Union, and it is now our duty to deliver that.

Caroline Lucas (Brighton, Pavilion) (Green): How does the Prime Minister have the gall to accuse those of us who want more democracy of breaking faith with the public, when she herself has turned faith breaking into a new art form? She promised no general election last year, and then granted one. She promised a meaningful vote last week, and then cancelled it. But one cannot break faith with the British public by asking for their views. Why can the Prime Minister not understand that a people's vote would be the first opportunity for people to vote on the facts, not on the fantasy and the fabrication?

The Prime Minister: Many people up and down the country—17.4 million people, I think—would say that, if the vote that took place in 2016 were not honoured by this Parliament, that would be breaking faith.

Sir Peter Bottomley (Worthing West) (Con): As my right hon. Friend has said, the outcome is that we leave without an agreement to leave, a transition and future arrangements, or we somehow return to the attempt by some to reverse the result of the referendum—or we have the deal with the agreements that are being negotiated now. In an article published in *The Times* on Thursday, Freddie Sayers made it clear that seven people out of eight in the country—and, I suspect, here as well—would rather have the deal with the agreements than drop out without a deal or have another referendum. So I can say to the Prime Minister that I think most people support her, and we should too.

The Prime Minister: I thank my hon. Friend. What he has said reflects comments from around the country: people say or write to me that they want us to get on with it, to deliver and then to be able—as a Government and as a Parliament—to get on with addressing the domestic issues that matter to them day to day.

Chuka Umunna (Streatham) (Lab): Let us be clear: it is the long list of broken promises of leave campaigners whom the Prime Minister appointed to her Government that has done irreparable damage to the integrity of our politics. She has made three statements in the House, and on each occasion the House has made clear that it will not vote for her plan, but she continues to refuse to listen. May I ask her a specific question? She has said that no deal is not something that she would countenance. Let us suppose that we reach the March 2019 European Council and there is no consensus in the House on a route forward. Will she now commit herself to request an extension of article 50 at that European Council to stop no deal from happening?

The Prime Minister: I have indicated my approach in relation to the extension of article 50.

Greg Hands (Chelsea and Fulham) (Con): Notwithstanding what Emmanuel Macron said on Friday, recent comments from the European Commission have been rather more hostile, and anything but nebulous. Martin Selmayr is reported to have told officials that losing Northern Ireland was the price of Brexit. Briefing EU ambassadors on the deal, Sabine Weyand said that the UK

“must align their rules but the EU will retain all the controls.”

At the weekend, a further EU official was reported in *The Times* to have said:

“To use a Christmas theme, we want all parties and factions in the British parliament to feel the bleak midwinter.”

Does that sound to my right hon. Friend like people negotiating in good faith?

The Prime Minister: I have always been clear throughout this that these have been tough negotiations, but we have held our side and achieved a deal that delivers on the vote of the British people, and delivers it in a way that protects jobs and security and, I believe, protects our prosperity for the future.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): Is it not the truth that, while the Prime Minister talks about democracy, she prevented the Cabinet from having a vote, she is preventing Parliament from having

a vote and she does not want the public to have a vote on this deal? If she wants to talk about democracy, she should think very carefully about that. Will she not admit that she is acting in a completely reckless fashion with jobs, with business, with investment and with our constituents’ futures, because on 2 January, when the vast majority of people in this country will go back to work, this Parliament will not be sitting, the Government will still be stalling for time and trying to come up with a magic solution and people will simply be asking, “What is going on?”

The Prime Minister: The hon. Gentleman asked me a question in relation to what I was doing and I have to say that my answer to that question is no.

Sir Edward Leigh (Gainsborough) (Con): We have had our people’s vote in Lincolnshire—and they are people, by the way. May I express an unfashionably supportive view of the Prime Minister today? I think that this matter is resolvable, and many of us who have been sceptical about the deal so far could be persuaded to vote for it if there were a legally binding protocol saying that, as is normal with international treaties, if a temporary arrangement ceases to be temporary, then either side can unilaterally withdraw, and in any event under international law we would have the right to abrogate those parts of the treaty if they prove not to be temporary. So I say to the Prime Minister—keep calm and carry on.

The Prime Minister: I thank my hon. Friend for his comments and I think that the amendment he has tabled to the motion reflects the view he has just expressed. There are many ways in which we can achieve what everybody, I think, who is concerned about the backstop wants, which is to make sure that if it is used it is only temporary. I want to try to make sure it is not used at all.

Mr Barry Sheerman (Huddersfield) (Lab/Co-op): Is the Prime Minister aware that many people in our country feel that they were conned over the last referendum by a combination of fraudsters, cheats, foreign money and dissembling about the real truth of the challenges our country faces? Does she also know that many of us feel it is tragic to see her so isolated—isolated from her party, from this Parliament and from the people in the country? Will she change her mind, as I have done, and go for a people’s vote and a people’s choice on the facts, not on the theory?

The Prime Minister: No, I have already made my views clear. I mentioned them in my statement in relation to the concept of a second referendum. I think that we should be delivering on the referendum that took place in 2016.

Sir Hugo Swire (East Devon) (Con): My right hon. Friend has said that she is going to be stepping up work to mitigate any disruption in the event of a no deal and the Cabinet will be discussing that tomorrow. Given that there are just over 100 days to go and we have the Christmas and new year break, can she inform this House and the watching country how many COBRA meetings there will be, how many she will chair, and

whether there will be meetings throughout the Christmas and new year break of Cabinet Ministers and COBRA to plan for this?

The Prime Minister: There have already been fortnightly meetings taking place, and that will move to a more regular rhythm in January as we continue to step up the preparations for no deal.

Kate Hoey (Vauxhall) (Lab): May I welcome the Prime Minister ruling out a second referendum when we have not actually implemented the first, and may I also congratulate her—she did not get her hair ruffled by President Juncker in the way he seems to do to everybody? However, has she had a word with the Chancellor of the Exchequer? He implied the people who voted leave—17.4 million people—were extremists. Has she had a word with him to make sure that he is not going to take that attitude to decent people across the country?

The Prime Minister: Everybody in this Government recognises that this Parliament gave people the decision on whether or not to leave. People went out and 17.4 million people chose that we should leave the European Union. They did so for a variety of reasons—ending free movement was a reason for many of them, but for many of them a reason was also the concept of wanting a United Kingdom able to stand independent in the world, to make those trade deals around the rest of the world, but to be free of the bureaucracy of Brussels; that was another reason people voted to leave. They did that with their hearts and with their heads and with the best of intentions, and it is our job to deliver on the vote they gave.

Mr Jacob Rees-Mogg (North East Somerset) (Con): By your leave, Mr Speaker, may I congratulate the Prime Minister on winning the confidence of the Conservatives in this House last week and assure her that she therefore commands my confidence, too? On the issue of the second referendum—better known as the losers' vote—I support the Prime Minister's opposition to this not only because it is undemocratic and would be divisive but because it would be very hard to deny a second referendum in Scotland if we had a second referendum on membership of the European Union.

The Prime Minister: My hon. Friend makes a good point. We have a record on a number of referendums over the years. We have accepted the decisions that people have taken and we have not gone back to them with a second referendum. He is absolutely right, and I also thank him for his remarks at the beginning of his question.

Luciana Berger (Liverpool, Wavertree) (Lab/Co-op): We have been told that there is going to be a 34-day delay, from when we were supposed to have the meaningful vote last Tuesday until the new date of 14 January. There are clearly not going to be any substantive changes to the withdrawal agreement, and we all know what the outcome of the vote will be, so it is irresponsible of the Prime Minister to prolong this uncertainty while not ruling out a no-deal Brexit. Further to the question from my right hon. Friend the Member for Exeter (Mr Bradshaw), I want to ask her again: what is the cost to our country of pressing the button on the no-deal

contingency plans, which we know that many businesses and public services across the country, including our NHS, will now have to trigger before Christmas?

The Prime Minister: I will give the hon. Lady the same answer that I gave to the right hon. Member for Exeter, which is that these are plans that it is sensible for the Government to make as contingency arrangements in the circumstances that we have. If she and other Members wish to ensure that we do not leave the European Union without a deal, the only way to do that is to support a deal.

Vicky Ford (Chelmsford) (Con): Twenty-seven Prime Ministers across Europe have agreed unanimously to offer the UK the deepest trade agreement they have ever offered. Five of those Prime Ministers are from sister parties of the British Labour party and seven are from sister parties of the British Liberal Democrat party. Does our Prime Minister agree that the best way for our Opposition parties to avoid a hard Brexit is to look again at the deal that is being offered by Prime Ministers across Europe?

The Prime Minister: I echo my hon. Friend's comments; she is absolutely right. I understand that those sister parties have been talking to the parties on our Opposition Benches and encouraging them to see that this deal delivers a far wider and more ambitious trading arrangement than has ever been offered to any other third country.

Stella Creasy (Walthamstow) (Lab/Co-op): For weeks now, the Prime Minister has been clear about what her deal is. For weeks now, the European Union has been clear about what deal it will offer. For weeks now, this House has been clear about what it will reject. However, it is not true that nothing has changed, because it is clear that what little support the Prime Minister had left on her own Benches is now ebbing away by the hour—*[Interruption.]* Well, cheer if you want, gentlemen, but it is not happening, is it? We know that the quicker we take the deal, the longer we will have to prepare for whatever the outcome of that vote is. The British public will not forgive any of us for going away on holiday without having made any progress on this. For goodness sake, Prime Minister, stop wasting our time! Get on and table that vote, and let us prepare for what comes next.

The Prime Minister: It is not correct to say that no progress has been made, but I want to see further progress being made and that is what I am going to be working on.

James Duddridge (Rochford and Southend East) (Con): The draft withdrawal agreement is 585 pages long, and while I appreciate, although do not necessarily agree with, the case for not producing a full plan for a managed no-deal Brexit, if the withdrawal agreement fails and is rejected in this House, how quickly will the full no-deal preparation be published?

The Prime Minister: As I am sure my hon. Friend will recall, the formal position is that if the deal is rejected, the Government have a limited number of sitting days in which to bring forward proposals for the next stage and for dealing with that situation, and that is the timetable that we would obviously meet.

Peter Kyle (Hove) (Lab): It is interesting that the one passage leaked to the press yesterday of the Prime Minister's lengthy statement today was her antagonism towards the idea of a people's vote. It is entirely consistent with her approach to this process that she took this House to the Supreme Court to stop us having a say at the beginning and then withdrew the vote last week at the end. If she is going to pause, stop and prevaricate in the next few weeks, I beg her to use that time to start listening to and engaging with people in this House and the anxieties that are felt out there by the public. For the very first time, will she engage and listen?

The Prime Minister: I have made the point about listening to the House, which is why further discussions are taking place, and as I said in my statement, I am of course happy to speak with people in this House. I have been speaking with quite a few of my colleagues over the past couple of weeks, and I am happy to continue to speak with colleagues about how we can ensure that we deliver on the vote and that we deliver a good Brexit.

Sir Desmond Swayne (New Forest West) (Con): Should the Prime Minister's recent experiences at the EU Council not serve as a powerful corrective to any illusion that we could have remained a member of it?

The Prime Minister: My right hon. Friend makes an interesting point. I suspect that what he saw actually fed into the concerns that many of the 17.4 million people had when they voted to leave.

Helen Goodman (Bishop Auckland) (Lab): This afternoon, on a cross-party basis, 60 Members of Parliament wrote to the Prime Minister asking her to rule out no deal. She knows the costs. What possible reason can she have for not doing that now?

The Prime Minister: The only way to rule out no deal is to agree to a deal.

Nick Herbert (Arundel and South Downs) (Con): The Prime Minister is right to seek further assurances on the backstop, which, after all, is what many right hon. and hon. Members on both sides of the House asked her to do. Is it not the case that most hon. Members who now support a second referendum, most of whom voted to trigger article 50, are doing so working on the heroic assumption that remain is likely to win? Have they stopped for one second to consider the possibility that leave might win or, worst of all, that we would have another very narrow result that would cause uncertainty in this country in the months and years ahead?

The Prime Minister: My right hon. Friend makes an important point about the uncertainty that would come to this country. As I have said before, a second referendum would be divisive; it would not necessarily be decisive. However, many people who assume that it would result in a remain decision actually underestimate the character of the British people, and the view of many people would be, "We gave a very clear message; we wanted to leave; and we'll vote in even greater numbers to do so."

Sammy Wilson (East Antrim) (DUP): Does the Prime Minister not realise that the reason why the EU is clinging limpet-like to this agreement is that it knows that there are concessions within that will enable it,

when it comes to the future trade arrangements, to extract even more concessions from the UK Government? Would it not be far better to walk away now with £39 billion in her pocket and with her hands free and able to do the kind of work that any Government should want to do to make this country prosperous?

The Prime Minister: Of course, it has been made clear to the Government that it is not the case that we would not have any financial liabilities in a no-deal circumstance. There would be some financial liabilities for this Government. Of course, the £39 billion is the negotiated settlement in relation to the withdrawal agreement, but there would be financial liabilities even in a no-deal situation.

Heidi Allen (South Cambridgeshire) (Con): It is not just the backstop that worries colleagues, myself included; for me, it is the lack of legal certainty over what our future trade deals might look like. The political declaration is not legally binding, so any EU country leader, including our own should we have a different leader, could rip it up and we could spiral to a no-deal Brexit at any time. The Prime Minister has said it is not about our view, and I agree with her. That is why she has appealed to the country directly with her deal, and it is why I must represent my constituents. If she really believes in the views of constituents being the most important thing, surely the right thing to do—dare I say the democratic thing to do?—is to be honest and grown up by displaying proper engagement with the people, which means checking with them that they are content with her deal.

The Prime Minister: The arguments my hon. Friend puts about listening to people could equally be put about listening to people in relation to the first referendum held in 2016. She raises an important point about the nature of the political declaration, and that concern is another issue that I have been raising with the European Union, because I want to ensure that right hon. and hon. Members are able to have full confidence in that future trade agreement.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): The Prime Minister made a deal with the EU on Ireland, and Ireland is right to keep her in a cage of her own making to make sure that the UK cannot backslide on its commitments. Last week, the EU27 will have noticed the sleekit way her Government changed the laws and moved the goalposts when dealing with Scotland in the Supreme Court. The reality is that, where once Britannia said it ruled the waves, now the EU's big fear, as we have seen with Scotland, is that, when given the chance, Britannia will waive the rules and will be away on holiday before voting on any deal.

The Prime Minister: I think the hon. Gentleman is referring to the Bill that the Scottish Parliament brought forward that challenged the changes made in relation to the withdrawal Act. On the relationship between the withdrawal Act and the decisions of the Scottish Parliament in relation to Scotland, SNP Members and, indeed, the Scottish Government were aware of the position when they brought that Bill before the Scottish Parliament.

Andrew Bridgen (North West Leicestershire) (Con): Despite assurances from the Prime Minister that the backstop would be temporary, I remain very concerned

that if this House approves the deeply flawed withdrawal agreement, we risk being trapped in the backstop indefinitely. Will my right hon. Friend confirm that income tax was introduced in 1799 as a temporary measure to pay for the Napoleonic wars?

The Prime Minister: I am interested in the historical link my hon. Friend draws on this matter. I recognise that he and others have concerns about the backstop, and I continue to work to provide the assurances that I hope would enable him to accept a deal and make sure that we leave the European Union with a deal.

Emma Reynolds (Wolverhampton North East) (Lab): Several members of the Prime Minister's Cabinet said this weekend that, if her deal is voted down, it should be for Parliament to decide what happens next. Does she agree?

The Prime Minister: There is a process set out in the legislation. If the deal is voted down, it is for the Government, within a certain period of time, to bring forward their proposals to Parliament. A motion will be tabled before Parliament and, following the amendment agreed by Parliament a couple of weeks ago, the motion will be amendable.

Dr Phillip Lee (Bracknell) (Con): Judging by the tone and content of today's statement, it would appear that the Prime Minister is still implacably opposed to what I think is the only democratic solution to this impasse. For the sake of clarity, will she confirm that she is so opposed that she would prefer no deal?

The Prime Minister: What I want to see happening, and what I prefer, is for us to leave the European Union on the basis of a good deal, and I believe this is a good deal.

Tom Brake (Carshalton and Wallington) (LD): Both the Prime Minister and the Leader of the Opposition know there is no point in kicking this can down the road—nothing is going to happen over Christmas and the new year. May I ask the Prime Minister to bring forward her meaningful vote this week and the Leader of the Opposition to bring forward his motion of no confidence this week, and then this week we can move on to where we know we are going, which is a people's vote?

The Prime Minister: No, there are further discussions with the EU and those will continue into the new year.

Rebecca Pow (Taunton Deane) (Con): I want to commend the Prime Minister's dogged determination, and so many people on the streets of my constituency this weekend commended her for her attitude. Does she agree that given that this is the only deal on the table, everything must be done to make it acceptable, which means everybody pulling together for the sake of the nation and, in particular, for the sake of our younger generations, who do not seem to be mentioned enough? That was reiterated to me at University Centre Somerset just this weekend, because we do have to leave them with an economy that is fully functioning and viable.

The Prime Minister: My hon. Friend is absolutely right to say that we need to ensure that we are protecting the economy for the future, and that is what this deal does.

Those young people at University Centre Somerset would want to see not just a Government but an Opposition putting their interests and the national interest first, rather than the Opposition putting their party interests first.

Mrs Emma Lewell-Buck (South Shields) (Lab): The past few weeks have shown that this deal is going nowhere, and today's statement does not change that. Does the Prime Minister now regret not working cross-party to build a consensus in this House? Why will she not accept that there is a way out of this hopeless situation by extending article 50 and working together, without the political posturing, for a deal that works for everyone?

The Prime Minister: We have negotiated a deal that works for everyone. I say to the hon. Lady simply this: in June 2016, a vote was held and people voted to leave the European Union. On 29 March 2019, the date set for us to leave the EU, it will be nearly three years since that vote. I think people want us to get on with leaving the EU, and that is what we will do.

Rachel Maclean (Redditch) (Con): Does the Prime Minister realise that when Jean-Claude Juncker called her "nebulous" he fundamentally underestimated the attitude of the British people, who completely disagree with that sentiment? That is what I found in my constituency this weekend, where people praised the Prime Minister's determination to get a deal that works for my constituency. Can she display that similar determination in ruling out a second referendum, which would be so insulting to my constituents and suggests that they do not know what they voted for the first time round?

The Prime Minister: My hon. Friend makes a very important point. Many people who voted to leave in the referendum in 2016 would say exactly that: they knew what they were voting for; they voted for what they believed was right for this country; and they want a Government who deliver that.

Phil Wilson (Sedgefield) (Lab): I have asked the Prime Minister before whether her deal is better than the one we have now and she cannot give a straight answer, because I think she knows the answer is no. What undermines the integrity of our democracy, Prime Minister, is to ask—eventually—Members of this House to knowingly vote for something that will make their constituents poorer; it is not those in this House who want the people to have the final say on whether they actually wanted that to happen in the first place. Prime Minister, is your deal better than the one we have now? If it is, can we have the vote on the meaningful vote this week?

The Prime Minister: I have set out when the meaningful vote will take place. The hon. Gentleman again referenced people being poorer under this deal than they are today. They are not going to be poorer under this deal than they are today. The economic analysis is very clear about this, and it is clear that the best deal—the best approach that delivers on the referendum and protects jobs and the economy—is the deal.

James Cleverly (Braintree) (Con): A number of Opposition Members and, indeed, some Government Members have been talking about people who have changed their minds and how important it is that we

[James Cleverly]

respect people's opportunity to change their minds. Does the Prime Minister agree that although there is no evidence to show that a meaningful number of people have changed their mind in respect of the referendum result, it is clear that a number of Opposition Members have changed their minds, because previously they said they would respect the outcome of the referendum and they clearly now no longer wish to do so? If they want to stop Brexit, they should be honest with this House and their constituents and just say so.

The Prime Minister: I absolutely agree with my hon. Friend. It is the case that both the Conservative party and the Labour party campaigned in last year's election on the basis that we would respect the referendum and deliver on its result. I believe that is important, and the Opposition should take that position as well, to reflect their manifesto and the promise that they made to the British people.

Dr Lisa Cameron (East Kilbride, Strathaven and Lesmahagow) (SNP): Given that the Conservatives have had the opportunity to decide on the Prime Minister's own position twice in the past two years, in what way is it undemocratic to give the people a second vote on Brexit?

The Prime Minister: It is important that we recognise when we have a referendum in this country that we do not say to people, "Well, if it comes out with the result that most people in Parliament want, we will accept it, and if not, we won't." We accept the results of referendums in this country. Given that the majority of Members of this House stood last year on manifestos that said they would respect the result of the referendum, we should do that.

Crispin Blunt (Reigate) (Con): The certainty of World Trade Organisation terms from 29 March, without even including the opportunity for tariff-free trade under article 24 of the general agreement on tariffs and trade and the immediate opportunity to negotiate and conclude free trade agreements with the EU and the rest of the world, hardly sounds like an outcome to be avoided at all costs, and certainly not like a disaster. The extent of any disruption from a move to WTO terms depends on the policies of our European Union partners. If it becomes clear on Wednesday that their preparations appear to make transition more difficult, not easier, will the Prime Minister make sure that of the £39 billion that we would otherwise pay to the EU, the first charge is for British businesses affected by their policies? Will she show the first flash of steel by making it clear that she will at least consider that the £1.2 billion of sunk costs in the Galileo project might also come into consideration?

The Prime Minister: The work on the financial settlement that led to the £34 billion to £39 billion—significantly less than the £100 billion that was being talked about at European Union level at one stage—did of course take into account all the aspects of the contributions that the United Kingdom has made into the European Union over the number of years of our membership. As a result of the tough negotiations that the UK undertook, we have seen a significantly smaller sum of money than the one that the European Union initially thought of.

Catherine McKinnell (Newcastle upon Tyne North) (Lab): On Friday, I visited the Newcastle West End food bank to drop off a Christmas donation. The food bank is now distributing around 11 tonnes of food a month to people in crisis, half of whom are children. The Prime Minister's own Government's analysis shows that we will be worse off under every Brexit scenario, but particularly if we leave without an agreement. Her no-deal threat makes no sense. She will not give the details or the economic analysis of the costs, so will she just take that threat off the table and give the reassurance that this Government—her Government—will not let the poorest in society pay for this Brexit impasse?

The Prime Minister: When looking at the negotiations for this deal, we wanted to ensure that we could protect jobs and that we would protect our prosperity for the future, and that is exactly what we have done. I repeat what I have said to other hon. Members: it is not possible simply to wish away no deal without having an alternative to no deal. That means either having a deal or not having Brexit at all. I believe that delivering on Brexit is what we should be doing and what this House should be agreeing.

Philip Davies (Shipley) (Con): I urge the Government to get off their knees in these negotiations. Will the Prime Minister remind the EU, this House, and perhaps even the Cabinet that we are the United Kingdom, and that we are perfectly capable of standing alone? We are not some kind of small, third-world backwater that is dependent on the benevolence of the European Union. The way that the EU have treated the Prime Minister in these negotiations is embarrassing for her and humiliating for the United Kingdom. If she were to go along to the EU now and tell it, in the face of its intransigence, to get stuffed, the huge proportion of the British people would be absolutely right behind her. In this great battle between Parliament and the people, it is critical that the Prime Minister is on the side of the people.

The Prime Minister: I say to my hon. Friend that being on the side of the people is about ensuring that this Government deliver on Brexit, and that is what we will do.

Layla Moran (Oxford West and Abingdon) (LD): At the weekend, it was reported that the former Prime Minister, David Cameron, had been taken on board as a backseat driver of this process. I have to say that, given that he was the original architect of this mess, I was slightly concerned about that. What exactly is the former Prime Minister's role in this, when exactly was the last time she spoke to him and what advice is he giving her?

The Prime Minister: The former Prime Minister is not giving advice. The last time I spoke to him was when we agreed the withdrawal agreement. It was when I spoke to two former Prime Ministers, as a matter of courtesy, to inform them what had been negotiated with the European Union.

Robert Halfon (Harlow) (Con): I welcome the guarantees that the Prime Minister has given today about having no second referendum of any kind. I also welcome her standing up to Mr Juncker. May I just say in plain words that she should go to the European Union and

say, “You can stick the £39 billion of taxpayers’ money where the sun don’t shine unless we get legal movement on the backstop.”? She would not be called nebulous then; she would be called the iron lady.

The Prime Minister: As I have said to other Members of this House, it is important for us to remember that, whatever the circumstances of our leaving the European Union, there would be some financial obligations for us. As a country that does meet its legal obligations, it is important for us to continue to do so.

Chris Bryant (Rhondda) (Lab): The trouble is that all the time in the world will not make the slightest difference to the arithmetic in this House. The truth is that by delaying holding the meaningful vote by another 28 days from today, the Prime Minister is playing into the hands of the European Union, she is playing into the hands of those who want to undermine our security, she is playing into the hands of those who want to be our economic rivals and she is achieving absolutely nothing for this country. She could invite every single Member of the House round to her gaff for Christmas day, Boxing day and new year’s eve and she would still lose the vote, so why does she not get on with it this week?

The Prime Minister: It is because I am seeking those further assurances from the European Union. I have listened to the House and that is what I am doing.

Richard Graham (Gloucester) (Con): I very much hope that the Prime Minister can agree with the EU a legally binding annex to the withdrawal agreement on any intended use of the backstop as that could unite many Members of this House. Given that they too, like us, were elected on a manifesto of respecting the referendum result, should not any further reassurances be the moment for Labour Members to join us in supporting a practical compromise and in ending uncertainty?

The Prime Minister: I agree that it is important that, when it comes to the vote, Members from across this whole House should put the interests of this country first and put the interests of delivering on the referendum and doing it in a way that does protect jobs and our security, which is exactly what this deal does.

Jim Shannon (Strangford) (DUP): Prime Minister, some of your junior Ministers—those on the payroll—have told other MPs that the backstop cannot be changed and that, if it were to be changed, Leo Varadkar would lose the Republic of Ireland election. We do need to have good relations with the Republic of Ireland, but, Prime Minister, you are the Prime Minister and all your responsibilities lie with the United Kingdom of Great Britain and Northern Ireland. Will the Prime Minister remind the members of her payroll team that Northern Ireland is part of the United Kingdom and that there is no onus on any Member, or junior Minister, to be a cheerleader for the Taoiseach?

The Prime Minister: The reasons why we have negotiated what we have and why, as a Government, we are committed to Northern Ireland and to not having a hard border between Northern Ireland and Ireland have nothing to do with the views of the Taoiseach or of the Government

of the Republic of Ireland. It is about the commitment that we believe that we should be giving to the people of Northern Ireland.

