

**Thursday  
11 April 2019**

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**HOUSE OF COMMONS  
OFFICIAL REPORT**

**PARLIAMENTARY  
DEBATES**

**(HANSARD)**

**Thursday 11 April 2019**

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# House of Commons

*Thursday 11 April 2019*

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

## PRAYERS

[MR SPEAKER *in the Chair*]

## Oral Answers to Questions

### DIGITAL, CULTURE, MEDIA AND SPORT

*The Secretary of State for Digital, Culture, Media and Sport was asked—*

#### Funding for Youth Services

1. **Karen Lee** (Lincoln) (Lab): What recent assessment the Government have made of the adequacy of the level of funding for local authority youth services. [910357]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Mims Davies):** Local authorities are responsible for funding local youth services, and over the next financial year English authorities' funding for public services will increase, from £45.1 billion to £46.4 billion. In this role I have confirmed to the House that we are reviewing the guidance that sets out local authorities' duty to provide appropriate local youth services. In addition, I am delighted to announce that the Government will be developing a new youth charter setting out our vision for supporting young people over the next generation and beyond.

**Karen Lee:** I am a member of the all-party parliamentary group on youth affairs. Evidence submitted to our recent cross-party inquiry into youth work shows that the reduction in publicly funded youth services has led to the voluntary and community sectors being expected to fill the gap left by Government cuts. That has created an increasing reliance on short-term funding and the loss of qualified and experienced youth workers. Will the Minister commit herself to addressing urgently the crisis in long-term funding for youth services?

**Mims Davies:** I thank the all-party parliamentary group on youth affairs, which has produced an excellent report on youth policy and funding. The Office for Civil Society has allocated £195 million to youth programmes, and the offer that my Department makes to enrich young people's lives, through civil society, sport, digital and culture, is very important. The new youth charter gives us a chance to continue looking at all the issues the hon. Lady has raised.

**Maggie Throup** (Erewash) (Con): Youth services come in many different formats. Will my hon. Friend join me in congratulating Long Eaton rugby club on its work with young people—boys and girls—which helps to provide necessary life skills through sport?

**Mims Davies:** I thank my hon. Friend for that point. Local authority spending on youth services has been challenged—it is absolutely right that we accept that. However, we have great local authorities and partnerships that continue to innovate to ensure that the challenging funding landscape is addressed and that the benefits are there for children across all communities.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I do not want to berate the Minister about the lack of resources in youth services, because we know that we do not have as many resources as we used to. Will she follow what we are doing in Huddersfield? We are consulting young people and asking them what they want. Nearly all of them want a safe space where they do not have to drink alcohol, with nice coffee and wi-fi. Is it not about time we supplied young people up and down our country with the safe spaces they want?

**Mims Davies:** The hon. Gentleman makes a very good point. On a Friday evening, what young people want is to be out from the rain and away from parents, with high-speed internet access and the chance to hang out with friends—to be a teenager—and that is very welcome. I met policy officials yesterday, and we will be funding such spaces very shortly. We will update the House soon.

**Mr Philip Hollobone** (Kettering) (Con): In the borough of Kettering there are many independently run and often volunteer-led sports clubs, amateur dramatics groups, scouts, guides and cadet forces—all sorts of organisations. Is it not true that successful and diverse youth engagement does not necessarily require direct local authority control?

**Mims Davies:** I absolutely agree. It is right that we look at the local authority and community facilities that young people would like to engage with, and to reflect the community they live in. In fact, just this week we directed £90 million from dormant bank accounts to the newly established Youth Futures Foundation, which will support some of our most disadvantaged young people into employment. We will be working with all sorts of bodies to ensure that there are opportunities for all young people.

**Cat Smith** (Lancaster and Fleetwood) (Lab): The Opposition welcome the Government's recognition of the importance of youth services with their commitment today to a youth charter. The Minister will be aware that there is a strong economic case for investing in youth services, with Ofsted saying that cuts are "a false economy" leading to "greater pressures elsewhere". We know that the cost of late intervention is estimated to be £17 billion a year. What concrete conversations has the Minister had with her Treasury colleagues ahead of the comprehensive spending review to ensure that the charter is not a no-cheque charter and that there is proper investment in youth services?

**Mims Davies:** As the Minister for youth—that is slightly embarrassing occasionally—I think it is absolutely right to be in a position to work across Government as we head toward the spending review, to make sure that there are opportunities for our young people. With the youth endowment fund we have seen £200 million to support interventions for children and young people

at risk. I absolutely agree that early intervention is right. That is why we have also pledged to review specific youth work qualifications, which were due to expire in 2020, to make sure that the youth work training curriculum is right. That is absolutely on the table.

### Historic Environment

2. **Kerry McCarthy** (Bristol East) (Lab): What discussions he has had with the Secretary of State for Environment, Food and Rural Affairs on the inclusion of the historic environment in the definition of the natural environment in the Environment Bill. [910358]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis):** I am aware that there is strong interest in the way that the Environment Bill relates to the protection of the historic environment. I want to make sure that the heritage agenda and the close interplay between the natural environment and the historic environment are appropriately reflected in that Bill. To that end, I have spoken to the Secretary of State for Environment, Food and Rural Affairs about the matter, and I will be writing to him very shortly.

**Kerry McCarthy:** I am pleased to hear that response from the Minister, because the historic and natural environment often enhance and rely on each other. In my patch, we have the lesser horseshoe bats in Arnos Vale cemetery, the Iron Age hill fort in Leigh woods, and the work being done by the Heritage Lottery Fund in Avalon marshes. The manmade structures—the built environment—enhance and, in some ways, protect the wildlife there. Will he keep us updated on the progress of those discussions?

**Michael Ellis:** The hon. Lady is absolutely right: these things are very closely interrelated. The Bill is specifically a natural environment Bill, but the historic environment is very closely interplayed with that. I have written to the Secretary of State for Environment, Food and Rural Affairs about that. I can confirm what she says about the connection. Of course it applied recently to the inscription of the world heritage site in the Lake District.

**Sir David Evennett** (Bexleyheath and Crayford) (Con): Does my hon. Friend agree that we must do all we can to protect our great historic environment? I also wish to praise the National Trust for all the work that it does in this field, particularly in Bexleyheath where we have the Red House, a National Trust property.

**Michael Ellis:** Very much so. The fact of the matter is that our historic environment is important to us all. It is also a world asset—something that draws millions of people to this country. It is important to respect the environment in all its forms, and the natural environment is supported and enriched by the historic environment.

**Gavin Robinson** (Belfast East) (DUP): When the Minister corresponds with the Secretary of State for Environment, Food and Rural Affairs will he ensure that, prior to doing so, he makes contact with the heritage divisions in England and Scotland, Wales and Northern Ireland to ensure that the Environment Bill, which extends across the United Kingdom, reflects our needs?

**Michael Ellis:** I always want to ensure that all constituent parts of the United Kingdom are involved in these matters, as they of course are in fact as well as in law. I think that I have already written to the Secretary of State—the letter will be signed today—but we will certainly bear in mind what the hon. Gentleman says.

### Online Disinformation

3. **Julie Elliott** (Sunderland Central) (Lab): What recent steps he has taken to tackle fake news and disinformation online. [910359]

**The Secretary of State for Digital, Culture, Media and Sport (Jeremy Wright):** On Monday, my Department, in conjunction with the Home Office, published the Online Harms White Paper, which sets out our plans for a new regulatory framework for online harms underpinned by an independent regulator. As part of that framework, the regulator will publish a code of practice to ensure that platforms take proportionate steps to tackle the issue of disinformation and other forms of online manipulation.

**Julie Elliott:** I thank the Secretary of State for that answer. I also welcome the White Paper. The Digital, Culture, Media and Sport Committee, on which I serve, took a lot of information on the threat to our democracy; the White Paper is not silent on that, but it is not very talkative about it. Will he outline what steps the Government plan to take to protect our democracy?

**Jeremy Wright:** The hon. Lady is right: it is an important area. The Select Committee has done very good work in drawing attention to it. As I made clear on Monday in my statement to the House, we should not see the Online Harms White Paper as the only part of the Government's response in this area; there will be other important components to it. One of those that will cover the area that she describes will be the work that the Cabinet Office is doing, which I hope we will see very shortly.

**Hannah Bardell** (Livingston) (SNP): Any regulator will be effective only if it has proper sanctioning powers with teeth. With tech companies turning over billions of pounds of profits and creating untold online harm, particularly to our young people, will the Secretary of State give more information about what kind of sanctioning powers—especially financial sanctions—the regulator will have? Will he give us an idea of what he will do to make sure that companies get in line?

**Jeremy Wright:** The hon. Lady is right that the sanctions available to the regulator will be important here. The White Paper includes a number of options. We will want to look at remedial notices and at fines, potentially comparable to General Data Protection Regulation fines, which, as she knows, are very substantial indeed. We will also want to consider individual director liability and, at the top end of the scale, internet service provider blocking for those websites that refuse to co-operate with what the regulator requires.

**Liam Byrne** (Birmingham, Hodge Hill) (Lab): The rocket fuel for fake news and disinformation is the tidal wave of dark money flowing into dark ads that are

targeted with psychographic precision. Vote Leave has admitted breaking the rules—cheating by pumping in way over the odds during the referendum campaign—but the Secretary of State has done nothing to ensure that we have the transparency we need ahead of a possible second referendum. Will he think again and bring in the honest ads Act we have proposed, so we can finally see who is paying for what—not least the dark ads targeted at Members of this House?

**Jeremy Wright:** As I am sure the right hon. Gentleman will recognise, it is important that the Government act collectively on this matter. As I indicated to the hon. Member for Sunderland Central (Julie Elliott), we will shortly see some work by the Cabinet Office, which will deal with some of the questions around transparency that he perfectly fairly raises. However, I hope he will also accept that this Government have given the Information Commissioner additional powers to enable her to take the sorts of actions that he would wish to see taken. Of course, it is for the Electoral Commission and the Information Commissioner to act in these spaces.

### Public Libraries

4. **Matt Western** (Warwick and Leamington) (Lab): What recent assessment he has made of the effect of access to public libraries on social mobility. [910360]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis):** Nearly 3,000 public libraries in England received 195 million physical visits in 2017-18. That is more than all the visits to premier league football games, to cinemas and to English Heritage sites combined—and perhaps even more than to tennis matches, Mr Speaker. Everyone uses public libraries, and everyone is involved in the social mobility aspects of those libraries. It is crucial that we support them so that they give opportunities to improve the life chances and achieve the full potential of everyone.

**Matt Western:** Andrew Carnegie, the great Scottish-US philanthropist, once stated:

“A library outranks any other one thing a community can do to benefit its people. It is a never failing spring in the desert.”

However, since 2010, 605 libraries have closed in England, Wales and Scotland, and 15 of the 34 in Warwickshire have closed. Through their cuts to revenue support grant, are this Government not deserting our communities?

**Michael Ellis:** I do not accept the hon. Gentleman’s claim. The fact is that this Government are supporting local government in its work. Local government has a responsibility under the Public Libraries and Museums Act 1964 to maintain libraries and provide a comprehensive and efficient library service. The Department for Digital, Culture, Media and Sport’s Taking Part survey found that libraries are used by all parts of our society. They are supported by this Government and this Department.

12. [910368] **Robert Halfon** (Harlow) (Con): Will my hon. Friend support the campaign by the *Daily Express* to save our libraries? Will he also protect Harlow? Essex County Council is threatening to close libraries across my constituency despite having nearly £250 million in reserves.

**Michael Ellis:** I am aware of what is happening in Essex—my right hon. Friend wrote to me about that—and I am aware of the recent consultation by Essex County Council on proposals for its library service. DCMS is monitoring Essex County Council’s compliance with its duty. I can tell my right hon. Friend that, should DCMS receive a complaint following a final decision by the council, it will look very carefully at whether it is failing to meet its statutory duty.

**Mr Dennis Skinner** (Bolsover) (Lab): Will the Minister also have a word with the people running Derbyshire County Council? They issued a statement in which they said almost every public librarian is going to lose so many hours per week. On top of that, 20 libraries in Derbyshire are due to close completely. Will he have a word with them? It is a Tory county council.

**Michael Ellis:** There are county councils of different colours that, clearly, are dealing with the issues the hon. Gentleman refers to. I do not accept what he says about these facts. Libraries need to be supported by all local authorities. Local authorities have a statutory duty under the 1964 Act, and the Department will continue to monitor those duties.

### Music Education in Schools

5. **Tracy Brabin** (Batley and Spen) (Lab/Co-op): What recent discussions he has had with the Secretary of State for Education on the provision of music education in schools. [910361]

**The Secretary of State for Digital, Culture, Media and Sport (Jeremy Wright):** The opportunity to participate in music, art and drama can be transformative for young people’s self-confidence, mental health and life chances. That is why this Government will invest £500 million in cultural education between 2016 and 2020. We are in regular discussions with colleagues at the Department for Education. The Minister for Digital and the Creative Industries and the Minister for School Standards recently co-hosted a roundtable with the music industry to discuss music education.

**Tracy Brabin:** UK Music and the Musicians Union have recently revealed that children in households where the income is £28,000 are half as likely to learn an instrument as children in families that earn £48,000. We know, and I am sure the Secretary of State will agree, that the ability to participate in music is a gift. Will he tell us when the national plan for music will be refreshed so that students in state schools can participate in music?

**Jeremy Wright:** The hon. Lady is right: it is important that all pupils have this opportunity. She will know that for pupils aged between five and 14, music is a part of the national curriculum. It is important that all children, whatever their backgrounds, have these opportunities. As she knows, we are working on a non-statutory-model music curriculum, in conjunction with some expert advisers, for key stages 1 to 3. We hope that that will be ready for introduction in the autumn term of this year.

Several hon. Members *rose*—

**Mr Speaker:** Order. We almost certainly will not reach Question 16, but with modest dexterity the right hon. Member for Chipping Barnet (Theresa Villiers) could perfectly legitimately shoehorn her own inquiry into the current question.

16. [910373]**Theresa Villiers** (Chipping Barnet) (Con): Does the Secretary of State recognise that the UK music sector is hugely successful across the world, and that part of ensuring that continued success is the strength of music in our schools, which makes this a hugely important issue for our economy as well as for people's life chances in learning music?

**Jeremy Wright:** Yes, I do agree with my right hon. Friend. Of course, as she knows, the creative industries more broadly are some of the fastest-growing sectors of our economy. We should be proud of that and encourage that development.

**Kevin Brennan** (Cardiff West) (Lab): Mr Speaker,

"Too many politicians are being told a message that is glossy and bears little relation to the reality of what is going on."

That is what an instrumental teacher told the Musicians Union in its recent report on music education, "The State of Play". Music teacher training places are down from 850 to 250 per year since 2010, teaching staff are declining year on year, exam entries are down, and, as my hon. Friend the Member for Batley and Spen (Tracy Brabin) said, there is a worsening class divide in learning an instrument. When will the Secretary of State drop the glossy rhetoric about the Government's record on music education that is so out of tune with reality?

**Jeremy Wright:** No one doubts the hon. Gentleman's commitment to music in this House, and he is right to be so committed, but he will get no glossy rhetoric from me: what he will get is facts, so let me give him some more. My reference to £500 million-worth of investment includes £300 million in music education hubs, which have so far reached 89% of schools. He will also know that 10% of the funding allocation for those hubs is based on the number of pupils in the area eligible for free school meals, so we are doing something to ensure that this kind of education reaches the right people.

**Mr Speaker:** The hon. Member for Cardiff West (Kevin Brennan) is not merely committed to music; I think people should be aware that he is a distinguished member of MP4—the parliamentary rock band, no less, which has performed with considerable distinction in Speaker's House and elsewhere. People should know that—it is very important.

**Jeremy Lefroy** (Stafford) (Con): In Staffordshire, Entrust Music Service and Friends of Staffordshire's Young Musicians do an excellent job in bringing music tuition and music performance to young people, but we need to do a lot more. Will the Secretary of State meet me and others to discuss how we can ensure that the money that is going in is translated into reality, particularly for children in families on low incomes, as mentioned by the hon. Member for Batley and Spen (Tracy Brabin)?

**Jeremy Wright:** Of course I will happily meet my hon. Friend to discuss this. He is right—there is always more that we can do. As I said in my initial answer, it is right

to look not just at music but at art and drama, too. As he will know, the Government are also taking action in those spaces to make sure that more young people who do not yet have these opportunities are given them.

### Public Libraries

6. **Mary Creagh** (Wakefield) (Lab): What recent assessment his Department has made of the adequacy of internet access in public libraries. [910362]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis):** DCMS invested £2.6 million to install and upgrade free wi-fi in public libraries across England. I am pleased to say that over 99% of public library buildings now provide internet access. I was delighted to visit Wakefield and see the wonderful Theatre Royal, the Hepworth gallery and the Yorkshire sculpture park.

**Mary Creagh:** What a treat the Minister must have had in Wakefield. I urge hon. Members to visit during our wonderful year of sculpture which will start at the end of June.

We have lost three libraries in Wakefield, and across Yorkshire and the Humber we have lost more than 530 computers. So as the jobcentres are closing, we are seeing a digital exclusion double whammy. The disabled are not able to apply for jobs and universal credit, children in temporary accommodation have nowhere to do their homework, and asylum seekers at the initial accommodation centre in Wakefield have real difficulty getting internet access to register with the Home Office. Will the Minister look at provision in Wakefield?

**Michael Ellis:** I am always happy to look at these matters, but of course the facts are that over 99% of public library buildings now have internet access, and we have invested over £4 million on innovative library projects to improve people's digital skills, literacy, health and wellbeing. Many millions of pounds are going into that topic, but we will remain alive to those issues.

**Sir John Hayes** (South Holland and The Deepings) (Con) *rose*—

**Mr Speaker:** Oh! When one looks at the right hon. Member for South Holland and The Deepings, one thinks not of digital, media or sport, but unfailingly of culture. I call the right hon. Gentleman.

**Sir John Hayes:** In that spirit, Mr Speaker, Marcel Proust said:

"There are perhaps no days of our childhood that we lived as fully as...the days we spent with a favourite book".

Getting children into libraries is critically important not only for the health of those libraries, but for the development of our collective futures. Will the Minister, the nation's librarian, confirm that he intends to begin a new initiative to bind schools and libraries together so that we can allow more children, particularly from disadvantaged homes, to enjoy the benefits of books?

**Michael Ellis:** I am very flattered by my right hon. Friend's question, and he makes an important point. The interplay between schools and libraries is a long-lasting

one. It enriches lives and we want to promote it at every possible opportunity. We do that by encouraging the wide use of libraries by all sections of society, and I am pleased to confirm that libraries are used by more people across all socioeconomic groups and parts of our society than any other cultural form. He is right to quote Proust, as of course he always is.

### Leaving the EU: Creative Industries

7. **Matt Rodda** (Reading East) (Lab): What assessment he has made of the effect on the creative industries of the UK leaving the EU. [910363]

8. **Janet Daby** (Lewisham East) (Lab): What recent assessment he has made of the effect on the creative industries of the UK leaving the EU. [910364]

**The Minister for Digital and the Creative Industries (Margot James):** The effect of leaving the European Union on the UK creative industries will depend on the manner of our departure. We are engaging with businesses up and down the country, including small and medium-sized enterprises, to understand their concerns and to ensure that they are aware of Government advice, and we will continue that engagement. The UK's creative and cultural industries are respected the world over. They are an economic powerhouse, exporting services that were worth £27 billion in 2016, and we are determined to continue our support for them.

**Matt Rodda:** I thank the Minister for her answer. Is she aware of the scale of the concern in the Thames Valley, which is an important centre for both the IT and creative industries? When will she be able to reassure local small businesses that are thinking of relocating to the EU that the Government have a realistic plan for Brexit?

**Margot James:** I am very aware of the businesses in the sectors that the hon. Gentleman describes—and not just in his area—and their concerns. We are doing our best to reassure them about access to capital and talent post-Brexit, and we are well aware of their concerns.

**Janet Daby:** UK creatives who want their trademarks protected in the EU rely on attorneys based in EEA countries. A trademark attorney in my constituency has contacted me with concerns about the lack of clarity in the framework that will allow him to continue representing his clients after Brexit. That threatens his business. Can the Minister reassure my constituent and the £268 billion creative industries that the EU intellectual property regime will continue to apply after Brexit and, if not, what is the plan?

**Margot James:** I assure the hon. Lady that the Government take intellectual property very seriously indeed, and we will ensure that globally leading protections are in place as we leave the European Union.

**Rebecca Pow** (Taunton Deane) (Con): Many grassroots music venues such as CICIC—Creative Innovation Centre CIC—in Taunton are wonderful places for bringing forward the talent going into our creative industries, yet they are suffering because they have to pay such high

business rates. Will my hon. Friend meet me to discuss whether they could have lower rates, like many of our retail outlets and pubs?

**Margot James:** My hon. Friend makes a very good point indeed. She would be well advised to raise those issues with the Treasury. We are in discussions with the Treasury on those matters, but we are doing a great many other things to support grassroots music venues, including through agent of change proposals and scrapping form 696, all of which have had a beneficial effect, certainly in the London area.

**Mr Gregory Campbell** (East Londonderry) (DUP): Post our departure from the EU, will the Minister ensure that she takes every possible step to maximise our opportunities in the creative industries sector right across the United Kingdom and not just in the south-east?

**Margot James:** I assure the hon. Gentleman that we take on those responsibilities, and he will be pleased to hear that I spend more of my time focused on the creative industries outside London and the south-east. We have national skills programmes in the north-west and elsewhere in the United Kingdom, and I am sure that we shall support the creative industries in the Northern Ireland, which are doing such a fantastic job, equally.

### Digital Skills: Elderly in Rural Areas

9. **Chris Davies** (Brecon and Radnorshire) (Con): What steps his Department is taking to help elderly people in rural areas learn digital skills. [910365]

**The Minister for Digital and the Creative Industries (Margot James):** Some 75% of those in this country with no digital skills are aged 65 or above. My Department has launched the digital inclusion innovation fund, which is designed to tackle digital exclusion, particularly among older people and people with disabilities. The Government are tackling digital exclusion by giving people the skills they need through the future digital inclusion programme. To date, the programme has supported 1 million adults to develop their basic digital skills.