Dr Andrew Murrison (South West Wiltshire) (Con): If the UK sensibly and pragmatically continues to apply the Union customs code after Brexit, given that from the beginning of the new year we will have the new UK customs declaration service and the registered exporter system, which will replace certificates of origin, is it not the case that the European Union would not be acting in good faith if it insisted on its backstop, potentially out to 2099, as is cited in the withdrawal agreement?

The Prime Minister: I will be very clear with my hon. Friend that the backstop is, as is said in the withdrawal agreement and as was confirmed by the Council conclusions last week, intended to be temporary. Of course, article 50 does not allow for a permanent arrangement to be put in place. The existence of alternative arrangements that would enable us to provide that there is no hard border between Northern Ireland and Ireland would ensure either that the backstop need not be used or, if it was used, that it could be replaced quickly by those arrangements.

Catherine West (Hornsey and Wood Green) (Lab): What advice does the Prime Minister have for my constituent who is stockpiling insulin? Does she believe that urgent measures need to be put in place for such vital provisions?

The Prime Minister: The Department of Health is, of course, making contingency arrangements for no deal. That is part of the preparations that are taking place, and it is entirely right for the Government to do that.

Alberto Costa (South Leicestershire) (Con): Securing the rights of British nationals living in the EU27 and the rights of EU nationals here in the United Kingdom is of the utmost importance for every Member of this House. In the absence of any alternative legal document, will the Prime Minister confirm that only her deal absolutely guarantees in law the rights of fellow Brits in the EU and EU nationals here?

The Prime Minister: Yes, I am very happy to give that confirmation to my hon. Friend. He is right to raise this issue. It was an issue in the early stages of the negotiations, when many Members of this House raised the question of citizens’ rights. Now we hear a lot about the backstop, but people omit to mention that the crucial issue of citizens’ rights is reflected in the protections and guarantees in the withdrawal agreement.

Seema Malhotra (Feltham and Heston) (Lab/Co-op): The Prime Minister continues to put on the pretence that somehow when the people voted, they gave permission only for her deal or no deal. She knows that when we leave the European Union, if we leave with no deal we will lose access to 40-plus international trade agreements covering trade with 70 countries, to EU criminal databases and to the EU single market, with which more than 70% of the UK’s exporting businesses trade. Indeed, there could be a delay of two to three years in new medicines reaching patients in the UK. She knows that there are other legal and political options, so is it not time for her to give herself a much better Christmas by

[Seema Malhotra]

having a vote in the House this week on her deal and then allowing Parliament to start to work together on how we move forward?

The Prime Minister: It was the vote that took place in 2016 that determined that we should leave the European Union. I believe that we should leave the European Union with a good deal, and this is a good deal. I believe that the alternatives that have been put forward in some cases do not deliver on the referendum and in other cases make the use of a backstop even more likely.

Kevin Foster (Torbay) (Con): The Prime Minister will recall my question last week about how we can ensure that it is clear that the UK cannot be forced to stay in the backstop indefinitely due to vetoes on extraneous issues. What comfort did she take from the comments of other European leaders, for example the Chancellor of Austria and the Prime Minister of Denmark, that that might be something the UK is able to secure?

The Prime Minister: My hon. Friend is absolutely right. Crucially, a number of European Union leaders made very clear their view about the backstop being temporary or not being used at all. They made it clear that they were willing to listen to further proposals in order to give greater clarification on that point. That is exactly why I think it is right that we carry on talking to the European Union about this matter.

Marion Fellows (Motherwell and Wishaw) (SNP): A hundred years ago, through the suffragettes, we saw women's empowerment here in Parliament. Why does the Prime Minister not empower MPs here before Christmas, and why will she not empower the people with a second people's vote?

The Prime Minister: I refer the hon. Lady to the answers I gave to those questions earlier.

Mr Nigel Evans (Ribble Valley) (Con): When President Juncker is not ruffling the hair of female colleagues—I think the Prime Minister got away lightly there—we know that he follows what is said in this House very carefully. He will have heard her say today, “No revocation of article 50 and no second referendum”, and I suspect that he does get some succour from some of the things said in this Chamber. Can she now state for President Juncker the exact date when the United Kingdom will be leaving the European Union?

The Prime Minister: We have that date in our legislation: it is 29 March 2019.

Dr Rupa Huq (Ealing Central and Acton) (Lab): The Prime Minister is not interested in the will of the people apart from on one day in 2016, and given that her minority Government were the first ever to be found in contempt and that she pulled the plug on the meaningful vote at the last minute last week, she clearly has little regard for the sovereignty of Parliament either. She has returned from her latest travels empty-handed due to her own red lines, so why will she not allow MPs to vote on her deal this week and consider extending article 50? It is the season of miracles and good will, but no one—no one at all—believes that this is all going to be neatly concluded by the end of March.

The Prime Minister: I have answered those questions previously. As I said to my hon. Friend the Member for Torbay (Kevin Foster), it is important that we follow up on the opportunity to seek these further political and legal assurances in relation to the concern that people have on the backstop. It is also important, as I indicated to my hon. Friend the Member for South Cambridgeshire (Heidi Allen), that we look at the status of the political declaration, which is another issue that people have raised.

Mrs Anne Main (St Albans) (Con): I thank the Prime Minister for reminding the House that 472 now-sitting Members decided to give a people's vote in 2015; I suspect that if they had decided to keep the vote just to themselves, they would have voted overwhelmingly to remain in the European Union, which means that there is now an in-built bias against delivering Brexit. So please steer a straight course, Prime Minister—the country expects us to deliver Brexit. A people's vote is simply an opportunity to try to overturn the democratic vote.

The Prime Minister: My hon. Friend is absolutely right. That is exactly what this Government are doing—steering a course to deliver on what people voted for. We gave them the decision, we asked them to make that decision, they made that decision, and we should respect it.

Ian Murray (Edinburgh South) (Lab): Is the Prime Minister's plan B no deal?

The Prime Minister: What I am working on at the moment is to ensure that we can get the assurances necessary to deal with the concerns that people have on the deal that has been negotiated.

Nigel Huddleston (Mid Worcestershire) (Con): I like to think of myself as a friendly fellow, and I have no particular inclination to fall out with colleagues on either side of the Chamber based on the details of the Brexit deal. The one thing I have learned in politics is that it is perfectly reasonable to look at identical information and come to completely different conclusions—but on values, that is where I disagree. Does the Prime Minister agree that to have a second referendum would fundamentally undermine the principle of democracy?

The Prime Minister: I believe that there are many people who voted if not for the first time ever, certainly for the first time for a considerable number of years, in that referendum. They did so in the belief that the politicians were going to listen to them. I think that their belief and faith in politics and politicians, and in our democracy, would be shattered if they were asked to think again. We should deliver on the vote that took place.

Mike Gapes (Ilford South) (Lab/Co-op): I listened very carefully to the words that the Prime Minister used. When asked about indicative votes in the House, she said, “We have no plans.” When asked whether she would revoke article 50, she said, “This Government will not do that.” If the House voted to instruct the Government to revoke article 50, would she resign and make way for another Government who would carry out the wishes of the House?

The Prime Minister: This House voted to revoke article 50, and that would be going against the wishes of the people in the referendum in 2016.

Matt Warman (Boston and Skegness) (Con): More than three quarters of my constituents voted to leave the European Union. Can the Prime Minister imagine anything more patronising than the idea that they need more democracy—to have another go? Does she agree that their instruction was very clearly that we should be getting on with it?

The Prime Minister: I absolutely agree with my hon. Friend. His constituents thought when they voted that the Government were going to deliver on their vote, and that is exactly what we should do.

Wera Hobhouse (Bath) (LD): The Prime Minister says that a further referendum would be divisive. It is not referendums per se that are divisive. The 2016 referendum would not have been divisive if the promises made were deliverable. The divisions in our country today only come from two and a half years of Brexit fantasies now hitting the wall of Brexit reality. Brexiteers see the Prime Minister's deal as a betrayal, and remainers are furious because the whole Brexit argument was based on lies. Does she agree that, in our democracy, we should never be afraid of a public vote, but we should always oppose fantasies and false promises?

The Prime Minister: I assure the hon. Lady that no Member of this House is afraid of a public vote. Members put themselves up for public votes on a number of occasions in order to be elected to this House. There were two sides of the argument in the referendum. Arguments were put. People voted on their belief as to whether or not we should stay in the European Union, and I believe we should deliver on the vote that people gave.

Richard Drax (South Dorset) (Con): Many here, including one or two senior members of the Cabinet, now refer to the “will of MPs”, which is nothing more than a fig leaf to remain. It was the will of the majority of MPs to give the people a vote. They did so, and now we must honour it. If we fall back on WTO terms, so be it. Lead us, Prime Minister—get this country free and end this rancour.

The Prime Minister: My hon. Friend is right that it was the will of MPs that the decision as to whether to stay in the European Union be given to the people of this country. We did that, they voted to leave, and we should do it.

Ann Clwyd (Cynon Valley) (Lab): The House may be interested to know that Larry the cat at No. 10 just tweeted:

“Brexit update: Giving people a vote = breaking faith”

Does the Prime Minister agree?

The Prime Minister: I have made the point clearly this afternoon that I believe we should keep faith with the people by delivering on the vote that they gave in 2016.

Will Quince (Colchester) (Con): I wanted to support this deal, and I want to support this deal. I thank the Prime Minister sincerely for listening to concerns, in particular about the backstop. Does she agree that it is

essential that we give her the time necessary to secure the concessions that this House wants? I guarantee her that if she secures them, I will stand four-square behind her.

The Prime Minister: I thank my hon. Friend for that, and I thank him for pointing out that, having listened to the House, it is right that I am able to have time to argue that case with the European Union and seek those further assurances that would give confidence to not only him but other Members.

Anneliese Dodds (Oxford East) (Lab/Co-op): Is the Prime Minister aware of the damage being caused to manufacturing—particularly automotive—by her failure to rule out no deal?

The Prime Minister: The manufacturing industry welcomed the fact that we have negotiated a deal and welcomed the trade arrangements that we have negotiated for the future partnership. I want to be able to deliver on that for them.

Henry Smith (Crawley) (Con): Ahead of the 2016 EU membership referendum, the Government spent more than £9 million of taxpayers' money on leaflets delivered to every UK home advocating that we remain—but also, crucially, saying that whatever the outcome of the referendum, it would be enacted. Last year, 589 elected Members of this House stood on manifesto pledges to deliver the referendum result. Will my right hon. Friend confirm that we will be leaving the European Union on 29 March next year, deal or no deal?

The Prime Minister: I am happy to confirm that we will be leaving the European Union on 29 March next year. I am grateful to my hon. Friend for pointing out the significant number of Members who stood on a manifesto commitment to deliver on the vote that people took in 2016.

Stephen Kinnock (Aberavon) (Lab): The Prime Minister repeatedly claims that the Norway-plus option would require a backstop, but on 3 December her Attorney General told me from the Dispatch Box that he could see no reason why Norway-plus

“would not satisfy the stated objectives of the backstop”.—[*Official Report*, 3 December 2018; Vol. 650, c. 572.]

Can she confirm that she agrees with her Attorney General on that point?

The Prime Minister: The issue is partly about whether we have the customs union within the Norway-plus model. However, the point about the backstop is that it is there to deal with the period from the end of a transition period to the new relationship—the new relationship being one that will deal with the guarantee to the people of Northern Ireland that there will be no hard border. In any alternative arrangement, it would be necessary to have that negotiation.

Norway-plus is not something that can just happen. This House might want to say it will happen; actually, Norway-plus requires such a negotiation, because we would have to negotiate to be a member of EFTA first in order to get such an arrangement in place. In doing that, there would therefore be a risk that there would be a period of time when no arrangement was in place, and that would require a backstop.

Martin Vickers (Cleethorpes) (Con): There is growing concern—indeed, growing anger—among my constituents at the prospect of a second vote. They feel that their vote has been stolen from them. Bearing in mind that the advocates of a second vote talk about chaos, confusion and uncertainty, does my right hon. Friend agree with me that that would be the result of a second vote on a smaller turnout?

The Prime Minister: I agree with my hon. Friend that there is concern—and I think there should be concern—about the divisive nature of a second referendum if that were to take place, and also concern about the fact, as he has said, that his constituents and many other people up and down the country trusted that the politicians were going to deliver on the vote that they gave in 2016. We have a duty to do so.

Janet Daby (Lewisham East) (Lab): It is clear that the Prime Minister has refused to rule out a no deal, refused to extend article 50 and refused to allow the option of a people's vote. Can she now tell the House her plan if her deal does not make it through Parliament?

The Prime Minister: As I have said to a number of other hon. Members, if the hon. Lady and others want to ensure that there is not a no deal situation, they have to accept that the alternatives are either accepting a deal or no Brexit. I believe we should be delivering on Brexit, and I believe we should be doing it with a good deal for the UK.

Peter Grant (Glenrothes) (SNP): May I gently remind the Prime Minister that it is not only MPs in this place who have manifesto commitments to honour? The Scottish Government have manifesto commitments to honour, and it would be utterly undemocratic for anyone to try to stand in their way. Will the Prime Minister tell us how many people in this place stood on a manifesto that supported the chaos of a no deal? Given that the answer is none, surely that should be the first option that is taken off the table. We can then talk about what kind of deal we can get—and if we cannot get a decent deal, then not leaving should be put back on the table. Surely, giving those choices to the people is more democratic than forcing them out with a no-deal Brexit that nobody voted for.

The Prime Minister: Of course we can ensure that we do not leave with no deal. We can do that by ensuring that we leave with a deal, and a good deal for the whole of the United Kingdom.

Susan Elan Jones (Clwyd South) (Lab): Given that the Prime Minister has been on her feet for two hours, I think we are now convinced that she still agrees with herself but is listening to very few other people. Last week, no less a person than her predecessor Sir John Major called for an extension of article 50, but, stubbornly, she still refuses to listen to any advice on this. Please will the Prime Minister listen for once?

The Prime Minister: I have been listening, and that is exactly why we are having further discussions with the European Union in relation to the issue of the backstop—to seek the assurances that Members of this House want.

Liam Byrne (Birmingham, Hodge Hill) (Lab): The Prime Minister has said today that she is determined to frustrate another vote of the people, and she has done her level best to frustrate a vote in this Parliament. Does she understand why so many people here think that she is trying to confront and bully this House with a last-minute choice between her deal and no deal, even when she knows the catastrophic cost of no deal for swathes of our industry?

May I ask the Prime Minister to clarify for the House this afternoon the simple fact that, when it comes to a meaningful vote in January, this House will indeed be able to rule out no deal and, if necessary, extend article 50?

The Prime Minister: The motion will, of course, be amendable when it comes before the House in January. However, I have to say to the right hon. Gentleman that this is about ensuring that we can get the assurances from the European Union—that is what we are working on—and bring them back to this House, having listened to the concerns that have been raised by Members of this House.

Alison Thewliss (Glasgow Central) (SNP): The Prime Minister said in her statement that she is working on tackling the spread of deliberate, large-scale and systematic disinformation. Does that include the disinformation of Vote Leave and things printed on the side of buses?

The Prime Minister: A number of things were said on both sides of the campaign during the referendum on the European Union. The task we have before us is not to relive that referendum, but to get on with the job of delivering on it.

James Frith (Bury North) (Lab): I talked to both sides in my constituency on Saturday. The Prime Minister knows about her Brexit-supporting MPs' change of heart in her, but my constituents are wondering why she will not ask Bury for its conclusion on her botched deal. Does she regret spending so long appeasing the 1922 instead of building a deal that works for the 48 and the 52?

The Prime Minister: I think I am right in saying that the hon. Gentleman's constituency voted to leave the European Union in the referendum. Those people who voted to leave will want the Government to deliver on that.

Ms Marie Rimmer (St Helens South and Whiston) (Lab): I know why my constituents voted the way they did. It was 58:42. They blamed Europe for the loss of our jobs in manufacturing as a result of the economy going towards finance. Thirty-four of the 43 local authorities are still 13% behind on wages from 2010 and have not recovered. That is why people voted. They have listened to what has been said, but you are not giving them a chance to vote on this offer. Your deal is terrible. It is not a good deal and we will be worse off. The same goes for no deal. Give us a choice. We should have a choice to vote in the House today on your offer.

Mr Speaker: Order. I have not made any offer.

Wes Streeting (Ilford North) (Lab): Yours would be better.

Mr Speaker: That is a matter for debate but not a matter for me. The Prime Minister can defend her offer, and I am sure she will.

The Prime Minister: Thank you, Mr Speaker.

I say to the hon. Lady that the House will have a choice when the meaningful vote is brought forward on whether or not it accepts the deal that is on the table, and on what it wants in future. That choice will be available, just as the choice was available to her constituents, mine and others up and down the country in 2016 to decide whether or not to stay in the EU.

Jack Dromey (Birmingham, Erdington) (Lab): Sixty-two Members from four parties in the House have today written to the Prime Minister on the mounting concerns being expressed in our great manufacturing industries—automotive, aerospace, shipbuilding, bus building and food. We are walking towards a cliff, and if this uncertainty continues, the bad decisions that are being made for Britain will continue dramatically in the first quarter of next year. We have to have a degree of certainty. Without it, the future for many companies and workers will be catastrophic. Why does the Prime Minister not rule out now any question of a no-deal Brexit?

The Prime Minister: We have engaged with the manufacturing industry, including the automotive industry, which is very important to this country and jobs in this country. The manufacturing industry supported and welcomed the deal when it was negotiated. If the hon. Gentleman wants to support the manufacturing industry and wants to ensure that it has that certainty in future, he can support the deal.

Wes Streeting: The Prime Minister has pointedly not said that her deal is better than the one we have. What sort of Prime Minister puts a deal to Parliament knowing that it would make our country worse off than it would otherwise have been? What sort of Prime Minister could possibly countenance the reckless chaos of a no-deal Brexit? Is that not an insult to the office of Prime Minister?

The Prime Minister: The hon. Gentleman's question appears to be based on the premise that we should be looking at staying inside the European Union. The people voted for us to leave the European Union. The economic analysis shows that the best option that meets that requirement and protects jobs is the deal.

Patricia Gibson (North Ayrshire and Arran) (SNP): Like the Leader of the Opposition, the Prime Minister has set herself firmly against putting this issue back to the people, clearly because they feel that the result this time would be different. Does she agree that both main parties in the House have come full circle, and that we have ended where we began: running scared of UKIP?

The Prime Minister: The hon. Lady suggests that I thought we should not have a second referendum because it might come out with a different result. Actually, no, I do not think it would come out with a different result. I just believe that when we said to people in 2016, "We give you the choice and we will abide by that choice," we should stick by our word.

Andy Slaughter (Hammersmith) (Lab): It is the height of irresponsibility for the Prime Minister to pretend she can win a vote on her deal when every Member of this House, including her, knows she cannot. Nor is there a majority for no deal. When they are both voted down, what next? That question is fundamentally important to the future of this country. If she cannot or will not answer it, she should not be in office.

The Prime Minister: As we continue to work on further assurances on the deal, the hon. Gentleman knows full well that the vote will come before the House. The House will have its vote, and thereafter if the deal is not supported, the Government will bring forward their proposals for the future steps we will be taking.

Ruth George (High Peak) (Lab): The Prime Minister claims to know what leave voters voted for in 2016, but when I surveyed thousands of my constituents, over half of leave voters said that they wanted to stay in the single market and almost as many said they wanted to be in the customs union. Now that they have seen the shape of the deal on the table—these are leave voters—16% said they had changed their mind and wanted to remain in the European Union. How can the Prime Minister not listen to voters? I hope she will spend the time over the next few weeks actually listening to voters who voted and not to her own rebellious Back Benchers.

The Prime Minister: I assure the hon. Lady that I do listen to voters and I do talk to voters. The overwhelming view given to me by voters is that they want to ensure we get on with delivering the 2016 vote.

Diana Johnson (Kingston upon Hull North) (Lab): Can the Prime Minister imagine any scenario whereby it would be in the national interest to extend article 50?

The Prime Minister: I have answered the question on extending article 50. I believe it is important for us to deliver on the vote that people took. We have it in our legislation that we will leave the European Union on 29 March 2019.

Martin Whitfield (East Lothian) (Lab): Who does the Prime Minister think will be held responsible if there is a no deal: the Executive, Parliament or the people who voted in 2016?

The Prime Minister: Members of this House will have a decision to take in relation to the deal and whether they want to leave the European Union with a deal.

Rachael Maskell (York Central) (Lab/Co-op): It is economically corrosive to delay the deal. For each day that passes, our economy is sliding down. People are becoming poorer and businesses are losing confidence. In the light of the political arithmetic that means the deal will fall, what discussions did the Prime Minister have with her European counterparts this weekend about alternatives, including the extension of article 50?

The Prime Minister: If the hon. Lady is concerned and wants to give certainty to business, there is one step she could take that would do that: back the deal.

Dr Philippa Whitford (Central Ayrshire) (SNP): In light of the impact of the loss of EU citizens in the NHS, a 90% drop in nurses coming here and a trebling of the number of EU nurses leaving, the Prime Minister has sought in recent months to make it clear to EU citizens that they are welcome and they are secure. However, in her response to the hon. Member for South Leicestershire (Alberto Costa) she implied that they would be secure only if her deal passes. Can she clarify that, because she has just scared more than 3 million people?

The Prime Minister: I know the hon. Lady has a very personal interest in this issue. The withdrawal agreement sets out the agreement that has been reached between the United Kingdom and the European Union on EU citizens in the UK and UK citizens in the EU. As a Government, we have been clear that we will protect the interests of European Union citizens in the UK if there is a no-deal situation, but of course I cannot at this stage guarantee what would be the situation for UK citizens in the EU 27. That is a matter for those countries and the EU to set forward. The reciprocal arrangement that guarantees both sides is what is in the withdrawal agreement.

Clive Efford (Eltham) (Lab): The Prime Minister's own red lines have brought us to this situation and she is now about to squander billions of pounds-worth of taxpayers' money on preparing for no deal, when she knows that there is no majority in this House for no deal, so it is completely unjustifiable. If we need more time to negotiate, extending article 50 is the way forward, but she is yet again putting down another red line and stopping us taking the logical step of giving ourselves more time to sort out this situation. Is not that the right way forward?

The Prime Minister: I have responded to a number of questions in relation to that. This House, of course, will have a decision to take as to whether to accept the deal that is on the table. I am working to get those further assurances, as I have said, but this House will have a decision as to whether to accept that deal, and if that deal is voted down, the Government will have to come forward with their proposals for the next steps. The hon. Gentleman uses this phrase that a lot of people use, about red lines. Actually, what the Government have been doing is respecting the vote that people gave in 2016 on issues such as bringing an end to free movement and making sure that we leave the European Union.

Chris Stephens (Glasgow South West) (SNP): Will the Prime Minister publish how many additional civil service jobs would be required either with her deal or no deal, and will she measure that against the number of civil service jobs that have been cut since the EU referendum?

The Prime Minister: I am very happy to write to the hon. Gentleman with the figures for the number of civil servants who have been employed and the numbers who are continuing to be employed in dealing with leaving the European Union, because of course, we are making contingency arrangements for no deal, but there are also a lot of preparations that are taking place that have involved the employment of more civil servants, which are actually about preparing for the deal.

Anna McMorrin (Cardiff North) (Lab): This embarrassing, reckless Brexit that we find ourselves perilously close to was begun to quell opposition within the Tory party, putting party before country. Now we have a Prime Minister putting her own interests above both party and country. When will the Prime Minister agree that with no majority for her deal, no deal or any other deal, the only democratic way forward is to put this back to the people for a people's vote?

The Prime Minister: The party in this House that is putting party before country is the Labour party's Front Bench, who are putting the interests of trying to bring about a general election before the interests of actually getting a deal that works for this country.

Deidre Brock (Edinburgh North and Leith) (SNP): Some 78% of my constituents in Edinburgh North and Leith voted to remain and they are extremely concerned about the prospect of no deal, so I will repeat the question that my hon. Friend the Member for Airdrie and Shotts (Neil Gray) asked, which the Prime Minister signally failed to answer. Will she publish her no-deal planning?

The Prime Minister: We are making preparations for no deal. These preparations are being stepped up. We are continuing to step up those preparations. We have already published a number of issues in relation to no-deal planning, through the technical notices that have been issued, and we will be continuing to make sure that the information that is provided externally is that which is necessary to ensure that people are prepared for the possibility of a no-deal scenario.

Nic Dakin (Scunthorpe) (Lab): I thank the Prime Minister for making it very clear in her statement, in her words, that no deal risks jobs, services and security. Can I ask her to act as the leader of this great country and rule out no deal now?

The Prime Minister: The only way to rule out no deal is to ensure that there is a deal that enables us to leave the European Union.

Wayne David (Caerphilly) (Lab): The Prime Minister has used a mantra ad nauseam: it is her deal or no deal—she almost repeated it again just then—but she must be aware that *The Economist* magazine, among many, many others, has said that a no-deal Brexit would wreck the economy. Why is she prepared to wreck the economy and can she justify that to the British people?

The Prime Minister: I believe that the best route forward for the United Kingdom is to leave the European Union with a good deal, and I believe that this is a good deal.

David Linden (Glasgow East) (SNP): One thing not contained in the Prime Minister's statement on the Council conclusions is the future of the single market. She should know that leaving the single market risks 80,000 jobs in Scotland. Does she have any idea how many jobs would be lost in the Queenslie and Baillieston industrial estates if we left the single market?

The Prime Minister: The hon. Gentleman will know that it is clear in the political declaration that we will have a more ambitious trading relationship with the

European Union than any other third country—we will become a third country when we leave the European Union. We have negotiated that deal, that future trading relationship, and that political declaration is the instructions to the negotiators for the future. We have negotiated that precisely with the need to ensure that we protect jobs in our minds. That is what that deal will do.

Ms Karen Buck (Westminster North) (Lab): With three quarters of a million jobs at risk with a no-deal Brexit, according to the UK Trade Policy Observatory—42,000 of them in my City of Westminster borough—is not it clear that no deal is the most disastrous outcome and that the Prime Minister is playing Russian roulette with people's jobs? Given that one of the few options that could command a majority in the House is a measure to stop no deal, is not it the height of irresponsibility to make us wait a month for a meaningful vote, which will certainly be lost, and not commit to taking whatever action is necessary, including suspending article 50, to ensure that we do not drive the British economy off a cliff?

The Prime Minister: The House will have a decision to take and it will be in the House's hands as to whether it wishes to support a deal. We cannot wish no deal away. If we are not going to leave with no deal, we have to have an arrangement and a deal with which to leave the European Union.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): In her statement, the Prime Minister talked about integrity and the millions who trusted in democracy. What does she say to those same millions who have witnessed the dark money scandal, Vote Leave breaking the law, cash for votes, the Government gerrymandering the Brexit Committees, a legitimate Bill of the Scottish Parliament being prevented from getting Royal Assent by her court action, and pulling the vote on the deal halfway through the debate? Where is the integrity on those matters? The people deserve their say.