**Chris Davies:** In order for elderly people in rural areas to learn digital skills, they must first be able to access the internet. Will my hon. Friend confirm what progress is being made in getting all rural areas connected to the internet?

**Margot James:** I can certainly reassure my hon. Friend on that. We have spent almost £2 billion on bringing superfast broadband to 96%-plus of UK premises and are continuing to deliver in rural and remote parts of the UK. We have just launched the £200 million rural gigabit connectivity programme to ensure that no areas are left behind when it comes to the roll-out of gigabit speeds, which will be of particular value to older people in Wales and other rural parts of the country.

13. [910369] **Rosie Cooper** (West Lancashire) (Lab): In December, Ofcom recommended that 40% of video-on-demand content should be provided with subtitles within two years and 80% within four years. Will the

Minister say whether she is prepared to introduce secondary legislation to ensure that that is done within a decent timeframe?

**Margot James:** The hon. Lady is quite right: on-demand programme services need to catch up. The Ofcom proposals were made at the end of last year and are receiving consideration by my Department. In the meantime, best practice guidance has been introduced. It is voluntary at the moment, but for example Netflix has made 100% of its content available with subtitles.

### Society Lottery Reform

10. **Sir Henry Bellingham** (North West Norfolk) (Con): When he plans to publish a response to the public consultation on society lottery reform. [910366]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Mims Davies):** Society lotteries are a vital source of fundraising for charities in this country, raising £300 million for good causes in 2018. Since the consultation on society lotteries reform closed, I have held many meetings with colleagues and stakeholders who reflect all sides of the debate. That process, alongside the consultation, is shaping what I intend to be a fair, balanced and future-proof package of measures that will enable all lotteries to thrive.

**Sir Henry Bellingham:** I am grateful to the Minister for that reply, but does she agree that there is now overwhelming evidence that increasing the maximum prize for society lotteries to £1 million will have zero impact on the national lottery?

**Mims Davies:** I thank my hon. Friend for his question. I know he feels passionately about the work of society lotteries in supporting important causes in his constituency and across the UK. I am delighted to say that I hope to be able to respond formally to the consultation on the points he raised by the summer recess.

**Jim Shannon** (Strangford) (DUP): Will the Minister underline the importance of ensuring that any money set aside for administration is at an acceptable level? If something pertains to be a society lottery, the majority of its money should go to its projects and not be swallowed up in administration fees.

**Mims Davies:** I thank the hon. Gentleman for that point—transparency about the money that goes to good causes is important, and it is no secret that I have ensured that transparency in this sector is a priority going forward.

### Visitors to the UK

11. **Giles Watling** (Clacton) (Con): What assessment he has made of the attractiveness of the UK as a visitor destination. [910367]

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis):** The UK is an incredibly attractive destination for visitors, and we scored third overall top nation in the Anholt nation brands index. London was recently rated the best destination in the world by TripAdvisor. The west end is one example

of a huge hit for visitors to the UK and London, and in 2018 audiences exceeded 15.5 million and generated box office revenue of more than £765 million—both record figures.

**Giles Watling** (Clacton) (Con): I thank my hon. Friend for his answer, but if I may, I would like to bring it to a more parochial level. The sunshine coast of Clacton has a proud history as a visitor destination. We had a Butlin's and we have glorious sands. As a rural community we have often been overlooked by Government initiatives in the past. What can my hon. Friend do to assure me that that will not be the case in the future?

**Mr Speaker:** Go to Clacton man, for goodness' sake.

**Michael Ellis:** The Butlin's in Clacton is on my list, Mr Speaker. I very much appreciate rural and coastal areas and understand their value. The local county council received more than £600,000 of coastal communities funding for Clacton and the Essex coast, and this January Clacton pier received £50,000 from the same fund for the "Jolly Roger" project—[*Laughter.*] That is actually what it is called. That project is supported in Clacton, and we will do everything we can to continue that.

**Mr Speaker:** We all look forward to seeing photographs of the Minister in Clacton with his bucket and spade.

### Topical Questions

T1. [910375] **Bob Blackman** (Harrow East) (Con): If he will make a statement on his departmental responsibilities.

**The Secretary of State for Digital, Culture, Media and Sport (Jeremy Wright):** I wish to draw the House's attention to a written ministerial statement that I am making this morning. As the House will be aware, on 10 January News UK submitted an application to vary certain conditions that were put in place in 1981 by the then Secretary of State for Trade. The proposed changes will allow *The Times* and *The Sunday Times* to share journalistic resources, subject to the agreement of each newspaper's editor. I have reviewed the case, and I am minded to accept News UK's application. However, in considering the proposed new undertakings as a whole, I noted that the existing governance arrangements agreed in 1981 could be clearer and more certain regarding some roles and responsibilities. I have therefore asked my officials to consider those questions further with News UK before agreeing the application, and the full detail will be set out in the written ministerial statement.

**Bob Blackman:** Harrow Council has raised the rents of uniformed youth groups from £300 a year to a massive £3,000 a year, which will undoubtedly lead to youth organisations closing down. At a time of rising knife crime and real concerns in the community about what young people do, does my right hon. Friend agree that that is a desperate attack on youth organisations?

**Jeremy Wright:** I very much agree with my hon. Friend. It is extremely important that youth organisations, particularly the uniformed youth organisations that he describes, have the opportunity to do their important work, which includes helping young people to stay away

from knife crime. How they choose to approach that is, of course, a matter for local authorities, but my hon. Friend will know that the Government have ensured additional funding for uniformed youth organisations which, in our view, is the right thing to do.

**Tom Watson** (West Bromwich East) (Lab): Mr Speaker, it is great to see you looking so jolly this morning.

Yesterday, I met a young woman who racked up a crippling debt of over £100,000 using nine different credit cards in just two days while gambling online. The operators that took her bets, LeoVegas and Casumo, should be held responsible for their disgraceful conduct. Will the Secretary of State agree to meet the young gambler? Does he agree with me that it is time to ban credit card gambling? No one should go into debt to place a bet.

**Jeremy Wright:** I have a good deal of sympathy with what the hon. Gentleman says and huge sympathy with those who find themselves in the position of the individual he describes. I will of course meet her. Indeed, I will try to meet others who have been affected by this kind of gambling. It is important that not just gambling companies but all of us take an interest in the way in which this kind of problem gambling is developing. It is very clear that those who are gambling with money they do not have find themselves very quickly in very serious trouble. He will know that the Gambling Commission is at the moment looking at the specific question of gambling on credit. That is a process we have encouraged. I look forward very much to its conclusions. The Government intend to take action on the back of what it says.

T2. [910376] **Sir John Hayes** (South Holland and The Deepings) (Con): I recall, in bygone years, the fun my father had completing his pools coupon. That stands in stark contrast with the sinister attempts of corporatist, globalist gambling firms to bypass the new restrictions on fixed odds betting terminals. Will the Minister meet me and others to discuss how we can revitalise the football pools, perhaps by cutting duty on this family fun?

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Mims Davies):** My mum was a big fan of doing the pools, an opportunity many people took. We have rightly taken decisive action. From the start of this month, the FOBT stake has been cut. We have been absolutely clear that harm around gambling is not confined to one product. We will always look at where there is harm and act where we see it. We want responsible business. I will of course meet my right hon. Friend to discuss his concerns.

T3. [910377] **Jo Stevens** (Cardiff Central) (Lab): Does the Secretary of State agree with the Foreign Secretary when he said last week:

“Democracy and freedom of expression means nothing unless journalists are able to expose the truth?”

How does that square with the arrest of two members of the National Union of Journalists, Trevor Birney and Barry McCaffrey, for their role in making the award-winning documentary “No Stone Unturned” which exposes the truth about the police’s protection of the killers involved in the Loughinisland massacre towards the end of the troubles in Northern Ireland?

**Jeremy Wright:** I agree with what the hon. Lady says. It cannot be more important that journalists in this country and abroad have the opportunity to report what is happening. We have discussed already this morning the question of disinformation, of which there is too much. A large part of the answer to disinformation is good quality, well researched journalism produced by those who are free to do it. We must defend their rights at every opportunity.

T8. [910382] **Bill Grant** (Ayr, Carrick and Cumnock) (Con): Does my right hon. and learned Friend agree that we must protect our children and young people from the wicked and dark side of social media? The Online Harms White Paper must, without fail, lead to legislation that is wide-ranging, robust and effective.

**Jeremy Wright:** Yes, I do agree with my hon. Friend. He will have recognised from the White Paper that what we believe will be necessary to provide for a duty of care for online companies, and for an online regulator to enforce it, is primary legislation. I look forward to his support and, I hope, support right across the House for that legislation.

T4. [910378] **Gareth Snell** (Stoke-on-Trent Central) (Lab/Co-op): The Minister will, I am sure, be aware of the work done by the Industrial Communities Alliance and my hon. Friend the Member for Ashfield (Gloria De Piero) to demonstrate the disproportionate nature of areas that play the national lottery and areas that subsequently receive lottery funding for community projects. What work is he doing with Camelot to ensure that small towns, small cities and industrial communities feel the benefit of the lottery that they play?

**Mims Davies:** The national lottery has raised over £39 billion for good causes since 1994, funding projects in every constituency throughout the UK. It is my job, as we move into the fourth licence, to ensure that it thrives for the next 25 years. The opportunity to re-engage with communities and the public is there for us. If there is a particular concern relating to the hon. Gentleman’s constituency, I will be happy to take it forward to the national lottery.

**Mrs Pauline Latham** (Mid Derbyshire) (Con): What steps is the Department taking to encourage consortiums of arts organisations to work together with local authorities on applications to the cultural development fund to help local culture’s potential and the visitor economy?

**Jeremy Wright:** My hon. Friend will know that in relation to the cultural development fund, five local areas will receive a share of £20 million. We believe that that is hugely important for the reasons that she gives. We expect it to create more than 1,300 new jobs across the country and, as she rightly says, to boost tourism and inward investment.

T5. [910379] **Julie Elliott** (Sunderland Central) (Lab): The roll-out of broadband has been patchy to say the least, with some people getting duplication and some getting no coverage at all. What steps will the Government take to ensure that the roll-out of superfast fibre optic broadband does not have the same problems?

**The Minister for Digital and the Creative Industries (Margot James):** We published our future telecoms infrastructure review last year and we are now implementing it. We are about to launch the £200 million rural gigabit programme at the end of the month, which will help rural areas. Companies are now vying with one another in competition to secure cities and towns to connect full fibre to premises.

**Nigel Huddleston (Mid Worcestershire) (Con):** I warmly welcome today's announcement of a youth charter, and the Minister knows that it will get my wholehearted support. Will she confirm the remit of the charter? Will it, for example, have a cross-departmental focus?

**Mims Davies:** I thank my hon. Friend for the work that he has done to push this forward while in our Department. It is absolutely vital that this works across Government, and this is what we have seen through the Prime Minister's knife crime and serious youth violence summit. It is absolutely right that we make sure that the help for our young people is set out very clearly in the charter and that we listen to people who know what our young people want; that means young people and people working cross-Government in the sector. I will be delighted to work with my hon. Friend on this issue.

T6. [910380] **Mike Amesbury (Weaver Vale) (Lab):** Over recent weeks, we have seen a number of shocking incidents of racism at football matches at both elite and grassroots levels. What action are the Government taking to ensure that we stamp out racist abuse at every level of the game?

**Mims Davies:** I thank the hon. Gentleman for raising this issue in the Chamber. There will be a further Government statement this morning on this issue. Football cannot be used as a cloak for racism and intolerance. This is a sign that players, fans, and this Government have had enough—so stop it. It is absolutely right that players can take the right action. We should stand with them, and I look forward to saying more on this later this morning.

**Robert Courts (Witney) (Con):** West Oxfordshire District Council does a fantastic job telling the world about the natural wonders of the Oxfordshire Cotswolds. What are Ministers doing to ensure that more tourism investment comes to rural areas such as mine?

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Michael Ellis):** My hon. Friend's constituency and many others are rich in tourism offer. The economy benefits enormously from tourism. Tourism saw its best year ever in the 2017 period and it continues to do extremely well. He and others in similar constituencies promote the rural offer of the beauty of the natural environment across the world and we will continue to do that.

T7. [910381] **Carolyn Harris (Swansea East) (Lab):** On the very day that the stake reduction on fixed odds betting terminals was introduced, we discovered that the bookmakers had found a way to bypass that reduction. What promises can the Secretary of State make that the industry will not be allowed to do that in pursuit of further exploitation?

**Jeremy Wright:** I agree with the hon. Lady. The actions of those who tried to find a way around the procedures banning the things that we across this House have decided should be banned were disgraceful. What happened thereafter, as she knows, is that the regulator took immediate action and those particular products were withdrawn. I hope that that lesson will be learned by all those across the industry who are tempted to try it again.

**Kevin Hollinrake (Thirsk and Malton) (Con):** I was one of 80 parliamentarians who wrote to the Secretary of State recently to press the case for requiring mobile phone operators to allow roaming across their networks in rural areas. Will he support those calls?

**Jeremy Wright:** Yes. I am grateful to my hon. Friend and, indeed, to other colleagues who wrote to me. As he knows, my view is very simple: we must get to a place where rural coverage is better than it is. All of us and the mobile network operators have an obligation to achieve that. If it cannot be done any other way, I am perfectly prepared to entertain rural roaming as a way in which it might be done.

**Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op):** Will the Secretary of State look favourably at the opportunities presented by 5G connectivity on the train line in Devon and Cornwall? If our train journeys are to be long, can he at least help us to make them productive?

**Jeremy Wright:** I agree with the hon. Gentleman. As he knows, mobile coverage on train lines at the moment is based substantially on wi-fi coverage—about 85% of trains now have wi-fi coverage, including, I think, the GWR service from London to Penzance. However, 5G gives us the opportunity to do better. He will be aware of the technical challenges in providing the lineside equipment that we need to make the system work properly. We are investing time and effort with Network Rail to develop that technology in a test-track facility. I hope it will bear fruit.

**Stephen Kerr (Stirling) (Con):** Tourism and hospitality are vital sectors for Stirling's economy. When can we expect to see a tourism and hospitality sector deal?

**Michael Ellis:** The tourism sector deal is being closely worked on; it is something we have been working on for some time. It is extremely productive, and the tourism sector itself has been working to make it as productive as possible. It is a reflection of the value of tourism to our economy that it has been given priority in Government over many other sectors, and we are continuing to work on it to produce a result as soon as possible.

**Gavin Newlands (Paisley and Renfrewshire North) (SNP):** As you will know, Mr Speaker, Scotland has made a hugely disproportionate contribution to British tennis, be it the Murrays, Leon Smith or Gordon Reid—I could go on. However, Tennis Scotland has struggled to capitalise on a membership that has doubled in recent years, because Scotland, despite all the success I have just listed, and despite having 8.4% of the UK population, only receives less than 1% of the Lawn Tennis Association's revenue funding. Does the Minister think that that is fair and equitable?

**Mims Davies:** I had the pleasure recently of sharing a platform with Judy Murray and staff from the new women's sport section of *The Daily Telegraph*. She spoke about the "lady in the van" tennis club that she ran around Scotland to support grassroots tennis. It is absolutely right that the governing body continues to work from the top to support those doing so much from the bottom. I am happy to speak more about that at some point and to support tennis to grow and create more Andy Murrys and, indeed, all Murrys.

**Mr Speaker:** And, of course, Judy Murray, to her huge credit is promoting the Park of Keir project, which I, for one, and many others, enthusiastically support.

**Rebecca Pow** (Taunton Deane) (Con): I support anything to do with tennis, Mr Speaker, as you know.

I was heartened to hear the Secretary of State's comments just now about mobile roaming. A recent survey highlighted that a third of all rural buildings have either no mobile coverage or poor coverage. At a time when we are trying to get more small and medium-sized enterprises in rural areas, when we have an increasingly elderly population and when tourism is so important, is it not a disgrace that we should have such a divide between urban and rural? I am sure the Secretary of State understands that we must address that.

**Jeremy Wright:** I do, and we will.

**Ruth George** (High Peak) (Lab): Food banks are like the fourth emergency service, especially in rural areas such as mine. High Peak Foodbank has helped over 1,000 people this year, but it is no longer funded by the lottery. What assessment has the Minister made of the impact of the lottery's decision on food banks and the vulnerable people who need them?

**Mims Davies:** As the lotteries Minister, that is not something I am aware of. I am happy to hear more from the hon. Lady and to engage with the national lottery on this issue. We need to make sure there is appropriate funding, and it is great that the national lottery reaches into many communities, helping people broadly. I am happy to take away this issue and the challenge to look across Government and work with colleagues.

**Mr Speaker:** Order. We must move on to questions to the Attorney General.

## ATTORNEY GENERAL

*The Attorney General was asked—*

### CPS: Mental Health

1. **Alex Chalk** (Cheltenham) (Con): What steps the Crown Prosecution Service is taking to support defendants with mental health issues. [910345]

**The Solicitor General (Robert Buckland):** The Crown Prosecution Service has a duty of fairness to all defendants, including people with mental health issues. In March it launched a public consultation on revised guidance for prosecutors dealing with defendants with mental

health issues. It welcomes responses to the consultation to ensure that its published legal guidance gives the best possible help to prosecutors dealing with such cases.

**Alex Chalk:** A fair trial is one in which the defendant can follow the proceedings and advance his defence, and the CPS, as an administrator of justice, will want to ensure that that remains the case. What steps is it taking to engage with experts to ensure that defendants are best placed to have a fair trial?

**The Solicitor General:** My hon. Friend, who has a considerable and distinguished history with regard to the prosecution of serious offences at the Bar, will know that it is vital for experts in the field to be consulted. As part of the consultation, different criminal justice diversions are being considered for some defendants with a range of mental illnesses. I should point out that although autism and other disabilities are included in that consideration, they are not mental illnesses but lifelong conditions. I think that that distinction needs to be drawn very carefully indeed.

**Mary Creagh** (Wakefield) (Lab): I had to intervene with the CPS in the case of a young man in Wakefield who suffered from attention deficit hyperactivity disorder. I am happy to say that he has now received the treatment that he needed, and that the CPS was very compassionate. However, research shows that people with ADHD are disproportionately present in the criminal justice system. Will the Solicitor General work with the CPS and experts on the public health White Paper to ensure that young offenders who are disproportionately represented, and who are also likely to have higher reoffending rates, are systematically screened?

**The Solicitor General:** I welcome the hon. Lady's reference to ADHD. In my professional experience, that condition, connected with communication disorder, is often very prevalent among young offenders in the criminal justice system. As part of the consultation, work will be ongoing to ensure that prosecutors have a greater awareness of the condition when they consider the merits of prosecution.

## Sexual Offences

2. **Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): What recent discussions he has had with the Director of Public Prosecutions on ensuring more effective prosecutions of cases involving rape and other sexual offences. [910346]

10. **Thangam Debbonaire** (Bristol West) (Lab): What recent discussions he has had with the Director of Public Prosecutions on ensuring more effective prosecutions of cases involving rape and other sexual offences. [910354]

**The Solicitor General (Robert Buckland):** The CPS has undertaken extensive work to ensure that specialist prosecutors are fully equipped to deal with the particular complexities of such cases, and I engage with it regularly about this topic. In March the Government announced a review of how the criminal justice system responds to rape and serious sexual offences. The CPS supports the review, and is committed to working closely with the police and others to address any issues highlighted by it.

**Luke Pollard:** Is there any guidance for the police or the CPS on access to victims' data? It concerns me that victims of sexual abuse and rape are being subjected to trawls of their personal data—counselling, school and work data—before the CPS considers taking up their cases.

**The Solicitor General:** The hon. Gentleman has raised an important point. A natural and anxious debate is taking place about disclosure, but I can reassure the hon. Gentleman—and, indeed, all complainants and victims of crime—that “reasonable lines of inquiry” does not mean a reckless trawl through the private lives of entirely innocent individuals. That is not a good use of resources, and it is not what we are encouraging. We need a far more targeted line of inquiry, in accordance with both the law and the code of practice.

**Thangam Debbonaire:** Intimate partners and ex-partners are the largest single category of perpetrators of rape and sexual assault, which, in my experience of working with abusive men, are linked to outdated and, frankly, illegal attitudes to sex in relationships. What discussions is the Solicitor General having with his colleagues in the Department for Education about the content of the curriculum for relationships and sex education in schools?

**The Solicitor General:** I pay tribute to the hon. Lady for the work that she has done on this issue in the past. She is absolutely right to talk about the input of the Department for Education. I was delighted that the House overwhelmingly passed the new regulations on personal, social, health and economic education, because they deal with relationships properly, and will help young people to understand at an early age what that means and what their responsibilities are. I will continue to have conversations with colleagues in the DFE, and also, importantly, to ensure that the myth-busting that is already being delivered by judges and prosecutors in Crown court trials continues, so that jurors—along with everyone else who is involved in the system—do not have outdated misconceptions about these appalling crimes.

12. [910356] **Theresa Villiers** (Chipping Barnet) (Con): Millions of people in this country carry smartphones, which collect a huge amount of information on their activities. Will the Government take urgent action to ensure that the criminal justice system gets better at analysing that information? Otherwise, we will see many more collapses of trials.

**The Solicitor General:** My right hon. Friend is right to raise this issue. She will be glad to know that, as part of the work that my right hon. and learned Friend the Attorney General and I have done to publish a new report on disclosure, I will be chairing a tech summit in June to deal precisely with how we can make artificial intelligence work to help with the huge challenge of trawling through that sort of data.

**Eddie Hughes** (Walsall North) (Con): In cases where rape leads to pregnancy, does my hon. and learned Friend agree with the intention behind the 10-minute rule Bill introduced by the hon. Member for Sheffield, Heeley (Louise Haigh) to remove parental rights from fathers of children conceived through rape?

**The Solicitor General:** I am grateful to my hon. Friend for raising that issue with me. I regrettably have not had time to consider that Bill, but everyone in the House can agree that those who act criminally and break the law in a serious way should not expect to enjoy the same rights and privileges that the rest of us enjoy.

**Mr Barry Sheerman** (Huddersfield) (Lab/Co-op): I am one of those who represents a constituency that has had this curse of the wicked grooming, mainly of young girls, by gangs—it has happened in more than a dozen cities and towns in this country. We still have not had an inquiry into the underlying causes and why this happened. The Crown Prosecution Service is under pressure to meet its responsibilities due to the lack of resources.

**The Solicitor General:** The hon. Gentleman is right to raise this deeply concerning issue. I am happy to report that there have been a number of successful prosecutions of gangs who engage in this despicable and criminal behaviour. That is as a result of a change of culture that means the victims of these crimes are taken far more seriously than they were even a few years ago. So there is progress.

### Social Media

3. **Sir Desmond Swayne** (New Forest West) (Con): If he will make an assessment of the effect of social media on the administration of justice. [910347]

**The Solicitor General (Robert Buckland):** The response to the call for evidence on the impact of social media on the administration of justice was published on 5 March this year. We concluded that, whereas at present social media are not having a widespread impact on the trial process, this may not remain the case if the issues identified are not addressed. The Government are responding in a number of ways, including a new gov.uk webpage to support the public in understanding how they can responsibly comment on criminal trials in social media.

**Sir Desmond Swayne:** Do users, who appear to have an opinion on everything, have any idea what the law actually is?

**The Solicitor General:** I do sometimes wonder. It should be as plain as a pikestaff to anyone that the criminal trial process has to have integrity and be based on the evidence heard in court. That is why the new contempt online webpage sets out clear and accessible information for the public on what might be considered contempt. I reassure my right hon. Friend that the law officers take robust action where there is evidence of contempt.

**Chris Elmore** (Ogmore) (Lab): Will the Solicitor General set out what work he is doing with Twitter, Facebook, Google and other online platforms, which is mainly where people take the law into their own hands and assume that they know what they are talking about when they refer to cases and other issues?

**The Solicitor General:** The hon. Gentleman raises an important point. He will be happy to know that I have set up a special point of contact with each of those

social media companies so that if an issue is raised with my office an official can immediately contact a named person to ensure as rapid as possible a takedown of the offending material.

#### EU Withdrawal: Protection of Human Rights

4. **Alison Thewliss** (Glasgow Central) (SNP): What assessment he has made of the potential effect of the UK leaving the EU on the protection of human rights in the UK. [910348]

**The Attorney General (Mr Geoffrey Cox):** The United Kingdom has a long tradition of ensuring that rights and liberties are protected domestically, and of fulfilling its international human rights obligations. The decision to leave the European Union does not change that.

**Alison Thewliss:** The Scottish Government set out three principles for human rights protections after Brexit—non-regression from current EU rights, keeping pace with future EU rights developments, and continuing to demonstrate leadership in human rights. Does the Attorney General agree with those principles, and will he share them with his colleagues in Government?

**The Attorney General:** I find myself in total agreement with what the hon. Lady has said. I will share them with my colleagues. We are not in any way going to permit our departure from the EU to detract from our firm and unshakeable commitment to human rights in this country and to the rule of law.

**Sir William Cash** (Stone) (Con): In that context, and given the December resolution of the House regarding publication of the Law Officers' opinions, will my right hon. and learned Friend be good enough to tell the House whether his advice was sought on these vital matters of time extensions before critical decisions were taken, as required by the ministerial code? Will he publish that advice?

**The Attorney General:** I am grateful to my hon. Friend for the question. He knows that I am acutely conscious of his desire to have the maximum transparency upon the legal advice I give to the Government. He also knows that I am bound by a long-standing convention relating to Law Officers' advice to disclose neither the fact nor the content of it. Within those constraints, I consider constantly to what extent I can make available to the House all the information it needs to take the important decisions that these times require.

**Chris Bryant** (Rhondda) (Lab): Whatever happens with regard to trade, the economy and so on, one of the most important elements in ensuring that we can still secure justice in this country is maintaining some form of extradition with other European Union countries. What will we do if the European arrest warrant is not available to us?

**The Attorney General:** As the hon. Gentleman knows, the Government are committed to a close and special relationship with the EU in relation to security. The question of our participation in a system relating to

European arrest warrants will be close to our hearts in the negotiations that are to follow. But if we were not able to avail ourselves of what it is in the interests of both sides to agree, of course we would fall back on the 1957 extradition legislation and its provisions, and the preparations are at an advanced stage, in conjunction with the possibility that still exists of there being no deal between us.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): I hope it is not indecent to point out that yesterday's European Council was a humiliation for the Prime Minister. At a time when everyone is crying out for more coppers and school budgets are under tremendous, genuine pressure, how does it make sense to spend £100 million of British taxpayers' money electing 73 Members to the European Parliament to serve for a maximum of five months?

**Mr Speaker:** Order. I think the right hon. Gentleman is concerned, in the context of his inquiry, with the protection of human rights.

**Mr Francois:** Including electoral rights.

**Mr Speaker:** Including electoral rights and possibly the rights of candidates. I feel sure that was implicit in the right hon. Gentleman's inquiry. I am merely rendering it explicit for him.

**The Attorney General:** To answer the question, as amended, I quite understand my right hon. Friend's frustration. To the outsider, it does not look sensible for us to be holding European elections when the entire country is expecting us to move on, leave the European Union and fulfil the commitments of both major parties at the last general election. However, we are under a legal obligation to do so while we remain a member of the European Union. There is a single, simple answer to this question: let us ratify the withdrawal agreement and we are out.

#### Leaving the EU

5. **Patricia Gibson** (North Ayrshire and Arran) (SNP): What recent discussions he has had with Cabinet colleagues on securing an agreement on the UK leaving the EU. [910349]

**The Attorney General (Mr Geoffrey Cox):** I am extremely grateful for the question. I regularly meet ministerial colleagues to discuss important issues of common interest, including on matters relating to the United Kingdom's exit from the EU. The hon. Lady will understand that I am unable to talk about the legal content of those discussions, but the Government's main priority is to honour the pledges made at the time of the referendum by national politicians of all parties and fulfil its outcome. We can do that by ratifying the withdrawal agreement.

**Patricia Gibson:** The Attorney General has already set a precedent by publishing his legal advice on the withdrawal agreement, so will he commit to publishing his legal advice to the Government should Labour and the Tories reach an alternative agreement?

**The Attorney General:** I made it clear to the hon. Lady and to the House that I am acutely conscious of the need for the House to be as fully informed as possible of all legitimate matters that it should know before taking these important decisions. At any significant event in these proceedings, I shall review that need accordingly.

**Robert Neill** (Bromley and Chislehurst) (Con): Does the Attorney General agree that it is critical that any agreement ensures that our police, prosecution and judicial authorities continue to have uninterrupted access to co-operation and information sharing mechanisms under Eurojust and Europol? That access would be lost in the event of no deal but could be retained in the event of a deal.

**The Attorney General:** I agree with my hon. Friend. That is one of the most important negotiating objectives in connection with our security and law partnership, and it is a matter that we are constantly bringing to the attention of the European Union. If we can ratify the withdrawal agreement, it will be one of the highest priorities.

**Joanna Cherry** (Edinburgh South West) (SNP): During the Attorney General's podcast interview with Nick Robinson last week I was delighted to hear him say that the Government would consider the option of a second European Union referendum, and yesterday the Prime Minister did not rule out that option when questioned by my right hon. Friend the Member for Ross, Skye and Lochaber (Ian Blackford), so can the Attorney General tell us what recent discussions the Cabinet have had about a second EU referendum?

**The Attorney General:** That is a subtle enticement by the hon. and learned Lady, but I know that she knows that I am not going to tell her about what discussions the Cabinet may have had. What I can say, however, is that the current discussions with the Labour Opposition are being pursued in good faith. There are no preconditions and of course we will listen to any suggestions, whether they be about a second referendum or any other matter, to see whether we can find common ground, in the interests of the country, to leave the European Union as swiftly as possible.

**Nick Thomas-Symonds** (Torfaen) (Lab): The Attorney General's recent podcast is clearly quite popular, because I have been listening to it as well, particularly his comments on the legal implications of leaving the European Union. He said that

"we have underestimated its complexity. We are unpicking 45 years of in-depth integration."

Which of his Government colleagues did he have in mind when he made those comments?

**The Attorney General:** I have been saying this since 2016, as the *Hansard* record will witness, and indeed most recently on 12 March. I take the view that we need to take a complex and careful view of how it is necessary for us to extricate ourselves from 45 years of legal integration. The withdrawal agreement does justice to those complexities. It settles matters at a complex level, and that is precisely why it is necessary for us to leave the European Union. I urge the hon. Gentleman to vote for it.

**Nick Thomas-Symonds:** We know that is the Attorney General's view, but I did not detect an answer to my question in all that, so let us try asking about something else the Attorney General has said about Brexit, namely:

"It needs a hard-headed understanding of realities."

When the majority was lost in the snap election, there was no sense of reality when the Prime Minister should have spoken out. The Attorney General was sent on a fruitless pursuit to reopen the withdrawal agreement, which was always impossible, and four months have been spent refusing to accept the reality of not being able to get the withdrawal agreement through this House. Does the Attorney General not agree that it is the failure of the Government to accept reality that has led to the mess we are in?

**The Attorney General:** No, I do not accept that. The withdrawal agreement was the product of two years of exhaustive negotiation. It settles citizens' rights for millions of British citizens in Europe as well as for EU citizens here. It fulfils the financial obligations to the European Union. It is a complex settlement that requires to be signed before we can leave. I do not accept that it was unrealistic to attempt to get the fruits of that agreement agreed in this House. In truth, as the hon. Gentleman knows, if we are to leave the European Union it is a necessary precondition of our doing so.

## East Midlands Rail Franchise

10.44 am

**Mr Clive Betts** (Sheffield South East) (Lab) (*Urgent Question*): To ask the Parliamentary Under-Secretary of State for Transport if he will make a statement on why Stagecoach has been disqualified from bidding for the east midlands rail franchise.

**The Parliamentary Under-Secretary of State for Transport (Andrew Jones)**: On Wednesday 10 April, it was announced that Abellio is the successful bidder to operate the east midlands rail franchise and will be responsible for delivering new trains, smart ticketing and more frequent services for passengers. Passengers in the east midlands are to get new trains, more peak-time services, reduced journey times and over £17 million of station improvements as Abellio takes over the franchise from August 2019.

Abellio will invest £600 million in trains and stations between August 2019 and 2027, while the Government continue with their £1.5 billion upgrade to the midland main line—the biggest upgrade to the line since it was completed in 1870. This is part of the Government's £48 billion investment to modernise our railways over the next five years.

As we informed the House in yesterday's written statement, Abellio was awarded the contract "following rigorous competition." It was a fair, open competition and Abellio provided the best bid, in which it demonstrated that it will not only meet but exceed the Department's specifications.

Stagecoach chose to put in a non-compliant bid, which resulted in its disqualification, in line with the terms of the published invitation to tender. That said, Stagecoach has played an important role in our railways, and we hope it will continue to do so after the conclusion of the rail review. However, it is entirely for Stagecoach and its bidding partners to explain why it decided to ignore established rules by rejecting the commercial terms on offer.

**Mr Betts**: Thank you, Mr Speaker, for allowing this urgent question.

The Minister did not really answer the question. Abellio has been awarded the contract as the best bidder, but the bid of the existing franchisee was not even allowed. Generally, Stagecoach has performed reasonably well on the contract, so will he explain when the requirement was first introduced that a bidder has to cover pension costs? Is this the first franchise for which the requirement has been introduced? Why was it applied?

How much, in total, are the Government trying to cover in costs through the franchising process? When were the bidders notified of the requirement—was it at the beginning of the process?—and why was no one else told about it? Are any other companies refusing to cover such costs? Are any other franchises affected? If they are, what will be the effect on competition within the franchising system? What would happen to future competitions and to the costs that the Government seek to cover if all companies refused to cover those costs?

Finally, on the bid that has been accepted, do these hybrid trains actually exist now? When will they be introduced? What will the Government do if existing

rolling stock is not disability-compliant in 2020? The Government have promised improvements to the timetable, but can we be assured that, at the beginning of the new franchise, journey times will be at least as good, and at least as short, as they were before the botched timetable changes of last year?

**Andrew Jones**: There are a lot of questions there. First, Stagecoach has acknowledged to the Department that it had bid non-compliantly. We have received offers from other bidders in all competitions that are fully compliant in providing the required pension arrangements for railway workers so, to answer the hon. Gentleman's question on whether this means the bid process is failing and others are refusing, clearly they are not because we have a compliant bid that won in good form.

Stagecoach is an experienced bidder and fully aware of the franchise competition rules, so it is regrettable that it submitted a non-compliant bid that breached the established rules. In doing so, Stagecoach is responsible for its own disqualification. Bidders were invited to bid on the basis of a pension deficit recovery mechanism. They knew that at the very start of the process<sup>1</sup>. Stagecoach did not accept it and made some amendments as it submitted the bid. On what would happen if all companies refuse, clearly, by definition, they are not all refusing, so the question does not apply.

We will see an entirely new fleet of trains—a full replacement fleet—come into service. Inter-city services will receive new bi-mode trains, and regional services will receive new diesel trains. The express fleet, which is the Corby-Bedford-London service, will receive new electric trains that offer significantly enhanced environmental improvements.

What is interesting in this franchise is that we will see the first trial of a hydrogen-powered train. [HON. MEMBERS: "When?"] In terms of timing, we will see the new trains coming into service in a phased way. We hope to see the first trains coming in next year, and so on over the next three years.

The bidding process was conducted in a fair and consistent way, applying the rules of engagement equally to all bidders. We have provided feedback to those who have not been successful. The reasons are always commercially confidential. Losing bidders may publicise them if they wish, but we will not do that because they are commercially confidential. The key thing that we are seeing here is a franchise awarded in the typical way that franchises are awarded in our rail industry, delivering passenger benefits.

**Sir Patrick McLoughlin** (Derbyshire Dales) (Con): I am rather surprised at the late withdrawal, or barring, of Stagecoach from this franchise. It seems to have come right at the end, so it is odd that my hon. Friend is saying that somehow Stagecoach knew it was non-compliant, because if the Department knew so early that it was non-compliant, one would have thought it would have been told quite some time ago. These franchise bids are not cheap to make and they are very expensive for the company.

Will my hon. Friend be more specific, as usually is the case, about where the new trains are coming from? If they are to be in operation from next year, presumably an order is about to be made very soon. Where will that

1. [Official Report, 25 April 2019, Vol. 658, c. 8MC.]

[*Sir Patrick McLoughlin*]

order come from? I congratulate the Government on widening state ownership of the railways, albeit that of other states.

**Andrew Jones:** There were a number of points in my right hon. Friend's question. As soon as the decision was taken on this franchise, all the bidders were notified. That is entirely standard. He has a great track record of delivering improvements across our rail network. Bidders were notified, of course, across all competitions, so that they did not incur extra costs. These things are expensive to operate, so this was awarded in a fair and consistent way.

Obviously, the contract to deliver the rolling stock will be between the successful bidder and its rolling stock provider, but we expect to see significant improvement in the rolling stock, and the feedback I have had from passengers along the line and from colleagues who serve along the line is that they are looking forward to seeing the benefits that those will bring.

**Andy McDonald** (Middlesbrough) (Lab): Clearly, the franchise system is in complete disarray. It seems that Stagecoach boss Martin Griffiths and Richard Branson have been taken completely by surprise by the announcement of the decision to disqualify Stagecoach from the discredited franchise process, seemingly for failing to provide sufficient commitments in terms of the pension scheme, bidders having been asked to bear full long-term funding risks on relevant sections of the railways pension scheme. Can the Minister inform the House about the pension commitments made by Abellio that warranted the award of the east midlands franchise and the extent to which any such commitments were distinct and more acceptable to the Department for Transport?

Is not this really payback for the east coast collapse, two years ago? The question on the airwaves today was whether this decision would propel Richard Branson back into his favourite hobby of suing Her Majesty's Government over the awarding of contracts, which has served him so profitably over the years. What preparations has the Minister's Department made in readiness for potential costly litigation flowing from this decision?

Why did the Department change the pension rules in the middle of the bids? On south eastern, that was only made clear after two rebids. Is not that moving the goalposts?

The real issue is that this Government, by sleight of hand, are trying to reduce their support for the railways pension scheme. They are trying to pass these costs on to the private sector. That is why both Stagecoach and Arriva defaulted on their bids for the east midlands franchise. The rail industry has a plan to reduce the deficits in its pension schemes, yet the Government have ignored that and are attempting to bulldoze through changes without consultation. That is reckless. It will concern rail workers and worsen the rail service for passengers. What discussions were there with the trade unions? Moreover, given that Keith Williams has been instructed to conduct a root-and-branch review of the operation of our railway, why has such a lengthy franchise been awarded before the Williams review reports later this year?

The announcement is accompanied by the decision to extend the franchise award on south eastern to Govia. How can it be right for that company to be given the nod to continue when it has delivered such a miserable service and completely failed its passengers? Is that not further reward for failure? Surely even this beleaguered Government can see what is staring them in the face: the franchise system is in total collapse. They need to respond to long-suffering passengers and do what the next Labour Government will do: bring track and train back together in state ownership—this state.

**Andrew Jones:** The hon. Gentleman asked a number of questions. Is the franchising system in disarray? Of course it is not. If we look at what has happened to our railways over the past 25 years, we see unprecedented passenger growth. We now have more people travelling on our railways and more services run on our railways, and at a greater level of safety than ever before. The franchising system has been a key ingredient in that delivery. Do I think the franchising system is over? Absolutely not. I think we need to look at how it will evolve in future, and that is what the Williams review is doing. Franchising has helped get the system from A to B, reversing years of decline. We now need to see what system we will have as we take it through to the next stage.

Stagecoach knew that its bid was non-compliant—it acknowledged that to the Department. The hon. Gentleman asked about litigation. The Government are completely confident that the bid was evaluated and decided fairly. It is business as usual in the awarding of a franchise on our rail network. He asked whether the decision on the east coast main line was payback. That question is absolute nonsense. This is an entirely separate matter. The bid was won on merit by the strongest bidder. It offered the best bid, with new trains and more services, including more Sunday services and more early and late services. It was won on merit. If a company chooses to bid non-compliantly, that is its fault.

With regard to passing the costs on to the private sector, that is also nonsense, because these are private sector pension schemes. The rail operating companies have a section of the rail pension scheme. Their trustees will meet the Pensions Regulator to discuss that. Is this a question of the Government seeking to remove responsibility? No, this is a private matter and the trustees will be dealing with that in their own way.

The hon. Gentleman asked whether I have met the trade unions. I have met the National Union of Rail, Maritime and Transport Workers and ASLEF, and on this occasion I have written to them to highlight the award today.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): Williams said in his recent speech that the franchise system in effect is already broken, and today's announcement proves it. Abellio is hopeless. The Minister will recall an Adjournment debate he had with a number of MPs a couple of months ago—the business of the House had collapsed early so lots of us piled in. I think six or seven Members from Essex, whose constituents suffer that company every day, got up and told him, one after the other, how utterly useless that company is. We have been waiting for years for new trains from Abellio, yet still they do not turn up. It is Dutch-Japanese owned

and it does not give a monkey's about the passengers. I am sorry, but this is a massive mistake and yet another Grayling cock-up.

**Andrew Jones:** I do not agree with anything my right hon. Friend has just said. That Adjournment debate was very enjoyable; we had many discussions because there were so many interventions. The core of the debate, which was secured by my hon. Friend the Member for Colchester (Will Quince), was about the introduction of the Delay Repay 15 offer for customers, which went live on 1 April and has been widely welcomed by passengers on the line. Indeed, on 1 April, I went to stations in Norfolk, Suffolk and Essex, and I met passengers, the Transport Salaried Staffs Association and the rail operating company, and the arrival of DR15 was widely welcomed. The key thing that people were looking for was the consistent delivery of a timetable, so the requirement to pay any form of compensation would not be necessary. That is, of course, at the heart of the Government's CP6—control period 6—investment. We are investing £48 billion over the next five years to modernise and upgrade our railway to make sure that we can deliver the network and services that passengers rightly expect. Is Abellio a failing provider? No.

**Mr Francois:** Ask my constituents.

**Andrew Jones:** I have looked at the measures in terms of performance data and customer satisfaction. I recognise that we have had frustrations across our rail network over a number of years and that we had very poor performance last May, but I do not accept that Abellio is a failing performer. It operates 6,000 trains in the UK each day. The service is improving in all areas—*[Interruption.]* My right hon. Friend the Member for Rayleigh and Wickford (Mr Francois) is doing an awful lot of chuntering using fairly robust language, as he normally does—or as he has taken to doing recently. The point remains that we are delivering a network that is operating at the best that it has operated for a significant number of years. It has turned around decades of under-investment and underperformance. We are now seeing a network carrying more people with a higher level of safety than at any point in British history and this franchise award takes that further.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): Yet again, we have not had a statement from the Department for Transport. We have to rely on media announcements and urgent questions to hold the Department to account, but when the Minister comes to the Dispatch Box, he says, "Oh, that's a lot of questions." That is because we are not getting information. Virgin Trains East Coast walked away from the east coast main line owing £2 billion. Many people called for Stagecoach not to be allowed to bid for other franchises, but the Department for Transport dug its heels in, saying that it could bid for franchises and then sat on the non-compliant bid for a long time. Why has the Department adopted such contradictory positions? Martin Griffiths, the Stagecoach chief executive, said:

"We are extremely concerned both at the DfT's decision and its timing. The Department has had full knowledge of these bids for a lengthy period".

Again, what discussions were held on pensions and how long has the Department sat on the non-compliant bid before making a decision?

What will happen with the west coast main line franchise, as we are told by the media that Virgin Trains will disappear in a year? Virgin previously won the 2012 franchise after a legal challenge, so what are the risks of further challenges from Virgin after this decision today, and will the Minister provide any legal advice that the Department has taken?

Abellio in Scotland pays the living wage. Is it part of this franchise award that all employees get the living wage? How robust are the pension protections in this Abellio franchise and how will pensions be protected in other franchises? Clearly, this is now a major issue.

Many of us have called for the Transport Secretary to resign. Now we have the irony of the Transport Secretary threatening the Prime Minister to resign over her position on Europe. Will he follow through on his threat, or will the Government take action and make the Secretary of State resign and shake up the Department?