The Prime Minister: I believe it was the case that the issue of the continuity Bill in Scotland was discussed with the Government at the time. The Government made clear their position in relation to that Bill and to this matter. There were discussions with the Scottish Government throughout the passage of the European Union (Withdrawal) Act and we have ensured at every stage that we have consulted and engaged with the Scottish Government and, indeed, the Welsh Government on these matters.

Matt Western (Warwick and Leamington) (Lab): We have endured months of obfuscation and prevarication, fudge and more fudge made in Maidenhead. The Prime Minister described perfect as the enemy of the good, but she will accept that good leadership demands a demonstration of the courage of one's convictions. Prime Minister, we are in a serious crisis. Business demands action urgently. It is totally irresponsible and unacceptable to delay the vote until the weeks commencing 7 or 14 January. We need a vote now. If we do not have it before Christmas, please extend article 50 because businesses demand it.

The Prime Minister: Businesses have been clear that they want to see us leaving with a deal. They have welcomed the deal that we have negotiated and it is therefore in Members' hands to recognise that when they come to vote.

Justin Madders (Ellesmere Port and Neston) (Lab): Just so that I am clear, is the Prime Minister saying, beyond a shadow of a doubt, in all circumstances, that when her deal is voted down, she will not bring forward any option other than leaving without a deal?

The Prime Minister: I have been clear about the decision that Members will have to take. If the deal is voted down, it is very clear: we have the process set out in legislation that the Government will follow.

Carol Monaghan (Glasgow North West) (SNP): Over the weekend, we heard the news that many in the academic community were dreading: that immigration rules for EU nationals will be based on salary and perceived skill levels. Will the Prime Minister please elaborate on how categorisation of skill level will be done? Can she explain how we will continue to attract talented young researchers, who earn far less than £30,000?

The Prime Minister: It was not at the weekend that we said we would move to a skills-based immigration system; we have been clear about that for some months. The figure of 30,000 was the figure that was set out in the Migration Advisory Committee's report.

Neil Coyle (Bermondsey and Old Southwark) (Lab): The Prime Minister has described a new vote on Europe as an act of bad faith. This is the Prime Minister who tried to deny Parliament a meaningful vote and then pulled the vote when she knew that she would lose. This is the Prime Minister who claimed that it was her way or no way, despite the option of revoking article 50. This is the Prime Minister who told 10,000 people from other EU countries living, working and contributing in my constituency that they had jumped the queue. Is she in any position to lecture anyone about what it means to act in good faith on this issue?

The Prime Minister: I simply repeat to the hon. Gentleman the points that I have made about the vote that took place in 2016, and about the duty that we have in relation to that.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): This morning, when I went to my old workplace, Glasgow Parcelforce, where parcels containing goods are moved about, workers told me that they were worried about this Brexit deal. In my constituency, where unemployment is rising, workers are worried about their future. Has the Prime Minister a Christmas message for them, or does she want to revert to the 2017 general election?

The Prime Minister: I believe that it is right for this country to leave the European Union. That is what people voted for. I believe that it is right for us to leave with a good deal, and I believe that we have a good deal. Members have expressed some concerns about a particular aspect of that, and I am working to reassure them on that particular point. I hope that it will then be possible for Members to recognise the importance of protecting jobs, and to support a good deal for leaving the EU.

Daniel Zeichner (Cambridge) (Lab): The 48% seem to count for nothing any more. They did not vote for this descent into chaos, and many cautioned, “You should not leave unless you know where you are going.” Is it not time, in the national interest, to revoke article 50, not least to allow those who claim to speak for the 52% to sort out what they actually want?

The Prime Minister: Revoking article 50 means staying in the European Union and it is not possible to revoke article 50, to go back into the EU and then come out again in a few months’ time. The judgment of the European Court of Justice was absolutely clear on this point: revoking article 50 means staying in the European Union.

Martyn Day (Linlithgow and East Falkirk) (SNP): Democracy is a process, not a historical event in time, and it is essential for the public to maintain faith in that process. Can the Prime Minister give me one good reason why we should respect the result of a referendum that was mired by extensive cheating and rule breaking over having another referendum?

The Prime Minister: The referendum took place. The Government were clear at the time, and Parliament was clear at the time, that this was a choice for the British people. The British people chose, and I think we should deliver on that choice.

Points of Order

5.52 pm

Jeremy Corbyn (Islington North) (Lab): On a point of order, Mr Speaker. I have listened very carefully to all the answers that the Prime Minister gave during the lengthy exchange today. I have listened very carefully to what Members on all sides of the House have said and it is very clear that it is very bad—unacceptable—that we should wait almost a month before we have a meaningful vote on a crucial issue that faces this country. The Prime Minister obdurately refused to ensure that a vote took place on the date that she agreed. She refuses to allow a vote to take place this week, and I assume she now thinks that the vote will take place on 14 January—almost a month away. That is not acceptable in any way whatsoever.

As it is the only way I can think of to ensure that a vote takes place this week, I am about to table a motion which says the following: “That this House has no confidence in the Prime Minister due to her failure to allow the House of Commons to have a meaningful vote straightaway on the withdrawal agreement and framework for future relationships between the UK and the European Union.” That motion will be tabled immediately, Mr Speaker. Thank you.

Mr Speaker: I thank the Leader of the Opposition for what he has said. It requires no response from me, but it is on the record.

Joanna Cherry (Edinburgh South West) (SNP): On a point of order, Mr Speaker. In response to a couple of questions from my hon. Friends, the Prime Minister implied that Scottish National party MPs and the Scottish Government were aware at the time the Bill was brought that the UK Withdrawal from the European Union (Legal Continuity) (Scotland) Bill was outwith the legislative competence of the Scottish Parliament. I am sure that the Prime Minister has inadvertently overlooked the fact that last week the UK Supreme Court passed judgment in the case that was referred to by the Attorney General and found in fact that the Bill was within the competence of the Scottish Parliament when passed—all save one clause, clause 17—and that it was only the subsequent enactment of the EU withdrawal Act that retrospectively took powers away from the Scottish Parliament, meaning that the Bill was no longer within its powers.

Tory Members of the Scottish Parliament have been peddling misinformation about the Supreme Court judgment and there have been a number of inaccurate media reports over the last few days. I am certain that the Prime Minister would not mean to perpetuate misunderstandings about a judgment of the UK Supreme Court, Mr Speaker, and I seek your guidance on how I can put the matter straight and on the record.

Mr Speaker: I think that the hon. and learned Lady has found her own salvation. She is aware of the device—one might almost go so far as to call it a ruse—of an attempted, but in practice bogus, point of order to put across a particular point that is dear to her head and her heart, and she has succeeded in that mission with admirable clarity and eloquence. The point is on the record. It will be read in the *Official Report*, and I have a sense that the

hon. and learned Lady will seek to spread copies of the *Official Report* far and wide, in her own constituency and doubtless beyond.

As far as Ministers are concerned, including the Prime Minister, it is of course incumbent on any Minister who thinks that he or she may inadvertently have given incorrect information to the House to correct the record. Whether in this case it has been decided to do so is not a matter for me, but I hope that the hon. and learned Lady feels that she has achieved her objective this afternoon.

Tom Brake (Carshalton and Wallington) (LD): On a point of order, Mr Speaker. Over the weekend, it became very clear that the Prime Minister has some strong views on certain subjects. One is her view on Tony Blair, which I know she shares with the Leader of the Opposition, and another is her view on the merits of a people's vote, which she also shares with the Leader of the Opposition. But however intense the Prime Minister's antipathy to a people's vote may be, is it in order for her to leak chunks of her speech before coming to the House to make a statement, which contains the same chunks of her speech that were leaked to the press at 10.30 last night?

Mr Speaker: I thank the right hon. Gentleman for giving me notice that he wished to raise this matter. Certainly I agree, wholeheartedly and without equivocation, with the proposition that announcements of Government policy should be made in the House, and should not be preannounced to the media. That is not just a courtesy expected of the Government, but an important principle.

However, I think it only fair to add that the Government might, in this case, argue that the No. 10 press release to which the right hon. Gentleman referred contained no announcement of Government policy, but merely reiterated what the Prime Minister had told the House last week. I understand the sense of disquiet, even irritation, that the right hon. Gentleman feels, but I think that, in the name of even-handedness, it is reasonable for me to put that second point on the record to sit alongside, and to be judged against, the first.

Frank Field (Birkenhead) (Ind) *rose*—

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP) *rose*—

Mr Speaker: I will come to the hon. Member for Na h-Eileanan an Iar (Angus Brendan MacNeil). I am saving him up. I do not want to squander the hon. Gentleman too early.

Frank Field: Further to that point of order, Mr Speaker. Given your record of being a champion of Back Benches against those on both Front Benches, may I ask whether there is a way in which those of us who want to move to a vote on what options are open to the country if we do not support the Government motion—which has been delayed for a month—could have the opportunity to express our views to establish whether there is agreement in the House on one or more lines of attack before we rise for the Christmas recess?

Mr Speaker: I indicated last week that there were two means by which the vote could be deferred. I will not rehash all that for the right hon. Gentleman or others, but he will recall that I thought there was a preferable

way to do it, and a much less preferable way to do it. The Government chose the course that they did, and, as things stand, that course appears to be set.

I also explained to the House, and with a view to people outside this House, that whatever the Chair might think about matters of procedure, the Chair must operate within the powers of the Chair; manifestly, the Chair cannot operate *ultra vires*. The clear evidence, and all the precedents support this, is that an Order of the Day in respect of a piece of Government business can be moved only by a representative of the Government—that is to say by a Minister or a Government Whip. So I was able to express disquiet on behalf of many Members across the House at the sudden deferral of the vote, but I was not in a position to bring about the continuation of the debate or the vote upon it.

The right hon. Gentleman asks what recourse he has, and if he has any recourse, and I say to him that it is always possible for Members to table motions in this House. I am not exhorting him to do so, nor am I discouraging him from doing so; the right hon. Gentleman is extremely experienced and knows that that option exists. He has a motion on the paper; he can seek to gather support for that motion, or if another motion that is judged to be pertinent to his objectives is tabled, he can seek to garner support for such an approach.

My role is to serve this House. I would be perfectly happy to chair debates over the Christmas period; I would be perfectly happy to come back on 2 January and sit in this Chair. Millions of people are going to be working on 2 January, and we could do that, but it is not for me to say when the House should sit, when it should debate and when it should vote. That has to be determined by others, but I am here to serve and if the House decided it wanted to proceed at a faster pace it would be my responsibility to be here, and I would gladly accept that responsibility.

Frank Field: Further to that point of order, Mr Speaker. Would it be in order if one or more of the Opposition parties gave their time early in the new year so we could reassemble and vote on the six or so options you might choose? Would that be in order even if the Government had not moved their own motion?

Mr Speaker: My sense is that for the date upon which the House sits to be changed would very likely require a conversation; I am speaking, I say to the right hon. Gentleman for the avoidance of doubt, off the top of my head, but that almost certainly would require a conversation and agreement between the usual channels. If there were such an agreement, nothing is impossible.

The right hon. Gentleman will know that there is a supply of Opposition days, but the Government will normally give an indication of when there will be an Opposition day, and that is usually a matter of negotiation between the two sides; it is not something on which the Speaker can rule. But I do not say that what the right hon. Gentleman is suggesting is impossible; what I am suggesting is that there seems to be some distance to travel between his aspiration and its realisation.

Angus Brendan MacNeil (Na h-Eileanan an Iar) (SNP): On a point of order, Mr Speaker. Further to the point of order of my hon. and learned Friend the Member for Edinburgh South West (Joanna Cherry) about the Prime

[Angus Brendan MacNeil]

Minister's response to my question in her statement, as the Prime Minister has inadvertently overlooked the facts of the matter in terms of the UK withdrawal from the EU Bill of the Scottish Parliament, when does convention in this House suggest that the Prime Minister be expected to correct the record as a courtesy to the House so as to be accurate, particularly given the office she holds in the United Kingdom?

Mr Speaker: If an error is judged to have been made, the correction should be made with dispatch. In other words, if a Member believes that he or she has erred, there should not be delay; the record should be corrected without delay.

Good Work Plan

6.3 pm

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): I would like to make a statement on the good work plan published today, which sets out the Government's vision for the future of the UK labour market and how we will implement the recommendations arising from the Matthew Taylor review of modern working practices.

The Taylor review was commissioned by the Prime Minister to examine the current labour market and the employment law framework to help us understand the opportunities of future working practices as well as to identify areas where it is not working for everyone. The Government responded to the review in February, accepting the vast majority of the recommendations. Alongside this response, we also launched four consultations to seek views on how best to implement the recommendations. I am very grateful to everyone who took the time to respond; their insights have been invaluable in informing our policy development.

The good work plan I am publishing today sets out a programme for ensuring the UK labour market continues to thrive in the future. The UK labour market has a very positive record in recent years. Since 2010 we have higher employment and lower unemployment in every region and every nation of the United Kingdom, and wages are now growing at their fastest pace in almost a decade. This success has been underpinned by an employment law and policy framework that combines flexibility with protections for workers.

New ways of working and the rise of new employment models offer great opportunities, including innovative products and services for consumers, as well as new ways in which individuals can find work, earn a living and develop their talents. Our industrial strategy set out a long-term plan to embrace the opportunities presented by these changes and to boost the productivity and earning power of people throughout the UK.

Good work and developing better jobs is at the centre of the vision of the industrial strategy, so I am proud to be the first Secretary of State to take responsibility for promoting the quality of work as well as the creation of new jobs. I have written to the independent Industrial Strategy Council to ask for its participation in considering the best ways to measure the quality of work in the United Kingdom, and I am very pleased that Matthew Taylor serves as a member of the new Industrial Strategy Council.

Another core element of the quality of work agenda is ensuring we address the challenges for employment law and policy that the Taylor review identified. Most UK employers do the right thing and ensure their workers benefit from the rights and protections to which they are entitled. We will not allow these high standards to be breached by a minority who try to deny workers their just entitlements.

Among these reforms are steps to improve clarity for both employers and workers. Matthew Taylor recommended that the Government should do more to help individuals and businesses understand their rights and obligations. He highlighted that the existing employment status tests have contributed to a lack of clarity for both individuals and employers. We agree with this conclusion and will legislate to make improvements to reflect the reality of modern working relationships.

Matthew Taylor also recommended that renewed effort should be made to align the employment status frameworks for the purposes of employment rights and tax to ensure that the differences between the two systems are reduced to an absolute minimum. Again, we agree and will bring forward detailed proposals to align the two frameworks. We are also committed to addressing what Matthew Taylor termed one-sided flexibility, where too much risk has been transferred to the individual, sometimes to the detriment of their financial security and personal wellbeing. We will legislate to give all workers a right to request a more predictable contract and address the obstacles employees can face in building up continuous service. We will also legislate to end the injustice faced by waiters and waitresses and other staff in hospitality whose tips left by customers for them are diverted to their employers.

Another fundamental reform that Matthew Taylor proposed was the repeal of the so-called Swedish derogation, which exempts agency workers from equal pay requirements. Therefore, the Government are today bringing forward legislation to prevent this type of contract from being used to avoid meeting the legitimate rights of agency workers. We are also today laying legislation to extend workers' rights, including the right to a written statement and making this available to all workers from day one. We are also bringing forward legislation to provide workers with a longer reference period for the calculation of holiday pay and reforming regulations to make it easier for employees to have their voice heard in the workplace. This demonstrates how we are putting the good work plan into action immediately.

We also recognise the vital role effective enforcement plays in ensuring confidence to challenge when the law and regulations are broken and in creating a level playing field between businesses. Matthew Taylor called on the Government to improve access to justice in the workplace. We have already committed to extending state enforcement on behalf of vulnerable workers to the underpayment of holiday pay, and the good work plan sets out how this approach will mirror the tough financial penalties and enforcement approach that already applies to the underpayment of the national minimum wage. We are also taking steps to improve the effectiveness of employment tribunals, quadrupling the penalties that they can impose for persistent breaches of employment law. We want to continue to improve the enforcement landscape further, and in the light of forthcoming policy changes, we will also consider the case for creating a new single labour market enforcement agency, to better ensure that vulnerable workers are more aware of, and can exercise, their rights and that businesses will be able to deal with a single body on matters relating to their workplace.

The good work plan sets out a vision for the future of the UK labour market—a labour market that rewards people for hard work, that celebrates good employers and that is ambitious about boosting productivity and the potential for everyone in the UK to improve their earnings. I am grateful to Matthew Taylor and his panel, as well to the many other individuals and organisations that have contributed to the review of modern working practices and our subsequent consultations. Their input has been invaluable in helping the Government to ensure that the UK labour market is ready to embrace future opportunities without detriment to workers' rights. I would also like

to thank the Business, Energy and Industrial Strategy Committee, the Work and Pensions Committee and the Scottish Affairs Committee for their continued contributions to the scrutiny of the recommendations and for the recommendations that they have made.

Alongside the good work plan, the Government are today publishing their response to the first full strategy from the director of labour market enforcement. Sir David Metcalf's strategy was published on 9 May 2018 and made 37 recommendations on labour market enforcement and raising awareness of employment rights. The Government's response accepts the vast majority of the recommendations and sets out the steps that the Government will take forward on raising awareness of employment rights, on improving intelligence gathering on abuses of those rights and on strengthening enforcement efforts. I will be placing a copy of this document in the Library of the House. The Home Secretary and I look forward to working with Sir David as the Government implement the recommendations we have accepted and as he prepares to set clear strategic priorities in the 2019-20 labour market enforcement strategy.

As Matthew Taylor concluded, the British model works. We have high employment, low unemployment and a long-standing and proud record of high standards for workers. We will consistently be in the vanguard of reform to maintain this reputation as new technologies and new opportunities for workers become available. This response to Taylor is in keeping with these high standards, and I commend this statement to the House.

6.12 pm

Rebecca Long Bailey (Salford and Eccles) (Lab): I thank the Secretary of State for giving me advance sight of his statement, but behind his declaration on high employment lies a dark truth. Nearly 4 million people are in insecure work, with 1.1 million working in the gig economy. At a time of low wages, stagnating productivity and endemic financial insecurity across the UK, I had hoped for something big today. I was hoping for proposals that would not only make our workforce feel secure but ensure that their human capital was genuinely valued as the linchpin of Britain's industrial strategy. Proposals for a labour inspectorate, the abolition of the Swedish derogation and ensuring that workers keep their tips were among Labour's policies to transform our labour market, so I am pleased that, after a hard-fought campaign by Labour Members and our trade unions, these points have finally made an appearance in the Government's good work plan. However, as the TUC stated today, despite these small victories, the remaining

"reforms as a whole won't shift the balance of power in the gig economy."

Let me deal with just a few of the proposals.

First, the good work plan states at the outset:

"The Prime Minister has committed that we will not only maintain workers' rights as the UK leaves the EU, but enhance them",

but even that opening paragraph is a little—shall we say?—constructive with reality. The Government's withdrawal agreement fails to live up to this commitment on workers' rights, and the Institute for Public Policy Research has stated that

[Rebecca Long Bailey]

“the non-regression clause will not maintain current protections in full, enforcement procedures would be ineffective and if the EU were to raise standards, there would be no requirement for the UK to follow suit”.

Can the Secretary of State confirm today that if standards on workers’ rights increase within the EU, UK standards will follow suit?

Secondly, it appears that the critical point on employment status is equally ambiguous. People on the margins need to know whether they are employees, workers or neither. Do they qualify for unfair dismissal and redundancy or not? The Government are committing to legislating to improve the clarity of the tests, but there is no detail. Can the Secretary of State confirm the legal principles on which each status is likely to rest?

Thirdly, the Government will allow workers on zero-hours contracts to request a more predictable and stable contract. That all sounds rather lovely, but the Secretary of State must know that an ability to request stable hours exists now. What does not exist is an obligation on the employer to meet such a request. The Government’s paper is silent on that point. Will the Secretary of State confirm that the proposed draft legislation will address that deficiency? If it fails to do so, zero-hours contract workers will—as the TUC so poetically put it today—have “no more leverage than *Oliver Twist*”.

The fourth critical issue is enforcement, on which there is again very little detail in the Government’s plan. This is not simply a question of shuffling the deck. The Government need to ensure that the enforcement agency has power and resources. In the light of the already swingeing cuts to bodies such as the Health and Safety Executive, can the Secretary of State confirm what financial commitments are being made to ensure that this proposal is financially supported?

Finally, on the proposal for increased penalties following successful employment tribunal claims, I am not against the principle but I fear that this is just window dressing. The TUC has stated that the current system for enforcing employment tribunal awards is not fit for purpose, with 35% of successful claimants not receiving any compensation. Can the Secretary of State tell us how increasing fines will address this? Will he also tell us what additional action he is taking to address the efficacy of tribunal award enforcement? The horrific tales of insecure workers swirl around us like passages from a Charles Dickens novel, from delivery drivers being forced to urinate in bottles to zero-hours staff giving birth in workplace toilets. The Government’s proposals were an opportunity to improve the lives of those workers, but sadly they fall dramatically short, and those workers face a Dickensian future unless the Government take serious action to protect and enforce the intrinsic value of their human capital within our economy.

Greg Clark: I would have thought that the hon. Lady might have congratulated Matthew Taylor, who worked for her party in the past. Along with his panel, he has devoted himself to producing a report that most people conclude is a substantial one. He has made a series of far-reaching recommendations, which we are enacting today. The central basis of his report is to reflect on the fact that we should build on success. He refers to the UK’s successful record in creating jobs, including flexible jobs, that open up work to people with different needs.

That is an important step forward that I would have thought the hon. Lady welcomed. When it comes to the condition of employees and workers in this country, Matthew Taylor noted that, far from the Dickensian caricature that she fell into the trap of describing, the average take-home pay for someone in full-time employment in this country, if tax levels and tax credits are taken into account, is higher than in the rest of the G7. We also have higher employment than at any time in our history and lower unemployment than at any time in 40 years, and the hon. Lady should have welcomed that.

The hon. Lady mentioned zero-hours contracts, but what she did not mention—[*Interruption.*] She mentioned the gig economy, by which I think she was referring to zero-hours contracts. At the moment, 2.4% of workers have flexible zero-hours contracts, and the number is falling. It has fallen from more than 900,000 a year ago. The key thing is that two thirds of those workers do not want an increase in hours. Nearly 20% of them are in full-time education. Matthew Taylor therefore concluded correctly that to ban zero-hours contracts, as the hon. Lady would, would do a disservice to, and go against the interests of, the people who benefit from them.

As for the scale of our response, the last set of measures to change and reform employment rights to this extent came over 20 years ago in the Employment Rights Act 1996 and not, coincidentally, under the previous Labour Administration, reflecting the fact that it is always Conservatives in government who put in protections for workers. The Labour party can criticise, but it did not take the opportunity to make the reforms that the hon. Lady mentioned. The hon. Lady also mentioned the alignment of the test for employment and for taxation. Matthew Taylor was clear in his report that it is a complex matter that will take some time to bring into effect and that we should consult carefully on it, and the Select Committees have endorsed that recommendation. We have said that we are committed to ending the disparity and to bringing the difference to a conclusion, and she should welcome that.

Finally, the hon. Lady mentioned the European Union, referring to the fact that we will be able to set our own employment policies once we leave the European Union. The Prime Minister has been clear that not only will we not reduce the protections that workers enjoy, but we will increase them, and today shows that. We are laying legislation this very day that goes far beyond the rights that are currently available in the European Union. The hon. Lady should have confidence in the ability of this House and this country to lead the world in employment rights, and I am proud that our Government are doing it.

Mrs Maria Miller (Basingstoke) (Con): I welcome my right hon. Friend’s statement on how he and the Government plan to take forward the Taylor review. He is right that too much risk has been transferred to the individual in many circumstances, but I am a little puzzled as to why there is still so little action to strengthen protections for pregnant women. That action was promised around two years ago following a Women and Equalities Committee inquiry into maternity discrimination, which highlighted the fact that more than 50,000 women a year leave their jobs because they are pregnant. Will my right hon. Friend update the House on what is being

done to enhance such protections and to ensure that more women who are contributing so much to our economy are able to stay in work even when they are pregnant and afterwards?

Greg Clark: My right hon. Friend, who is Chair of the Women and Equalities Committee, will be pleased to note that the package announced today is not the first or the only set of powers that will strengthen workers' protections. The Under-Secretary of State for Business, Energy and Industrial Strategy, my hon. Friend the Member for Rochester and Strood (Kelly Tolhurst), will respond shortly and enthusiastically to the recommendations made by my right hon. Friend the Member for Basingstoke (Mrs Miller), and I hope that she will welcome the further extension of protections for pregnant women.

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I thank the Secretary of State for advance sight of the statement, which contained a couple of things to welcome. First, the Scottish National party has long called on the Government to repeal the Swedish derogation loophole and ensure that agency workers are protected and treated fairly. It is therefore welcome news that the Government are closing a loophole that has allowed unscrupulous employers to circumvent equal pay entitlements for far too long. Secondly, we are pleased to see an increase in fines for employers who breach workers' rights, which has been long in the waiting.

However, there are measures that miss the mark or are missing completely from the statement. There is nothing to tackle zero-hours contracts, but perhaps the most disappointing of all is the absence of any meaningful action. It is extraordinary that this Government say that they have a good work plan and yet they utterly fail to tackle zero-hours contracts. The measures also do not address the damage done to workers' rights by the regressive Trade Union Act 2016, which was designed to strike at the heart of trade unions' abilities to organise and support workers. The SNP believes that a modern and progressive approach to industrial relations and trade unionism is at the heart of being able to achieve fair work.

The measures also do nothing to ensure that people are paid a real living wage. In addition to expecting people to work for less than a real living wage, this Government are presiding over a period of wage growth decline. Contrast that with the Scottish Government who have got behind the real living wage accreditation scheme, which has led to over 1,000 employers now paying the real living wage, covering nearly 82% of workers in Scotland. The Secretary of State also failed to take any action to end the discrimination of young people in the labour market, which my hon. Friend the Member for Glasgow Central (Alison Thewliss) has long called for.

The statement does nothing to tackle unpaid work trial shifts. The Government call this a good work plan, but they still refuse to end the practice of unpaid trials, and the Unpaid Trial Work Periods (Prohibition) Bill of my hon. Friend the Member for Glasgow South (Stewart Malcolm McDonald) needs support. The measures also offer no protections for gig economy workers, but the Secretary of State could do that by supporting the progress of the Workers (Definition

and Rights) Bill of my hon. Friend the Member for Glasgow South West (Chris Stephens), which would define the status of workers in the law. This Government should be doing much more work on workers' rights, and they need to bring it forward.