**Andrew Jones:** Well, much of that was absolutely ridiculous—just complete nonsense. Let us turn back the page and remind ourselves about the idea that the Government have somehow been dragged to the Dispatch Box. I remind the hon. Gentleman that this was a contract that included a market sensitive element. There are strict procedures when a market-sensitive contract is awarded by any Government—and that includes the Scottish Government. The announcement is made first of all to the City. There was a written ministerial statement at 7 o'clock yesterday morning and by 9 o'clock there was a "Dear Colleague" letter sent out to all those Members who were affected, so what he says is simply wrong.

I have to say I cannot remember exactly the full range of questions the hon. Gentleman asked, but the key thing is that this contract has been awarded in a fair and consistent way. It is delivering significant passenger benefits, including a complete renewal of the fleet. I have already highlighted that the inter-city, regional and express services will all receive new rolling stock—new trains—and that there will be more services, more seats at peak and improved environmental performance. The benefits are clearly very significant. We should welcome them, not the opposite.

I think the hon. Gentleman got carried away with his own rhetoric when he asked whether the Secretary of State should resign. Of course not—what a load of complete nonsense. This franchise was awarded in a fair and consistent way, and it will deliver for passengers. We should celebrate that, not the opposite.

**Several hon. Members** *rose*—

**Mr Speaker:** Order. I am keen to accommodate colleagues, but we have the business question to follow and thereafter another statement, and after that the Prime Minister's statement. There is a premium upon brevity, to be exemplified by single-sentence questions, pioneered by the hon. Gentleman from Bosworth, Mr David Tredinnick—one sentence, man.

**David Tredinnick** (Bosworth) (Con): Thank you, Mr Speaker. As part of his response to the new franchisee, which will be broadly welcomed in my constituency if it really does produce new trains, better capacity and improved stations—from listening to my right hon. Friend the Member for Rayleigh and Wickford (Mr Francois),

[David Tredinnick]

I am not so sure about that—will my hon. Friend look at connectivity between Leicester and Nuneaton via Hinckley? There are also big concerns about the west coast main line.

**Andrew Jones:** I will of course consider my hon. Friend's point, but we have produced an interactive map so anybody can log on and see where the benefits will fall right across the franchise area. That map is available at [maps.dft.gov.uk](http://maps.dft.gov.uk) and may provide the detail he seeks.

**Lilian Greenwood** (Nottingham South) (Lab): I hope the Minister recognises that, although East Midlands Trains staff are covered by TUPE thanks to our membership of the EU, this will be a really uncertain time for them—especially those who have worked for Stagecoach for the last 12 years. Will he first join me in thanking them for their hard work, which I know will continue for the rest of this franchise and into the next? Does he also recognise the wider anxiety that this decision has prompted among railway staff about the security of their pensions? At privatisation, his Department promised to provide a long-term guarantee for their pensions. What assurance can he give them today that that has not changed?

**Andrew Jones:** The hon. Lady is quite right. I happily join her in thanking those who have worked in this franchise and, indeed, in all the other franchises to make our railway system work day in, day out. It is a hard job they do, and we should recognise that, not criticise them for it.

I also recognise that, when anything changes like this, there will be a degree of uncertainty. A level of uncertainty can come when there are takeovers in any sector of business, but when franchises change there are TUPE protections, which are positive, and I entirely support that. Pensions are a key part of having a comprehensive offer for workers in every sector, and the Pensions Regulator is working with the trustees of the railways pension scheme to ensure that workers' benefits are protected. We want that to happen. We want to see people in the sector retire with secure, stable, good pensions.

**Neil O'Brien** (Harborough) (Con): It is very welcome that we are going to have 80% more seats in the morning peak and new bi-mode trains that can benefit from the electrification to Market Harborough, but may I ask the Minister two things? First, when in the new franchise will those new trains arrive? Secondly, does he agree that if we are going to have new trains for the east midlands, they should be built in the east midlands?

**Andrew Jones:** My hon. Friend rightly never misses an opportunity to mention Market Harborough, of which he is a great champion. Obviously, the contract for the new trains will be placed by the new bidder, but I am always keen to see more manufacturing take place in this country. That is why we have been working to make the environment for manufacturing in this country so much better, which is one of the ingredients of the economic turnaround from the mess this Government inherited.

**Anna Soubry** (Broxtowe) (Ind): I congratulate the hon. Member for Sheffield South East (Mr Betts) on securing this very important question. A large number of people across the east midlands will share his concerns about the granting of this franchise. Stagecoach at least backed the Access for All bid for Beeston station, and it is really unfortunate that the Government have not provided the money to make sure that we have that funding.

There is real concern about rolling stock and Abellio's ability to provide it. In short, the Minister should know that Stagecoach certainly told me that there would be no new rolling stock. As he will know, we have on this line trains that are 40 years old. There will be no new trains for at least three years. We now need to firm this up. Will he confirm that Abellio will not provide trains for at least four years, or is there any chance that it might be a shorter period?

**Andrew Jones:** I recognise that the east midlands franchise has been successful. However, this bid was won on merit and awarded to the strongest bidder. It was the strongest bidder irrespective of any of the compliance issues that we have been talking about today.

As regards the Access for All bid for Beeston, it was not successful in this round. I imagine that we will see further rounds of Access for All funding because it is a critical part of this. We are working to make our railway network available for as many people as possible. There is no greater champion for that than the Under-Secretary, my hon. Friend the Member for Wealden (Ms Ghani), who is sitting next to me. I therefore suggest that the right hon. Lady speaks to her to discuss potential future bids for Beeston.

**Ben Bradley** (Mansfield) (Con): I welcome any opportunity to improve the service through the east midlands and to get new trains. I echo the calls for those trains to be made in Derby if at all possible. Will the Minister confirm that the new contract includes a requirement for the new franchisee to bring forward a business case for the Robin Hood line extension through my constituency, for which we have been fighting for many years and will be a big step forward for my constituents?

**Andrew Jones:** I receive quite a number of lobbies on the Robin Hood line. I cannot provide the immediate reassurance that my hon. Friend is looking for, but I suggest that we could perhaps meet to discuss this further. I am aware that it will be of interest to many colleagues within the House.

**Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): The Public Accounts Committee has repeatedly highlighted the problems with the franchising system, and the fact that we were whittled down to a single bidder underlines that. I thank the Minister's Department for sending me details of the franchise. The interesting point is the extension of the Govia contract, which will go on until November of this year, with an option to extend the agreement, the Secretary of State tells me, to April 2020. Does this mean that the outcome of the root-and-branch rail review will be so conclusive that he will have the time to run a new franchising project within six months?

**Andrew Jones:** I think that the hon. Lady is referring to the south eastern franchise.

**Meg Hillier** *indicated assent.*

**Andrew Jones:** Right. Well, that franchise is still under consideration and we will be announcing the results in due course. The point in the letter to the hon. Lady was that while that evaluation is taking place, there has been a short extension to the existing franchise to ensure that passenger services can continue to operate.

**Mr Philip Hollobone** (Kettering) (Con): The main concerns of Kettering rail users are finding a seat on crowded peak time trains to and from London, the low frequency of services north on the main line to Leicester and the level of fares per mile being among the highest in the country. Does the winning bidder address any of those issues?

**Andrew Jones:** Yes, it does, because it puts more capacity into the franchise so that many more of the constituents my hon. Friend serves so well will be able to secure the seats they are looking for.

**Nic Dakin** (Scunthorpe) (Lab): When does the Minister expect the new hydrogen-driven trains promised in his statement to run?

**Andrew Jones:** This is the very earliest of stages, so I am afraid I cannot provide all the details on that. However, I am extremely keen to see further environmental improvements on our rail network, and it is with great relish that I will be taking the first opportunity to bring a hydrogen-powered train on to the network.

**Mrs Pauline Latham** (Mid Derbyshire) (Con): The Minister paints a very glowing picture of this new franchise—it almost sounds too good to be true. As somebody who will be travelling on these trains every week, as he will not be, can he assure me that the quality of the brand-new trains that he has promised us, which will apparently be amazing, will be at least as good as the ones we have now and better than Abellio usually has, or will they be of inferior quality? When will they come into the franchise, and will they be stopping more frequently between London and Belper?

**Andrew Jones:** The quality of the rolling stock will be upgraded. The rolling stock in this area is indeed quite old. I am fully aware that I do not travel on the line as frequently as my hon. Friend, although I am quite a regular passenger. As we replace trains across our network, we are seeing a much improved service. In this instance, there will be more seats and free wi-fi across the franchise, which should benefit her and those she serves. On stopping at Belper, I will need to do some further investigation and reply separately on that point.

**Melanie Onn** (Great Grimsby) (Lab): The franchise system is broken. It does not work for staff or in the interests of passengers. The potential for a direct line between Grimsby and London was scuppered by alleged anti-competitiveness between franchisees. Does not the process need a complete overhaul?

**Andrew Jones:** I have already said how I think that franchising has been a key part of the turnaround in our rail network since privatisation. On services to Grimsby, a new Nottingham to Grimsby service, with limited extension to Cleethorpes, is part of the new franchise, and the hon. Lady should welcome it.

**Tom Brake** (Carshalton and Wallington) (LD): What is the point of asking Keith Williams to conduct a root-and-branch review of the railways while at the same time awarding a very long franchise?

**Andrew Jones:** To make sure that we get the benefits to passengers as fast as possible.

**Ruth Smeeth** (Stoke-on-Trent North) (Lab): After a 10-year campaign for station improvement, local residents in Kidsgrove finally secured funding under Access for All for an accessible bridge and an extended car park. Problems with Network Rail have delayed the project, meaning that the car park is now delayed. The car park programme is overseen by East Midlands Trains and will go over the franchise date. Can the Minister assure me that the change in franchise will not affect my car park?

**Andrew Jones:** I am keen to see the Access for All benefits implemented across the network as soon as possible. The detail of that question has been heard by the Under-Secretary of State for Transport, my hon. Friend the Member for Wealden, and she will make contact with the hon. Lady to discuss that issue further.

**Diana Johnson** (Kingston upon Hull North) (Lab): I am really disappointed that the Secretary of State, who was in his place on the Front Bench earlier, was not able to take the urgent question, because franchising is one of the key planks of the Government's railway policy. It seems to me that, as my hon. Friend the Member for Great Grimsby (Melanie Onn) said, it is failing passengers. Now an award to 2027 has been made, at the same time as the Williams review. How can that possibly make sense?

**Andrew Jones:** The diary of the Secretary of State is not relevant to this point. We have got a bid that delivers more seats, more capacity, more services, reduced journey times and a new fleet of rolling stock. This is not something that is failing: it is a positive thing and the hon. Lady should welcome it.

**Janet Daby** (Lewisham East) (Lab): Yesterday the Department for Transport announced it has granted the south eastern rail franchise yet another extension. This is the fourth time that has been delayed. It is preventing investment and improvement for passengers. Does the Minister acknowledge that the delay is failing long-suffering passengers who rely on this service?

**Andrew Jones:** I will agree that franchising is one of the best ways to deliver passenger service improvements and new rolling stock, so we agree strongly on that. The hon. Lady might wish to speak with her Front Bench. In terms of the delay on south eastern, it is a complex matter and it is still being evaluated. We will make the decision as soon as possible.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): Is it not correct that the franchise system is a fundamentally flawed business model? Over the past 10 years, we have

[Mr Paul Sweeney]

seen £3.5 billion extracted in dividends—money creamed off our railways that could have been reinvested had we had a proper model of public ownership and democratic accountability in our railway system. Indeed, Virgin Trains alone has extracted £53 million in the last year. It is a thoroughly inefficient system that needs to be corrected, and that includes ScotRail too.

**Andrew Jones:** The hon. Gentleman is wrong. He talks about the dividends that are paid, but he fails to remember one important point, which is the amount of investment brought in from the private sector through the franchising process. That has totalled £10 billion. Would the Labour party take that from taxation or other spending areas? Where will that money be found if we do not bring in private sector investment? Those are great questions which the Labour party is not addressing in its ill-thought-through, uncosted attempts at nationalisation.

**David Hanson (Delyn) (Lab):** The east coast decision is inextricably linked to the west coast decision, which is forthcoming in June and causing great uncertainty for Virgin rail users in north Wales, the north-west of England and north to Scotland. Can the Minister give an assurance that any concerns raised about the east coast franchise will be reflected on before the west coast franchise is awarded?

**Andrew Jones:** The bids for the west coast franchise will be assessed and the franchise awarded in the normal way. I am slightly puzzled by the Labour party's position on this. After the east coast main line affair last year, Labour was broadly suggesting that Stagecoach should not be allowed to bid for anything; now it is broadly suggesting that it is bad to take away any franchises from it.

**Mr Jim Cunningham (Coventry South) (Lab):** Can the Minister clarify the situation with Virgin on the west coast main line? And I do not want a lecture about the Labour party's stance; I want a straight answer.

**Andrew Jones:** The answer is quite straightforward. Stagecoach bid for the east midlands franchise, it was not compliant and, as part of the feedback that it received, was told that it was not compliant, which it knew, on the other bids as well.

**Daniel Zeichner (Cambridge) (Lab):** The rail industry, through the Rail Delivery Group and with the support of the trade unions, wrote to the Government some weeks ago with alternative proposals to deal with the issues around the pension scheme. Will the Minister tell us his response to those proposals and say whether they were considered in this important decision?

**Andrew Jones:** I received a letter last week from the rail industry on that matter. That is still being considered and we will respond in due course, but that is not part of this award. The franchise has been awarded on merit to the strongest bidder, and we should be looking forward to the passenger benefits that will flow from that award.

**Gareth Snell (Stoke-on-Trent Central) (Lab/Co-op):** The Minister will know that Abellio runs part of the London Northwestern Railway, which replaced London Midland. It is now reducing its timetable arrangements, so what comfort can my constituents in Stoke-on-Trent have that the east midlands train franchise, whose services run all the way from Nottingham to Crewe through the great towns and cities of Staffordshire, will not later be subject to the same reduction in services because Abellio was the only bidder and there is no alternative?

**Andrew Jones:** I will look in detail at the points that the hon. Gentleman makes, but our objective is to run more services. That is the key thing that is happening right across our network. We are running more services and carrying more passengers, and with a record level of safety, than at any point in British history, so to suggest that franchising has been a failure is a complete misunderstanding. I will of course look at his points and get back to him to discuss them further.

## Business of the House

11.23 am

**Valerie Vaz** (Walsall South) (Lab): Will the Leader of the House give us the forthcoming business?

**The Leader of the House of Commons (Andrea Leadsom):** Subject to the House agreeing item 1 on the Order Paper, I can confirm that the House will rise at the close of business today and return on Tuesday 23 April.

**Chris Bryant** (Rhondda) (Lab): Just stop there.

**Andrea Leadsom:** Okay. [*Laughter.*]

The business for week commencing 22 April will be:  
MONDAY 22 APRIL—The House will not be sitting.

TUESDAY 23 APRIL—Motion to approve a statutory instrument relating to the draft Northern Ireland (Extension of Period for Executive Formation) Regulations 2019, followed by a motion to approve a statutory instrument relating to the Value Added Tax (Tour Operators) (Amendment) (EU Exit) Regulations 2019, followed by a motion to approve a statutory instrument relating to the draft Electronic Communications (Amendment etc.) (EU Exit) Regulations 2019, followed by a motion to approve a statutory instrument relating to the draft Animal Health, Seed Potatoes and Food (Amendment) (Northern Ireland) (EU Exit) Regulations 2019.

WEDNESDAY 24 APRIL—Opposition day (unallotted day). There will be a debate on an opposition motion. Subject to be announced.

**Hon. Members:** Hooray!

**Chris Bryant:** Resign!

**Andrea Leadsom:** No.

THURSDAY 25 APRIL—Debate on a motion relating to school funding followed by debate on a motion relating to restrictive intervention of children and young people. The subjects of these debates were determined by the Backbench Business Committee.

FRIDAY 26 APRIL—The House will not be sitting.

Following the decision taken yesterday to extend article 50 to 31 October, I confirm that subject to the agreement of the House, the House will rise at the close of business today and return on Tuesday 23 April.

More people than ever are watching what is going on in Parliament, and we now have evidence for that. In March, the number of unique viewers on the Parliament Live website exceeded 1 million in a month for the first time. To put that into perspective, the average number of unique views during 2019 has been around 300,000 a month. We might be facing a very challenging time in Parliament, but the silver lining is that huge increase in democratic participation.

I congratulate my right hon. and learned Friend the Member for North East Hertfordshire (Sir Oliver Heald) on his private Member's Bill having achieved Royal Assent. Finn's law will help to protect our much-loved service animals.

Finally, I welcome the new hon. Member for Newport West (Ruth Jones). Her predecessor was much admired, and he was a keen attendee of business questions. I look

forward to her contributions in the Chamber. I wish all Members of the House, their staff and all House staff a very relaxing break and a happy Easter.

**Valerie Vaz:** I thank the Leader of the House for the Opposition day debate—I was going to point out that it is 150 days since we last had one, so I thank her for that. Will she supply us with a new list of ministerial responsibilities, as there have been a number of resignations and appointments?

I do not know whether the Leader of the House wishes to correct the record. She said that a no-deal Brexit would not be nearly as bad as many would like to think. Did she receive the 14-page memo from the Cabinet Secretary and head of the civil service, Sir Mark Sedwill, who said that a no-deal scenario would be catastrophic for the country? Luckily we are not going down that route. She also said that all the Prime Minister had to do was persuade the German Chancellor to re-open the withdrawal agreement and remove the Irish backstop, and then a deal could be secured. However, a spokesperson for No. 10 said that the EU was clear that that was not going to be possible. Can the Leader of the House confirm what exactly is Government policy?

On Monday, the Leader of the House made a business statement about the European Union (Withdrawal) (No. 5) Bill, yet she did not vote with her colleagues. I was warmly welcomed by both the Government and the Opposition Chief Whips, but the absentees included the Leader of the House, the Attorney General, the Secretary of State for International Trade, and the Secretary of State for Transport. Was the Leader of the House at an alternative Cabinet meeting, and was the Prime Minister invited to that alt-Cab?

I am pleased that the Leader of the House set out a number of statutory instruments for consideration, but could I ask for some more motions to be debated on the Floor of the House? For example, the Opposition have tabled early-day motion 2190 on higher education.

[*That an humble Address be presented to Her Majesty, praying that the Higher Education (Registration Fees) (England) Regulations 2019 (S.I., 2019, No. 543), dated 11 March 2019, a copy of which was laid before this House on 12 March 2019, be annulled.*]

It seeks to annul statutory instrument 543, which sets out the fees for higher education providers. Universities UK has concerns about those fee increases, and as the SI came into force on 6 April 2019, it is still within the praying period. The European Statutory Instruments Committee disagreed with the Government and recommended that the European University Institute regulations should be debated on the Floor of the House. Those regulations enable our withdrawal from the European University Institute, of which we have been a member since 1976. Academics are up in arms about the fact that we have to withdraw from it.

I have raised previously the Non-contentious Probate (Fees) Order 2018, which is actually very contentious and is found under Future Business B. Can the Leader of the House assure us that there will be a debate on the Floor of the House, and that it will not be pushed through by the Government? Mr Speaker, yesterday you granted an urgent question to my hon. Friend the Member for Lancaster and Fleetwood (Cat Smith) on voter ID pilots. Can the Leader of the House confirm

[Valerie Vaz]

that every study that has been applied for will come to the House for debate as it is important to have that parliamentary scrutiny?

Last week we were—quite rightly—concerned about the gender pay gap. When will the Government tackle the huge differentials in the pay system between executive and employee pay? The managing director of Waterstones, James Daunt, is paid a salary of £1.6 million, while nearly 1,900 of his employees do not even receive the real living wage. The chief executive officer of Centrica, which owns British Gas, is paid 72 times the salary of an employee in the lower quartile of its salary range. The people at the base of the pyramid are the wealth creators. The Business, Energy and Industrial Strategy Committee, chaired by my hon. Friend the Member for Leeds West (Rachel Reeves), recommends that the Government send a strong signal on pay reform by giving the regulator the powers and remit to ensure the highest standards of engagement with shareholders and other stakeholders, particularly employees.

For the first time, Parliament will not be sitting to wish my hon. Friend the Member for Gateshead (Ian Mearns) a happy birthday, which falls on Easter Sunday. I also want to send the wishes of the whole House to our gracious sovereign, who will also have a birthday on that day. She said:

“over the years I have observed that some attributes of leadership are universal and are often about finding ways of encouraging people to combine their efforts, their talents, their insights, their enthusiasm and their inspiration to work together.”

This week we all celebrated the 20th anniversary of the Good Friday agreement. I pay tribute to John Hume, who won the Nobel peace prize, the Martin Luther King prize and the Ghandi peace prize for starting the peace process. You will recall, Mr Speaker, that the agreement was put to the people of Ireland in a confirmatory vote. Given the divisions at this time in our country, the words of John Hume are important. He said:

“Difference is the essence of humanity. Difference is an accident of birth and it should therefore never be the source of hatred or conflict. The answer to difference is to respect it. Therein lies a most fundamental principle of peace: respect for diversity.”

I, too, welcome my hon. Friend the Member for Newport West (Ruth Jones) to this place and we look forward to her maiden speech. If her acceptance speech when she won the seat is anything to go by, it will be absolutely fantastic, as will be her contribution to this House.

I welcome Sarah Davies as the new Clerk Assistant. To Sarah there is no such thing as a stupid question. I thank Liam Laurence Smyth and Paul Evans. As the Clerk of the House said, they have covered many jobs to make the work of this House seamless.

Mr Speaker, you are an internet sensation. Apparently in Europe they think you can only say four words—order, order, ayes and noes—but they do like you. I thank you, the Deputy Speakers and your office for their unfailing courtesy and kindness. I also thank: the Serjeant at Arms for all his work; Phil and his team of Doorkeepers; the House of Commons Library; the Official Reporters; the Vote Office, who have had to work overtime to print amendments; the catering and cleaning staff; the postal workers; the police officers; and all the security officers

on the estate. Our staff and the staff of all the political parties are unseen, but they have worked incredibly hard. Mr Speaker, not a single person has complained about working extra time to enable us to do our work. We thank them all. I wish everyone a happy and peaceful Easter.