Greg Clark: The hon. Gentleman will know that the Scottish Affairs Committee's inquiry into the future of working practices in Scotland was warm in its endorsement of the Taylor report's key recommendations that we are implementing today. I therefore hope that he will continue to support it.

The hon. Gentleman mentions zero-hours contracts, which were the subject of one of Matthew Taylor's central pieces of analysis. On the basis of rigorous and extensive research across all parts of the United Kingdom, he concluded:

"To ban zero hours contracts in their totality would negatively impact many more people than it helped."

If we commission an independent report that has authority and depth of research and it makes such a clear recommendation, we ought to act on it. That is what we are doing in our response. The hon. Gentleman also mentioned the national living wage, but he did not refer to the fact that 117,000 people in Scotland have gained over £2,750 since its introduction. However, I note of course that the Scottish Government's decision to increase taxes on working people has meant that over a million Scots are actually receiving less in take-home pay than they otherwise might. If we are looking at the welfare of workers in Scotland, we need to look at what they pay in tax as well.

It gives me no pleasure to point out to the hon. Gentleman that Scotland under the SNP has had the slowest rate of job growth of all the nations and regions of the United Kingdom. Indeed, if Scotland had matched the UK's rate of job growth, nearly 200,000 more Scots would have a job. It is right to build on Matthew Taylor's analysis of how to build on the success while extending protections. I look forward to working with Derek Mackay and the Scottish Government, because many aspects of the report, such as education policy, are relevant to people's ability to earn more. Through our industrial strategy, we will work together, but a little more humility from the hon. Gentleman in his criticisms might be appropriate.

Robert Halfon (Harlow) (Con): Amid all the Brexit fog, I have to say that this is the best news I have heard from the Government for weeks. This is an example of the Conservatives truly being the workers' party of the United Kingdom, and I strongly welcome what the Secretary of State said about agency workers, because many constituents have suffered as a result of the Swedish derogation.

Turning to apprentices, a fifth of apprenticeships at levels 2 and 3 were not paid the apprentice minimum wage, which was highlighted by the Education Committee in our report on apprentices. Her Majesty's Revenue and Customs has prosecuted fewer than five employers, and Sir David Metcalf, the Director of Labour Market Enforcement, said that we should increase fines and seek more criminal prosecutions against the companies involved. On top of the excellent work that Sir David has done, will the Secretary of State ensure that apprentices' rights are first and foremost in his work?

Greg Clark: I am grateful to my right hon. Friend for his endorsement. The great reforms being made in response to, in this case, a very good report are happening at pace—we are tabling legislation this very day—but he, like me, is sometimes frustrated that the reforms do not get the attention they merit, but he gives me the opportunity to draw the House's attention to them today.

My right hon. Friend is about apprentices. A key part of the industrial strategy is to increase the quality and the number of apprentices, to which he has made a distinguished contribution. It is vital that apprentices should be paid what they are due in terms of the minimum wages. We have doubled the enforcement budget for Her Majesty's Revenue and Customs, and the measures we have set out—we are working very closely with Sir David Metcalf—will make sure it is clearly understood by every employer that paying the minimum wages, whether for apprentices or others, is not optional but essential if they are to trade in this country.

Rachel Reeves (Leeds West) (Lab): The Select Committees on Business, Energy and Industrial Strategy and on Work and Pensions concluded that workers frequently rely on employment tribunals to enforce their rights and recommended punitive fines on employers for breaches of law. The Government are increasing the potential payouts for those who get to tribunal, which I warmly welcome, but they are refusing to reduce tribunal fees. Will the Secretary of State pledge to look at that again? Will the Government listen to Sir David Metcalf, the director of labour market enforcement, who said today that he is disappointed that the Government have rejected his recommendation of greater penalties for non-compliance in paying the minimum wage?

Will the Secretary of State tell us how many more cases need to be won against employers like Uber, Hermes and Addison Lee before the Government act, name and shame and properly punish these businesses that wrongly classify their workers as self-employed and deny them the rights to which they are entitled?

Greg Clark: I am grateful to the hon. Lady, the Chair of the Business, Energy and Industrial Strategy Committee, for her comments and for welcoming our increase in penalties. It is essential that we send a message that people's employment rights are non-negotiable and that they must be paid.

We work closely with Sir David Metcalf, a man for whom I have the greatest admiration. The reason for not increasing, at this stage, the penalties available to the authorities for non-compliance with the national minimum wages is that the penalties were increased about 18 months ago. We have not ruled it out, but we have said that we will look at the effect of the increase and consider it.

The hon. Lady will be aware that a big increase in penalties for employers that persistently breach the verdicts of employment tribunals would be very welcome. Again, we will keep under review the employment tribunals regime to make sure that people have access to the justice they need, but when her Committee considers its response to the report I hope it will agree and endorse what is a substantial package that, in many ways and in many respects, goes beyond what was proposed both by Matthew Taylor, important though his contribution has

been, and by the Committee. We have gone further than many people expected, which is quite right given the importance of employment rights in this country.

John Howell (Henley) (Con): In 1961, under another Conservative Government, we signed the social charter, a Council of Europe treaty that is still in force and that enshrines workers' rights. Will my right hon. Friend confirm that the rights he is now talking about follow in that same legal tradition?

Greg Clark: I am delighted to have a history lesson from my hon. Friend. I do not think he was there at the time to witness that important breakthrough, but it is important to remind ourselves, as my right hon. Friend the Member for Harlow (Robert Halfon) did, that the Conservative party has always believed that free enterprise should be associated with high standards for consumers, for workers and for members of our community. That is very much in our tradition, and it has not required the imposition from outside this Parliament. We embrace our responsibilities with enthusiasm.

Frank Field (Birkenhead) (Ind): As the Secretary of State knows, we have had reports from Select Committees and from Andrew Forsey and myself on how the gig economy works to the detriment of careworkers, Hermes couriers, Uber drivers, DPD couriers, Parcelforce drivers and Deliveroo drivers who are forced into self-employment against their will. When his package of reforms hits the statute book, will he be able to give all those workers a guarantee that no one in this country will be forced into self-employment against their will?

Greg Clark: I am grateful to the right hon. Gentleman and the Work and Pensions Committee for their proposals. He and the hon. Member for Leeds West (Rachel Reeves), the Chair of the Business, Energy and Industrial Strategy Committee, have suggested a Bill so that these measures could be enacted straightaway. We have acted in that spirit, and this day we have tabled a large number of statutory instruments to bring them into effect immediately.

My ambition is exactly as the right hon. Member for Birkenhead (Frank Field) says, that the flexibility of the gig economy is offered rather than compelled, and that flexibility, in the words of Matthew Taylor, should be two-sided, rather than one way. That is the intention of this package of reforms. The Work and Pensions Committee will be rigorous in scrutinising the effects, but that is precisely the intention of the reforms.

James Cleverly (Braintree) (Con): The hon. Member for Salford and Eccles (Rebecca Long Bailey) mentioned the Dickensian and Edwardian eras. Does my right hon. Friend agree that, when we consider the Mines and Collieries Act 1842 that took children out of mines and collieries, the Artisans' and Labourers' Dwellings Improvement Act 1875 that cleared the slums and paved the way for the Peabody Trust homes that are loved to this day, and the Workmen's Compensation Act 1897 that imposed a duty on employers to compensate workers injured at work, this is the party—*[Interruption.]*

Madam Deputy Speaker (Dame Eleanor Laing): Order. This is a statement. We do not have heckling during a statement. The hon. Gentleman is asking a question, and then everyone will have a chance to ask their questions in the same way.

James Cleverly: I will not start again from the beginning. The Conservative party, in government, has more than a century of tradition of protecting and enhancing workers' right. The Secretary of State's proposals are in a long tradition of looking to the future and realising the importance of the people whose work underpins our economic growth.

Greg Clark: My hon. Friend is absolutely right. Continuing the historical theme, I would add Shaftesbury's Factory Acts, which were foundational to ensuring that the industrial revolution could not trample on workers' rights and that those rights were protected. To bring it further up to date, I pay tribute to Lord Hague's Disability Discrimination Act 1995, which is also in this firm Conservative tradition that I am proud to be taking forward today.

Stephanie Peacock (Barnsley East) (Lab): Despite what the Secretary of State says, in the two and a half years since the Prime Minister promised to act on workers' rights we have had a review, we have had a consultation on the review, we have had a consultation on the consultation and, now, we have a plan but no legislation. The press release refers to building on the Government's record, but the Government have not yet tabled a Bill. May I offer him my ready-made private Member's Bill, the Employment and Workers' Rights Bill, which would immediately end the Swedish derogation, offer insecure workers a proper right to a contract and finally give people in precarious work the security they need?

Greg Clark: The hon. Lady is misinformed. The legislation has been tabled today.

Mike Wood (Dudley South) (Con): Flexibility in our labour market is to be welcomed but exploitation is not. Sadly this distinction is too often missed by those on the Labour Front Bench in their pursuit of ideological dogma. What assessment has my right hon. Friend made of the impact of banning exclusivity clauses in zero-hours contracts?

Jamie Stone (Caithness, Sutherland and Easter Ross) (LD): I welcome the announcement about the Swedish derogation—it would be churlish not to—but I was surprised that there was no mention in the statement of people with disabilities. If this country is to punch above our weight in an increasingly competitive world, we will have to empower people with disabilities as never before; it would be folly not to use their skills and knowledge in the future. How will the Secretary of State ensure that the 21st century economy works for our disabled people?

Greg Clark: I mentioned the Disability Discrimination Act, which was a landmark piece of legislation. One aspect of enforcement and clarity that the new regulations and legislation will bring in is the right to be free from discrimination, including on grounds of disability, to make sure that that is, first, clearly understood and, secondly, more effectively enforced. This is a further step to promote that very important set of rights for workers.

Kevin Foster (Torbay) (Con): I very much welcome the tone and content of the Secretary of State's statement. Torbay's economy is very dependent on the tourism

industry, where there are not only many gig workers who literally undertake gigs, but those who do part-time or agency work. How does he see the plans he is setting out today striking the balance between the need to have an industry that can employ seasonally and flexibly, and ensuring that workers can have certainty in their employment?

Greg Clark: My hon. Friend speaks from great experience; he knows that the report and these reforms seek to capture the right balance. That includes making sure that the tourist industry, for example—which, to a certain extent, is seasonal—can operate in such a way that it is possible to take people into employment during times of peak demand, and so enable prospering during the year, while recognising that people have a legitimate reason for wanting to build a career in the hospitality sector and giving them the right to request a stable contract.

I want to remind the House of the emphasis that Matthew Taylor puts on good work, looking at how we can increase the level of skills and opportunities for advancement in work. That is an important part of the industrial strategy and of the reforms we are making. As well as the protections for workers, giving greater opportunity is very much the hallmark of this report.

Siobhain McDonagh (Mitcham and Morden) (Lab): I welcome this long overdue statement and, in particular, the ending of exploitative pay between assignment contracts. I congratulate, in a heartfelt way, Sally Bridge and all at the Communications Workers Union who have campaigned for so long for this. I also thank the Under-Secretary of State for Business, Energy and Industrial Strategy, the hon. Member for Rochester and Strood (Kelly Tolhurst), and indeed her predecessor, for meeting me about this matter.

But is this not a work in progress? Is there not so much further to go, given that important British employers now use the living wage to reduce people's terms and conditions? These loopholes need to be ended, so that a fair day's work gets a fair day's pay.

Greg Clark: I completely agree with what the hon. Lady said at the end about her aspiration, and I am grateful for her endorsement of the reform. Of course, our vision for our economy is that we should see continually rising standards and opportunities for workers; that has been in our tradition and it is strategically in our interest as well. If we want to compete with other nations, that should be based on the quality and excellence of our work, rather than on a competition based on low standards. Now and in the future, we will look to build on these standards, but I am grateful that she recognises that this is a very important step forward today.

Matt Warman (Boston and Skegness) (Con): The good work plan is, in many ways, the first Government document to really wrestle with the changes technology has brought about on workers. I welcome the fact that the Secretary of State has brought in meaningful changes, but he has not imposed things that would limit the future flexibility of both employers and employees, so this country can maximise the opportunities of that industrial revolution rather than have that done unto us by other countries.

Greg Clark: My hon. Friend makes an excellent point. His expertise tells him that when technological changes come about, we want to be in a position to embrace them, rather than keep them at bay. This is the first report, the first investigation in the world, that looks at the changes that technologies are making to the labour market. By getting ahead of the game, it allows us to prepare for that, so that we can embrace those changes with confidence, knowing that they would lead to high standards, rather than, as I am afraid some Opposition Members have advocated, keep them at bay and restrict the deployment of technology. That is not in the interests of workers or consumers.

Chris Stephens (Glasgow South West) (SNP): I am not necessarily sure we should take historical lectures from a political party that introduced the Masters and Servant Act 1823, which determined which devices could be used to discipline workers. Does the Secretary of State not agree that the biggest single factor in reducing zero-hours contracts is trade union activity? If he does agree with that, should we not present legislation that says that zero-hours contracts should be allowed only where there is a collective agreement with a recognised trade union, as is sensibly written in the Workers (Definition and Rights) Bill?

Greg Clark: I do not agree with that, but I think the ability for workers to be part of receiving information and of the consultation on the practice of their businesses is very important. Part of the reforms we are bringing in will lower the threshold for workers in companies to be included in requirements to be involved in the future direction of their company and to be given information. So there is an increase in participation, and I hope that the hon. Gentleman will at least welcome that.

Mrs Madeleine Moon (Bridgend) (Lab): A young, highly vulnerable member of my constituency who has a long history with mental health services did exactly what the Government ask—she went out and took a job as a cleaner. Unfortunately, at the place she was cleaning the workers had no rights to go to the toilet without losing pay, so they started using the waste paper bins as toilets. When emptying a bin, my constituent found herself covered in urine. When she complained to the management, she faced bullying from the workforce, who were going to lose pay because of the need to go to the toilet. Will the Minister agree to ensure that whatever legislation he brings forward will cover workers' rights on pay and going to the toilet, so that they are not forced into the humiliating position of having to use waste bins rather than lose pay?

Greg Clark: I am shocked at the example the hon. Lady gives; it is a disgraceful example of the kind of practices that have no place in any 21st-century country, let alone the UK. I can confirm to her that as part of the clarity we are bringing to the different categories of workers, employees and the self-employed, we will make it crystal clear that if someone is regarded as self-employed, they cannot be imposed on in terms of the detailed working hours, and if they are an employee, of course they are entitled to breaks, including comfort breaks. The ambiguity has in some unscrupulous examples been used to intimidate and bully in the way that she describes.

Wes Streeting (Ilford North) (Lab): There are proposals to welcome in this statement, but it says an awful lot about this Government that they have to stretch back more than 100 years to find good examples of advancing Conservative employment laws. The Secretary of State could have talked about the doubling of the length of time that employees have to wait to enjoy full employment rights, which was introduced in 2012. He could have talked about the employment tribunal fees introduced in 2013 or about the draconian Trade Union Bill introduced in 2015. Under this Conservative Government, even the Prime Minister's job security is not all that safe either.

Companies such as Uber are subject to licences awarded by public authorities, so may I ask the right hon. Gentleman to look carefully and seriously at whether licensing authorities such as the Mayor of London, Transport for London and others could take into account employment rights and practices before awarding licences, or indeed—I am thinking across Government here—awarding contracts?

Greg Clark: I mentioned some recent examples of legislation, to which I might add the national living wage, which has made a huge difference and led to the fastest growth in the rate of pay for the lowest earners in 20 years. When it comes to the examples that the hon. Gentleman gave, my intention is clear: whoever someone works for in the gig economy, their rights should be clear and fair. Whether they are regulated by the Mayor of London or are not subject to regulation, those rights should be unambiguous, clear and enforced.

Rachael Maskell (York Central) (Lab/Co-op): If an individual's employment status is established, that individual themselves has the key to unlock different sets of rights. Matthew Taylor recommended that employers should bear the burden of proof; why has the Secretary of State moved that burden on to employees or workers, who will have to establish their employment status?

Greg Clark: As of today, the new legislation that we have introduced will give the right to a day-one written statement of the rights of workers. They will be told unambiguously, as of right, what they are entitled to as part of their employment. The separate issue, which the hon. Lady might be eliding with that one, is whether the different rights associated with different categories of employment or self-employment are clear enough. That will require some changes in the law and regulations, to which we have committed, but the combination of the entitlement to day-one clarity and some further changes to reduce some of the ambiguity between the categories will achieve what the hon. Lady intends.

Mr Paul Sweeney (Glasgow North East) (Lab/Co-op): Generally speaking, this plan is a step forward for workers' rights in the UK but, as always, it is a war of attrition. I have particular concern about workers who are in distressed enterprises that face closure, many of whom have seen long-standing issues. For example, in my constituency we have heard in the past couple of days the announcement that a railway works that has been in existence since 1856 is threatened with closure, even though it has been through several owners since 2013 and in the process the workers have surrendered so much of their right to their pension entitlements. The works has effectively been asset-stripped by a company

called Knorr-Bremse, which transferred it to a German company, and it then went under the term of a company called Gemini Rail Services.

Will the Secretary of State reflect on the situation facing the workers at that plant, look into the issues facing the heavy maintenance and overhaul of the railway industry in the UK, and undertake to meet me to discuss the particular difficulties faced by the heavy maintenance and overhaul industry in the UK railway sector? It is facing real crisis. We need to take action to protect those jobs and vital skills, particularly in Springburn in my constituency.

Greg Clark: It would obviously not be appropriate for me to comment on that particular case at the Dispatch Box without making myself more familiar with it, but I am happy to meet the hon. Gentleman, or for one of my colleagues to do so. More generally, the treatment of workers and pensioners in respect of companies in trouble is subject to a separate set of reforms that the Government are introducing. I would be happy to take the hon. Gentleman through them when we meet.

Peter Kyle (Hove) (Lab): I thank the Secretary of State for his statement, and I thank Matthew Taylor for the work that went into his report, because it was a really fantastic piece of work.

Throughout the course of our inquiries, the Business, Energy and Industrial Strategy Committee heard some really horrific studies of what is happening in the modern workplace. Many of those practices will be outlawed by the proposals in the White Paper and what has been announced today, if it is all implemented in the right way, and I congratulate the Secretary of State on that. He said in his statement that the Government will “make it easier for employees to have their voice heard in the workplace.”

That is a far cry from having workers on boards, as the Prime Minister announced some years back. Why is there not a more ambitious and clearer plan to include workers’ voices that would give them the voice that the Prime Minister herself said they would get a few years ago?

Greg Clark: The hon. Gentleman is absolutely right to commend Matthew Taylor on the quality of his work and the recommendations. On workforce participation, he will know from his work on the Select Committee that we have introduced reforms that give workers a voice in the boardroom, whether through a dedicated elected director, through a non-executive director who is appointed with particular responsibility to provide an outlet for the workforce, or through the establishment of a council that can take workforce opinions. The further expansion of consultation included in the plan is another reinforcement of the fact that the more workers are involved in the affairs of their employers, the better it is for productivity.

Jo Stevens (Cardiff Central) (Lab): In answer to an earlier question, the Secretary of State stressed the importance of access to justice, so will he guarantee today that he will not reintroduce employment tribunal fees?

Greg Clark: I think the hon. Lady knows that that is a matter for the Ministry of Justice and the Courts and Tribunals Service, and that I cannot make that commitment

from the Dispatch Box. What she can see through the reforms in the plan is that the opportunity to obtain justice and see that enforced, whether through the tribunal system or through employers directly, is substantially advantaged by the plan. I hope she would welcome that.

Diana Johnson (Kingston upon Hull North) (Lab): As my hon. Friend the Member for Ilford North (Wes Streeting) just reminded the Secretary of State, when his party came into power with the Liberal Democrats in 2010, they doubled the length of time that someone had to be in employment to be able to claim unfair dismissal protection. In the light of today’s statement, is the Secretary of State looking again at whether that is fair and whether the time should be reduced down to the one year that it was under the Labour Government?

Greg Clark: Obviously, we keep the standards that we have under constant review. The appointing of a group, under Matthew Taylor’s chairmanship, to consider all aspects of our labour markets and regulation was an open and transparent way to proceed. We are acting on almost every one of his recommendations. They are substantial reforms. I stand by them and I am proud of them.

Mr Kevan Jones (North Durham) (Lab): It is important to have employment rights, but I would argue that an individual’s ability actually to enact those rights is equally important. The Secretary of State said in his statement that he would

“give all workers a right to request a more predictable contract, and address the obstacles employees can face in building up continuous service.”

My hon. Friend the Member for Kingston upon Hull North (Diana Johnson) just mentioned the increase to two years of the length of time required to get full employment rights. How would someone get their rights enacted if they did not have the two years of service? It is clear that in the real world people will just be sacked if they ask for their rights and have less than two years of employment.

Greg Clark: Part of the point of making it a statutory requirement that employers should entertain a request for a more permanent contract is to prevent precisely that kind of abuse. That would be unlawful under the proposals.

Alison Thewliss (Glasgow Central) (SNP): It is hugely disappointing that the Secretary of State has chosen to maintain state-sponsored age discrimination against workers under the age of 25, who are not entitled even to his pretend living wage. Is he aware that the age pay gap between a 16 or 17-year-old and a 25-year-old, starting on the same day in the same job, has increased over the past three Budgets? Has he read the report by the Young Women’s Trust, “Paid Less Worth Less?”?

Greg Clark: The Low Pay Commission has been established to advise, on the basis of rigorous research, what the rates of pay should be for different groups. I am surprised that the hon. Lady does not have the respect for the commission that I have. As we expand the opportunities for young people, especially through apprenticeships, it is important that posts are available for them. It is the commission’s task to advise on what is the best balance between pay and opportunities.

Melanie Onn (Great Grimsby) (Lab): The Secretary of State says that he has gone further than many expected, but he has not gone far enough for the Government's own Low Pay Commission, which has written to him with a series of recommendations, including that people have the right to regular contracts if they are working regular hours; minimum notice periods for shifts; and compensation for shift cancellations. Why will the Government not commit to those recommendations, instead of their watered-down right to request?

Greg Clark: It is not watered-down. The hon. Lady should see that the changes we are making, including on the ability to request a change from a flexible contract to one that has a fixed number of hours or days, are important reforms. They build on the rights to request, for example, different parental leave, which have proved successful in the past. The hon. Lady should not dismiss reforms that have proved valuable in other contexts.

Hugh Gaffney (Coatbridge, Chryston and Bellshill) (Lab): I welcome this report as a starter. I am a proud Member of this Parliament who pays their intern staff a real living wage—£10 an hour—in a modern MP's office. The Sutton Trust has found that 70% of all internships taken annually in the UK are unpaid. When will this Government take action to end the scandal and exploitation of unpaid internships? May I also ask that we pay modern wages in this Parliament and in this House for all staff who work here so that we practise what we preach?

Greg Clark: I am grateful to the hon. Gentleman. He will be aware that we are increasing the resources available for the enforcement of the national living wage, and that applies to people who are employed. They may have the description of interns, but if they are performing paid work, they are entitled to the national living wage.

UK-EU Negotiations

Application for emergency debate (Standing Order No. 24)

Mr Speaker: In a moment, I shall call the parliamentary leader of the Scottish National party to make an application for leave to propose a debate on a specific and important matter that should have urgent consideration under the terms of Standing Order No. 24. The right hon. Member for Ross, Skye and Lochaber (Ian Blackford), as I feel sure he will be aware, has up to three minutes in which to make such an application.

7.1 pm

Ian Blackford (Ross, Skye and Lochaber) (SNP): I am most grateful to you, Mr Speaker, for allowing time to hear this emergency application.

Given the historic nature of UK politics at this moment, I am grateful that you have given this opportunity for an emergency debate on a specific and important matter that should have urgent consideration, namely, that this House should consider the outcomes of the Prime Minister's recent discussions with the European Commission and the European Heads of Government regarding the withdrawal agreement and potential ways forward.

This Government have been found in contempt of Parliament, yet still the Prime Minister has failed to show any due respect to this place. This House voted to secure a meaningful vote on the Prime Minister's Brexit deal and the Government agreed to bring that forward last week, yet they have pulled it. They are breaking their promises and showing utter contempt for Parliament and for the constituents whom we represent. The Prime Minister is running around like a headless chicken, going to Europe with the begging bowl and grasping at straws to find a way to appease the hard-right Brexiteers on her own Benches. Europe is not budging and the Prime Minister's deal is dead. The game is over and the Prime Minister must admit so.

We are going into the Christmas period recess this week still not knowing what fate lies ahead as this Government bury their head in the sand. It is simply not good enough. The Government must respect Parliament and bring forward the vote on the Prime Minister's deal and do it now. Our constituents expect Parliament to deal with these matters. They do not expect it to leave the issue of our future relationship with the EU without debate into the new year.

We all have a responsibility to show leadership and to show that we can avoid uncertainty and chaos by finding a solution to the current impasse. The Prime Minister continues to answer questions in response to statements, but that format is not in itself good enough to air the wide range of views across the House about the current situation and where we go next. It is important that Members are given the opportunity to express their views on the apparent diplomatic impasse between the Government and the European Union. I hope that a debate will also draw out other issues needing further discussion, including preparations for a no-deal scenario, the role of the devolved Administrations and the role of the House itself in determining the next steps.

I ask for an emergency debate to be held in order for us to hold this shambolic and chaotic Government to account.

Mr Speaker: I have listened carefully to the application from the right hon. Gentleman and I am satisfied that the matter is proper to be discussed under Standing Order No. 24. In accordance with Standing Order No. 24(2)(b)(ii), I intend to advise the House at a later hour of this sitting—realistically either at 10 o'clock or, if the business were to lapse earlier, before then—my decision on the time to be allocated for the debate and the time at which the debate should take place. There is good reason for that. For the avoidance of doubt, the particular matter on which the specific and important matter on which the right hon. Gentleman seeks the debate is the outcome of the Prime Minister's recent discussions with the European Commission and the European Heads of Government regarding the withdrawal agreement and potential ways forward.

As colleagues familiar with these procedures will know, my normal practice, if I grant such a debate, is to specify the time at which it will take place and the intended duration. There is good reason why I am not ready to do so at this time, but I must ask whether the right hon. Gentleman has the leave of the House for his application. The answer is that he does have the leave of the House: no objection has been registered and he has the requisite support. I will advise the House later when the debate will take place and for how long it will last.

Application agreed to.

Digital Economy

Mr Speaker: With the leave of the House, we will debate motions 1, 2 and 3 together. I say that on the assumption that there is no objection. There appears to be no objection, so we will have a single debate for up to 90 minutes. I shall call the Minister to move motion 1 and to speak to all three instruments. Motions 2 and 3 will be moved formally at the end of the debate.

7.5 pm

The Minister for Digital and the Creative Industries (Margot James): I beg to move,

That the draft Online Pornography (Commercial Basis) Regulations 2018, which were laid before this House on 10 October, be approved.