**Andrea Leadsom:** I thank the hon. Lady for her comments. I join her in wishing the Chairman of the Backbench Business Committee a very happy birthday for Easter Sunday. Yesterday, I had the huge pleasure of attending Privy Council at Windsor castle. I can tell the House that Her Majesty is in excellent form. I am grateful to the hon. Lady for her personal tribute to the Queen.

The hon. Lady asks for an update on ministerial responsibilities. She knows that that will be provided as soon as it can be done.

The hon. Lady asks about the Prime Minister's policy on Brexit. She will be aware that the Prime Minister made a statement yesterday, in which she said:

“The UK should have left the EU by now and I sincerely regret the fact that I have not yet been able to persuade Parliament to approve a deal which would allow the UK to leave in a smooth and orderly way.”

She went on to add:

“we have a duty as politicians to find a way to fulfil the democratic decision of the referendum, deliver Brexit and move our country forward.”

I totally agree with the Prime Minister.

The hon. Lady asks about certain negative procedure statutory instruments. It is, of course, a matter of parliamentary convention that, where a reasonable request for a debate has been made, time should be allowed for that debate. I think we have demonstrated in this Session that the Government have been willing to provide time in line with the convention to accede to reasonable requests. I encourage her to raise her request through the usual channels.

The hon. Lady raised particular questions about ID pilots and the gender pay gap. She will be aware that we have had urgent questions on both those issues in the last week, so I hope that they answered her questions. She talked about inequality. She should celebrate, as we all should, that the employment rate is at a record high; that we have the lowest unemployment since the 1970s; that over 4 million of the lowest earners were taken out of income tax altogether between 2010 and 2015; and that, importantly, the top 5% of earners are paying half of all income tax. That is absolutely vital; those with the broadest shoulders are carrying the heaviest burden.

Finally, I join the hon. Lady in celebrating the 21st anniversary of the Belfast/Good Friday agreement, which has been so important in ensuring peace in Northern Ireland.

**Sir David Amess** (Southend West) (Con): While I regret that there is no Easter Adjournment debate, will my right hon. Friend find time for a debate on the sacrifices that animals have made with their lives for human beings throughout the ages? Over 1 million horses lost their lives in the first world war and every day, sniffer dogs come into this House to ensure that there is not another gunpowder plot. I am delighted that tomorrow in Essex, a memorial will be unveiled to commemorate the sacrifices that police sniffer dogs have made with their lives.

**Andrea Leadsom:** I know that all hon. Members always look forward to my hon. Friend's contributions to pre-recess Adjournment debates. I am sure that Mr Speaker would look very favourably on his desire for a specific Adjournment debate to address the sacrifice that animals have made in the service of our country. I say again that we should all celebrate the Royal Assent that was achieved last week for the Animal Welfare (Service Animals) Act 2019—Finn's law—which will help to protect our service animals.

**Pete Wishart** (Perth and North Perthshire) (SNP): I thank the Leader of the House for at least giving us the second part of our Easter break.

We really could not make it up: of all the dates to kick the Brexit can down the road to, Halloween could not be a more appropriate destination. Can we therefore have a debate about something that this House is now supremely experienced in: horror and ghouls? That is the date that this House of horrors will eventually meet its Brexit afterlife, and if that is not frightening enough, there is nothing in store for us other than more torment, purgatory and trick or treat, with a special emphasis on trick.

When watching the scenes from yesterday, it must have seemed to so many of my colleagues on the Government side to be the ultimate humiliation and the real horror. Their Prime Minister was sitting in an anteroom waiting to hear what the EU were prepared to grant the UK. After telling us that we would be out of the EU by the 29th of last month, after saying that there would be no extension, and after trying to secure a short extension, they are now obliged to contest the European parliamentary elections, in which they will undoubtedly be gubbed. If that is taking back control, can we not just go back to the good old days when we were just a bog-standard vassal state?

We have been warned that the House should not waste the time that the EU has so generously granted us. Can the Leader of the House detail how the time will be used much more productively and convince us that there will not be just more of the same repetitive and ultimately doomed agenda; no more of this "My way or the highway"; no more not listening; and no more not compromising? Will there be a real attempt to work right across the House and engage with all parts of the UK to show that the Government are at least prepared to listen to others?

Lastly, I very much welcome the new hon. Member for Newport West (Ruth Jones)—she is more than welcome in this House—and I congratulate Sarah Davies on her new appointment to Clerk Assistant. I also take this opportunity to thank the staff of the House, including the police and all those who look after us. It must be difficult to work in a House dominated by chaos, indecision and confusion, when arrangements are changed at the last possible minute, but they have dealt with it stoically and without any complaints. I wish them the very best for the week that they will have for the Easter break.

**Andrea Leadsom:** The hon. Gentleman talks about Halloween, ghosts, ghouls and horrors, but the real horror is that we as a Parliament have not yet delivered on what we were expressly told to do in 2016, which is to leave the European Union. That is what we will be spending the next few months seeking to do.

The hon. Gentleman says that that means that we need to consult. He knows full well that the Prime Minister is indeed consulting, and has been for many months, with Opposition Members across the House. However, I would remind him of the words of his colleague the constitutional Minister in the Scottish Parliament who was asked by a Select Committee whether, if there were a second referendum, which I gather is SNP policy, and the United Kingdom were to decide again to leave, he would abide by that. The answer? No. The truth of the matter is that it is the hon. Gentleman and the Scottish nationalists who do not want to listen to the will of the people and who do not respect the will of the people.

**Sir William Cash** (Stone) (Con): Given that the Leader of the House has just made an announcement regarding our going into recess, I am surprised that she has not told the House whether the Government intend to lay today the statutory instrument that is required to implement what is regarded as the unlawful agreement made last night extending the time when we will leave the EU, and that is now, disgracefully, under a negative, rather than an affirmative, resolution. Could she please explain to the House what is going on?

**Andrea Leadsom:** My hon. Friend will be aware that, since the Prime Minister has agreed an extension of article 50 until 31 October at the latest, that is now set in international law. The EU has agreed that the extension can be terminated when the withdrawal agreement has been ratified, so we now need to reflect this change on our domestic statute book. Following the amendments made by the European Union (Withdrawal) Act 2019, the statutory instrument needed to redefine exit day is now subject to the negative procedure.

**Ian Mearns** (Gateshead) (Lab): I thank the Leader and the shadow Leader of the House for their birthday wishes, although my birthday is not for a week and a bit yet—I was born on Easter Sunday, and it comes round every now and again. I also wish a very happy birthday for tomorrow to my hon. Friend the Member for Blackburn (Kate Hollern)—I think she will be catching up with me quite soon.

I thank the Leader of the House for the business statement and for announcing the Backbench Business on Thursday 25 April—they are very important debates, which we have been waiting some time to hear while they have been in the queue.

I think this has been circulated, but the debate on Islamophobia, which was scheduled for this afternoon, is to be withdrawn so that time is given to the conclusion of the debate on the 2019 loan charge and we can get that all-important ministerial response.

We are coming back on Tuesday 23 April, and I understand that we will be sitting in this Chamber on Monday hours. Can we make sure that Westminster Hall is in a similar vein, because it is unfair for Members travelling from further afield to be expected to attend Westminster Hall on Tuesday hours when this Chamber is meeting on Monday hours?

**Andrea Leadsom:** I am grateful to the hon. Gentleman. Westminster Hall will be sitting Monday hours on the Tuesday, alongside this Chamber.

[*Andrea Leadsom*]

I sincerely regret that, owing to the pressures of the very important business today, the hon. Gentleman has found it necessary, quite rightly, to move the date of the debate on Islamophobia. I just want to say again from the Dispatch Box that nobody should ever fear persecution of their faith. It is vital that we all stand together to reject those who seek to spread hatred and to divide us. I want to assure the hon. Gentleman that the Government are doing everything they can to tackle hate and extremism.

**Sir Oliver Heald** (North East Hertfordshire) (Con): I thank the Leader of the House for her comments about the Animal Welfare (Service Animals) Act 2019. I notice that one or two of my co-sponsors are here in the Chamber, and I would like to thank them and Members in all parts for their support. During proceedings on the Bill, the Government consulted on increasing the sentence for offences under the Animal Welfare Act 2006 to five years. Will legislation come forward in the week commencing 23 April, or shortly, so that that important measure can be introduced to protect all animals?

**Andrea Leadsom:** My right hon. and learned Friend raises a really important point. He will know, and will no doubt be proud of the fact, as all hon. Members should be, that animal welfare standards in the United Kingdom are rightly among the highest in the world. The Government have sought to do as much as they can to further protect animals, including through some of the measures to prevent illegal puppy trading and so on. The Government will always continue to do all they can to increase animal welfare standards, including by bringing in measures to increase the possibility of sentencing as soon as parliamentary time allows.

**Ruth Jones** (Newport West) (Lab): I am privileged to be able to speak in this Chamber as the new Member of Parliament for Newport West.

County lines is a growing issue across the UK, and no more so than in my constituency. May we have a debate in Government time to discuss the way in which it is damaging our communities?

**Andrea Leadsom:** Let me again welcome the hon. Lady, and congratulate her on her delivery of an excellent question. She will no doubt be aware that the subject she has raised is of huge concern to Members in all parts of the House, and that the Government have taken significant steps to try to resolve the appalling issue of county lines, which involves drug dealing, the abuse of young people—many of whom are being tackled violently—and the increased incidence of knife crime. It is an appalling problem.

The hon. Lady may also be aware that the Government have set up a serious violence taskforce and a consultation on treating serious violence as a public health emergency. The police are making efforts to tackle the county lines problem and, specifically, gang membership. They are trying to catch gang leaders and intervene earlier to take young people away from a life that leads to serious violence, knife crime and county lines.

**Richard Benyon** (Newbury) (Con): Tilly Green is an 11-year-old who lives in Bradfield, in my constituency. She suffers from cystic fibrosis and would benefit from the use of a drug called Orkambi, but unfortunately the

National Institute for Health and Care Excellence does not allow it to be used. I am consulting Ministers about the matter, but it would be a great help if there were the possibility of a debate in the House to draw out the relatively opaque nature of how NICE decides whether a drug can or cannot be used. Knowing that the treatment would be available in due course would bring great comfort to families like Tilly's.

**Andrea Leadsom:** I am grateful to my hon. Friend for raising this issue. There are two children with cystic fibrosis in my own constituency, and they and their parents are also campaigning strongly for access to Orkambi. There have been a number of meetings in Parliament between Members and Vertex, the supplier of the drug, to try to move things forward. The Government are doing everything they can to find a way through the problem, but I encourage my hon. Friend and others to keep on fighting for access to this drug.

**Stephanie Peacock** (Barnsley East) (Lab): Last September my constituent Jacqueline Wileman was hit and killed by a lorry that had been stolen by four men in Barnsley. Three of them were on probation, all four had nearly 100 criminal convictions between them, and one had already been convicted of causing death by dangerous driving. They all received prison sentences of just 13 years or less, including the man who had been driving, who could be released within four years. Will the Government make time available for an urgent debate on removing the 14-year maximum sentence for causing death by dangerous driving? No other family should have to go through what Jackie's have been through.

**Andrea Leadsom:** I am so sorry to hear that. The hon. Lady is absolutely right to raise it in the Chamber. It is appalling when something as terrible as a death happens, perpetrated by people who already have offences against their names. It appears that the sentences received by those people were too lenient, which must be absolutely terrible for the family of the person who was killed. Justice questions will take place on our first day back, 23 April, and I encourage the hon. Lady to raise the issue directly with Ministers then.

**Andrew Selous** (South West Bedfordshire) (Con): May we have an urgent debate about the action that is needed to deal with the theft of tools? I hope that the Leader of the House shares my horror at this particularly pernicious crime. Someone who steals a self-employed tradesperson's tools steals their livelihood, and many of those people cannot claim on their insurance. This is a serious issue, and we need to deal with it.

**Andrea Leadsom:** My hon. Friend has raised a very important point. I think that we all understand the distress and disruption caused by this type of crime and the effect that it has on victims, particularly when they rely on the tools of their trade to earn a living. It is absolutely clear that all this type of crime should be reported to the police so that it can be properly investigated. It is, of course, for chief constables and police and crime commissioners to decide how best to deploy resources to manage and respond to individual crimes.

In my constituency we recently had a successful operation that resulted in the return of many stolen tools as a result of good police intelligence and good reporting by the victims.

**Mr Alistair Carmichael** (Orkney and Shetland) (LD): May we have a statement or an urgent debate on the UNICEF campaign to protect children from deadly toxic air? It is a subject on which I have received a number of representations from the children of Cullivoe Primary School in Yell, who take the view very reasonably that everyone should be entitled to air that is as clean as Shetland air, even if they might not necessarily want it to move at the same speed as ours occasionally does.

**Andrea Leadsom:** I will take that as an invitation from the right hon. Gentleman to come to Shetland. He is right of course; we have to do all we can to ensure that not just children but all of us are able to breathe clean air. That is absolutely vital. He will be aware that air pollution has declined significantly since 2010. Emissions of toxic nitrogen oxides have fallen by 29% and are at their lowest since records began. But the Government are committed to ensuring that, where people live, and where NO<sub>2</sub> levels are at their worst, we do all that we can. We have announced our world-leading new clean air strategy to try to clean up air, and we are spending £3.5 billion on it to try to reduce harmful emissions.

**Sir John Hayes** (South Holland and The Deepings) (Con): A number of NHS clinicians have quit the gender identity development service clinic over ethical and safety concerns. They state that they were

“often under pressure to refer young people for life-altering treatment even though they did not believe that it was in the individual’s best clinical interests. ... It feels like conversion therapy for gay children.”

They fear that homophobia is driving a surge in transgender young people. They say that

“experimental treatment is being done on children who have experienced mental health difficulties, abuse and family trauma.”

I know, having spoken to her, that the Minister responsible, the Under-Secretary of State for Health and Social Care, my hon. Friend the Member for Thurrock (Jackie Doyle-Price), would welcome the opportunity to make a statement, and I hope that the Leader of the House will facilitate that. We are driving too many young people down a road to a destination from which they will never return.

**Andrea Leadsom:** My right hon. Friend raises an incredibly sensitive topic. We want to make the legal gender recognition process less intrusive and bureaucratic for transgender people. Being trans is not an illness and it should not be treated as though it is. That is why we held our consultation on the Gender Recognition Act 2004. It is a sensitive topic, and it is important to hear all views on it, including those of some young people perhaps being pushed to make decisions too early. My right hon. Friend the Minister for Women and Equalities is determined to ensure that we get this right.

**Kevin Brennan** (Cardiff West) (Lab): May we debate the power of science? Astronomers have achieved an accurate image of a black hole, which is a region in space-time with a gravitational pull so strong that nothing can escape from it. May I suggest that the Government ask the astronomers to point their telescopes next at planet Brexit so that we can reveal that there is a means of escape by holding a confirmatory referendum?

**Andrea Leadsom:** Well of course, many of us in this place saw our first black hole when we came into office in 2010 and saw the state of the finances that Labour

had left for the United Kingdom, so we have already had our own bit of experience. On a more general point, the hon. Gentleman is right to raise this extraordinary scientific progress, and he will be pleased to know that the UK scores the highest of all countries for having the most highly cited papers in astronomy, physics, Earth observation and planetary science. We remain a leading member of the European Space Agency, which is independent of the EU and allows UK scientists to collaborate with international partners on pioneering space science missions. The UK space sector is growing; it is worth a total of £14.8 billion and employs almost 50,000 people in the UK.

**Chris Bryant:** You enjoyed that, didn’t you?

**Andrea Leadsom:** I did.

**John Lamont** (Berwickshire, Roxburgh and Selkirk) (Con): Residents in Reston in my constituency have fought hard for many years to bring east coast main line rail services back to their community. Despite a promise by the SNP Scottish Government that the station would be reopened by 2016, this has still not happened because of dither and delay by the SNP Administration in Edinburgh. May we have a debate about how Network Rail interacts with the Scottish Government to ensure that Reston station and other rail projects across Scotland are delivered more quickly?

**Andrea Leadsom:** It is interesting how the Scottish nationalists opposite are trying to shut my hon. Friend down—obviously because this is a devolved matter. He rightly raises a frustrating issue. A number of colleagues have raised concerns about trains, stations and network projects in their constituencies. I am sure that a debate on those matters would be very welcome. He might want to speak to the Chair of the Backbench Business Committee, the hon. Member for Gateshead (Ian Mearns), so that all hon. Members can share their concerns.

**Judith Cummins** (Bradford South) (Lab): At Foxhill Primary School, which I visited last week, a reduction in funding has forced it to consider cutting parts of its arts programme despite having an amazing brass band and choir. May we have a debate in Government time on the importance of arts and creativity in the school curriculum?

**Andrea Leadsom:** I join the hon. Lady in paying tribute to the schools in her constituency who are doing a great deal to try to ensure that culture and the arts are alive and well—and music in particular, which many children enjoy so much at a young age; some continue with it. She is right that schools need to protect as wide a curriculum as possible, and she will be aware that this year there is more than £43 billion of core funding for schools—the highest figure ever—and 1.9 million more children are being educated in “good” and “outstanding” schools than in 2010. The Government are committed to allowing headteachers the flexibility to provide the kind of education that young people deserve to receive.

**Bob Blackman** (Harrow East) (Con): This Sunday sees the Hindu festival of Rama Navami, which celebrates not only the birth of lord Rama but his betrothal to his consort, Sita. This is a time of great joy for Hindus and the deities will be paraded all around the country.

[Bob Blackman]

Will my right hon. Friend arrange for a debate in Government time on the joys of marriage and the opportunity once again to celebrate the triumph of good over evil?

**Andrea Leadsom:** My hon. Friend often raises these important occasions on behalf of his constituents, and he is absolutely right to do so. I extend warm wishes to all those celebrating the occasion of the birth of Lord Rama. Rama Navami also marks the start of spring, and we are reminded of the hope that this time of year brings for growth and happiness.

**Clive Efford (Eltham) (Lab):** On Monday evening a man was rammed off his motorbike, stabbed and had his motorbike stolen. He is in a critical condition in hospital. The week before, a young man was stabbed at half-past 3 in the afternoon. Fortunately, he is not in a critical condition. May we have a debate in Government time about the impact of a cut of 21,000 police officers on the police's ability to apprehend the people carrying out these atrocious crimes?

**Andrea Leadsom:** May I say to the hon. Gentleman how sorry I am to hear about these appalling crimes? It is totally unacceptable, and our hearts go out to the victims.

In the spring statement, my right hon. Friend the Chancellor of the Exchequer announced an extra £100 million in the short term to allow police and crime commissioners to allocate more resources to tackling knife crime. Importantly, we have introduced the Offensive Weapons Bill, which includes a new knife crime prevention order that will give police more powers to stop people carrying knives and prevent young people from accessing knives online. We have extended stop-and-search powers, and under Operation Sceptre police forces are undertaking co-ordinated national weeks of action to tackle knife crime. The Government are taking a huge number of steps in collaboration with local police forces to try to get a grip on the appalling rise in knife crime.

**Colin Clark (Gordon) (Con):** Aberdeen International airport is essential to the engine room of the Scottish economy, the oil and gas capital of the UK. There has been a serious reduction in the number of flights, which is inconveniencing the business community, leisure travellers and six MPs, including several who sit across the Floor. Will my right hon. Friend consider finding time for a debate on regional connectivity?

**Andrea Leadsom:** I am sorry to hear that from my hon. Friend. Obviously, we rely on our regional airports, and it is absolutely vital that they continue to offer a good service. I am not sure whether the Aberdeen city region deal will offer any route forward, with new investment coming into the area, but I encourage my hon. Friend to raise his particular issue directly with Ministers at Transport questions.

**Rachael Maskell (York Central) (Lab/Co-op):** We have learned that 4 million older people live in poverty, nearly 1 million live in severe poverty and 46,000 died prematurely last year. Can we have an urgent debate to

discuss what is happening to older people in our country and their rights, and a commission to uphold those rights?

**Andrea Leadsom:** The hon. Lady raises a really important point. It is vital that we do everything we can to ensure that our older population are living in comfort. That is why the Government introduced the triple lock on the basic state pension. We have renewed that commitment, guaranteeing that pensions will rise for each year of this Parliament by the highest of average earnings growth, price inflation or 2.5%. That means that the basic state pension is now more than £1,450 a year higher than it was in 2010. This Government are determined to ensure that our older people have the right level of state support.

**Sir Peter Bottomley (Worthing West) (Con):** Following on from my right hon. Friend's answer, when might we have a debate on early-day motion 2265?

[That an humble Address be presented to Her Majesty, praying that the Social Security Benefits Up-rating Regulations 2019 (S.I., 2019, No. 552), dated 12 March 2019, a copy of which was laid before this House on 18 March 2019, be annulled.]

Why are 500,000 British pensioners still denied increases 17 years after Judge Stanley Burnton declared that Government policy was not consistent or coherent? It seems time that we take our responsibilities to those pensioners as seriously as we take our responsibilities to others. Why do they get the increase in Jamaica but not Trinidad, in the United States but not Canada, and in the Philippines but not Indonesia? It is crazy.

**Andrea Leadsom:** I assume my hon. Friend is talking about overseas pensioners—he was not clear. I encourage him to seek an Adjournment debate so that he can raise his question directly with Ministers. He will be aware that there have been different arrangements over many years. Of course, it is vital that we show fairness to pensioners overseas but also to those who are working hard in the United Kingdom to pay their taxes.

**Paula Sherriff (Dewsbury) (Lab):** My constituent David has significant health issues, recently described by his consultant as severe and debilitating. He recently had his personal independence payment cut and faces a lengthy wait for an appeal, which is impacting on his physical and mental health. When I wrote to the Secretary of State to ask her to expedite his hearing, I received a patronising and, frankly, inhumane response unbecoming of a Secretary of State. May we therefore have a debate to consider how we can fix this broken system?