Mr Speaker: With this we shall consider the following motions:

That the draft British Board of Film Classification Guidance on Ancillary Service Providers 2018, which was laid before this House on 25 October, be approved.

That the draft British Board of Film Classification Guidance on Age-verification Arrangements 2018, which was laid before this House on 25 October, be approved.

Margot James: The Digital Economy Act 2017 introduced the requirement for commercial providers of online pornography to have robust age-verification controls in place to prevent children and young people under 18 from accessing pornographic material that is made available on a commercial basis.

Section 14(2) of the Act states:

“The Secretary of State may make regulations specifying...circumstances in which material is or is not to be regarded as made available on a commercial basis.”

So, in a sense, this is a small part of the legislative jigsaw needed to implement age verification. It is the last piece. I therefore ask that the draft Online Pornography (Commercial Basis) Regulations 2018, and the two pieces of guidance published by the British Board of Film Classification on age-verification arrangements and on ancillary services providers be approved.

I should bring to the attention of the House the concerns of the Joint Committee on Statutory Instruments and the Secondary Legislation Scrutiny Committee, which I thank for their work. I will address their concerns in a moment but, before coming to the specific points related to this debate, I remind the House why we are introducing this requirement.

In the offline world, there are strict rules to deter children from accessing adult content. A large amount of pornography is available on the internet in the UK, often for free, with little or no protections to ensure that those accessing the content are old enough to do so.

Julian Knight (Solihull) (Con): This legislation is long overdue and I really welcome it. I ask the House to indulge me for a second. A parent came to my surgery soon after I was elected to discuss how their child had suffered a sexual assault in a school. During the conversation, the mother mentioned to me, at some length, the ready availability of online pornography at school, how this was a motivating factor—or at least a

[Julian Knight]

contributory factor—to the assault and the fact that it just damages our relationships with one another, particularly in young minds.

Margot James: I thank my hon. Friend for that heartfelt intervention. I am very sorry indeed to hear about that case. There is great validity to the concerns the mother expressed to him.

Vicky Ford (Chelmsford) (Con): In the Women and Equalities Committee, as a response to the awfulness of the #MeToo campaign, we took evidence that showed that the consumption of pornography is associated with higher levels of violence, including rape and sexual harassment. I therefore thank my hon. Friend for introducing age verification and for making sure that it works.

Public places are not age specific, and the Committee also suggested that viewing online pornography in public places, such as on buses and trains, should be restricted. Do the Government intend to go further by introducing a restriction on viewing online pornography in public places?

Margot James: I must congratulate the Women and Equalities Committee on its extremely valuable work in this area. It exposed some very concerning issues and backed up its recommendations with evidence. Although the regulations do not touch on the viewing of pornography in public places, we have heard the recommendation of the Committee and what my hon. Friend has just said about that problem. That might be an indirect way of making such material accessible to the very children and young people whom the regulations are designed to help.

Eddie Hughes (Walsall North) (Con): I understand that, in 2015, Ofcom said that that was the pivotal time when we switched from people viewing the internet on desktop computers to more people viewing it on handheld devices such as smartphones. The potential for people to view such things inadvertently in public, which has been identified by my hon. Friend the Member for Chelmsford (Vicky Ford), has therefore increased dramatically, as has the potential for children to be exposed to it.

Margot James: I follow my hon. Friend's logic. That was the conclusion that Ofcom reached. It is definitely worth considering the recommendation that he and my hon. Friend the Member for Chelmsford (Vicky Ford) have made on reviewing the law on viewing pornography in a public place.

Stephen Doughty (Cardiff South and Penarth) (Lab/Co-op): I am sure that there is consensus across the House about protecting young people under the age of 18 from illegal or inappropriate material. What steps are being taken to ensure that, in any of the regulations or any of the wider efforts the Government are taking, we do not accidentally prevent young people from accessing age-appropriate material about sex and relationships education? I am aware of material for young lesbian, gay, bisexual and transgender people on YouTube and other platforms that has been erroneously

caught up in age filters and other restrictions. That prevents young people from finding out in a healthy and age-appropriate way about their sexuality and the key things they need to understand as they are growing up.

Margot James: The hon. Gentleman makes some very good points. I am aware of some of the cases to which he refers. When I explain the detail of the regulations, it should reassure him that we are seeking to catch the commercial provision of pornography on sites where at least two thirds of the content is of an adult nature. I think that should allay his concerns. However, we should keep the issue he raises closely under review.

Mrs Maria Miller (Basingstoke) (Con): I very much welcome today's debate and the Government's proposals, but parents who are listening to this debate may go away with the impression that everything on the internet will be subject to an age barrier. Will the Minister be clearer, for the benefit of parents who are listening, that the regulations will not include social media? What is she doing to ensure that social media platforms do not inadvertently become the way that young people under the age of 15 access pornography in the future?

Margot James: I welcome the intervention from the Chair of the Women and Equalities Committee. Let me clarify here and now that the regulations are a very important step forward in preventing children from viewing pornography online. In particular, we are closing the loophole whereby children can stumble across such material inadvertently. However, my right hon. Friend is right that the regulations do not extend to social media platforms that contain pornographic content that is a relatively small minority of the content that they provide. This is not a foolproof guarantee that young people and children will not be exposed to pornography online. It is a significant step forward, but there is, as my right hon. Friend points out, the potential for people to access material on social media platforms, which do not fall within the scope of the regulations unless more than a third of their average content is pornographic.

Rachel Maclean (Redditch) (Con): Will the Minister give way?

Neil O'Brien (Harborough) (Con): Will my hon. Friend give way?

Margot James: I am sorry that I am taking a long time to answer my right hon. Friend's point, but it is an important one. I will finish with the last intervention before I take more interventions.

The Government are keeping a weather eye on the availability of pornography on social media platforms. I shall talk more about that, but I reassure my right hon. Friend that we will introduce further measures. My right hon. and learned Friend the Secretary of State for Digital, Culture, Media and Sport, who is in the Chamber, has a duty to report back on the impact of the regulations 12 to 18 months after their commencement and he will look at just the issues my right hon. Friend the Member for Basingstoke (Mrs Miller) has raised. I will make a little progress before taking further interventions.

There is no doubt, going back to the work of the Women and Equalities Committee, that the large amount of pornography available on the internet in the UK, often for free and with no protections to ensure that those accessing it are old enough to do so, is leading to a change in the way that young people understand healthy relationships, sex and consent. I know that that is a major issue of concern to everybody across the House. A 2016 report commissioned by the Children's Commissioner and the National Society for the Prevention of Cruelty to Children made that absolutely clear. More than half of the children sampled had been exposed to online pornography by the age of 15, nearly half of the boys thought that the pornography they had seen was realistic, and just under half wished to emulate what they had seen.

The introduction of a requirement for age-verification controls is a necessary step in tackling those issues and it contributes towards our commitment to make the UK a safer place to be online, particularly for children and young people.

Maggie Throup (Erewash) (Con): Does my hon. Friend agree that, when children have such experiences at a very young age, it can affect them for the whole of their life and have a big impact on their relationships as they grow up and get married? Indeed, it can affect not just their relationship with their partner, but their relationships with their children as well.

Margot James: I very much agree that, if children see hardcore pornography when they are too young to understand it, it can have long-lasting and very negative impacts on their development and future relationships. My hon. Friend is absolutely right.

The draft Online Pornography (Commercial Basis) Regulations set out the basis on which pornographic material is to be regarded as

“made available on a commercial basis”.

The regulations cover material on websites and applications that charge for access. They also cover circumstances where a person makes available pornographic material on the internet for free, but then receives payment or reward for doing so, for example, through advertising revenue.

It was clear from the debates in this House during the passage of the Digital Economy Act that it was not Parliament's intention that social media sites on which pornography is only a small part of the overall content should be required to have age verification.

Neil O'Brien: As a member of the Science and Technology Committee, I have been involved in our ongoing report on smartphones, social media and young people's mental health. Absolutely central to that report is the whole issue of age verification for access not just to pornography but to gambling, violent material and things like that. Does the Minister share my strong view that many large social media companies—some of the world's largest companies, with almost unbelievably sophisticated granular data on their users—have to be raising their game? In the run-up to the online harms White Paper, which goes beyond what we are talking about today, companies in the industry absolutely need to raise their game, because they are allowing their own terms of use to be violated, and they know that is happening but are doing nothing about it.

Margot James: My hon. Friend raises some important points. We do have rising expectations of social media platforms; we expect at the very least that they enforce their own terms and conditions. Some enforce to a greater extent than others, especially in terms of this particular issue. Facebook takes down posts that include nudity, which is its way of enforcing its own terms and conditions, but what about the private groups that operate on that platform? There is much more to be done. We expect social media platforms to uphold their terms and conditions across their platforms, not just in the public-facing parts of it.

Rachel Maclean: My hon. Friend is making an excellent speech dealing with this critical issue that any of us who are responsible for young people will feel very strongly about. Does she agree that there is a rapid evolution in the technology sector? She talked specifically about pornographic sites that charge for access. Will she say a bit more about how she would deal with those sites that offer slightly different business models—for example, the premium model, where it is free to go on to the site and it then captures people's details and makes them pay a subscription fee later? I am sure that she has considered that as part of her response, so I would be grateful if she could update us on it.

Margot James: These regulations will apply even to pornographic sites that make their initial offer free of charge. The rule is that, if a site offering a service where more than 30% of its content is pornographic does so on a commercial basis—which can be free of charge if it is backed up by advertising revenues—it comes within the scope of these regulations, whether or not it provides those services free of charge. These draft regulations will capture such sites as are of concern to my hon. Friend.

Tim Loughton (East Worthing and Shoreham) (Con): I chaired the UK Council for Child Internet Safety for two and half years. While I applaud the regulations that the Minister is bringing forward, this is scratching the surface. The problem is that these days very few young people pay to access hardcore pornography on the internet. Unless we have some form of verifiable, age-based permission such as the use of a credit card—even if that is not charged for—we are not going to prevent this from happening. Actually, the much bigger problem is on social media, with sexting and everything else that goes on. Social media companies, including ones that we have had in front of the Home Affairs Committee, are turning a blind eye to the hosting of exceedingly dangerous material that young people are accessing and normalising, and then they are transferring that to their relationships during impressionable years. We really have got to do so much better than this.

Margot James: I congratulate my hon. Friend on the work that he has done while chairing that important body, the UK Council for Child Internet Safety. I have already made clear in my answer to my right hon. Friend the Member for Basingstoke, the Chair of the Select Committee, that we do recognise that these regulations are a first step. Although we have high expectations of what they can achieve, we are fully aware that they do not go as far as to be able to satisfy

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the vast majority of our concerns where social media platforms are concerned, where the majority of content is not pornographic.

I would like to reassure the House, however, that I do believe that these regulations will be more effective than my hon. Friend fears, because they will cover sites that make pornography available free of charge. As he rightly points out, the majority of young people access pornography without paying for the service. However, if they access it from a site that is predominantly pornographic and is offering a pornographic service on a commercial basis, then, whether it is free of charge or paid for, the regulations will capture both. I would like to reassure him that these regulations will bring into scope the sites about which he is concerned that currently provide these services free of charge.

My hon. Friend will also be reassured to know, when I go on to explain a little more about the actual process of age verification, that it is not simply a matter of being able to offer a credit card. The rigour of age verification provision will be stricter than that. That will also help to counter the growing trend of young people accessing pornography before they attain the age of 18.

Stephen Doughty: Further to the comments by my colleague on the Home Affairs Committee, the hon. Member for East Worthing and Shoreham (Tim Loughton), we have raised a series of concerns with social media companies and other technology companies about access to inappropriate, violent or extreme content, as well as the content that we are discussing today. Will the Minister and the Government look much more closely at peer-to-peer sharing sites like Snapchat and closed messaging groups on Instagram, Kik and other messaging sites? It is my understanding, from speaking to a lot of young people in my constituency, that that is where a lot of this content is. No age verification goes on, and it is simply done in encrypted sharing. Some of it is self-generated content where people are doing revenge porn, sexting and sharing types of images that not only constitute committing an offence because they are creating child pornography, but are well outside the scope of what one would find on a commercial site. Will she reassure us that serious work will be undertaken to look at that area?

Margot James: I can reassure the hon. Gentleman that serious work is being undertaken as we speak, as we prepare the online harms White Paper. We are looking at encryption within the context of that White Paper. He will appreciate the difficulties of privacy versus the public need to reduce the exposure of young people to pornographic material. We are looking at this very seriously. We will be bringing forward the White Paper in the new year and will welcome his input on that.

We have set a threshold of 30% to ensure proportionality where material is made available free of charge. Thus there is an exemption for people making available pornographic content on a website where it makes up under one third of that content. This will ensure that websites that do not derive a significant proportion of their overall commercial benefit from pornography are not regarded in these regulations as commercial pornographic websites. Nevertheless, should a website or app be marketed as making available pornographic

material, a person making such material available on that site will be considered to be making it available on a commercial basis even if it constitutes less than one third of the total. This is a proportionate way to introduce the new policy.

I am confident that these measures represent the most effective way to commence this important new policy, but our Department will of course keep it under review. Indeed, as I said, my right hon. Friend the Secretary of State will be reporting on the regulatory framework within 12 to 18 months of commencement of the regulations. In addition, as I just mentioned in response to the hon. Gentleman, the forthcoming online harms White Paper will provide us with another opportunity to review the wider context of this policy.

In conjunction, we have laid two pieces of British Board of Film Classification guidance—first, on age verification arrangements and, secondly, on ancillary service providers. The first piece of guidance sets out the criteria by which the BBFC will assess whether a person has met the requirements of section 14 of the Digital Economy Act 2017 to ensure that pornographic material is not normally accessible to those under 18. The criteria mandate four things: an effective control mechanism at the point of access to verify that a user is aged 18 or over; strict requirements on age verification data; a requirement to ensure that revisits to a site do not permit the bypassing of age verification controls; and the prevention of non-human operators—for example, bots—from exercising the age-verification regime.

Rachel Maclean: Does the Minister believe that the BBFC has sufficient resources and skills to do what the regulations require of it?

Margot James: I would like to reassure my hon. Friend that I certainly think it has the experience, expertise and resources to undertake this role. It has more than a century of experience in the control of film content. It has additional resources and moneys with which it can hold to account age-verification providers and, most importantly, the websites that are providing the pornographic content.

In addition to the criteria that the BBFC will use to verify the effective control of age-verification arrangements, it has provided typical examples of features that it would regard as non-compliant in the arena of age verification.

The second piece of guidance provides a non-exhaustive list of ancillary service providers that the BBFC will consider. That list is not exhaustive, to ensure that the policy remains flexible to future developments. The BBFC has published draft versions of both pieces of guidance and has run a public consultation for four weeks on their content. The draft guidance laid before the House takes account of comments received from affected companies, age-verification providers and other interested parties.

I have been clear that age verification is not a silver bullet, and we know that what we are doing is difficult. Indeed, we are the first country in the world to introduce such a measure. I am aware of the concerns expressed by the Joint Committee on Statutory Instruments about the drafting of the Online Pornography (Commercial Basis) Regulations 2018. I have considered its concerns carefully, and we are grateful for its work, but we do not

believe that the variation in the legislation between the terms “met” and “applied” will be difficult for a court to interpret.

The Committee expressed concerns about the content threshold because it anticipates difficulty with the application and interpretation of the regulation. As I have said, the regulation will not apply in a case where it is reasonable for the age-verification regulator to assume that pornographic material makes up less than one third of the content of such a site. As stated in the BBFC guidance, the BBFC will seek to engage and work with a person or company who may be in contravention of the requirement in advance of commencing enforcement action.

I am aware that the Committee has also drawn the special attention of both Houses to these draft pieces of guidance because, in its view, they fail to contain the guidance required by section 25(1) of the 2017 Act and contain material that should not have been included. Section 3, paragraph 5, of the age-verification guidance sets out the criteria that the regulator will treat as complying with age verification. The guidance goes on in paragraph 6 to give examples of features that, in isolation, do not comply with the age-verification requirements. That approach ensures fairness and is product-neutral. Rather than recommending a particular solution, the guidance sets out principles that will encourage further innovation.

Neil O'Brien: I wonder whether I could press the Minister on the robustness of age verification, which is of interest to the wider debate. It seems that certain types of checks, such as those that run off a credit card, are extremely robust, but younger people do not have access to credit cards, so that becomes more difficult, although we can layer up different types of information to give a best guess. Of the long list of checks that she has mentioned, which is favourable in terms of robustness and quality?

Margot James: Age-verification providers will have to demonstrate that they have a foolproof system of identifying whether somebody is aged 18 or over. The sort of effective control mechanisms they are considering are credit cards, passports and driving licences—items that a lot of 18-year-olds will have at least one of. My hon. Friend rightly points out that a great deal of work is going on to improve age-verification systems. That is precisely because the sorts of items I have mentioned are, in general, only held by people who are aged 18 or over—with the exception of driving licences, which can be obtained at the age of 17.

For those reasons, it is much more difficult to ascertain how we can require age verification in other areas. For example, in the Data Protection Bill, we set the qualifying age at which someone can consent to a contract with a social media platform as 13, but it is very difficult for someone to prove that they are 13, because those items are normally held by people aged 18 or over.

Eddie Hughes: Should I be concerned by reports that a company called AgeID, which operates the ID verification system for Pornhub and YouPorn, is considering the idea of “porn passes”, which could be bought from a newsagent and would allow people to access porn online anonymously, so that they do not have the embarrassment of their credit cards being recorded against such a site?

Madam Deputy Speaker (Dame Eleanor Laing): The Minister is being very generous in taking a great many interventions, and I appreciate that she is giving thorough answers to the questions she is being asked, but we only have 58 minutes left, and many Members want to take part in the debate. She might want to bear that in mind.

Margot James: Thank you for your guidance, Madam Deputy Speaker, which I will take on board, but I will just deal with the point raised by my hon. Friend. The measures that will be acceptable to the BBFC will be of greater rigour than the examples he gave. I hope that I will be able to satisfy his concerns, but I may write to him, rather than dwell at length on the important issue he raises.

I now turn to the guidance on ancillary service providers. Paragraph 3 of section 3 provides a non-exhaustive list of classes of providers that the age-verification regulator may consider as within scope. However, to ensure that this policy remains flexible for the benefit of future developments, it is necessary that this is a non-exhaustive list. Where new classes of ancillary services appear in the future, the BBFC’s guidance explains the process by which these services will be informed.

The guidance includes additional material, as this is a new policy and the regulator considered that it was important for its stakeholders that the guidance set out the wider context in which the age-verification regulator will carry out regulation. This includes valuable guidance on matters such as the BBFC’s approach, powers and material on data protection.

We are aware of the Secondary Legislation Scrutiny Committee’s special interest report. The Committee raised similar concerns to the JCSI—for example, on the content threshold—and the responses to the SLSC’s concerns on these points are the same as the responses we have given to the JCSI reports. However, the SLSC also suggested that the House may want to ask what action the Government will take to tackle pornographic material available on a non-commercial basis. We have already debated these issues during my remarks.

I appreciate that pornography is of course made available by means not covered by the regulations. We have already covered those issues, but they were also the subject of extensive discussion during the passage of the Digital Economy Bill. In particular, concern has been expressed about social media platforms. As I have said in response to hon. Members’ interventions, we expect those platforms to enforce their own terms and conditions and to protect children from harmful content. Indeed, the Government have been clear that online platforms must do more to protect users from such harmful content.

Mike Wood (Dudley South) (Con): How do the Government intend to ensure that these regulations can keep up with technological advancements and developments within these markets so that the legislation and regulations this place passes are not obsolete by the time they come into force?

Margot James: My hon. Friend raises a very important point. The principal way in which we are future-proofing these regulations is by making the specificities that the BBFC operates by and the guidance sufficiently flexible and not too prescriptive. As technology advances, it will

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be able to adapt such regulations and guidance without the need for this House continually to bring in further legislation.

Before I conclude, I would add in response to my hon. Friend that, as I have said, this is not a silver bullet and it is only one of the measures we are taking. We are working on the online harms Bill to tackle issues and concerns in the area of the provision of pornography that are not captured by these regulations. I trust that my hon. Friend is reassured.

As I have said, I recognise that the age-verification regulations are not a panacea, but I am proud that we are leading the way internationally in the action we are taking to give far more protection to children and young people than is currently available.

Several hon. Members *rose*—

Madam Deputy Speaker (Dame Eleanor Laing): Order. Before I call the Opposition spokesman, let me say it will be obvious that many people wish to speak. This debate runs until 8.36 pm and I see people with large wads of notes. It might be helpful for colleagues to know now that they should edit down their notes to some three or four minutes.

Sarah Champion (Rotherham) (Lab): On a point of order, Madam Deputy Speaker. You can see by the number of people who want to speak and the amount of notes we have that this is something we are really keen for the Government to get right. May I therefore ask whether there is any opportunity to extend the debate, at least towards its allocated time?

Madam Deputy Speaker: That is a perfectly reasonable point of order, but not now. There was a point when Mr Speaker asked whether the House agreed to take the three matters we are discussing this evening together or separately. At that point, anyone could have objected and each would have been taken separately; thus there would have been a much longer debate, but I am afraid that that moment has passed. However, it is very good, just for once, to have a point of order that is a real point of order, and I thank the hon. Lady for it.

7.44 pm

Liam Byrne (Birmingham, Hodge Hill) (Lab): I will be as brief as I can, because I know that the whole House will want to hear from my hon. Friend the Member for Rotherham (Sarah Champion), given the level of expertise she brings to this debate.

The Minister will be pleased that I am able to start on a note of cross-party consensus; we do not have many of those at the moment. I think we can agree across this House that this is an important debate because it gives us the opportunity to say, when it comes to legislation in this territory, that we have rights to honour. We have rights to honour because we have duties to honour—duties to our children. As Baroness Kidron in another place has put it so well, “Children are children until they reach the age of maturity, not until they pick up a smartphone”.

If those duties bite on us, as legislators and indeed as parents, those duties should also bite on companies and indeed on social media companies. These measures go a

little distance towards imposing some of those duties on commercial providers. They do not go far enough, and I will explain why there are shortcomings. However, they come so late and are needed so urgently that we will not oppose them or divide the House this evening.

These measures are a stopgap. I hope the Minister will at some point during these proceedings explain just how long this stopgap is expected to last. At the moment, we have the situation, as the Information Commissioner has put it, that the internet has become something of a “wild west”. As the Minister has been candid enough to admit in her really quite helpful explanatory remarks this evening, these regulations may touch on the problem, but they absolutely do not solve it. We need a very different regulatory approach to the online harms we are seeking to police.

In debating the shortcomings of these regulations, I hope we are able to help the Minister and the Secretary of State, who is good enough to be on the Front Bench tonight, to get two crucial reforms right. We asked for these reforms in the Data Protection Bill. They are the age-appropriate design code, which was promised under the Data Protection Bill, and the internet safety strategy, which I know the Secretary of State is hoping to bring forward as soon as he can get his civil servants back from no-deal planning and get them back on to the Department’s important business.

I hope the Minister is able to set out for us how long she expects this stopgap to last, and I want to flag up to her the 10 obvious deficiencies that leap out from the measures and the explanatory notes to them. I will rattle through them fairly quickly, in the interests of time.

The first problem is the very strange conclusion in the regulations of a *de minimis* of content at which the regulator will deem it necessary to trigger a safety wall of age-verification software. It is really not clear why a third was chosen. I appreciate that the Minister has to start from somewhere, but there are obvious flaws in this plan, not least providers simply filling their sites with virtuous content in order to get around the regulations. It strikes me we can fully anticipate that even at this stage of the legislation.

As has been highlighted by a number of hon. Members, some of whom are not now in their place, these regulations do not bite on social media firms. This is lunacy. This is surely one of the most dangerous areas in which our children are exposed to these kinds of online harms, so bringing forward a set of measures without explicit reference to their non-applicability to social media firms seems to me to be a shortcoming. As the House will know, the reason why this is such a problem is that when we took the Data Protection Bill through this place, we exercised a derogation under European law that allowed us to deem that children were basically unfettered on social media platforms from the age of 14, not 16 as other European countries insist. Debating the right protections for our children on social media platforms is extremely important, and hon. Members are absolutely right to clock that the orders do not touch on that important arena.

The second problem is the odd definition of “commercial basis” that is used as the trigger for requiring age-verification systems. We have had a useful exchange about business models that entice users by offering free content—the money is made either by advertising or through premium

content. The orders and the explanatory notes are not terribly clear about the sins that will be allowed through the net because of that odd definition.

The third problem, which was debated in the other place, is the challenge of what definition of “obscene material” to use. At least a couple of definitions are knocking around different bits of legislation and it is not clear that the orders are all encompassing in the definitions used.

That brings us to the fourth issue, which was championed by Baroness Howe in the other place. The definitions that have been used create a couple of important new gaps. I am grateful for the briefing circulated by Christian Action Research and Education, which has set out the challenge in important ways. The Government have changed what the BBFC can ask internet service providers to block from so-called “prohibited material” to the much narrower definition of “extreme pornography”. In so doing, they exclude the power to ask ISPs to block non-photographic, animated child abuse images. Those are illegal to possess under section 62 of the Coroners and Justice Act 2009 but, at the moment, they are outwith the protections of the orders. If those images are located outside the UK, they are not within the remit of the Internet Watch Foundation. Given the number of such images that we know are available, that is a serious shortcoming in the orders. It is a great concern to the House that neither the Internet Watch Foundation nor the BBFC have the power to deal with those images.

That brings us to the fifth issue. Just as significant is another challenge. Because of the same use of definitions, it is not possible to prohibit violent pornography that is illegal under the Video Recordings Act 1984. I understand that Baroness Howe has a Bill in the other place to step on and do away with these problems, and perhaps at some point we might learn whether the Minister is minded to support that legislation. I am not sure whether the Minister gets a chance to wind up under the rules of tonight’s debate, but she might want to intervene if a box note is forthcoming.

The sixth problem is that the orders give power to what is essentially a private company. When the orders were passed to give the BBFC the role we are debating this evening, the Opposition raised significant concerns about whether, despite its extensive experience, the measures constitute mission creep for the BBFC. The Opposition and other hon. Members have serious doubts about whether it is resourced enough to do the job. This is a new departure in its business, and it does not have a track record. It does not have a royal charter, and it cannot de facto be assumed to be operating in the common good. The basic challenge hon. Members have is this: who will watch the watchmen? How will we ensure that that private organisation, which is blessed by us with statutory powers and statutory regulatory oversight, executes the task we give it effectively? We cannot rely on its mission. I welcome the fact that the Minister says that the Secretary of State will come back to the House in 12 to 18 months with a progress report, but that is rather a long time in the future if BBFC is found to be seriously failing in the execution of its duties at a much earlier stage.

The seventh problem is that there is not an exhaustive list of age-verification solutions. The Minister will say that the technology moves on and that we need to preserve a degree of flexibility to allow the legislation to

keep up to date but, none the less, the lack of specificity worries me. It worries me that the BBFC is not yet able to insist on minimal regulations and solutions for age-verification systems. The eighth problem is that the guidance on what is appropriate in systems is vague.

When we take those eight objections together, we see that the orders are half measures. The reality is that, this year, we have learned about and debated a great many different approaches to clamping down on the harms that may hurt our children online. A much better approach to the problem would be to use a tried and tested concept in health and safety legislation: the duty of care principle, which has been around in English law since at least the early 1970s. That approach would require companies and organisations to take specific steps to understand the potential harms they are causing to their consumers, and then to take appropriate steps to ameliorate those harms.

If I went to London tonight and built myself an arena and filled it with people, I would rightly be asked to observe all kinds of health and safety measures to ensure that that the people were safe and sound. If I build an online arena, I am under no such obligations and can pretty much do what I want. If I ensure that the arena is a social media platform, I will not be hampered in any way by the orders.

The duty of care principle is a much better approach, but it needs a different kind of regulator. We currently have something like 13 different regulators overseeing different aspects of internet safety, internet regulation, content regulation and financial processing regulation online. That is far too many. That landscape is much too complicated, and those regulators do not have sufficient powers to implement the safeguards against online harm that we as legislators would like. I am not proposing that we reduce those 13 regulators to one this evening, but I am saying that 13 needs to come down to something closer to one. The House needs to ensure that that regulator has the right power to enforce proper duty of care regulation.

The Minister spoke at great length and I am grateful that she took a wide variety of interventions. The orders are important and necessary, and an advance on where we are today, but if we are to get the future right, hon. Members on both sides of the House need to be candid and honest, and work together in identifying the shortcomings of the current approach, which was conceived and constructed in legislation that is a couple of years old. We need to be honest and open about its shortcomings so that we can put in place a better solution when we have the White Paper and, I hope, when the Secretary of State brings the Bill to the House.

Several hon. Members rose—

Madam Deputy Speaker (Dame Eleanor Laing): Order. As I indicated earlier, we will start with a time limit of four minutes.

7.57 pm

Fiona Bruce (Congleton) (Con): I will curtail my comments to the utmost brevity.

I strongly welcome the regulations, but I have a number of reservations and questions for Ministers. I share the concerns that have been expressed that social media needs to be included in the remit. That is not the case currently despite the fact that 500,000 pornographic

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images are posted daily on such platforms. I hope the Minister reassures the House that she will consider that position on social media through the internet safety White Paper.

Secondly, I share the concerns of the JCSI about the Government's approach to proportionality and the "one third" approach, which might lead to websites deliberately including additional material with the prime intention of falling outside the scope of the regulations. Will Ministers monitor that carefully and consider reviewing the "one third" principle if the concerns expressed by the Joint Committee materialise?

I want to express concerns about the impact of amendments made in another place to part 3 of the Digital Economy Act 2017, some of which were mentioned by the right hon. Member for Birmingham, Hodge Hill (Liam Byrne). When the Bill left the Commons, it gave the regulator power to block non-photographic child sex abuse images. As we have heard, those images can include incredibly life-like, animated computer-generated images. Disturbingly, the other place voted to accommodate adult access to such material so long as it is placed behind age-verification checks, but the message that sends is alarming.

As we heard, some suggest that this material could be dealt with by the Internet Watch Foundation, but it can only take action against such material if shown by websites based in the UK. As I have said before in this place, the majority of such material viewed in the UK comes from sites based in other jurisdictions. In 2017, 3,471 reports of alleged non-photographic images of child sexual abuse were made to the IWF, but none was hosted in the UK and it was unable to act. The Digital Economy Bill, as it left this House, empowered the regulator to take the only credible enforcement action that can be taken against such sites when they are based in other jurisdictions: the regulator had the power to block them. That power has now been taken away, unless a site has no age-verification checks. I hope Ministers will look at that again.

I turn now, with no degree of relish, to the other area of concern, violent pornography, which was reconsidered by the other place. When the Bill left this place, it gave the regulator the power to block violent pornography that is illegal to supply to anyone of any age under the Video Recordings Act 1984. However, amendments introduced in the other place accommodate all but a tiny subset of violent pornography, so long as it is behind age-verification checks. The only illegal content that the regulator can take action against when behind age-verification checks is "extreme pornography" which has to be likely to result in severe injury to certain named body parts. That sends out completely the wrong message about the acceptability of sexual violence against women—it is unacceptable, full stop. I welcome the Women and Equalities Committee's recent report on sexual harassment, which highlighted that point.

In conclusion, I support the suggestion that the Government have a quick way to address the two failings to which I have just referred: looking at Baroness Howe's Digital Economy Act 2017 (Amendment) (Definition of Extreme Pornography) Bill and giving it time for consideration in this place.

8.1 pm

Drew Hendry (Inverness, Nairn, Badenoch and Strathspey) (SNP): I believe that all of us in the Chamber tonight want to find common ground and a common way forward. I thank the Minister for her very thorough exposition of the issues in her speech and the Opposition Front Bench spokesperson, the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), for covering a lot of the issues in such detail that I will not need to go over them again. I will keep my remarks very short, so that other Members have the opportunity to participate in the debate.

Currently, it is too easy for our children to access explicit material online. Young people today are growing up in an age where information is readily available to them at the touch of a button. That can be a very good thing, of course, as a terrific aid to learning. However, it also means that children can be exposed to explicit materials either in error or because they are simply curious. We have a duty to ensure that all that can be done should be done to protect them.

Studies have shown that when children and young people are exposed to sexually explicit material, they are at a greater risk of developing: unrealistic attitudes about sex and consent; more negative attitudes towards roles, identities and relationships; more casual attitudes towards sex and sexual relationships; and an increase in risky sexual behaviour. They also develop unrealistic expectations of body image and performance. Access to genuine educational material is important, but we must ensure that we take these measures to protect children and young people.

The Scottish National party supports measures that will protect children from exposure to pornographic material online. It is only right that there is a requirement that a person making available pornographic material online on a commercial basis to persons in the United Kingdom should ensure that such material is not normally accessible by persons under the age of 18. As I said in my opening remarks, it is currently too easy for children to access explicit adult content on their phones and computers. There is much work to do, especially in the area of social media, and many challenges listed tonight that are still to be addressed, but we support the measures that, as a start, aim to protect our children in a digital age.

8.4 pm

Mrs Maria Miller (Basingstoke) (Con): I very much welcome this groundbreaking piece of legislation and thank the Minister for going through it so thoroughly today in her opening statement. I think the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) is wrong when he says that this is a set of half-measures, but it is only a start—he is right in that respect. When we look at the scale of the problem we are dealing with, with almost two-thirds of young people seeing pornography online for the first time when they were not expecting it, the Government are right to start the long journey in trying to stop the unexpected exposure to what can be very damaging material.

The Women and Equalities Committee published a number of reports highlighting the damaging impact that exposure to pornography at an early age can have on young children—not only in the report, mentioned

by my hon. Friend the Member for Congleton (Fiona Bruce), on sexual harassment in public places, but sexual harassment in school. The evidence is there and it is clear, but rather than going through those findings again I would like to focus particularly on the amendments made in the other place to the Digital Economy Act 2017 (Amendment) (Definition of Extreme Pornography) Bill. They have caused concern not only this evening but outside this place by setting extreme pornography as the threshold for non-compliance and for the images that appear to be allowed as a result of those changes made in the other place.

There are serious concerns about part three of the Digital Economy Act 2017, which has been weakened by Lords amendments. The noble Baroness Howe has been working hard in the other place to try to offer a solution. I hope the Minister can comment on that if time allows this evening. The Lords amendments mean that non-photographic child sexual abuse images, which would be illegal for anybody to possess, could be accommodated behind age-verification checks. Whereas previously the regulator could block that illegal content, the Lords amendments mean that that could happen only if the material was without age verification.

Secondly, the Lords amendments mean that a lot of violent pornography that is illegal to supply to anyone of any age under the Video Recordings Act 1984 will now be accommodated behind age verifications. That sends out all the wrong messages, so will my hon. Friend confirm that the Government will be not only keeping these issues under close review, but examining whether they could take forward the recommendations in Baroness Howe's Bill, and that these issues can be addressed directly in the online harms White Paper, if not before?

We have the opportunity to return to these issues after 18 months, but I would not want to see what is a good start being hampered by changes in the other place that ComRes polling would suggest almost three-quarters of Members in this place simply would not agree to. Why can we not bring forward measures that would better reflect the will of this House, rather than that of unelected peers? The Front Bench spokespeople often tell me that something that is illegal offline is illegal online as well. They are really close to the edge of breaking their own rule, where things that are actually illegal offline appear to the normal man on the Clapham omnibus to have a different effect online. That is really regrettable.

The Minister was very generous in responding to my earlier comments on social media. I hope she keeps under review the need to put much pressure on social media companies to ensure that they also are within these sorts of parameters.

8.8 pm

Sarah Champion (Rotherham) (Lab): I will rattle through some points, because I would like them to be on the record for the Minister and the Secretary of State.

On the guidance on the ancillary service providers, under section 15(1)(d) of the Digital Economy Act 2017 and annex one of the guidance, pornography material is defined as a video work or material which has been issued an 18 certificate and that

“it is reasonable to assume from its nature was produced solely or principally for the purposes of sexual arousal”.

This is a neutral definition that fails to recognise that porn is almost always coercive, usually violent, aggressive and degrading, and is gendered. It is also almost always men doing it to women. Other countries are broad in their definition of pornography, to capture that aspect of it. In Spain, it is defined as “pornography, gender violence, mistreatment”, and in Poland as very strong and explicit violence, racist comments, bad language and erotic scenes. Does the Minister agree that our definition could be amended to acknowledge that pornography represents gendered violence, misogyny and abuse?

Liam Byrne: Am I right that the point my hon. Friend wants to register this evening is that there is much to learn from other countries?

Sarah Champion: That is absolutely right, and that becomes more apparent as we go forward. This legislation is very UK-based; pornography, of course, is international.

Minister, I am very concerned about the ability of the BBFC to compel ancillary service providers and payment-service providers to block access to non-compliant pornography services, as described under sections 21 and 23 of the Digital Economy Act. What power does the BBFC have to force companies to comply with its enforcement measures? What happens if credit card companies, banks or advertising agencies refuse to comply? I know of pornographic sites that accept supermarket points instead of cash to get around such legislation from other countries. What assessment has the Minister made of the likelihood of opportunistic websites being established to circumvent UK legislation and the child protection risks that follow? It is unclear how the BBFC will appraise sites and what review mechanisms it will put in place to judge whether the scheme is effective in practice.

Under part 1, paragraph 10 of the guidance,

“The BBFC will report annually to the Secretary of State”.

Will the Minister commit to an interim review after six months from the implementation date, so that we can see whether this is working? Under part 1, paragraph 11 of the guidance,

“the BBFC will...carry out research... into the effectiveness of the regime”

with a view to child protection “from time to time”. As that is the very purpose of the legislation, does the Minister agree that this should occur at least every two years? Under part 2, paragraph 7 of the guidance,

“the BBFC will...specify a prompt timeframe for compliance”.

However, there is no detail on what this timeframe is. It could be a week—it might be a year. Will the Minister please explain the timetable for enforcement?

The guidance also details the enforcement measures available to the BBFC in the case of a non-compliant provider. I broadly welcome those enforcement measures, but I am concerned about the ability of the BBFC to take action. Will the Minister tell us which body will be effectively enforcing these punishments? Will it be the Department for Digital, Culture, Media and Sport or the Home Office? Will the Minister put on the record

[Sarah Champion]

the additional resources being committed both to the BBFC and whichever Government agent is meant to enforce the legislation?

Turning to the BBFC guidance on age-verification arrangements, I want to register my concerns about the standards laid out on what constitutes sufficient age verification from providers. Section 3, paragraph 5 mentions “an effective control mechanism at the point of registration or access by the end user which verifies that the user is aged 18 or over at the point of registration or access”.

That is very vague and could in practice mean any number of methods, many of which are yet to be effectively put to the test and some of which may jeopardise the security of personal data. That raises concerns about the robustness of the whole scheme, so will the Minister detail how she plans to ensure that the qualifying criteria are not so lax as to be useless?

Part 4, paragraph 3a states that

“age-verification systems must be designed with data protection in mind—ensuring users’ privacy is protected by default”.

Has the Minister also made an assessment of the safeguarding implications for the personal data of children, some of whom may attempt to falsify their age to access pornographic imagery? Following the data hack of Ashley Madison, that has concerning implications for adults and children alike. While age verification certainly is not a silver bullet, as an idea it does have a place in a regulatory child protection framework. However, we need to ensure that that framework is as robust as it can be. Guidelines for websites that host pornographic material must be clear, so that the policy can be rigorously applied and potential loopholes are closed.

I also want to say that this has to work across Government. At the moment, we are still waiting for the Department for Education to bring forward the guidance on relationship and sex education. Unless we prevent, we cannot—

Mr Deputy Speaker (Sir Lindsay Hoyle): Order.

8.13 pm

Maggie Throup (Erewash) (Con): I knew that parliamentarians on both sides of the Chamber agree that we have a duty to provide the framework to protect those who are unable to protect themselves. That is why I welcome the legislative steps to implement the age-verification controls that we are talking about tonight. That is especially the case since I have read some of the evidence, although that also made me question whether we are going far enough—a question on all our lips tonight.

The survey carried out on behalf of the National Society for the Prevention of Cruelty to Children’s Childline service showed that one in five children aged between 11 and 17 said that they had seen pornographic images that had shocked or upset them. That is why this legislation is so important.

We have talked about technology and how fast-moving it is, and that can work both ways. It could perhaps help us to provide stronger controls if we grasp what may happen in the coming months and make sure that we use the technology to the fullest. However, we must also be aware that technology can advantage the online

providers of the pornography that we are trying to prevent our young people from seeing. It is important that we keep up to date with what is happening in the technology world. As others have said, the measures should be the starting point, not the end point. I would really appreciate it if the Minister clarified what further steps were being taken to make sure that we moved forward with this over the coming months and years.

The key focus of what we are discussing is that children should be protected online in the same way as they are offline. We have other prohibitions for goods that are inappropriate for different ages, such as tobacco and alcohol—to me, this is an extension of those principles. It is right that we look at how to protect children and young people from inappropriate online images.

There has been a lot of talk tonight about social media and how the legislation does not cover that. Hopefully, some of the responsible providers of social media are watching and listening and, through the nudge effect, will be able to implement good practices based on the new regulations that we are introducing for online providers. We know that the nudge principle works in other areas, so perhaps we can keep an eye on that as well to make sure that we take every possible advantage from what we are discussing across all the different platforms.

It is also important that we do not forget about parental responsibility, because that is still a big way of stopping children from seeing inappropriate images. When I was talking to a colleague earlier, she said that as parents she and her partner thought that they had done the right thing by putting the computer in the hallway so that they were walking past all the time, but such actions do not stop parents going out and leaving children at home as young adults. Whatever parents do, sometimes it is not enough, which is why I welcome these measures.

My right hon. Friend the Member for Basingstoke (Mrs Miller) mentioned that what we are doing might be misunderstood by parents, who may feel that they do not need to provide any parental guidance. We need to make sure that parents still understand that they have that responsibility and that the legislation and framework being put in are not a panacea, but the start of a long pathway to making sure that we protect our children from pornography and that they develop healthy, strong relationships and are not affected by what they see as children.

8.17 pm

Christine Jardine (Edinburgh West) (LD): I will keep my remarks brief not only because of the time available, but because many of the concerns that the Liberal Democrats share have been covered, particularly by the right hon. Member for Birmingham, Hodge Hill (Liam Byrne), who spoke from the Opposition Front Bench.

On behalf of the Liberal Democrats, I would like to oppose these flawed—as we see it—Government plans for age verification for access to online pornography. Ostensibly, as we have heard tonight, the main aim of the proposals is to stop children from stumbling on to online pornography, but there is little supporting evidence that young people do stumble upon these sites. If they do, it is more likely that they are not the dedicated sites that would be covered by the legislation.

That is one flaw, but my main objection is that the Government's proposals would mean tracking information from people using these sites by suggesting that a credit card or an address are given to check against the electoral register. An act that is private and, in most cases where the information is asked for, legal, would be recorded and could be tracked on the person's computer. On top of that, there are concerns about the lack of privacy protections, that the information could be open to hacking and that, like any other bulk data, it could be sold on.

The legislation is also easy to circumvent. Indeed, US websites have already said that they will simply ignore it because, to their mind, it interferes with legal independence and the rights of the individual. However, my main concern is that this flawed legislation could lead to the targeting of sexual minorities who are over 18 and can visit the sites. Some members of the LGBT community may wish to keep their identity or their sexuality secret for several reasons, but the legislation would risk the possibility of their being hacked and that information being leaked. In a nutshell, those are the reasons why Liberal Democrat Members oppose the Government's proposals.

8.21 pm

Alex Burghart (Brentwood and Ongar) (Con): It is a pleasure to be called to speak in this important debate, and to be part of a debate in which several thoughtful points have been made from hon. Members of all parties.

We should be proud of the legislation that we are introducing. As the Minister said, it is the first time that something like this has been attempted anywhere in the world. Although we could undoubtedly go further, this is a noble first step. I spent the first part of my career as a teacher. I worked for Barnardo's and for the Office of the Children's Commissioner and I followed this issue closely through those jobs.

I have been struck by the sheer pace of change and Governments' and regulators' failure to keep up with it. The speed with which smartphone technology has changed the environment of childhood is frightening. I have always been wary of the aggressive online libertarian wing, which claims that this new world cannot be regulated and that to introduce any form of restriction is to inhibit the beauty of the online liberal space. That is unacceptable. We have a duty, as adults, to step in and protect children from things that they might not choose to see and that we know they are not ready to see.

As a starting point, we must accept that self-declaration is no form of age verification. Creating a mechanism, however basic, which introduces a decent, verifiable scheme to prevent young people from seeing certain things, is worth while. There are many opportunities to extend the principle elsewhere. I know from friends who are teachers and from the parents of teenage children their concerns about social media and overexposure to it. Many of the social media giants tell us that their sites are suitable for those aged 13 and above, but do nothing to police that. As I said, self-declaration is no form of age verification. The adults have to step in and take control.

I was interested in the shadow Minister's comments about duty of care. As we look to the future, beyond the legislation, when social media giants, internet companies

and providers of any content say that only people of a certain age should use their site, yet do nothing meaningful to enforce that, there must ultimately be some form of sanction against them. Switching the onus on to those companies would be no bad thing. My hon. Friend the Member for Walsall North (Eddie Hughes)—who has morphed into a different hon. Member since I stood up; a no less hon. Member—mentioned mobile phones. Several colleagues and I have raised the important issue of whether schools should have further powers to police mobile phones in schools.

8.24 pm

Jim Shannon (Strangford) (DUP): I am pleased to speak in support of the regulations and guidance, although I want to register some concerns. I thank Dan Boucher from Christian Action Research and Education—CARE—who gave us some information about the subject.

It is two years since the Digital Economy Bill left our House, yet the age-verification provisions have still not been implemented. Will the Minister assure us that there will be no further slippage in the timetable? I want to put on record my thanks to the Minister and her Parliamentary Private Secretary, who usually sits behind her, but not tonight—it is a different person—for their courtesy and good manners in helping us to look at the issues, and giving us an assurance, which I am holding on to, that the White Paper will make the necessary changes.

As things stand, neither part 3 of the Digital Economy Act 2017 nor the regulations engage with social media. That point was made in another place last month with real concern. It was pointed out that a staggering 500,000 pornographic images are posted on Twitter every day. I gently remind the Minister that the recent Women and Equalities Committee report on sexual harassment recommended:

“The definition of ‘commercial pornography services’ for the Government's policy on age verification of pornography websites should be amended to include social media”.

We should be mindful of that recommendation. I hope that the Minister will reassure the House that she is considering the Act's position on social media as part of her reflections on the White Paper. We need action. Parents are no less troubled by the prospect of their children seeing online pornography because it is on Twitter rather than a website, and neither should we be.

I also gently remind the Minister that the Conservative party manifesto said that

“we will stop children's exposure to harmful sexualised content online, by requiring age verification for access to all sites containing pornographic material.”

My only worry is about the caveat that states that, if pornography makes up only a third of the content on the site, it does not count. Again, I seek reassurance about that. I also ask the Minister how the Government can justify protecting children from pornographic material online only in certain circumstances, when their manifesto commitment contained no hint of any qualification or limitation on their age-verification checks strategy.

When the Digital Economy Bill left the Commons, the regulator was empowered to block all non-photographic child sex images, regardless of age verification. That made complete sense because section 62 of the Coroners

[Jim Shannon]

and Justice Act 2009 makes it absolutely clear that it is a criminal offence for anyone of any age, including anyone over 18, to possess such material. However, in the other place, amendments were introduced to accommodate the wishes of adults. I am ever mindful that some 71% of MPs—parliamentarians in this House—want stronger protection, and I know that the Minister wants that, too. I suggest that this must urgently be rectified.

Similarly, when the Bill left the Commons, the regulator had the power to block, regardless of age verification, all violent pornography that it would be a criminal offence to supply to anyone of any age, including those aged 18 and above, under the Video Recordings Act 1984. That is no longer the case. The Digital Economy Act cannot send out the message that the normalisation of sexual violence against women is worth accommodating. Of course I understand that, under section 29, there will be scope for these issues to be reviewed between 12 and 18 months after implementation.

The Digital Economy Act 2017 (Amendment) (Definition of Extreme Pornography) Bill was tabled in the other place—by Baroness Howe—and, during last week's debate on these regulations a number of peers pressed the Government to give the Bill time. It is notable that, rather than saying no, the Minister, Lord Ashton, undertook to speak to the Chief Whip, and I very much hope that the Minister in this House will do the same. I congratulate her on tabling the motions, and I look forward to our working together to make this stronger, because that is what we all want.

8.28 pm

Margot James: With the leave of the House, Mr Deputy Speaker, I thank the right hon. Member for Birmingham, Hodge Hill (Liam Byrne) for his support for the regulations. I agree with him that—as I said in my opening remarks—they are a contribution to the greater security of children and young people online, but, as I think the whole House agrees, they are not a total solution.

The right hon. Gentleman asked what further steps we were taking, and asked about their timings. I reassure him that the Secretary of State will review the performance of the regulations within 12 to 18 months of their taking effect. As part of that review, and in response to the deep concern that has been expressed by many Members in all parts of the House this evening about the extreme nature of pornography, we will look at the fact that this being behind age verification should not be a licence for the production of that sort of material. The Secretary of State will also be empowered to reconsider the definitions of extreme pornography. I thank him for remaining in the Chamber throughout the debate. I am sure that he has noted the will of the House that we revisit those definitions, which do not appear to me to be fit for purpose.

A White Paper on online harms will be published early in the new year. The right hon. Gentleman raised the issue of the desirability of placing a duty of care on social media platforms, which are relevant to the debate and which have a far wider impact than the issue that we are debating tonight. I reassure him that we are considering a duty of care as part of the development

of that White Paper. I look forward to his further contributions on how to make such a duty effective in this context.

My hon. Friend the Member for Congleton (Fiona Bruce) mentioned the risk that pornographic sites would flood themselves with non-pornographic material in order to evade the scope of the regulations. We have considered that. My Department and the British Board of Film Classification have held discussions with commercial providers of pornography sites, and we have encountered a great willingness on the part of those operators to fall in line with age-verification measures. Indeed, they are setting up arrangements to do so. We consider it unlikely that sites will go to the trouble of being flooded with non-pornographic content but, if we turn out to be over-optimistic on that front, my hon. Friend can be assured that that would weigh heavily with the Secretary of State when he reviews the operation of the regulations.

My right hon. Friend the Member for Basingstoke (Mrs Miller), the Chair of the Women and Equalities Committee, mentioned the Lords amendments that had facilitated the availability of extreme pornography involving violence, and even involving children, if generated via technology as opposed to human actors. That strikes me as a grotesque loophole. I agree with my right hon. Friend and others that Baroness Howe's Bill, which seeks to render this activity illegal, is worthy of our consideration, and I commit the Government to considering it as a potential means of combating that sickening loophole.

The hon. Member for Rotherham (Sarah Champion), who has huge expertise in this area, mentioned the predominantly coercive, violent and gendered basis of the grotesque abuse of women in much of the content, and the effect that that could have on the minds of young people as they develop into adulthood. Let me reassure her, as I reassured my right hon. Friend the Member for Basingstoke, that we will definitely consider her comments. She made a number of worthwhile suggestions, and I will write to her, as time does not permit me to go through all of them in turn.

I am sure I was not alone in my surprise when the hon. Member for Edinburgh West (Christine Jardine) declared that the Liberal Democrats would oppose the regulations, on the broad basis that they do not go far enough. I think that the rest of the House agrees that they do not yet go far enough in tackling the problem before us. She must agree, however, that certain aspects of this are very difficult. Tackling pornographic content on a site like Twitter is very difficult, because to introduce a blanket ban on anyone under the age of 18 accessing a social media platform of that nature would have serious unintended consequences. We need to get these matters right and, rather than the Liberal Democrats just opposing these measures, they would do well to contribute to the debate. I urge the hon. Lady's party to reconsider its position, which if unchanged will lead it into disrepute.

I am grateful for the comments from the hon. Member for Strangford (Jim Shannon). He reminds me of my party's manifesto commitment to end the access of children and young people to pornography sites. I agree with him that we need to go further, but I commend these regulations to the House as a very good start and I thank hon. Members for their support this evening.

8.36 pm

One and a half hours having elapsed since the commencement of proceedings on the motion, the Speaker put the Question (Standing Order No. 16(1)).

Question agreed to.

Resolved,

That the draft Online Pornography (Commercial Basis) Regulations 2018, which were laid before this House on 10 October, be approved.

**DRAFT BRITISH BOARD OF CLASSIFICATION
GUIDANCE ON ANCILLARY SERVICE
PROVIDERS 2018**

Resolved,

That the draft British Board of Classification Guidance on Ancillary Service Providers 2018, which was laid before this House on 25 October, be approved.—(*Margot James.*)

**DRAFT BRITISH BOARD OF CLASSIFICATION
GUIDANCE ON AGE-VERIFICATION
ARRANGEMENTS 2018**

Resolved,

That the draft British Board of Classification Guidance on Age-Verification Arrangements 2018, which was laid before this House on 25 October, be approved.—(*Margot James.*)

Mr Speaker: We come now to a series of potentially deferrable motions: motions 4, 5, 6, 7, 8 and 9. Not moved.