**Andrea Leadsom:** The hon. Lady raises a particular constituency case, and she is absolutely right to do so. I am sorry if she is not happy with the Department's response. Obviously, as I often say, I will raise the issue on her behalf, if she wants to write to me. Since the personal independence payment was introduced in 2013, there have been 3.9 million decisions and the total number of people unhappy with those decisions is less than 1% of all assessments. We are seeking to review and improve the system all the time, to make it easier for people to receive the care and support they need.

**Chris Green** (Bolton West) (Con): The best part of BBC “Question Time” is not the opinion of the panellists but the voice of the audience. Given that the “Question Time” that was due to be broadcast from Bolton was cancelled in favour of London, may we have a debate on how well our national broadcaster represents the nation as a whole?

**Andrea Leadsom:** I have every sympathy with my hon. Friend. Programming decisions of that kind are a matter for the BBC, but I note that it said that the business of the House was an important factor. We all want the BBC to broadcast right across the United Kingdom and facilitate proper debate across all regions.

**Jim Shannon** (Strangford) (DUP): At this time of year we, as Christians, remember the resurrection of Christ and offer thanks for his sacrifice and death on the cross, which offers hope of redemption and life eternal. We also remember all those countless persecuted Christians across the world who must believe, worship and pray in secret for fear of their life. Will the Leader of the House agree to a statement on how we in the UK can support the persecuted Church throughout the world?

**Andrea Leadsom:** The hon. Gentleman is absolutely right to raise this issue. He has a strong voice on the subject of religious persecution, and he will know that the United Kingdom is committed to freedom of religious belief. On 26 December 2018, my right hon. Friend the Foreign Secretary announced an independent review of the persecution of Christians overseas. That review is to be conducted by the Bishop of Truro and will provide recommendations on additional practical steps that the Foreign Office can take to support persecuted Christians. The report is due by the summer.

**Fiona Bruce** (Congleton) (Con): There is public concern that the Government are not following through on the will of the people. Does that now extend to all consultations? Can we have a statement on the Government’s response to consultations? Is it acceptable that the Government have felt able to discount the views of 80% of those who responded to their proposed divorce law changes, simply because many objected to them as the result of a campaign to raise awareness of that very consultation? Are some individuals’ responses more worthy than others? If a person has a view of conscience on policy, does it not count?

**Andrea Leadsom:** My hon. Friend raises an important issue. I know this is something she cares about very deeply, as do many hon. and right hon. Members on both sides of the House. The fact is that hostility and conflict between parents leaves a terrible mark on children and can damage their life chances, whether the parents are together or separated. Although we will always uphold the institution of marriage, it cannot be right that outdated laws help to create or increase conflict. All views will be taken into account, but nevertheless the Government, while listening to calls for reform, want to replace the requirement to provide evidence of fault and create the option of a joint application for divorce.

**Vicky Foxcroft** (Lewisham, Deptford) (Lab): The Leader of the House said at business questions last week that the House would have a debate this week on the knife

crime summit. Why did that debate not happen? Why is there nothing in the future business? This should be a national priority.

While I am talking about issues on which we seem to be making no progress, will there be an update on the Timpson review of school exclusions?

**Andrea Leadsom:** The hon. Lady will be aware that I announce the business for the following week at business questions on a Thursday morning. I am keen to facilitate further debates, as I already have, on the important issue of knife crime and serious violence. I will continue to seek to find Government time for such a debate.

My right hon. Friend the Minister for School Standards has said that he would be very happy to meet the hon. Lady on the Timpson review.

**Richard Graham** (Gloucester) (Con): The last business questions before Easter is a good moment for cross-party unity, so may I draw the attention of the Leader of the House to the joint letter by the hon. Member for Bridgend (Mrs Moon)—the president of the NATO Parliamentary Assembly—and myself on behalf of Commonwealth servicemen and women in our armed forces? The letter seeks to waive the application, after four years’ service, for indefinite leave to remain, the cost of which has now risen to £10,000 for a family of four. I understand that the Defence Secretary has raised this issue with the Home Secretary. Meanwhile, may I seek the support and signatures of every Member present today, and the support of the Leader of the House, for both the issue and for a debate on it?

**Andrea Leadsom:** My hon. Friend raises an issue on which there will be a lot of support from across the House. I encourage him to seek an Adjournment debate or a Westminster Hall debate, so that all hon. Members may contribute to it.

**Diana Johnson** (Kingston upon Hull North) (Lab): I draw the House’s attention to my entry in the Register of Members’ Financial Interests. Last month, the Commonwealth War Graves Commission launched the “Legacy of Liberation” campaign, marking 75 years since the liberation of Europe and the far east. That includes activities across the historical sites of the great escape, Monte Cassino, Normandy and Arnhem. Could we please have a debate allowing Members across the House to mark this milestone anniversary of when we did not just stand alone, but built alliances that delivered Europe from pure evil?

**Andrea Leadsom:** I am grateful to the hon. Lady for raising that issue. She rightly pays tribute to all those who gave so much in a co-ordinated effort to stamp out evil. It is right that we commemorate these anniversaries, and I will certainly see whether we can find time for such a debate.

**Jeremy Lefroy** (Stafford) (Con): As my hon. Friend the Member for Strangford (Jim Shannon) mentioned, Christians around the world will be celebrating the resurrection on Easter Sunday, after the darkness of Good Friday, but for many Christians, particularly those in places like the middle belt of Nigeria, this is a very, very dark time, when they are under attack, seeing people—including members of their families—murdered,

[Jeremy Lefroy]

and churches burnt down. May we have a debate on that persecution of Christians and others in the middle belt of Nigeria and elsewhere?

**Andrea Leadsom:** I am grateful to my hon. Friend for his question. Specifically with regard to Nigeria, we continue to call for an immediate de-escalation of violence, and for the Nigerian Government to demonstrate a clear strategy for resolving the conflict, ending the violence and ensuring that the needs of all affected communities are met. The United Kingdom promotes tolerance and acceptance of different faiths and beliefs within our own country, but it is also something that we want to see right around the world.

**Neil Coyle** (Bermondsey and Old Southwark) (Lab): I wonder whether the Government might provide time to debate the state of a political party whose primary policy is, by its own admission, to undamage our economy, which does not have a leader—just a caretaker manager; a party scared of the public, and even of standing in European elections, with its own MPs openly backing other parties, and which, according to its own accounts, receives more funding from dead people than from the living. But unlike those Tory donors, I will not hold my breath.

**Andrea Leadsom:** There is really no answer to that.

**Henry Smith** (Crawley) (Con): Several days ago I met volunteers in Broadfield, who are participating in a community action to clear up litter in that neighbourhood. Unfortunately, over the past five years Labour-controlled Crawley Borough Council has not issued a single litter penalty notice. May we have a statement from the Secretary of State for Housing, Communities and Local Government on the responsibility of environmental health departments to support communities to clean up their local areas?

**Andrea Leadsom:** My hon. Friend has thoroughly excited my lovely Parliamentary Private Secretary, my hon. Friend the Member for Banbury (Victoria Prentis), who as he knows is extremely keen on cleaning up our environment. He points out rightly that there is a duty on local authorities to ensure that we keep our communities, roads, hedgerows and waterways free of litter. I would encourage him to raise that at the next local government questions.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): May we have a debate on the vital importance of extending musical tuition to those from low-income backgrounds and deprived areas? I particularly commend the work of the Beatroute Arts centre in my constituency, which recently received a £69,000 grant from the Young Start funding programme. It does very important work in the constituency, particularly in extending opportunity to young people who would not normally be able to access private musical tuition or elite institutions such as the Royal Conservatoire of Scotland, which are often disproportionately enjoyed by middle-class families. Can we commend the extension of that opportunity to those from all backgrounds?

**Andrea Leadsom:** I join the hon. Gentleman in commending that arts centre for its work for young people. It is absolutely vital that young people get to

enjoy the wonders of music and taking part in performance, and I totally commend all those who seek to make that happen.

**Tom Brake** (Carshalton and Wallington) (LD): I, too, welcome the hon. Member for Newport West (Ruth Jones). I would like to reassure her that Parliament and governance is not always like this—intent on self-destruction. How soon after the talks between the Government and Labour collapse will the Leader of the House be able to bring forward indicative votes? Will she allow an indicative vote to take place that allows the Prime Minister's deal to be linked to a people's vote?

**Andrea Leadsom:** We had a people's vote in 2016. The result of that was clear. We will be leaving the European Union just as soon as we have been able to find a way forward that works for the United Kingdom and for our EU friends and neighbours, and that this House can support.

**Deidre Brock** (Edinburgh North and Leith) (SNP): Constituents of mine, the Riddells, an Australian couple, run a community bakery that employs 15 people. They have just had their visas refused by the Home Office because of a very small error that could have been quickly and easily rectified, but it has taken over six months for the family to be told of it. Now they are desperately awaiting an admin review, but they need their passports back to travel to their daughter's wedding in Australia in a few days' time. Their life in Scotland and jobs in my constituency now hang in the balance. How would the Leader of the House suggest we might encourage the Home Office to routinely contact applicants at the beginning of the visa process, raising any questions over their documents, to give people a chance to sort those out in good time?

**Andrea Leadsom:** The hon. Lady raises a very good point about the need for urgency in the rectification of small errors, so that people can get on with their lives. She has raised a particular constituency issue, and if she wants to write to me I can take it up with the Home Office on her behalf.

**Nick Smith** (Blaenau Gwent) (Lab): I am concerned that many applications to go on the electoral register are being stymied for administrative reasons, such as the lack of a national insurance number. May we have a statement from the Cabinet Office containing an estimate of the number of uncompleted voter registration applications, and stating what the Government are doing to overcome such hurdles so that we can boost electoral registration?

**Andrea Leadsom:** I am sure that hon. Members right across the House want to see electoral registration boosted and improved. That is precisely what the Cabinet Office is seeking to do, while at the same time minimising any prospect of electoral fraud. We have Cabinet Office questions on Wednesday 24 April—the first Wednesday back—and I would encourage the hon. Gentleman to raise that question then.

**Matt Western** (Warwick and Leamington) (Lab): A few weeks ago, I asked the Leader of the House for a debate on climate change. Young people and many of

us in this place want to see more energy and urgency in addressing the issue. Tomorrow will see yet another climate change strike, including, I believe, at schools in Warwick and Leamington. Given that we now know what a black hole looks like at the heart of Government, will the Leader of the House take the opportunity to fill the power vacuum and grant us a full debate?

**Andrea Leadsom:** As I said to the hon. Gentleman on the previous occasion, I will try to find Government time. We had a debate in February, which unfortunately many hon. Members were unable to attend because they had other commitments. The subject is important; it is one of the single most important issues that face our world today. The Government's work towards tackling global climate change has been second to none. We have reduced emissions faster than any other G7 nation. We have generated record levels of solar and wind energy. The latest figures show that we have reduced greenhouse gas by 25% since 2010, and Carbon Brief analysis shows that UK CO<sub>2</sub> emissions have fallen for six years in a row, which is the longest decline on record. So there is a lot more to be done, but the Government are taking action.

**Kate Green** (Stretford and Urmston) (Lab): Last month, the Home Secretary made a very welcome announcement of new funding for security at mosques and other places of worship. Following my question in Home Office orals on 1 April, nearly 100 colleagues have written to ask for that funding to be brought forward in good time for Ramadan, which is just three and a half weeks away. Could the Leader of the House arrange an urgent statement for as soon as we come back, about what the Home Office is doing to ensure that our Muslim constituents are safe during Ramadan—a time when the community is highly visible?

**Andrea Leadsom:** The hon. Lady raises a really important point. I know that the Home Office is absolutely committed to ensuring the safety and security of all those who are at worship, at all times. If she wants to write to me following the business question, I can take up her specific question directly.

**Chris Stephens** (Glasgow South West) (SNP): When we come back from Easter recess, can we have, in Government time, a debate and a vote on changes to pension credit? Would that not be a great opportunity for this House to stand up for 1950s-born women, who are now referring to these changes as a toy boy tax?

**Andrea Leadsom:** I know that the hon. Gentleman has been very committed to campaigning on this issue, and he is absolutely right to do so. He knows that we have had many debates on the topic in recent months and years. As we have made clear previously, Conservatives in government have committed £1.1 billion to support those affected, so that no one will see their pension age change by more than 18 months relative to the Pensions Act 1995 timetable, and those with the most significant changes receive at least seven years' notice. The new state pension is much more generous for many women. By 2030, more than 3 million women stand to gain an average of £550 more per year as a result of the recent reforms.

**Martin Whitfield** (East Lothian) (Lab): As the Leader of the House will be aware, the last Wednesday in April is International Guide Dogs Day. I want to draw attention

to the competition being run in the Scottish Parliament by the Kennel Club for Holyrood dog of the year—I will put in a plug for Giles, Iain Gray MSP's guide dog puppy. May we have a debate in Government time on the role of assistance dogs for individuals who need them in our communities?

**Andrea Leadsom:** I am grateful to the hon. Gentleman for raising this important issue. Many people rely on assistance dogs just to get through the day, and not only as a companion but to provide practical support in their everyday needs. I encourage him to seek a Westminster Hall debate so that other Members can share their experiences.

**Patricia Gibson** (North Ayrshire and Arran) (SNP): Too many of my constituents, such as those living on the Isles of Cumbrae and the Isle of Arran, continue to be penalised with unfair delivery charges. Will the Leader of the House make a statement setting out her views on the need for action to ensure that all consumers are offered the lowest possible cost regardless of where they live, and does she agree that, as more shopping is done online, this is very urgent?

**Andrea Leadsom:** The hon. Lady makes a very good point. A number of her hon. Friends have raised that issue at business questions in recent weeks. It is absolutely right that there should be fair and reasonable delivery charges right across the United Kingdom. We have Business, Energy and Industrial Strategy Question Time on 30 April, so I encourage her to raise the matter directly with Ministers then.

**Vernon Coaker** (Gedling) (Lab): Julian Assange was arrested a couple of hours ago, and in an hour or two the Home Secretary will make a statement about it. Why can he not do the same for knife crime and the knife crime summit? Young people are being murdered on our streets every single week, and it has been going on for months. Communities are worried and concerned—many are devastated—yet the Home Secretary has gone missing. It is a complete and utter embarrassment to this Parliament and to the office he holds. He needs to get himself here and answer some questions about this very serious issue. Will the Leader of the House go to him and say, "Get here, Home Secretary, and make a statement about knife crime."?

**Andrea Leadsom:** The hon. Gentleman feels extremely strongly about this, and I absolutely sympathise with his view. He will appreciate, as will all hon. Members, that this issue comes up frequently at business questions, and I do keep the House updated on the several different measures that the Government have in train to tackle it, including through early prevention, through working with communities and with police officers, through legislation such as the Offensive Weapons Bill, through our serious violence taskforce and indeed through the public health approach to preventing knife crime. However, I hear what he is saying and I will take this up again with the Home Office.

**Meg Hillier** (Hackney South and Shoreditch) (Lab/Co-op): We have seen the scandal of Windrush and, in Hackney, we have thousands of Commonwealth citizens who are likely to be affected. Some 41,000 European citizens are going through the immigration process and

[Meg Hillier]

there are increasing problems with entrepreneur and spouse visas. Is it not time we had a proper debate in Government time about the functioning, or mis-functioning, of the Government's immigration system?

**Andrea Leadsom:** The hon. Lady will be aware that the Home Secretary made a statement to the House about the Windrush compensation scheme only a few days ago, so I hope that she had the opportunity to raise her concerns with him then. I understand that she has particular concerns. If she wants to raise those with Home Office Ministers, I am sure that they will be delighted to meet her to discuss them.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): The ongoing show trial of 18 Catalan political prisoners in Madrid, including the former Speaker of the Catalan Parliament, Carme Forcadell, has been an utter sham, with evidence that would have exposed the charges for the nonsense they are being disallowed by the Spanish court. May we have a debate on the importance of the independence of the courts and of this Government's double standards in promoting that across the globe while ignoring the situation in Madrid?

**Andrea Leadsom:** The hon. Gentleman will be aware that Spain and the United Kingdom have a very strong and open relationship. The UK is always clear about the need to work within the rules of the constitution and the law and to seek assurances at all times that they are being upheld.

**Jo Stevens** (Cardiff Central) (Lab): Brunei, Bahrain and Saudi Arabia have two things in common. First, they are repressive regimes that breach international human rights for women and LGBT people every day. Secondly, they are recipients of UK Government military training. May we have an urgent statement from the Defence Secretary on the hypocrisy of our Government's policy?

**Andrea Leadsom:** The hon. Lady raises a really concerning issue. It is appalling that in the 21st century people still face discrimination and persecution because of who they are or who they love. The Government urge Brunei to uphold its international human rights obligations and to respect individual freedoms. She will know that there was a discussion about that yesterday in this place—I think that she was there. I can assure her that the Government will continue to express our deep concern at ministerial and diplomatic levels.

**Hannah Bardell** (Livingston) (SNP): Many women across the UK have been led to believe that they were at fault and responsible for the birth defects of their own children, when in fact they had taken the hormone pregnancy drug primodos. My constituent Wilma Ord and her daughter Kirsteen have been waiting for answers and justice for Kirsteen's whole life. We are due to have a debate in Westminster Hall on Wednesday 23 April. I am grateful for the answer the Leader of the House gave to the hon. Member for Gateshead (Ian Mearns), but could she clarify for my constituents and me at what time the debate will be held, and will she give an absolute assurance that it will not be shifted or changed as a result of whatever shambles next appears in this place?

**Andrea Leadsom:** The hon. Lady raises a very serious issue, and she will know that there has been a consultation and evidence gathering about the problem. I am glad to hear that she has a debate in Westminster Hall. I will have to write to her after these business questions, because I do not know at exactly what time the debate is scheduled to start.

**Justin Madders** (Ellesmere Port and Neston) (Lab): It was announced this week that the boss of Centrica, which owns British Gas, has got a 44% pay increase, which comes off the back of 10% rises in gas bills for my constituents. People are rightly asking whether that is a fair and reasonable way to proceed with our utilities, which everyone needs. May we therefore have a debate on controlling corporate greed?

**Andrea Leadsom:** There will be a lot of sympathy across the House for the hon. Gentleman on the need for corporate pay to remain at a suitable level and not to be excessive. There are concerns across the House about excessive corporate pay. However, he will no doubt be pleased to know that income inequality is at an historically low level. The Government are seeking to do all we can to curb excesses.

**Thangam Debbonaire** (Bristol West) (Lab): This feels like groundhog day, because here I am again, about to ask the Leader of the House where the immigration Bill is. The Prime Minister said that we need to get on with something, and here is a list of something. Delighted though I am to see the return of the seed potatoes statutory instrument, for what I think is the fourth time, I really think it is time we debated the Bills that need to be passed. The immigration Bill is of critical concern to many of my constituents and, I am sure, to those of Members across the House. Where is it?

**Andrea Leadsom:** The hon. Lady will know that, in addition to the European Union (Withdrawal) Act 2018, there are nine exit-related Bills, which are either before Parliament or have already received Royal Assent. The Immigration and Social Security Co-ordination (EU Withdrawal) Bill has completed its Committee stage and will progress at the right time in order to ensure that it receives Royal Assent when necessary to implement our new immigration policy. She will appreciate that, to an extent, that depends on the agreement we come to with the European Union.

**Carolyn Harris** (Swansea East) (Lab): The Government's recent review of Whirlpool tumble dryers paid little attention to product recall and consumer safety. The London Fire Brigade, Electrical Safety First and *Which?* joined me in calling for better product recall processes for dangerous products. Can we have a debate in Government time to discuss this important issue?

**Andrea Leadsom:** The hon. Lady raises a very important issue about dangerous products and the appalling impact that they can have if, for example, they catch fire in somebody's home. She is right to raise this issue, and I encourage her to discuss it directly with Ministers on 30 April at Business, Energy and Industrial Strategy questions.

**Cat Smith** (Lancaster and Fleetwood) (Lab): It is now obvious that the UK will be taking part in the European Union parliamentary elections and, as a

consequence, the regulated spend period began on 23 January. This will have implications not just for political parties, but for non-party campaigning organisations that may already have spent over the limit on targeted online adverts. Before the House goes into Easter recess, can the Leader of the House advise us—or ensure that a Minister from the Cabinet Office attends the House to advise us—on what the implications are for any third-party organisations that may have already breached the spending limits?

**Andrea Leadsom:** The hon. Lady raises a very serious matter. I encourage her to write to the Cabinet Office with her specific request. However, let me say more generally that none of us wants European parliamentary elections to be held, and as long as the UK leaves the EU before 23 May, they will not take place. The Government are doing everything they can to ensure that the UK has reached an agreement by that date. However, let me be clear: any extension beyond 12 April was going to put on us a legal obligation to have European parliamentary elections on 23 May in train. If the withdrawal agreement becomes law on both sides before 23 May, no European Union parliamentary elections will be held.

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): It is reported that Stagecoach has been banned from bidding for further franchises, with pensions cited as a specific reason. The National Union of Rail, Maritime and Transport Workers has rightly raised concerns about train operating companies meeting their pension liabilities. What can this Government do to ensure that train operating companies are meeting those liabilities and that there will be no attacks on pension rates of staff?

**Andrea Leadsom:** The hon. Gentleman raises a very important point about workers' rights. I am not sure whether he was able to attend the earlier urgent question, but if he was not, he might like to raise the matter directly with Ministers at Business, Energy and Industrial Strategy questions on 20 April.

**Melanie Onn** (Great Grimsby) (Lab): When can this House expect to receive the Cox report recommendations and see them implemented in full?

**Andrea Leadsom:** The House received the Cox recommendations—there were three of them—some time ago. The first one has already been done. I am keen to make progress on the second as soon as possible. I am just waiting for the House of Commons Commission to finalise its agreement on the proposed way forward, which will enable historic allegations to be tackled properly. On the third recommendation, a small committee is being established by the Clerk of the House on behalf of the House of Commons Commission to look at how to remove Members of Parliament from marking their own homework.

**Janet Daby** (Lewisham East) (Lab): Stop and search is controversial and a highly sensitive issue for many communities, yet it is regarded as an important police power. This power can sometimes lead to strip search, the regulations of which are ambiguous. Strip search can also lead to humiliation and mental health problems. Can we have a debate on stop and search, specifically in relation to strip search?