Speaker's Statement

8.37 pm

Mr Speaker: I indicated to the House earlier in response to the application under Standing Order No. 24 that I would advise the House before the end of the sitting if at all possible of the start time and intended duration of the debate under that Standing Order secured by the parliamentary leader of the Scottish National party. The reason why I gave what might be described as a contingent ruling or judgment was that I was awaiting advice from another quarter in respect of a separate but important matter. That advice has not to date been forthcoming, and therefore I have to make a judgment on the basis of what is known to me now. I am sorry if this sounds rather abstruse, but I think it will be clear at any rate to those who have sought tomorrow's or Wednesday's debate. In the absence of clarification on the other matter that was being considered for possible attention of the House, I propose that the debate under Standing Order No. 24 shall take place tomorrow at the start of public business, and that it shall last for up to three hours. If subsequent to now there is any intelligence suggesting that that arrangement could usefully be revisited, of course the party that has secured the debate will be advised of that and given the opportunity to consider an alternative time if it so wished, and we would try to proceed by consensus. But as things stand I propose that that debate in the name of the Scottish National party should take place as the first item of public business tomorrow for up to three hours. I hope that that is helpful to colleagues.

Kayden Dunn

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

8.38 pm

Ruth Smeeth (Stoke-on-Trent North) (Lab): I should start by saying that due to personal events the family cannot be here with us tonight, but they are watching.

I am here today to tell a tragic story, one that I sincerely wish had never happened, but nevertheless it is a story that needs to be told, even at this time of year. It is a story of loss, of a family let down by our criminal justice system and of a community united in grief.

At the heart of this story is a wonderful little boy named Kayden Lee Dunn. Kayden was a happy, healthy little boy with a huge personality, big blue eyes and a laugh his mum said could “fill the world with joy.” His mum, Tonie, has told me that when she first held him and stared into those big, shiny blue eyes, she tried to imagine the perfect future for her little boy. She thought about what his life might hold and the role he might play in the world he had just come into. Perhaps he would grow up to be a policeman, a footballer or even a dancer. Whatever the future might hold, Tonie knew that she would always be proud of Kayden and that he would always make her proud.

Kayden was full of energy, and he loved to learn. At the age of three, he would play games on his way to nursery with his mum, trying to spot shapes in the clouds or count how many cars there were of each colour. Red was his favourite. He loved going to school, too. In his last few months of year 2, he was engrossed in his lessons about knights and castles. Learning his times tables was a different story, but Kayden was determined to get them right, practising every night at the kitchen table and so proud of himself when he finally cracked his three and four times tables. In 2015, he made his acting debut in the school Christmas play. His line was, “To the moon and the stars.” That was a line that would come up again and again with his family. Whenever Kayden wanted to know how much his mum loved him, that was always her answer: “To the moon and the stars.”

For Kayden’s family, it is fitting that we should be having this debate in the week before Christmas, because this was his favourite time of year. He would spend Christmas eve making keepsakes and baking cakes with his parents and siblings, waiting for the joy of Christmas morning, with the laughs, the excitement and—with lots of young children—the noise as the gifts were unwrapped. If he were here today, Kayden would be fizzing in anticipation for next week.

Jim Shannon (Strangford) (DUP): I spoke to the hon. Lady beforehand to ask if I could make a comment in the debate. I sympathise with her and with the family who have lost a loved one, because just last week in my constituency, a wee three-year-old boy was knocked down on Thursday night and passed away on Saturday past. That was the second death in that family; their wee girl died some 18 months ago. I just want to put on record my sympathy for the family and to agree with the hon. Lady that Christmas should be a time for fun and families. They called that wee boy in my constituency Kai Corkum, and his mum and dad and his two wee brothers are grieving for him today.

Ruth Smeeth: I thank the hon. Gentleman for his intervention. I am sure that the whole House sends its condolences to Kai’s family.

Unfortunately, Kayden Dunn will not be with us this Christmas, nor any other. On 14 April 2016, while he was playing with friends after school, Kayden was run over and killed in my constituency. He was just seven years old. The driver’s name was Shakeeb Zamir, and he was driving without insurance. He had taken his father’s car without permission—a car he was not legally authorised to drive. The investigation into Kayden’s death concluded that at the moment of the accident the car was travelling at between 38 and 41 mph—far in excess of the speed limit—on a quiet residential street in the middle of Sneyd Green. When Kayden stepped into the road, the driver did not even brake.

What happened next cemented this tragic event as an act not only of gross irresponsibility but of heartlessness. As Kayden lay mortally wounded in the street, the driver got out of his car and checked the vehicle for damage. Then, without a second glance, he got back in and drove away. Although he later returned to the scene on foot, accompanied by his father, that belated gesture of self-preservation was too late to help little Kayden. He died from his injuries in Birmingham Children’s Hospital five days later, on 19 April, 2016.

This was a tragedy beyond measure for Kayden’s family and friends. He was a bubbly, blue-eyed little boy. His mum said he was cheeky, full of joy and brought a smile to everyone’s face. In an instant, this treasured son and brother, this bundle of energy who would spend all afternoon on his trampoline shouting, “Mummy, I’ve done 250 bounces; I’m shattered,” was gone—taken—but, as heartbreaking as that is, it got even worse. This family, who had already lost their child, would be denied justice, too. After pleading guilty to causing death by careless driving, the perpetrator was sentenced to 12 months—just 12 months for a life.

The sentence did not just devastate a family but infuriated and angered a community. Thousands of people signed a petition calling for an urgent review of the case. The driver claimed in court that his disgraceful actions at the scene were due to shock, yet CCTV footage of the incident shows him calmly leave the car, checking only for possible vehicle damage and seemingly showing no concern for Kayden’s critical condition. His actions both before sentencing and after his release also demonstrate an absence of remorse. Following his release, Kayden’s killer was handed a number of conditions and has broken several of them. Shortly after his release, he was jailed for a further 12 weeks after being caught behind the wheel of a car in defiance of a driving ban. He is not supposed to make contact with the family, yet he approached them in a local convenience store just before he returned to prison.

The family have also seemingly fallen through the cracks with the probation service. The family were informed that it would organise a victims meeting, so that Kayden’s family could confront the perpetrator in a safe environment and have the chance to express what his actions had done to them, the impact on their family and their complete devastation. However, such a meeting never materialised, despite the promises of the probation service at the time. To lose a child, especially at such a young age, is to endure a wound that never heals. For the family to see the perpetrator treated so leniently and

to be made to feel insecure in their own community is to have salt rubbed into that wound in the cruellest way possible. My constituents have been let down by the Crown Prosecution Service, which failed to secure a punishment befitting the crime, and by the probation service, which seems uncommitted to enforcing the conditions that were still in place to protect this grieving family.

In October 2017, the Government announced that the maximum sentence for causing death by dangerous driving would be raised from 14 years to life imprisonment. That was the right decision and I welcome it, but it came too late for Kayden's family and it will fail to deliver justice in future unless prosecutors pursue charges that fit the crime and do not reduce such heinous acts to the lighter charge of death by careless driving. We do not just need the right sentencing guidelines; we need to ensure that the right charge is brought in the first place.

While our institutions may have failed on this occasion, our community stepped up. I have already mentioned the thousands who supported the campaign for justice for Kayden, but that is nothing compared with the extraordinary outpouring of love and support in Sneyd Green and beyond in my great city of Stoke-on-Trent. Thousands of pounds have been raised and a permanent memorial to Kayden can now be found in the heart of the community where he went to school and where his family still live. In the midst of that good will and kindness, Kayden's family decided to give something back to the community.

Throughout this awful period, Kayden's family have spoken glowingly about the care that Kayden received at the hands of our NHS and the support that was there for the family in their darkest hour—the air ambulance staff, the emergency NHS practitioners, the police, the school, the residents' association and the wider community. To thank the community, the family launched the Kayden Dunn memorial fund, and one of their first acts was to raise funds to donate parcels for families who will unfortunately have similar experiences to theirs, encouraging people to donate the vital items that families need in times of unexpected crisis, such as toothpaste, shower gel and clean underwear, to Birmingham Women's and Children's hospital to ensure that those essentials will be available for other families.

I am immensely proud to represent a place where such care and community spirit exist, and I am honoured to represent this family who have endured so much and shown such courage in the face of tragedy. My speech to this House is nearly over, but there is no end to this story for Kayden's family. The pain of losing a loved one never leaves; we simply learn to bear it. In this instance, that pain is made worse by the knowledge that justice has not been delivered, but this family is inspirational, and their new daughter, Angel, has helped them survive and thrive together.

However, we will not forget that the man who stole Kayden's life has been allowed to go with his own without serving an adequate punishment for his crime and without showing any genuine remorse for his actions. His sentence was an affront to justice and an insult to a suffering family. It is too late to change that, too late to bring Kayden back and too late to hold those who took him from us to account, but it is not too late to learn the

lessons of this case and to apply them to try to ensure that no other family will have to suffer the way that this family has.

Words cannot give Kayden Dunn his life back, but they can honour and preserve his memory. While his life was all too brief, they can ensure that his name and his memory will live on long after us through the records of this place. In that spirit, I believe that the final words should not belong to me, but to Kayden's mum, Tonie. In her eulogy for little Kayden, she said:

"I miss him so much. I wrote this so you could all have an insight into my boy's life, not to upset you but to show you how proud I am of my baby, and to show you what a beautiful impact he had on our lives. Memories will never fade and I'll always be grateful for my little blue-eyed boy."

8.50 pm

The Minister of State, Ministry of Justice (Rory Stewart): I pay tribute to the hon. Member for Stoke-on-Trent North (Ruth Smeeth) for securing this debate. This is a genuinely horrifying case, and I hope I will be able slightly to express our debt of gratitude to her and to Kayden Dunn's family for bringing this case to the House.

It begins, of course, as a terrible personal story of a little boy. Anybody looking at the photographs or hearing the hon. Lady talk about Kayden on a trampoline or in his school play will feel the horror of what happened, which is something that has ramifications for all our lives, whether or not we are parents. I am the father of a four-year-old boy and an 18-month-old boy, and I think of such incidents every time I go to the road. All of us, in different ways, will reflect on this, and I hope that all of us will reflect on the justice system and on driving.

At the heart of this is the crime committed by a young man at the wheel of a car, which led to something so horrifying as the loss of a young life. It raises for us a couple of issues that I hope to touch on before I conclude. First, the Ministry of Justice must take some practical steps to learn from Kayden Dunn's case. The hon. Lady specifically raised the case of the probation service and what we can do on restorative justice. Restorative justice is hugely important, and it can really help the business of healing and it can really help a family, like Kayden's family, come to terms with somebody who has committed such a crime. There have been delays in this case and, as we have explained to Kayden's mother, part of it is due to her personal family circumstances. I believe a meeting has now taken place—on 17 November—and we will now reach out to her again to see whether there is more we can do to facilitate this.

The broader question of law, moving from the probation service to sentencing, is very important. As the hon. Member for Strangford (Jim Shannon) said, there is the broader issue of how we deal with people who cause death by their actions in a motor car. We all need to remember the fundamental fact that a motor car is, in effect, a lethal weapon: it is tonnes of metal, with a powerful engine, travelling at a very great speed.

The awful truth is that recent statistics suggest that 25% of young men aged between 17 and 21 have a car crash. That is 25% of young men aged between 17 and 21 at the wheel of this lethal weapon driving carelessly or dangerously.

Maggie Throup (Erewash) (Con): My heart goes out to Kayden's family. Sadly, what we have heard tonight is not an isolated incident. The Minister talks about a car being a lethal weapon, and anybody else killing somebody with a lethal weapon would be charged with murder. Will there be any steps to change the law to make the lethal weapon of a car being driven dangerously murder?

Rory Stewart: That is probably the central question in this whole debate. The answer, of course, is that, in terms of the loss of life, it is like murder. The act has killed someone, and that life can never be given back. The difference between murder and this, of course, is in the intention of the individual, which is a very difficult thing to talk about. English law traditionally distinguishes between somebody intentionally trying to kill someone, and somebody whose acts, through recklessness in this case, have resulted in a death. One reason why we are moving to increase the penalty for causing death by dangerous driving to a life sentence is that we believe strongly that this is, if not quite murder, indistinguishable in effect from manslaughter.

There are two types of manslaughter—illegal act manslaughter and gross negligent manslaughter. We could argue that somebody at the wheel of a car killing somebody else either by speeding or drink-driving, which would be unlawful act, or simply by driving dangerously, is breaching their duty of care to other road users. Their recklessness lies in the fact that they ought to be aware, or any reasonable person would be aware, that their actions had a high likelihood of resulting in death.

There are also things we need to do on the broader issue of road safety that do not relate directly to Kayden Dunn's case but which are important for future cases. Some good campaigns have been run in this House drawing attention to how vulnerable cyclists and pedestrians can be. Tragically, Kayden is one of almost 440 pedestrians killed this year in the UK by motor cars.

Rachel Maclean (Redditch) (Con): I very much welcome the debate and the fact that causing death by dangerous driving will attract a life sentence. Will the Minister say more about what will happen in cases where the result is not death but serious injury? What sentence will that attract?

Rory Stewart: The case of serious injury is another thing we have been reviewing, and we are currently looking at that issue from different directions. We have been looking at increasing the penalty for causing death by dangerous driving. Secondly, we have been looking at increasing the penalty for causing death by careless driving when under the influence of drink or drugs. We have been looking at the issue of causing injury and the position of vulnerable road users, in particular, cyclists, of whom more than 100 are killed a year, pedestrians, of whom about 450 are killed a year, and even people on horses, of whom nearly 40 are killed a year. My hon. Friend asked about injuries, and the answer is that such a case would attract a two or three-year maximum sentence, but that is something we are examining.

I do not wish to take up too much of the House's time, because Kayden Dunn's case is so horrifying, and so personal to Kayden's family and to the community in Stoke, that I almost feel it is slightly inappropriate for me, as a Minister, to reduce it to the language of the

Chamber or of a policy debate. However, the issue of road safety matters to us all, and Kayden Dunn's case gives us an opportunity to reflect on that. The truth is that in 1926 4,800 people were killed in road traffic accidents in Britain. By 1966, the number had risen to 8,000, whereas this year 1,700 people were killed. So our roads are getting safer and fewer people are getting killed. Obviously, in 1926, when more than twice as many people were killed, there were far fewer cars on roads, but 1,700 people is still far, far too many. That needs not only a legal response—it needs proper judicial sentencing and punishment for people who break the law and kill people—but practical steps. It requires us to look closely at the driving test and at whether people should be re-tested. It requires us to look at the position of professional drivers, as, sadly, quite a lot of injuries are caused by people whose jobs lead them to drive unusual numbers of hours. It leads us to look at road design, what happens on the streets and the way we set out the markings. It leads us to think about road safety campaigns for children in schools. It leads us to think about road safety for cyclists, about protective gear for cyclists and, of course, about motorcyclists, who are currently probably the second most vulnerable group on the road.

None of that can take us away from the individual case, so let me finish by saying again that the case of Kayden Dunn has been an opportunity for us all in the House to reflect, over a serious half hour, on the horror and the tragedy that lies behind the language of our law. Too often, here, we have pieces of paper and talk in an abstract way. We forget the real people—the real victims—and the fact that when somebody is killed, there is not a single victim; the ripples of that death spread through an entire family and then through an entire community.

By courageously working with her Member of Parliament to bring this case to Parliament, Kayden's mother has made several things happen. First, to learn from Kayden's tragic death, we must improve road safety in any way we can. Secondly, we have to look at our justice system and think about the ways in which that system is fair and whether it addresses the question of the impact of a person's act on a victim, and balances that with questions of loss and remorse. One question raised in the debate was whether the young man who was driving the car felt the appropriate remorse. It is right that in our legal system the showing of remorse or lack of remorse can act as a mitigating or aggravating factor in the determination of the length of a sentence. That leads us back to the broader issue around extending the maximum penalties.

In the end, the tribute has to go back to Kayden Dunn and his family—back to that little glimpse of a young boy on a trampoline, to a glimpse of a young boy at a school play. There was also a glimpse of another young man. God forbid that we judge another human being, but perhaps we can move on from the case and all reflect on this when we get behind the wheel of a car. The car is a weapon and, whenever we get into it, it could kill someone—it could kill a young child. If any of us thinks of speeding in a residential area or, God forbid, thinks of getting into a car uninsured or driving without a licence, we are acting with such gross negligence and such recklessness that it must be equated morally with the most criminal or grossly negligent acts that we commit.

I hope we can take away from this debate the beauty of that young man's life and a strong sense from this Chamber going out to society that we will remember Kayden Dunn with enormous, sincere respect for him and his family and for the way they have reached out to Parliament. We should also take away the hope that in future, there will not be many more Kayden Dunns.

Question put and agreed to.

9.3 pm

House adjourned.

Written Statements

Monday 17 December 2018

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Good Work Plan and Labour Market Enforcement

The Secretary of State for Business, Energy and Industrial Strategy (Greg Clark): Last year Matthew Taylor (Chief Executive of the Royal Society of Arts) published the review of modern working practices, following a commission from the Prime Minister. In February the Government responded to the review, accepting the vast majority of the recommendations. The Government also launched four consultations alongside the response, seeking views on the approach to implementing the review. We received over 400 detailed consultation responses which have been invaluable in informing our policy development.

The industrial strategy set out a long-term plan to boost the productivity and earning power of people throughout the UK. Developing better jobs for everyone in the British economy is at the centre of the industrial strategy. Today the Government are publishing the Good Work Plan, setting out a vision for the future of the UK labour market and how the Government will implement the Taylor review recommendations.

As the industrial strategy set out, the world of work is changing rapidly, becoming more flexible and more connected. Never has it been more important for us to ensure the UK labour market is successful, competitive and ready to embrace the changes that come with technological advancements and the emergence of new business models. An essential part of achieving this is striking the right balance between flexibility and ensuring workers have the rights and protections they need. We also need to ensure that good employers in the UK are rewarded for their efforts, rather than being under-cut by a minority of irresponsible employers seeking ways to circumvent the law.

Today, we have also taken the important first step in implementing the Good Work Plan, bringing forward new legislation to provide further rights to workers and ban unfair practices.

I am proud to be the first Secretary of State to take responsibility for quality work and I have written to the Chair of the independent Industrial Strategy Council to ask for their views on the measures Government could use to measure quality of work in the UK. The Good Work Plan commits to a range of policy and legislative changes to ensure that workers can access fair and decent work, that both employers and workers have the clarity they need to understand their employment relationships, and that the enforcement system is fair and fit for purpose. This includes a commitment to legislate to tackle uncertainty around employment status.

Alongside the Good Work Plan today the Government are also publishing their response to the first full strategy from the Director of Labour Market Enforcement.

Sir David Metcalf's strategy was published on 9 May 2018 and made 37 recommendations on labour market enforcement and raising awareness of employment rights. The Government response accept the majority of the recommendations and sets out the steps the Government will take forward on raising awareness of employment rights, improving intelligence gathering of abuses and strengthening enforcement efforts.

The Home Secretary and I look forward to working with Sir David as the Government seek to implement the recommendations we have accepted and as he prepares to set clear strategic priorities in the 2019-20 Labour Market Enforcement strategy.

Copies of the Good Work Plan and the Government's response to the Director of Labour Market Enforcement's strategy will be placed in the Libraries of the House and available electronically on the www.gov.uk website.

[HCWS1184]

CABINET OFFICE

Advance from the Contingencies Fund

The Chancellor of the Duchy of Lancaster and Minister for the Cabinet Office (Mr David Lidington): The Cabinet Office has sought a repayable cash advance from the contingencies fund of £137,110,000.

The requirement has arisen because the Cabinet Office receives a relatively high proportion of its voted funding at supplementary estimate, and as a consequence may only draw the related cash from the consolidated fund after the Supply and Appropriation Act has received Royal Assent in March 2019.

The cash advance will pay for programmes which will generate Government-wide benefits or savings and are urgent in the public interest, including advancing EU exit objectives, public inquiries, security, efficient management of Government property and development of IT systems that will benefit the public.

Parliamentary approval for additional resources of £116,507,000 and capital of £20,603,000 will be sought in a supplementary estimate for the Cabinet Office. Pending that approval, urgent expenditure estimated at £137,110,000 will be met by repayable cash advances from the contingencies fund.

[HCWS1191]

UK Statistics Authority

The Parliamentary Secretary, Cabinet Office (Chloe Smith): My right hon. Friend Lord Young of Cookham made the following written statement on Friday 14 November:

The twenty-second national census will be conducted in March 2021, across the United Kingdom. The 2021 Census is about collecting information to help build a country that works for everyone, and the results will reflect everyone in our society. To build a stronger, fairer and more caring society and to tackle injustices, we need reliable information on the number and characteristics of people and households to enable a wide range of services and future planning to be supported.

Correspondingly, Government are pleased to present to Parliament a White Paper “Help Shape our Future: The 2021 Census of Population and Housing in England and Wales” [Cm 9745], which sets out the UK Statistics Authority’s detailed proposals for the 2021 census in England and Wales. The Government propose that, subject to Parliamentary approval, the next census of population should be taken on 21 March 2021.

The Government rely on high quality data to make decisions which affect everyone in this country. The census is one of the key data collections where everyone will be able to have their say in 2021 about how they live so that decisions can be made to reflect the society of 2021 and beyond. The Government will use the information to inform policy, to plan public services to meet the needs of today’s society. Census data are also widely used by businesses, local authorities, health authorities, and others to help them plan their services.

The White Paper sets out the strategic aims for the census, explains the need for it, sets out the content and how it will be conducted and deals with matters of public interest such as data security and confidentiality. The White Paper also sets out the UK Statistics Authority’s proposals for the future of population statistics after 2021.

Following previous consultation, the White Paper proposes a new question on Armed Forces veterans which will give support to those who serve their country so well. There will also be new questions on sexual orientation and gender identity to reflect a 21st century society, although nobody will need to tell us their sexual orientation or gender identity if they do not want to. Ministers have decided the right not to respond to these latter two new questions should be made clear in legislation in due course, prior to the census taking place. This mirrors the legal approach taken in 2000 by Parliament when the question on religion was introduced in the 2001 census.

This White Paper sets out the proposals for a census in England and Wales in 2021. The proposed date for the census has been considered collectively across the three census offices in the UK (in England and Wales, Scotland and Northern Ireland). The statistical offices of England, Wales, Scotland and Northern Ireland are working together to ensure the production of harmonised statistics.

The UK Statistics Authority plans to hold a census rehearsal in October 2019. After consultation with the Welsh Ministers, the Government will lay before Parliament an Order in Council for approval in accordance with the Census Act 1920.

Copies of the White Paper are available from the Vote Office, on www.gov.uk, and have also been placed in the Libraries of both Houses. The White Paper is also being presented to the National Assembly for Wales.

[HCWS1190]

TREASURY

ECOFIN 4 December 2018

The Chancellor of the Exchequer (Mr Philip Hammond):

A meeting of the Economic and Financial Affairs Council (ECOFIN) was held in Brussels on 4 December 2018. The UK was represented by Mark Bowman (Director General, International Finance, HM Treasury). The Council discussed the following:

Early morning session

The Eurogroup President briefed the Council on the outcomes of the 3 December meeting of the Eurogroup, and the European Commission provided an update on the current economic situation in the EU. Following this,

the Commission presented its forthcoming communication on the international role of the euro, and the Council held an exchange of views on the European Investment Bank.

Digital services tax

The Council held a policy debate on the proposal to establish an EU-wide digital services tax.

Strengthening of the banking union

The Council endorsed the results of the trilogue with regards to the banking package. The Austrian presidency then presented a progress report on the European deposit insurance scheme.

Current financial services legislative proposals

The Austrian presidency provided an update on current legislative proposals in the field of financial services.

Stability and growth pact

The Council noted the ongoing significant deviation procedures of Hungary and Romania under the stability and growth pact.

European semester 2019

The Commission presented the annual growth survey 2019, the alert mechanism report 2019 and its recommendation on the economic policy of the euro area.

Non-performing loans

The Commission presented the third progress report on implementation of the non-performing loans action plan.

[HCWS1188]

EDUCATION

Funding and Support for Schools and High Needs

The Secretary of State for Education (Damian Hinds):

Today, I am pleased to announce additional revenue funding in 2018-19 and 2019-20, and extra capital funding in 2019-20, to provide support for children and young people with special educational needs and disabilities (SEND), as well as the 2019-20 dedicated schools grant (DSG) allocations to local authorities.

Our ambition for children with SEND is exactly the same as for every other child—to achieve well in school and college, find employment and go on to live happy and fulfilled lives. High needs funding has already risen by £1 billion, from £5 billion in 2013 to £6 billion this year. As part of our wide-ranging reforms to the SEND system in 2014, we introduced education, health and care (EHC) plans, to ensure that support is tailored to the needs of individuals, and families are put at the heart of the process. Already, more than 320,000 children and young people are benefiting from these.

Members from all sides of the House have raised concerns from schools, colleges and local authorities about the pressures on high needs budgets. I understand that these costs are rising, in particular the costs of special educational provision for those with more complex needs, funded from local authorities’ high needs budgets.

Today I am announcing a number of changes to start to address these pressures.

First, we will provide additional high needs funding allocations across all local authorities, of £125 million in each of 2018-19 and 2019-20. This brings the total allocated for high needs this year to £6.1 billion. This additional investment will help local councils to manage pressures and I have published the individual local authority allocations today.

Ensuring that there is sufficient capacity locally for pupils in mainstream and special schools, and for young people aged 16 and above, is a priority for this Government. As part of this, I am announcing a further £100 million top-up to the special provision capital fund in 2019-20 to take our total investment to £365 million across 2018-21. This additional funding will give more children access to a good school or college place that meets their individual needs. This could also pay for more state-of-the-art facilities, such as sensory rooms and specialist equipment.

We have also received 65 bids from local authorities identifying a need for new special and alternative provision free schools. We now anticipate that all those that fully meet the published criteria will be approved, even if the number of schools exceeds the 30 or so we had originally planned for.

Of course, extra funding cannot be our only response. I want to continue engaging with local authorities, health providers, families, schools and colleges to better understand what is driving the cost pressures on high needs budgets, and to work with the sector to help manage them. Therefore, today I am writing to all local authorities to outline our plans for supporting them in their role of providing strategic leadership and oversight of the provision for children and young people with SEND. While local authorities have this responsibility, I am clear that they cannot act alone in doing so.

To equip all areas to improve planning and commissioning we are establishing a SEND system leadership board focused on improving joint education, health and care commissioning, as recommended by Dame Christine Lenehan's review into the experiences and outcomes of children in residential special schools and colleges. We are also establishing joint ministerial roundtables with the Department for Health and Social Care to give providers, users and voluntary sector organisations further opportunities to input their views and insight across the SEND system.

To support local authorities in carrying out their statutory EHC plan assessment process and to support schools and colleges in their work with families, I am announcing funding for training more educational psychologists (EPs). We will be funding three more cohorts of EP trainees, starting in September 2020; and will increase the number of trainees from 160 to at least 206, to reflect increased demand. Classroom teachers and those in training will also have a greater focus on supporting children with SEND, as the upcoming teacher recruitment and retention strategy will make sure all teachers are equipped with the knowledge and skills to meet the needs of all pupils.

My Department is also commissioning SEN Futures: a flagship package of long-term research and analysis to provide evidence on the impact of current SEN provision on children and young people's outcomes, and to assess the value for money of SEN provision in England. Procurement for the first pieces of work in this programme has begun today.

In addition, in order better to understand the financial incentives that influence how schools, colleges and councils support children and young people with special educational needs, the Department for Education will be gathering more evidence early in 2019. This will include looking at the first £6,000 schools pay for special educational provision before accessing additional funding from local high needs budgets.

I recognise the rising demand for EHC plans for those over 19, and the need for education, health and social care services to agree a shared vision of what good life outcomes look like for an individual, and when it is right to cease an EHC plan. We have commissioned one of our delivery partners, the National Development Team for Inclusion to work with 20 local authorities to develop and model effective practice on this, and to share their findings across regions.

I also want to continue to ensure that services for young people with SEND effectively prepare them for adulthood, including employment: raising expectations and aspirations for young people, their parents, education providers and employers. My officials are working closely with the Department for Work and Pensions on this, and we are committed to finding ways to support more young people with SEND into sustainable employment. I want our wider reforms to post-16 education, including T-Levels, to be accessible to those with SEND and will continue to support close working between colleges, schools and local authorities to improve pathways to adulthood.

Today I am also confirming the school and early years funding allocations for 2019-20. This announcement covers the DSG and the Pupil Premium.

The distribution of the DSG to local authorities is set out in four blocks for each authority: a schools block, a high needs block, an early years block, and the central school services block.

In July 2018, we published the primary and secondary units of funding for the schools block, the provisional allocations for the high needs block and central school services block. These have been updated with the latest pupil numbers to show how much each local authority will receive in 2019-20.

The early years national funding formula rates for 3 and 4-year-olds for 2019-20 were published on 22 November, and today we have announced initial allocations for this block.

The pupil premium per pupil amounts will be protected at the current rates.

Finally, I would like to take this opportunity to respond to the resolution of the House following the Opposition day debate on school funding on 13 November.

Children only get one chance at a great education, which is why, as today's announcement further demonstrates, this Government have prioritised and protected school spending—even while having to take difficult public spending decisions in other areas.

Across the board, standards are rising; in 2010, 66% of children were in good or outstanding schools—that is up to 84% now. While there is more money going into our schools than ever before, and we know from international studies that our school spending is in line with or above most comparable countries, we recognise the budgeting challenges schools face and that we are

asking them to do more. That is why we have announced a school resource management strategy, setting out a wide range of practical support to help schools reduce their costs and make every pound count, while at the same time improving outcomes for pupils.

With the funding and support for schools and high needs announced today, I am confident that they will be able to continue to improve outcomes for all children and young people.

[HCWS1185]

FOREIGN AND COMMONWEALTH OFFICE

Overseas Territories Joint Ministerial Council

The Secretary of State for Foreign and Commonwealth Affairs (Mr Jeremy Hunt): My noble Friend, the Minister of State for Foreign and Commonwealth Affairs (Lord Ahmad of Wimbledon), has made the following written statement:

On Tuesday 4 and Wednesday 5 December, I chaired the UK-Overseas Territories Joint Ministerial Council in London, the 20th such gathering of OT leaders. The Council was attended by elected leaders and representatives from Anguilla, Ascension Island, Bermuda, the British Virgin Islands, the Cayman Islands, the Falkland Islands, Gibraltar, Montserrat, Pitcairn, St Helena, the Sovereign Base Areas of Akrotiri and Dhekelia, Tristan da Cunha and the Turks and Caicos Islands.

The key themes of discussion at this year's Council were preparations for the UK's exit from the European Union; financial services, including beneficial ownership registers; future economic growth, focussing on trade and investment; the constitutional relationship with the UK; the Global Britain agenda; passport issues; safeguarding of vulnerable persons and natural disaster resilience management.

Ministerial colleagues from the Departments for International Development (The right hon. Lord Bates), Exiting the European Union (Robin Walker MP), International Trade (George Holingbery MP), Environment, Food and Rural Affairs (Therese Coffey MP) and Her Majesty's Treasury (The right hon. Mel Stride MP) attended the discussions, as did the Minister for the Constitution (Chloe Smith MP). I held bilateral meetings with territory leaders. The Minister of State for Foreign and Commonwealth Affairs (The right hon. Sir Alan Duncan, KCMG MP) met Members of the Falklands Islands Legislative Assembly.

The Council agreed priorities and set out a number of important commitments and areas for joint work in the year ahead.

We continued our dialogue on the implications for the overseas territories of the UK's departure from the EU and reiterated our objective to achieve an outcome that works for all parts of the British family. We will seek to ensure the security and economic sustainability of the overseas territories is preserved and strengthened post-Brexit. We discussed how we can better promote the overseas territories as part of the global British family by using the GREAT campaign, bringing the richness and diversity of the territories to our shared international British brand. We reiterated the UK's commitment to the OTs as a vital part of the British family, and discussed how to ensure the constitutional arrangements work effectively to promote the best interests of each individual territory and of the UK.

We welcomed the progress made by the overseas territories who are committed to implement recommendations made by the Code of Conduct Group, with the outcome that the territories would not be placed on the "tax blacklist". We acknowledged that there have been huge challenges and have

recognised the ongoing issues. We highlighted the importance of continued engagement with the EU Commission and underlined that the delivery of legislation is of paramount importance.

The press statement reflects the commitment of the Governments of the Overseas Territories and the UK to continue to work in partnership to achieve the vision set out in the June 2012 White Paper: *The Overseas Territories: Security, Success and Sustainability*.

In line with our commitment in the White Paper, we will continue to report to Parliament on progress by Government Departments.

A copy of the press statement has been published on the www.gov.uk website.

[HCWS1186]

HOME DEPARTMENT

Justice and Home Affairs Council

The Minister for Immigration (Caroline Nokes): The final meeting of EU Interior and Justice Ministers during the Austrian presidency took place on 6 and 7 December in Brussels. I represented the UK for Interior day. The Lord Chancellor and Secretary of State for Justice, my right hon. Friend the Member for South West Hertfordshire (Mr Gauke), represented the UK on Justice day. Scottish Government Minister for Communities, Ash Denham MSP, also attended.

Interior day began with the Council agreeing a partial general approach on the amendments to European border and coast guard regulation. The presidency concluded that further discussion was needed on the numbers of border guards in the European border and coast guard standing corps, as well as in relation to issues of national sovereignty related to deployments. Member states also expressed concerns over aligning capacity with finances. The Immigration Minister did not intervene as the UK does not participate in this Schengen-building measure.

The Council also discussed the returns directive. Member states expressed significant differences of opinion on detention while a claim was processed and on clarity as to the risk of absconding. The Commission encouraged member states to finalise this file by the end of the legislature. The UK does not participate in this measure.

The Council then discussed the regulation on preventing terrorist use of the internet. Several member states were not able to support the text due to the regulation's conflict with their own national constitutions and concerns on the balance between the removal of content and fundamental rights. Some member states sought further consideration of the measure. However, the presidency concluded support for a general approach, judging the proposal to be a good and responsible compromise text. The Immigration Minister intervened to support the general approach, emphasising the importance of this legislation in tackling terrorist content online. The presidency stated that it would seek to address various points of concern in future trilogue negotiations.

The Commission urged member states to finalise those proposals of the common European asylum reform package where agreement was in reach. However, in discussion over lunch, member states remained split on the issue of solidarity and burden sharing. The Immigration

Minister intervened to emphasise the importance of the comprehensive approach to migration, and specifically on the issue of developing more sustainable general solutions to tackle migratory flows, including tackling the drivers of migration.

After lunch, the Council approved an action plan to tackle migrant smuggling.

The Council then discussed JHA priorities for the 2021-27 MFF. The EU JHA agencies set out their priorities. The UK did not intervene as these programmes will commence after the UK's exit from the EU and the end of the envisaged implementation period. The UK will, therefore, not be participating in any future programmes as a member state.

On Justice day, the Council reached a general approach on the sale of goods directive. There was a wide divergence of views on the value of maximum harmonisation of law to set common contractual requirements for consumer purchases by consumers. The UK and other member states argued for the maintenance of member states' flexibility to guarantee higher levels of consumer rights. Member states expressed desire to continue the discussion on this issue during the trilogues with the European Parliament.

The Council also reached a general approach on the recast of Brussels IIa regulation on family matters and parental responsibility. The Justice Secretary welcomed the text, as well as the presidency's work to accommodate UK concerns on the hearing of the child. He also noted UK ambition for civil law co-operation after our EU exit, which elicited positive statements from member states not just on family co-operation, but across civil law, and on future security co-operation.

The Commission and the presidency noted progress on the assignment of claims directive at working level, which deals inter alia with the third-party effects on assignments of claims. Member states cautioned that the directive should be careful not to disrupt existing and functioning market systems.

The presidency, supported by the Commission, sought to reach a general approach on e-evidence, about law enforcement access to data held by communications service providers. A number of member states voiced strong opposition to the text on the basis that it did not adequately protect member states' fundamental interests nor the fundamental rights of citizens.

The presidency concluded there was enough support for a general approach and the measure would proceed to trilogues where further discussions would aim to resolve other member states' concerns.

The Commission indicated that they will finalise the draft negotiating mandates for the second additional protocol to the Budapest convention and for discussions with the US.

On data retention, the presidency updated on continuing working level discussions on the preservation of law enforcement capabilities and other public authority tools that would also meet the requirements of recent, stricter CJEU case law. The Commission noted that it would be difficult to restrict data retention to certain persons or geographic areas but nonetheless proposed to undertake additional targeted consultation. Member states called on the Commission to ensure continued attention to data retention in the future, noting likely developments in CJEU case law expected in 2019.

The Council adopted conclusions on mutual recognition, mutual trust and the principles underlying mutual recognition instruments such as the European arrest warrant. The Justice Secretary underlined UK commitment to future co-operation with the EU on this basis to enable continued joint working to tackle the challenges of transnational crime.

The Commission updated Ministers on significant progress made in answering points raised by the CJEU on EU accession to ECHR. It was agreed that amendments to the draft accession agreement would be strictly limited to what was required by the Court. The importance of accession was highlighted as a priority for the EU and its citizens and swift resolution encouraged.

[HCWS1189]

NORTHERN IRELAND

Security Situation in Northern Ireland

The Secretary of State for Northern Ireland (Karen Bradley): This is the twelfth written statement to Parliament on the security situation in Northern Ireland since the Independent Monitoring Commission concluded its work in July 2011. It covers the security situation and threat from Northern Ireland related terrorism, rather than from international terrorism, which Members will be aware is the responsibility of my right hon. Friend the Home Secretary, who updates the House separately.

In the 13 months since the last statement on Northern Ireland's security situation, a small number of violent dissident republican terrorist groups have continued to pursue a campaign of violence. Violent dissident republican terrorists are relatively small, disparate groupings. They remain intent on killing and undermining the will of the vast majority of the people of Northern Ireland who have repeatedly and consistently expressed their desire for peace. These groupings choose to pay no heed to this and continue to plan attacks with the purpose of murdering and maiming those who work on a daily basis to uphold the rule of law and protect the whole community. In attempting to impose their unwanted control on people across Northern Ireland, these groupings also choose to ignore democracy, principles that have been, and will continue to be, central to the political process in Northern Ireland.

In 2016, dissident republican terrorists murdered prison officer Adrian Ismay while in 2017 they again demonstrated their lethal intent, including one attack where a petrol station forecourt was sprayed with gunfire and two police officers were wounded. There have been two attempts to murder police officers since the last written statement, with numerous other plots identified and prevented by the Police Service of Northern Ireland (PSNI) and MI5. These included shots fired at police officers during rioting in Londonderry in July of this year. This incident, like many dissident republican terrorist attacks, posed a risk to members of the public in the immediate area as well as the police officers who were targeted while they were working to keep communities safe.

I wish to pay tribute to all the agencies, including the PSNI, MI5 and the bomb disposal teams, who work on a daily basis to keep people safe. In many cases their work can make them the target of dissident republican terrorists. I applaud the work they do across Northern Ireland, their professionalism and the personal sacrifices

that so many of them make in support of this vital work. I also commend the work undertaken by An Garda Síochána, and the excellent relationship they have with their counterparts in Northern Ireland. This has had a significant impact on dealing with the threat. The commitment of such a wide variety of agencies to public service and to the communities they serve, stands in stark contrast to the acts of dissident republicans.

While terrorist attack planning continues, law enforcement pressure has reduced the number of national security attacks. Since the start of 2018 there has been one national security attack, compared to five in 2017, four in 2016 and a total of 16 attacks in 2015 and 40 in 2010. Although there has been a reduction in the overall number of national security attacks in recent years, vigilance in the face of this continuing threat remains essential and the threat level remains

Since October 2017, MI5 has identified a number of violent dissident republican attack plots; two attacks were attempted, but were ultimately unsuccessful, and others were disrupted. This success is in no small measure due to the continued close working between PSNI and MI5, as well as with the authorities in Ireland. Each of the main violent dissident republican groups has suffered significant disruption including the loss of personnel and weapons in the past 12 months. During the past 12 month period (1 October 2017-30 September 2018) in Northern Ireland, there have been 143 arrests under the Terrorism Act, with 16 people subsequently charged. During the same period, 45 firearms, 0.74kg of explosives and 3157 rounds of ammunition have been seized. This pressure, and other interventions, is a barrier to, and a brake on dissident republican activity of all kinds, although I assess that, in the coming months, dissident republican terrorist groups will continue to seek to attack officers from the PSNI, prison officers and members of the armed forces.

As a consequence of violent dissident republicans' actions and intent, the threat from Northern Ireland Related Terrorism in Northern Ireland remains SEVERE, which means an attack is highly likely. In Great Britain, the threat from Northern Ireland Related Terrorism was reduced in March this year from SUBSTANTIAL to MODERATE, which means an attack is possible, but not likely.

The Government have consistently made it clear that terrorism, including Northern Ireland Related Terrorism, will not succeed and tackling it continues to be of the highest priority. We are determined to keep people safe and secure across the United Kingdom. To support this effort over this Parliament we have provided £160 million of additional security funding to the PSNI to tackle the enduring threat from Northern Ireland Related Terrorism. This is significant funding. They recognise the severity of the terrorist threat; it demonstrates our unwavering commitment to the brave men and women in the police and intelligence agencies, and it is helping to keep people safe.

Paramilitary groups, both republican and loyalist, continue to carry out violent criminal attacks against members of their own communities. So far this year there have been 64 such attacks. This includes one paramilitary related death, 16 casualties of paramilitary style shootings and 47 casualties of paramilitary style assaults. The hypocrisy of paramilitary-linked criminals claiming to act to defend their communities from anti-social

behaviour and drug dealing, while at the same time profiting from this activity is not lost on affected communities. They are targeting the most vulnerable members in their communities as they try to exert control and fear.

This Government continue strongly to support ongoing efforts to tackle paramilitarism and organised crime in Northern Ireland through the delivery of the commitments made in the executive's action plan on tackling paramilitary activity, criminality and organised crime. This work is, by design, a collaborative endeavour being taken forward by a partnership of more than 24 organisations, including executive departments, statutory bodies and voluntary and community sector partners. Delivery is being achieved through four connected and mutually reinforcing approaches, aimed at developing long term prevention measures; building confidence in the justice system; building capacity to support communities in transition; and putting in place the strategies and powers to tackle criminal activity. Supporting the move away from paramilitary activity and promoting a culture of lawfulness are key underpinning are providing £25 million over five years to support a Northern Ireland executive programme of activity. This resource is being matched by the executive, giving a total of £50 million. The Independent Reporting Commission (IRC) is charged with reporting on progress towards ending paramilitary activity, and its first report was published on 23 October 2018.

In the last year significant progress has been made. For example, key initiatives already making a difference include outreach programmes aimed at supporting young people in areas particularly vulnerable to paramilitary activity; a programme delivering mentoring support for young men; and one for women aimed at building their capacity to be involved in community transformation. Work also continues on the speeding up justice programme, and the PSNI is working with communities to implement training and interventions in collaborative problem solving, as well as local initiatives to address issues of visibility and engagement. Young people have also been taking part in a programme on lawfulness being run by the Attorney General for Northern Ireland, and a number of other pilot projects on the theme of promoting a culture of lawfulness are being delivered by a range of partners.

In addition, since the Paramilitary Crime Task Force, which comprises the PSNI, the National Crime Agency (NCA) and Her Majesty's Revenue and Customs (HMRC), became fully operational in 2017, it has carried out a number of high profile operations against organised crime groups linked to paramilitaries. During 2017-18 the Task Force carried out over 110 searches and made over 47 arrests, including 44 people charged or reported to the Public Prosecution Service. In addition, 21 paramilitary-related organised crime groups were frustrated, disrupted or dismantled.

Conclusion

In conclusion, the SEVERE threat from dissident republican terrorists remains and paramilitary activity continues to have an impact in certain communities in Northern Ireland. Considerable progress has been made but the need for vigilance remains. There are a relatively small number of people who wish to continue to commit acts of terror and who want to control communities

through violence for their own criminal ends. Through the excellent work of PSNI, MI5 and other law enforcement agencies including An Garda Síochána, we will continue to bring to justice those who seek to cause harm in our society. There never has been, and there never will be any place for terrorism or paramilitary activity in Northern Ireland. We all must play our part so that we can continue to allow Northern Ireland to flourish and ensure a stronger Northern Ireland for everyone free from this harmful and malign activity.

[HCWS1187]

WORK AND PENSIONS

Single Financial Guidance Body Launch

The Parliamentary Under-Secretary of State for Work and Pensions (Guy Opperman): The Department for Work and Pensions is launching the Single Financial

Guidance Body, established under s1 of the Financial Guidance and Claims Act 2018 in January 2019. The new body will deliver money guidance, pensions guidance and debt advice to the public. However, the launch date is in advance of the Department for Work and Pensions Supplementary Estimate 2018-19. This will give the confirming authority of the Supply and Appropriation Act to this expenditure. This will not be published until February, and not authorised until mid-March. In order to continue to provide these services to the public, DWP has therefore requested a Contingencies Fund advance.

Parliamentary approval for resources of £35,000,000 for this new service has been sought in the Supplementary Estimate for the Department for Work and Pensions. Pending that approval, urgent expenditure estimated at £35,000,000 will be met by repayable cash advances from the Contingencies Fund. This sum is equivalent and no different from existing resources.

Once Royal Assent to the Supply and Appropriation Bill is achieved, the advance will be repaid.

[HCWS1192]

Petition

Monday 17 December 2018

OBSERVATIONS

WORK AND PENSIONS

Women affected by changes to the state pension age

The petition of residents of Newport East,

Declares that the 1995 Pensions Act has been implemented unfairly, with little/no personal notice (1995/2011 Pension Acts), faster than promised (2011 Pension Act), and no time to alternative plans; further that retirement plans have been shattered with devastating consequences; and further that hundreds of thousands of women have had significant changes imposed on them with a lack of appropriate notification.

The petitioners therefore request that the House of Commons urge the Government to work with the All Party Parliamentary Group on State Pension Inequality for Women to make fair transitional arrangements for all women affected who have unfairly borne the burden of the increase to the State Pension Age (SPa).

And the petitioners remain, etc.—[Presented by Jessica Morden, Official Report, 1 November 2018; Vol. 648, c. 1202.]

[P002284]

Observations from the Secretary of State for Work and Pensions (Amber Rudd):

Declares that the 1995 Pensions Act has been implemented unfairly, with little/no personal notice (1995/2011 Pensions Acts), faster than promised (2011 Pensions Act), and no time to (make) alternative plans; further that retirement plans have been shattered with devastating consequences; and further that hundreds of thousands of women have had significant changes imposed on them with a lack of appropriate notification.

The petitioners therefore request that the House of Commons urge the Government to work with the All Party Parliamentary Group on State Pension Inequality for women to make fair transitional arrangements for all women affected who have unfairly borne the burden of the increase to the State Pension Age (SPa).

In 1995, after two years of debate in Parliament and following public consultation, the Government brought in a law to equalise men and women's State Pension age (SPa). This increased the earliest age when a woman could claim State Pension (SP) from 60 to 65. The Government planned for the original change to take place over 10 years between 2010 and 2020.

However, life expectancy continued to rise. The Government recognised they needed to make further changes to keep the SP affordable. In 2007 they introduced a law to increase SPa for everyone to 66 by 2026, to 67 by 2036 and to 68 by 2046. In 2011 they introduced another law to equalise men and women's SPa more quickly. The 2011 law also brought forward the increase in everyone's SPa from 65 to 66 by five and a half years.

The 2011 Government's original plan was to bring forward the increase in men and women's SPa from 65 to 66 by six years, so that SPa would reach 66 in

April 2020 rather than April 2026. This meant that some women affected would experience a delay in receiving their State Pension of up to two years, compared to the original 1995 timetable. The Government listened to concerns, and as a result, introduced transitional arrangements, worth £1.1 billion. The revised timetable phases in the transition from 65 to 66 more slowly, so that SPa reaches 66 in October 2020, rather than April 2020. This concession reduced the proposed delay experienced in reaching State Pension age for over 450,000 men and women, and means that no woman will see her pension age change by more than 18 months, relative to the original 1995 Act timetable.

We have considered the alternative options and found there are substantial practical, financial and legal problems to all alternative options that have been suggested to mitigate the impact on those affected.

Reversing the 2011 SPa changes would cost over £30 billion up to the end of 2025/26, whilst returning to a female SPa of 60 would cost over £77 billion by 2020/21. Going back on these changes could also create a new inequality between men and women.

Any amendment to the current legislation which creates a new inequality between men and women would unquestionably be highly dubious as a matter of law.

Further changes to SPa are not justified, particularly given the need to use public money to help those most in need.

Our 'Fuller Working Lives Strategy: A Partnership Approach', published in February 2017, aims to help older workers remain in or return to employment, and to change employer's attitudes. It also sets out the action Government are taking to support older workers to remain in the labour market. There are more people in employment aged 50 years and over than ever before with 10.3 million workers aged 50+; an increase of 1.4 million over the last five years. There are now 4.3 million women aged 50-64 in employment which is an increase of 700,000 over the last five years.

The Government have changed the law to create the right support for our Fuller Working Lives strategy. For example it is now against the law to dismiss someone from their employment just because they reach the age of 65. Employees also have the right to request flexible working as long as they have worked continuously for the company for six months. This means people can agree a work pattern to suit their circumstances.

The Government also support vulnerable people. They spend around £50 billion a year on benefits to support disabled people and people with health conditions, and also provide support to eligible carers through the payment of Carers Allowance.

Since 1995 the Government have gone to significant lengths to communicate SPa changes. Letters were sent to women born between 6 April 1950 and 5 April 1953 from April 2009 to March 2011 informing them of State Pension changes. Those affected by the 2011 SPa changes were written to between January 2012 and November 2013.

Over the last 18 years the Department for Work and Pensions (DWP) has provided over 25 million personalised State Pension estimates. It has encouraged people to request these as part of their long-term financial planning—after all, retirement is a life changing financial decision and people are expected to plan for this.

Following the 1995 SPa changes, the equalisation of men and women's SPa was often reported in the media and debated at length in Parliament. The Department for Work and Pensions (DWP) produced communications materials relating to increases in State Pension age (SPa) for both men and women, and carried out a pension's education campaign between 2001 and 2004. This included information on the future equalisation of SPa. Later DWP sent individual letters to those affected. The Government made further increases to SPa in 2011 after a public consultation exercise and extensive debates in Parliament.

With the Government facing increasing financial pressures, it is simply not justified to reverse these changes, especially when we take into account that women who reached State Pension age in 2016 are estimated to receive more State Pension on average over their lifetime than women ever have before.

We will be making no further changes to the law on this issue. Doing so would mean working-age people, especially younger people, bearing a greater financial burden to support the rising costs of the pensions system.

Ministerial Corrections

Monday 17 December 2018

WORK AND PENSIONS

State Pension Age

The following is an extract from the statement on the State Pension Age on 8 February 2018.

Guy Opperman: Those affected by the 1995 Act changes were sent letters informing them of the change to their state pension age between 2009 and 2011, with letters sent to 1.2 million women. Those affected by the Pensions Act 2011 changes were sent letters between January 2012 and November 2013, which involved sending over 5 million letters with an accompanying leaflet. [*Official Report, 8 February 2018, Vol. 635, c. 1693.*]

Letter of correction from Guy Opperman:

An error has been identified in my closing speech.

The correct information should have been:

Guy Opperman: Those affected by the 1995 Act changes were sent letters informing them of the change to their state pension age between 2009 and 2011, with letters sent to 1.2 million women. Those affected by the Pensions Act 2011 changes were sent letters between January 2012 and November 2013, which involved sending **over 5 million letters. Both lots of letters had appropriate supporting information.**

State Pension: Women born in the 1950s

The following is an extract from the Westminster Hall debate on State Pension: Women born in the 1950s, on 22 November 2018.

Guy Opperman: Cohort life expectancy at birth in Scotland is currently 87 for men and 90 for women, and cohort life expectancy at age 65 in Scotland is currently 19 years for men and 21 years for women. [*Official Report, 22 November 2018, Vol. 649, c. 425WH.*]

Letter of correction from Guy Opperman:

An error has been identified in my closing speech.

The correct information should have been:

Guy Opperman: Cohort life expectancy at birth in Scotland is currently **88 for men** and 90 for women, and cohort life expectancy at age 65 in Scotland is currently 19 years for men and 21 years for women.

BUSINESS, ENERGY AND INDUSTRIAL STRATEGY

Draft Competition (Amendments etc.) (EU Exit) Regulations 2019

The following is an extract from Third Delegated Legislation Committee on 5 December 2018.

Kelly Tolhurst: We have also assessed—working with the CMA, obviously—that the CMA might have to deal with between 15 and 30 extra merger cases over a year.

[*Official Report, Third Delegated Legislation Committee, 5 December 2018; c. 9.*]

Letter of correction from the Parliamentary Under-Secretary of State for Business, Energy and Industrial Strategy (Kelly Tolhurst):

An error has been identified in the response I gave to the Committee:

The correct response should have been:

Kelly Tolhurst: We have also assessed—working with the CMA, obviously—that the CMA might have to deal with between **30 and 50** extra merger cases over a year.

ORAL ANSWERS

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Monday 17 December 2018

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**not later than
Monday 24 December 2018**

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