**Andrea Leadsom:** The hon. Lady raises a very concerning issue. Obviously, stop and search is a vital policing power that is important in the fight against knife crime and serious violence. At the same time, it must be used legally and in a measured way. She is right to raise the issue. She might want to seek an Adjournment debate so that she can discuss it directly with Ministers.

**Alan Brown** (Kilmarnock and Loudoun) (SNP): It stands to reason that the older we get, the more likely we are to develop health conditions and to need additional support mechanisms, and yet too many state benefits are tied to the working age. Once a person retires, they no longer get these benefits. One example is the vehicle excise duty. I have a constituent who cannot believe that his frail 84-year-old mum still has to pay her road tax. Can we have a debate in Government time about extending benefits and support mechanisms for people beyond working age?

**Andrea Leadsom:** The hon. Gentleman raises a very interesting point. He will be aware that there are a number of benefits that our older population receive, such as free bus passes, free TV licences and not having to pay for prescriptions, eye tests, hearing tests and so on. Nevertheless, he raises an interesting issue and he might like to seek a Westminster Hall debate so that all hon. Members can share their views on the matter.

**Chris Bryant** (Rhondda) (Lab): I am delighted that we are having an Easter recess. At the rate we were going, I thought that we would get to Easter Sunday and the good Lord would be rising again before this House ever did. *[Interruption.]* Thank you very much! However, I am worried that the business that the Government have announced does not seem to address any of the issues that were raised by Donald Tusk last night. Surely this parliamentary Session has now run its course. We should decide to end it and start all over again. The Government can come up with a new Queen's speech, which will doubtless contain many interesting things, so that we can really get on with tackling the issues that face this country, including poverty wages, poverty, austerity and local authorities that cannot meet their proper responsibilities.

**Andrea Leadsom:** Well, the hon. Gentleman was doing so well until that last bit. Obviously, the way forward is something that the Prime Minister needs to consider carefully. She will be making a statement to the House shortly, so he will be able to direct his questions to her. When he talks about our economy and the state of our society, he should be pleased that there is an extra £1 billion available for the police, more than £1.3 billion extra available for local councils, more than £1.1 billion extra for our schools, a rise in the national living wage, another rise in the personal allowance, another fuel duty freeze, and a rise in the basic state pension, which is now more than £1,450 a year higher than in 2010. Added to that, more than 3.6 million more people are in work and we have the lowest unemployment since the 1970s. He is rolling his eyes, but this is really good news for real people.

**Ruth George** (High Peak) (Lab): Members of this House will doubtless be pleased that the House is not reconvening until 23 April. However, my constituent, who was unfortunate enough to claim universal credit

[Ruth George]

five days before the Secretary of State decided that people on severe disability premiums should not be claiming universal credit and who is therefore undergoing a weekly detriment to his income of almost £100 a week, is waiting for the managed migration regulations for universal credit to be laid by this House in order for his back payment to be made. He and thousands of other disabled people living well below the poverty line need those regulations to be laid. When will that happen, please?

**Andrea Leadsom:** The hon. Lady is raising a very serious constituency issue, and I am very sorry to hear about it. If she wants to write to me, I will happily take it up with the Department on her behalf. In more general terms, we spend £55 billion a year on benefits to support disabled people and people with health conditions. That is up more than £10 billion in real terms since 2010. Under this Government, the number of disabled people in work has increased by more than 900,000 in the past five years. That shows a really important Government commitment to doing everything we can for people with disabilities.

**Nic Dakin** (Scunthorpe) (Lab): I am told that some people seeking mental health support are just being given a phone number to ring by their GP. For vulnerable people, this can be quite difficult, but it shows the pressure that GPs and mental health services are under. Can we have a statement on the Government's plans properly to resource and deliver effective mental health services?

**Andrea Leadsom:** The hon. Gentleman is right that mental health is absolutely vital to all of us. The Government are putting in more money—a record £12 billion—and are taking more action on mental health than any previous Government. At the heart of the NHS long-term plan is the largest expansion of mental health services in a generation: £2.3 billion of extra investment to support almost 345,000 more children, at least 380,000 more adults and 24,000 new and expectant mothers. It will see 24/7 mental health crisis care for adults, children and young people, which will be rolled out through NHS 111. What is vital is that people have access to support as soon as they need it.

**Chris Elmore** (Ogmore) (Lab): May we have a debate about digital inclusion—not just about broadband access but about mobile phone signal and basic television services? That is still a huge issue in many parts of the country, including in my constituency, where some communities and villages do not even get a basic mobile phone signal. I would be grateful to the Leader of the House if she found some time for a debate about that important subject.

**Andrea Leadsom:** I absolutely agree with the hon. Gentleman—that is a big issue for many of us. I, too, have problems with basic mobile phone signal, as well as with broadband, in my constituency. The Government are committed to resolving this issue and to having a universal service obligation to demonstrate that we will have universal broadband coverage of at least 10 megabits per second, so that no home or business is left behind. I am sure that there would be great demand for a debate in Westminster Hall should the hon. Gentleman want to ask for one.

## Points of Order

12.40 pm

**Sir William Cash** (Stone) (Con): On a point of order, Mr Speaker. I gave you notice just now of the point I am about to raise, which is a very important question relating to what happened last night.

In respect of the question I put to the Leader of the House about last night's abject surrender by the Prime Minister to the EU on the extension of the time until our exit day from the EU—which, by the way, the Leader of the House herself and members of the Cabinet refused to support the other day—is it still competent for the Government to move motion 3 on today's Order Paper, since it contradicts motion 1 on the same Order Paper?

Secondly, Mr Speaker, can you confirm that there is nothing to prevent the Government from moving motion 3 now so the House can indeed sit tomorrow to debate regulations that are, in my judgment, unlawful and not in the national interest? Many hon. Members will table a prayer in order to debate and oppose them tomorrow. Depriving us of the ability to debate those regulations tomorrow is an act of cowardice and chicanery, and the fact that the shadow Leader of the House did not raise these issues smacks of collusion with the Government to avoid a debate. The whole thing stinks.

**The Leader of the House of Commons** (Andrea Leadsom) *rose—*

**Mr Speaker:** I will respond to the hon. Gentleman, but the Leader of the House is signalling a willingness to comment and therefore I think we should hear from her.

**Andrea Leadsom:** Further to that point of order, Mr Speaker. I think I can clear this up. My hon. Friend the Member for Stone (Sir William Cash) is absolutely right that two motions were laid yesterday. In the event that the European Union had declined to provide an extension to article 50, we would have been leaving the European Union without a deal tomorrow. Therefore, it was felt that we needed to have a motion laid, as a contingency plan, for the House to sit tomorrow should it be the case that we were leaving without a deal tomorrow. However, I also laid the motion for the Easter recess. The fact of the matter is that later today I will be moving item 1 on the Order Paper, which is the Easter Adjournment, and we will not be moving item 3, which is the sittings of the House motion. I hope that clears things up, Mr Speaker.

**Sir William Cash** *rose—*

**Henry Smith** (Crawley) (Con) *rose—*

**Bob Blackman** (Harrow East) (Con) *rose—*

**Mr Speaker:** Order. I will indulge the hon. Member for Stone (Sir William Cash) further in a moment. I am perfectly clear about the position. There is a manifest incompatibility between the moving of motion 1 and the moving of motion 3, a point that has not been gainsaid by the Leader of the House. She has, in fact, explained that it was really a matter of prudent preparation, if I can put it that way, and contingency planning that the Government wanted to afford themselves what I

would describe, without levity, as the backstop of motion 3 in the event that the circumstances warranted its deployment. The circumstances do not warrant its deployment, and therefore they resort, perfectly properly, to motion 1, which I rather anticipate, if we proceed in an orderly fashion, the Government will in due course move.

Of course, I always treat the hon. Gentleman with the very greatest of respect, like all Members. He is a serious authority on parliamentary procedure, and I will indulge him further in a moment, but not before I have heard other colleagues.

**Henry Smith:** On a point of order, Mr Speaker. When constituents send me—indeed, all of us—to this place, they expect us to be able to vote and have a voice on important issues that affect the future of the country. Therefore, Sir, can you advise me when we might get a chance to vote on the extension agreed yesterday evening at the European Council by the Prime Minister to the UK's exit date from the EU to 31 October?

**Mr Speaker:** Well, if the Government proceed as they intend to, there will not be such an opportunity today, but there is a prospect, or a possibility, of such an opportunity at a later date. If the hon. Gentleman is asking me whether I think there will be an opportunity today, in the light of the sequence of events and the way in which the Government intend to proceed, the answer is no, not today. That point I think has been anticipated and already, if you will, deprecated by his hon. Friend the Member for Stone. It may well be something that he also deprecates, which is the implication of his point of order, but nevertheless that is the situation with which we are confronted.

**Bob Blackman:** On a point of order, Mr Speaker. I seek your guidance. Clearly, if Government motion 1 succeeds tonight—I hope it will—there will be no business next week, but Members across the House have submitted questions for business next week, and Adjournment debates and other debates have been requested. May we have guidance on when those Question Times will take place, what the status is of questions that have been submitted already, and also, of course, when the shuffle will be, so Members know which questions have been chosen?

**Mr Speaker:** That is a perfectly reasonable inquiry. My understanding—I think it is also in conformity with what has happened in the past—is that we would simply roll forward by a week. Therefore, I must advise hon. Members that it is not intended that the shuffle will be done again. If the hon. Gentleman was successful in the shuffle—I do not know, because I am not privy to that—he can dance around the mulberry bush in joyous appreciation of the fact that, when we do get to those questions scheduled for the following week, his success is something to which he can continue to cling. I hope that brings happiness into the life of the hon. Gentleman.

**Sir William Cash:** On a point of order, Mr Speaker. I am most grateful to you again. You used the word “deprecate” just now. You will forgive me for perhaps embellishing it by saying, frankly, that I think this whole thing stinks. It is completely unacceptable, as my hon. Friend the Member for Crawley (Henry Smith)

pointed out, that we should be denied the opportunity to debate these questions today or tomorrow, given their importance to the national interest.

**Mr Speaker:** My counsel to the hon. Gentleman, whom I am not seeking to contradict or to argue with, is that if he feels as he does, it is open to him to vote against motion 1 when it is proposed by the Government, which will be at some point today. That opportunity does exist for him. I am well aware of the consternation, indeed bordering upon disgust, of the hon. Gentleman at the way in which a number of matters have proceeded in recent times—I am referring not specifically or only to Government handling, but to other matters of parliamentary procedure that have attracted his indignation—but there is a recourse for him, and it is to vote against motion 1.

Moreover, the hon. Gentleman requires no encouragement from me, but if he wishes to vent his displeasure about these matters, he will have the opportunity to do so with eloquence and force when the Prime Minister comes to address the House today. The hon. Gentleman, I feel certain, will be superglued to his seat until the point at which I call him, when he will leap to his feet with alacrity—and he can rest assured that on this occasion, as on every other, he will be heard.

**Chris Bryant (Rhondda) (Lab):** On a point of order, Mr Speaker. You will know that historically parliamentary Sessions have normally lasted roughly a year, although sometimes they are much shorter and sometimes, particularly when there is a general election, they go on longer. We have nearly got to the 24-month point in this Session, which has implications for the number of Opposition day debates and so on. Even including the one that has been announced today, we have still had only 22 Opposition day debates, whereas pro rata we should have had 40 in this period. I just wonder whether you have had any intimation from the Government as to when this Session might prorogue, when we might have a Queen's Speech, and when we might start the new Session of Parliament so that the process can start all over again. I hear rumours that the Government are now intending to keep the Session going until 31 October, which would be, yet again, to deny this House the opportunity to have some time of its own.

**Mr Speaker:** The short answer to the hon. Gentleman is that I have had no intimation from the Government that they plan to bring this Session to a close. I have had no indication at all of an early—well, not early, but imminent—Prorogation. What he says is true. The situation that faces us at the moment is, in that respect but also in many others, unusual. What he says about the under-supply of Opposition days is really a statement of fact. I well understand that there is much irritation about it, and I have myself commented on it. It is a most unusual way in which to proceed, but that is the situation at present, and I am not aware of any imminent plan to change it. Of course if it does not change and this Session runs on, and there is a continued under-supply of Opposition days, I suspect that that will be the subject of coruscating criticism, not least and not only from the hon. Gentleman.

Let me just give a further response to the hon. Member for Stone, because I think it is important to be accurate about this and to try to render—I keep trying to do this—our proceedings intelligible to people who are

[Mr Speaker]

interested in them but are not parliamentarians or parliamentary anoraks. I am genuinely grateful to the hon. Gentleman for giving me notice of his point of order. The European Union (Withdrawal) Act 2019 passed earlier this week makes regulations changing exit day, subject to the negative procedure. Under that procedure, Ministers make the regulations, which are then subject to annulment by a resolution in either House in the form of a Humble Address praying that the regulations be annulled. Such a prayer can be tabled as an early-day motion in the Table Office. As a matter of fact, of course, not many prayers are debated, but the Government do find time for some to be debated either in a Delegated Legislation Committee or on the Floor of the House.

As far as I know, the regulations changing exit day to match the unanimous decision of the EU Council agreed with the United Kingdom last night have not yet been laid. If the regulations changing exit day are made and laid today, the hon. Gentleman may table a prayer, today, as an early-day motion. Regulations subject to the negative procedure can be laid on any day during the existence of a Parliament, as provided for by Standing Order No. 159. So it is perfectly in order for the regulations changing exit day to be laid tomorrow, in which case he could not table his early-day motion until the day the House returns, Tuesday 23 April—a fact of which I think he is aware and which he deplures.

Given the urgency with exit day in domestic law still fixed as 11 pm tomorrow—Friday 12 April—the hon. Gentleman asks if the Government will move motion 3 on today's Order Paper so that the regulations can be debated tomorrow. I think I have already responded to that point by saying that the Government clearly intend to move motion 1, and it would be preposterous to move both 1 and 3. The Leader of the House has made clear the Government's intention that the House should, at its rising today, adjourn until Tuesday 23 April.

I think that is the best explanation that I can offer to colleagues at this time. However, I am very seized of the procedural issues involved, and I am by no means insensitive to the rights of Members of the House, who should have their opportunity, by one means or t'other—and preferably by more means than just one—to register their objections. For now, we must proceed. I remind you, colleagues, that we are at an early stage in our proceedings. We are not even halfway through the parliamentary day yet, so we need to retain a glint in our eyes and a spring in our step.

## Discrimination in Football

12.53 pm

**The Parliamentary Under-Secretary of State for Digital, Culture, Media and Sport (Mims Davies):** With permission, Mr Speaker, I shall make a statement on discrimination in football.

The Government are concerned about the recent rise in racist abuse in football which threatens to overshadow everything we love about our national sport. Last weekend, the English Football League said that it was “saddened, disappointed and angered” after a weekend of fixtures was blighted by four separate incidents of alleged racism against players. At the same time, in the Premier League, Crystal Palace's Wilfried Zaha re-posted an online tweet calling him “a diving monkey”. This all happened on the very same weekend that the Premier League's new “No Room for Racism” campaign was visible at grounds up and down the country.

Late last year, the unthinkable occurred—a banana skin was thrown on the pitch in the direction of a player during the north London derby. At the same time, we saw the abuse that Manchester City forward Raheem Sterling suffered at Stamford Bridge. We all witnessed the appalling scenes of racism directed at several of our England players in Montenegro. Homophobic and anti-semitic chanting, both here and abroad, has been prevalent in recent times. English football is revered across the globe for its excitement and passion. No other sport or country opens its doors and embraces so many different nationalities. We simply cannot have millions of people, particularly our young people, tuning into or witnessing at first hand the type of vile abuse that has been apparent of late—abuse directed at our players and our managers by opposing fans.

Wilfried Zaha, Raheem Sterling, and Danny Rose deserve our respect for speaking out about the abuse that is happening now, but ultimately they deserve our support. They need clear demonstrations that zero tolerance of this behaviour means just that. Be it player, manager or supporter—whether playing or attending—nobody who goes to games should have to tolerate discrimination of any kind. We welcomed the Football Association's call for UEFA to take strong and swift action following events in Montenegro. However, if this country is going to show the rest of the world that this behaviour is intolerable, we need to ensure that we are making every effort to combat discriminatory behaviour domestically.

I want to put it on record that there is some fantastic work being done by many of our clubs to stand up to the challenge of racism and intolerance. It must be said that the vast majority of football fans behave impeccably, creating a fantastic atmosphere that is a major part of the experience of watching live football. Racism is not of football's making, but sadly it is being used by certain individuals and groups to spread hate. This extends to the grassroots, with Kick It Out reporting a rise in racist incidents at this level too. It cannot be right for clubs to be fined for players taking action and walking off the pitch if they are receiving racist abuse. It is vital that players are supported. This type of fine sends the wrong signal. The FA must review whether its rules, as they stand, and the guidance it gives to clubs are effective for use in these situations.

Putting a stop to this is a challenge that affects all fans, all clubs and all football agencies, at all levels. The Government are determined to help in tackling this problem. On 25 February, I brought many of the various administrators, campaign bodies, fan group representatives, players, managers and organisations together for a summit to discuss this issue and collectively decide on what steps they must take to help to eradicate it. At that summit, it was agreed that a number of areas needed to be examined further.

There were six initial areas: first, to review whether football's current sanctioning regime goes far enough and, if not, what more is needed to act as a deterrent to this type of behaviour; secondly, to ensure that the partnership between football authorities and the police is close enough to improve the identification and sanctioning of offenders at matches; thirdly, to ask whether we give enough support to stewards and whether we can improve their capacity to deal with discrimination consistently throughout the leagues; fourthly, whether football can improve the information flow of incident reporting on the pitch, and support players; fifthly, how we can double down on efforts to ensure that match officials, stewarding operations and coaching and academy staff are all fully able to engage in their responsibilities to maintain an open and inclusive sporting environment; and finally, initiatives to help to increase the numbers of people from black and minority ethnic backgrounds into football professions beyond playing, with transparency and opportunities in the recruitment process absolutely central to this.

The Government will work with those key groups to deliver clear, tangible actions in the areas I have just described. My intention is to announce these in partnership with football before the end of the summer. If we are able to deliver them before, even better. I want to see change ready for the next season.

The ongoing cross-Government sport strategy "Sporting Future: A New Strategy for an Active Nation" seeks to ensure that access to sport is equal for all. It is vital that the atmosphere and environment in which sport and physical activity take place in our communities, whether at grassroots or elite level, are safe, supportive and free of discrimination and intolerance. The experience of players, staff and fans at football games both home and abroad will prove the ultimate test of success in this area. I am confident that the appetite is there to accept that challenge, and by working in partnership we will quash this disturbing and ugly recent trend of racism across our beautiful game.

1.1 pm

**Tom Watson** (West Bromwich East) (Lab): Although we are only halfway through proceedings, Mr Speaker, it is a pleasure to see you remaining jolly and calm.

I commend the Minister for making this particular statement, and I thank her for advance sight of it. I am sure that I speak for those on both sides of the House when I say that we appreciate her personal commitment to tackling discrimination in sport in all its forms. I agree that the vast majority of football fans see racism, homophobia, sectarianism and bigotry as the ugly side of the beautiful game. But hardly a week goes by without an example of discrimination.

We were all shocked by the blatant racism during the game against Montenegro last month. Hearing Danny Rose say after that match that he cannot wait to see the

back of football because of racism is deeply depressing, but sadly not surprising. When young players face abuse time and again, who can blame them for wanting to walk away? The bravery shown by those players is commendable, but they should not have to be brave when they are only trying to do their jobs. I agree with the Minister when she says that players should never be punished for walking off a pitch after receiving racist abuse, and I was disappointed to hear that the Wythenshawe Town manager, James Kinsey, has been sanctioned for taking his team off the pitch after alleged racism from a linesman.

I have some suggestions for the Minister to help to battle bigotry as soon as it rears its head. First, stewards can work more closely with police to identify offenders, intervene early and gather good evidence to facilitate arrests and charges. The Ministry of Justice could encourage the Crown Prosecution Service to give football hate speech a higher priority and impose harsher sentences. The Government could increase support for education programmes, such as those run by Show Racism the Red Card and Kick It Out, both of which have seen cuts as a result of central Government cuts to local government. Let us also be aware that the far right is attempting to infiltrate football again through groups such as the Football Lads Alliance, which marched in London only a few weeks ago, when some of their members were seen giving Nazi salutes.

We should also be aware that the problem is not only on the pitch and in the stands but online and in the media. The Minister mentioned Crystal Palace's Wilfried Zaha, who retweeted some of the horrendous racism he receives. Given that so much of the racist abuse directed at players is online, will the Minister explicitly include hate crimes aimed at sporting figures in the online harms consultation?

Raheem Sterling, in my view a hero, has called out the ways in which media portrayals fuel racism, in particular the disparaging way in which a young black player was treated for buying a house for his mum compared with a white player doing the same. Does the Minister agree that there is a problem and that some news outlets need to be more responsible?

It is not just racism. Other types of bigotry, such as homophobia and sectarianism, plague the game. The Scottish Parliament has united in committing £14 million since 2012 to tackle sectarianism on the terraces. Can the Minister match that for English football? Campaigns such as Football v Homophobia are doing great work, but six out of 10 LGBT supporters say they have witnessed homophobic abuse.

The Minister is right that the vast majority of fans abhor discrimination of any kind. A small number of thugs who propagate that vile bigotry ruin football for the players and millions of fans who love the game. We do not always agree on things across the House, but we are in absolute unity on this. Discrimination of any kind has no place in football. I and my team will do everything we can to work with her and her team to drive it out.

**Mims Davies:** I thank the hon. Gentleman for his tone and collegiate approach on this issue. It is right that we stand and work together on the issue of intolerance, whether it happens in sport or our communities. Football cannot and should not be used as a cloak for racism and

[Mims Davies]

intolerance, and it is sad that players have decided to walk off the pitch because they have simply had enough. I applaud them. They reserve the right to stay on the pitch and do their job, and enjoy the game, and they reserve the right to walk off and do what they feel is right. We should be willing to tackle the ugly side, as the hon. Gentleman describes it, of the beautiful game.

Members on both sides of the House will have heard the reaction from Danny Rose, which was heartbreaking. We need to support the bravery of players to do their jobs and to speak out in this day and age, but they should not feel they have to do that. It is right that players should take action and we are working with the police to make sure that we support them. The UK Football Policing Unit, alongside the Home Office, will continue to work on concerns about hate crime, football and the rise of the far right coming together to spread intolerance and fear in our communities. It is right that we use the Online Harms White Paper in this, and the Secretary of State has just said that harassment will be included. It is right that sports stars and others on the frontline can be supported through this process.

Let us stop this. Let us stand up to it. Everybody needs to be on the right side of this and call it out. Let us support Show Racism the Red Card and Kick It Out. People should use the app and report to their clubs. People in the stands know who these people are, and we need to make sure they do not do it in our name, the name of our club or the name of football.

**Bob Blackman** (Harrow East) (Con): I was appalled to hear Danny Rose say that he, as a professional footballer, could not wait for his career to end. He is a Tottenham legend for scoring the winning goal in the north London derby on his debut with a stunning volley. He should be praised as a footballer, not condemned by racist abuse. We must get to a position in which those who utter racist abuse at football matches are identified, ejected and charged with their crime, and the good fans, who do not want to see this happen, are not punished as a result of the bad fans who utter this racist abuse.

**Mims Davies:** I thank my hon. Friend for standing up for the good fans. There are many of them, but the bad behaviour tars everyone with a very bad brush. We need to support the people who are doing the right thing.

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): Can I bring consensus back and thank the Minister for early sight of the statement? I associate myself with the comments made by the Minister and the Labour Front-Bench spokesman, and it is not often that I can say that.

The recent high-profile instances of racism in the game fly in the face of the fantastic work done over the years by groups such as Show Racism the Red Card and Kick It Out. Sadly, however, although football in England at any rate is swimming in money, a relatively small amount is spent by the game on such initiatives. I very much welcome the Minister's tone and the actions she has set out. I think we can all agree that it is time for footballing authorities and top-level clubs to take the issue more seriously and invest in resources appropriately, and not just invest but make proper policy and disciplinary

decisions. The example of James Kinsey, whom the Minister and shadow Minister referred to, being disciplined for taking his team off the pitch following racist abuse is shameful. I praise the reaction of players such as Raheem Sterling and Danny Rose to their abuse, but they must be better supported by bodies such as UEFA, which all too often issue paltry fines that amount to a pittance in the modern game.

As the shadow Secretary of State outlined, since 2012 the Scottish Government have invested £14 million to support the delivery of anti-sectarian education in schools, prisons, workplaces and communities. Does the Minister agree that knowledge education is one of the best means of tackling ignorance and must be part of the solution? Does she also agree that it is important to increase public awareness of the options open to fans to report racist incidents? The fact that less than half of all fans are aware of the Kick It Out smartphone app is disappointing to say the least.

Finally, the lower leagues and the grassroots take their example from the top-level game. It is simply not good enough in this day and age that only 4% of coaching and management roles across the top four leagues in England are held by black, Asian and minority ethnic individuals. Does the Minister agree that reducing discrimination in the boardrooms and on the training grounds would go a long way towards changing wider attitudes in society?

**Mims Davies:** I thank the hon. Gentleman for raising important points about the ability to report with confidence through the Kick It Out app and about the education piece, which is vital. We want our football clubs across the land to be welcoming, diverse and representative of the communities they serve. They should absolutely be tolerant places where people want to be, not places where they feel they have to speak out about behaviours that are not acceptable, whether in the pub or the wider community. We must work together as fellow sports fans and do our level best to ensure that football is welcoming at every level.

**Greg Hands** (Chelsea and Fulham) (Con): May I commend the approach taken by the two premiership clubs in my constituency? Fulham has had a long tradition as a pioneer in combating racism in football. Obviously, Chelsea has had more trouble over the years, but the recent instance in December with Raheem Sterling, to which my hon. Friend referred, led to tough action—led personally by the chairman of the club, Bruce Buck—against four supporters. Does she agree that clubs such as Chelsea need to keep up the pressure on these abhorrent fans and ensure that racism in football is stamped out entirely in the coming days?

**Mims Davies:** I thank my right hon. Friend for raising the good work done in the community. I have met with Fulham, been to its training ground and seen the work it does in the community, and have also met with Chelsea about particular issues. The pride in a football club and the badge can be used so positively, and we must harness that.

**Clive Efford** (Eltham) (Lab): This year I had the pleasure of judging the football community trust club of the year awards and was able to read the testimonies of many football clubs and see how much work is done

at those clubs to tackle racism in our communities. Football as an institution probably does more than any other. Does the Minister agree that if we are to show leadership as politicians, we must put our own houses in order and set the highest standards for membership of our organisations when it comes to Islamophobia and antisemitic behaviour?

**Mims Davies:** I thank the hon. Gentleman for raising that event on the terrace here in the House of Commons, which showed how much good work is done in clubs across the land. It is absolutely right that we do not lose sight of the positive things happening in our communities and, above all, that we are not afraid of standing up to intolerance, because frankly that does no one any good.

**Julia Lopez** (Hornchurch and Upminster) (Con): I recently attended my first West Ham game at the London stadium. It has an amazing family atmosphere, and I spoke to the foundation about what it is doing to support the Kick It Out campaign. Does my hon. Friend agree that football matches have a special ability to bring together people of all ages and backgrounds, and that racist language and abuse must never be allowed to undermine that by normalising division in the eyes of young people or making aspiring players feel excluded from sharing the joy of the game?

**Mims Davies:** I thank my hon. Friend for raising that. I think that football has come an incredibly long way from where we were in the '80s, but frankly that is not good enough. Football is a family game and is incredibly welcoming, but small pockets of people continue to use it as a cloak—although it is no disguise, frankly—for intolerance. They should know better. They should look around and see that it is they who have got it wrong.

**Chi Onwurah** (Newcastle upon Tyne Central) (Lab): I and the vast majority of Newcastle United fans condemn utterly the racist abuse that Zaha received after the Crystal Palace game on Saturday. I was at the game and there was certainly no abuse in the Gallowgate end, where I was. That would not have been the case 30 or 40 years ago, when I would avoid St James' Park because of the racists there, but the club, football institutions and fans came together to kick the racists out. That has not happened in certain European countries, which are frankly still in the dark ages, so will the Minister look at taking UEFA to the European Court of Human Rights? Footballers are working when they are playing the beautiful game, and they have a right to work in an atmosphere where abuse is absolutely not tolerated.

**Mims Davies:** I thank the hon. Lady, who always highlights the beauty of her football club. I intend to meet UEFA and FIFA in due course. These international bodies have a chance to work with us and use their global standing to make change. No one is going wait any longer.

**Mike Wood** (Dudley South) (Con): West Bromwich Albion pioneered the fight against racism in football in the 1970s with club legends such as Cyrille Regis, Brendon Batson and Laurie Cunningham. Will the Minister support police in the west midlands and across the country in bringing charges against those who subject players, fans and officials to racist abuse from the stands?

**Mims Davies:** It is absolutely right that across Government, we stand fully beside the police if they have the evidence and back them up. I have met with West Midlands police about the forthcoming Commonwealth games and its commitment to ensure that the community is well policed and looked after, and this issue is surely part of that.

**Mike Kane** (Wythenshawe and Sale East) (Lab): As you know, Mr Speaker, I am a lifelong Man City fan and a season ticket holder, so I am extraordinarily proud of what Raheem Sterling does on the pitch and his action on anti-racism off it. My wife and I are also fans of Wythenshawe Town. In January, the manager James Kinsey took the players off the pitch when the assistant referee was clearly racist to one of our players. That accusation against the assistant referee was subsequently proven and he faces a charge of disrepute, yet the club and the manager still face charges for leading the players off the pitch. Does the Minister agree that the FA needs to show more consistency and leadership on whether and when players should walk off the pitch and whether there should be fines for it?

**Mims Davies:** I absolutely agree with the hon. Gentleman. The FA needs to review its rules and guidance to enable clubs to be effective and consistent in these situations. As we have heard, ultimately we are talking about a workplace, where people should not be subjected to abuse but supported either to walk away or to stand up to it.

**Maria Caulfield** (Lewes) (Con): I welcome the Minister's strong statement on racism in football. I am sure she will join me in wishing Arsenal football club the best of luck in its Europa League game this evening, but will she also join me in welcoming the hard work of the Sussex County Football Association, which takes a strong, zero-tolerance approach at grassroots level, making it easy to report any incidents of racism, carrying out swift investigations and enforcing strong sanctions? Does she agree that stamping out racism at grassroots level is the key to tackling racism in football?

**Mr Speaker:** We all salute the hon. Lady's anti-racism, and I have to say that I salute her footballing preference. I was not aware of her allegiance, but she is to be commended for her good taste.

**Mims Davies:** I understand that there is a very important fixture against Napoli tonight, so may I wish everybody involved a safe and pleasant experience? Turning to the county FA, leadership at the local level can really make a change, and I salute Sussex FA for doing the right thing.

**Imran Hussain** (Bradford East) (Lab): I pay tribute to the courage of Raheem Sterling, and others, in speaking out and making clear that racism in football will never defeat us. I also thank the Minister and the shadow Secretary of State for their statements condemning overt racism in national football. However, covert, institutionalised obstacles continue to be placed in the way of local football teams. What is the Minister doing to tackle covert racism in grassroots football?

**Mims Davies:** Grassroots football has huge power, because if someone sees racist behaviour in football played on the local marshes, they might think that it is

[Mims Davies]

acceptable in one of the main stadiums, but it is not acceptable at either level. Let us ensure that at grassroots level people know that racism is uncalled for and not needed. People should report racism to the club, stand up to it and call it out, and that will make the change.

**Sir Oliver Heald** (North East Hertfordshire) (Con): Does the Minister agree that support for Gareth Southgate's team united people across the nation because it seemed to represent what we in this country are like? That team had tremendous talent, with all those young new players coming through. Does she agree that if our players go somewhere overseas as guests, it is not acceptable for them—particularly wonderful players such as Raheem Sterling—to be attacked in such a way? Is it almost a matter for the Foreign Office? Should we be making strong representations through the Foreign Office and our diplomatic service to get such behaviour stopped?

**Mims Davies:** Our football experience, both home and abroad, is vital, and that is where we can use our standing. The Lionesses will play in the World cup this summer in France, alongside the Scottish women's team. The Euro semi-finals are coming up, and the women's European championship in 2021 will be played here in England. We can use the fact that all eyes will be on football on these shores to show that, both home and away, we do the right thing.

**Hannah Bardell** (Livingston) (SNP): Sectarianism, racism and homophobia have no place in football, and some clubs—and indeed the FA—could look to the women's game for good examples, or indeed to my own football club, Livingston FC, where I used to sell the odd pie when I was a student. I thank the Minister for her statement and her bold actions. The FA chairman has recognised the women's game as a beacon of inclusivity. The Minister said that we do the right thing abroad, but let us not forget that the World cup will soon be held in Qatar—a country that should never have got it in the first place and where it is illegal to be homosexual. We must take stronger action against such countries, and perhaps consider withholding teams from going there, in order to send the strongest possible message.

**Mims Davies:** As ever, the hon. Lady makes some pertinent points, and I know she feels passionate about this issue. I have met representatives from Qatar, and said that when we send fans abroad we expect them to be safe, to enjoy the football, and to be who they want to be. Our fans should, and must, be supported.

**Mr Marcus Jones** (Nuneaton) (Con): Racism in football, or anywhere else, is unacceptable, and I welcome the discussions that my hon. Friend has held with football authorities involved with professional football. What discussions has she had with those authorities about children's and amateur football, as it is equally important to ensure that we teach our children that racist abuse is completely unacceptable?

**Mims Davies:** As my hon. Friend says, it is important to get this issue right at all levels of the game, and one reason I called for a summit against racism was that I felt that there was no co-ordinated approach across

the game. If we do not get this issue right at grassroots level, how can we expect to get it right at national level? I continue to work to hold football authorities to account, but I think that they know they have a problem and must be at the table at every level.

**Jim Shannon** (Strangford) (DUP): I thank the Minister for her statement. She will know that Northern Ireland supporters were voted the best supporters at the 2016 European championships by supporters from all the other countries involved. That happened for a number of reasons, including because the Irish Football Association and the Northern Ireland supporters clubs have worked together, with a 10-year plan, to defeat terrorism and stop it on the terraces at Windsor Park and elsewhere. Has the Minister had the opportunity to speak to the Irish Football Association and the Northern Ireland supporters clubs to gauge some of the things that they have done to take sectarianism away from the terraces and make football a pleasurable experience for both Protestants and Roman Catholics across Northern Ireland?

**Mims Davies:** I have spoken about sporting issues with inter-ministerial groups, including officials from Northern Ireland, and I will soon be visiting Portrush, which I am greatly looking forward to, particularly in the week of the Masters. It is right to get into community clubs, which are working so well in Northern Ireland, and to listen, learn and share best practice.

**Henry Smith** (Crawley) (Con): Will my hon. Friend join me in congratulating Crawley Town FC on taking part in the Kick It Out initiative last Saturday? What she and that club are doing to tackle racism is absolutely right, and perhaps she will once again pay a visit to Crawley, where she would be most welcome.

**Mims Davies:** I thank my hon. Friend for mentioning the Kick It Out initiative, which is heading down from the Premier League and into other clubs, where it makes a positive intervention. Crawley hosts the Brighton and Hove Albion women's team, and it has great leadership across all levels of women's football. I have Crawley on my radar, and I would be delighted to visit as soon as possible.

**Jo Stevens** (Cardiff Central) (Lab): Children are not born racist; they learn racism, which is why anti-racism education is so vital. Will the Minister speak to the Secretary of State for Education about long-term Government support for a programme of anti-racism education, which could involve the pioneering educational charity Show Racism the Red Card?

**Mims Davies:** I pay tribute to Show Racism the Red Card, and to all those who do great work in our community clubs up and down the land. It is right to listen to our youngsters on this issue. There have been roundtables with governing bodies to discuss school sport action plans. We need more people across the game, including mentors and leaders from different backgrounds, as that helps to show women, girls, and people across the game that there is a place for them in football at every level.

**Sir Edward Davey** (Kingston and Surbiton) (LD): I strongly welcome the Minister's statement and her leadership on this issue. Will she say a little more about

why she thinks there has been this appalling upsurge in racism in football? Does she agree that Raheem Sterling was right to call out parts of the British media for the way they treat black British footballers?

**Mims Davies:** I thank the right hon. Gentleman for his kind words—if we all worked together on this issue we could make a huge difference. I think social media has not been helpful, as it has been a platform on which people have been able to ply racism and hate and disguise who they are. I hate to say it, but if that has crept into the stadiums, perhaps social media is part of the issue. The Online Harms White Paper mentions a new duty of care regarding social media, because too many cowards out there think that football is a cloak to cover their intolerance. We need no more of that.

**Nigel Huddleston** (Mid Worcestershire) (Con): I thank the Minister for her robust statement—remarkably, she has managed to unite the House. There is a lot of money in football, including £4.5 billion in the Premier League alone. Is enough of that money flowing to stamp out abuse and promote equality, and are the fines harsh enough to help with that?

**Mims Davies:** I thank my hon. Friend for raising the money issue. Ultimately, we can put more into this and show leadership, and the two should go together. Everything should be on the table, including heavy fines for people who do not react. Above all, we should show leadership, top and bottom, at every level, and money should be no object.

**Thangam Debonnaire** (Bristol West) (Lab): Will the Minister join me in paying tribute to community football clubs such as the Bristol Panthers FC—the LGBT club in Bristol—and the Easton Cowboys, which are both in my constituency and do so much to combat hatred, whether that is racism or homophobia? Perhaps she would like to come and visit them.

**Mims Davies:** I would love to—I love Bristol. The Rainbow Laces campaign is vital, too. There is room for everybody in football. There is a team for everybody out there, and I am delighted there is such a warm welcome in Bristol.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): As one of the ambassadors of the Cardiff City FC Community Foundation, may I commend the work of the foundation and the club itself in working with Kick It Out and other organisations to tackle racism and discrimination? Will the Minister join me in welcoming LGBT-inclusive teams such as Cardiff Dragons and London Titans, who do amazing work in bringing people into the game?

**Mims Davies:** I saw in my own local mela the range of sporting clubs that are there for people to join. I would say to people, “Have a look.” It certainly sounds as if there is a great opportunity in Cardiff to get involved at sport at every level. That is what this Government want to see.

**Several hon. Members** *rose*—

**Mr Speaker:** A sentence each will suffice.

**Chris Stephens** (Glasgow South West) (SNP): Will the Minister ensure that there is a cross-departmental initiative to fund great organisations, such as Show Racism the Red Card, which is doing fantastic work in my constituency?

**Mims Davies:** I will lobby very hard. I believe the Chancellor is here and has heard that, too.

**Mr Paul Sweeney** (Glasgow North East) (Lab/Co-op): Will the Minister undertake to speak to fans’ organisations, such as Fans Against Criminalisation, to make sure that the route to sorting out bigotry and racism lies in using fans to boot it out, rather than criminalising them unnecessarily?

**Mims Davies:** We have to find a balance between supporting fans who do the right thing and ensuring we make an example of people who choose to do the wrong thing. If the hon. Gentleman has any ideas on that I am happy to hear more.

**Kerry McCarthy** (Bristol East) (Lab): As the legendary John Barnes said, if every racist who came to football was silenced, football stadiums would still be full of racists. It is not enough just to stamp out expressions of racism. What can we do to tackle the underlying causes?

**Mims Davies:** We need to see more leadership in the game. We need more people rising to the top like Darren Moore, who came and gave me his thoughts—I thank him for that—Chris Hughton, Sol Campbell and Keith Curle. We are not seeing enough people getting to the top and being able to speak out. We need to support them to do that and have a mix of people there.

**Marsha De Cordova** (Battersea) (Lab): We applaud the likes of Raheem Sterling and Danny Rose, and we admire the legend that is John Barnes, but does the Minister not agree with me that to tackle racism in football we need to tackle racism in wider society?

**Mims Davies:** I think the two go together. We can tackle the ills in wider society by rooting out the use of football as a cloak for bad behaviour in wider society. We must not use football and sport as a way to have intolerance. We don’t want it—get rid of it.

**Mr Clive Betts** (Sheffield South East) (Lab): Does the Minister agree that racism does not merely exist in football grounds; it also exists in the boardroom? Some 30% of players are black and minority ethnic, but less than 5% of managers are. What will she do to require the football authorities to address this issue?

**Mims Davies:** The hon. Gentleman makes an important point. At the racism summit I held, there were people outside football holding football to account for not being diverse and welcoming enough. They know the problem. It is time to change who is at the top, because that changes everything.

**Debbie Abrahams** (Oldham East and Saddleworth) (Lab): Racism and discrimination in football and other sports reflects society as a whole. Does the Minister agree that we need to be demanding more not only of

[Debbie Abrahams]

our football and other sporting institutions, but of our leaders in the public and private sectors—and, dare I say it, in politics?

**Mims Davies:** We all have a hugely important role to play. I absolutely agree with the hon. Lady. We want sport, politics and our whole country to be open, tolerant, diverse and equal. We all have a role in making that happen.

**Justin Madders** (Ellesmere Port and Neston) (Lab): May I draw the Minister's attention to a game between UK Parliament FC and Show Racism the Red Card that will take place next month? I cannot promise to score four goals like I did in the last game I played for UK Parliament FC, but I hope it will be an opportunity for everyone to see that the whole House is united in fighting all forms of discrimination.

**Mims Davies:** Four goals? Wow! The hon. Gentleman has now set himself up for that. And who would want to be the goalkeeper?

**Martin Docherty-Hughes** (West Dunbartonshire) (SNP): As a gay Roman Catholic of Irish heritage who grew up in the west of Scotland, I am very much aware of some of the issues the Minister raises. My own local clubs, Clydebank, Yoker Athletic, Dumbarton and the Vale, have challenged the community to think differently over the past 20 years. Can the Minister tell me where we are on disability discrimination? There needs to be more done to challenge football clubs to give disabled fans and disabled footballers more access to the game.

**Mims Davies:** The hon. Gentleman makes an important point. The experience of our disabled fans across the country is not equal, not fair and not good enough. The whole House is listening and the UK is watching: football, give everyone a fair experience, particularly our disabled fans.

**Tom Brake** (Carshalton and Wallington) (LD): As a Palace season ticket holder, I spend many a happy Saturday afternoon chanting, "He's just too good for you" about Wilf Zaha, as he runs rings around opposition defenders. Does the Minister agree that Wilf Zaha needs to be recognised not just for the wizardry he displays on the pitch, but for the work he does for Football for Peace to unite communities?

**Mims Davies:** I think the fact that such players still feel they have to stand up like this shows the problem. The fact is that they do, and we absolutely have to support them, as the right hon. Gentleman does on the terraces. We should do that as they speak out.

## European Council

1.35 pm

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

But before I do, I am sure that the whole House will welcome the news this morning that the Metropolitan police have arrested Julian Assange for breach of bail, after nearly seven years in the Ecuadorian embassy. He has been also been arrested in relation to an extradition request from the United States authorities. This is now a legal matter before the courts. My right hon. Friend the Home Secretary will make a statement on this later, but I thank the Metropolitan police for carrying out their duties with great professionalism and welcome the co-operation of the Ecuadorian Government in bringing this matter to a resolution. Mr Speaker, this goes to show that in the United Kingdom, no one is above the law.

Turning to the Council, my priority is to deliver Brexit and to do so in an orderly way that does not disrupt people's lives, so I continue to believe we need to leave the European Union with a deal as soon as possible. And, of course, this House has voted repeatedly to avoid a no deal. Yet, despite the efforts of Members on all sides, we have not so far been able to vote for a deal, so ahead of the Council, I wrote to President Tusk to seek a short extension to the Article 50 period to 30 June. Critically, I also requested that any extension should be terminable so that whenever this House agrees a deal and ratifies the withdrawal agreement, we can get on and leave. I did this not merely to avoid a further delay beyond ratification of the withdrawal agreement, but specifically to retain our ability to leave the EU without having to hold European parliamentary elections on 23 May.

The discussions at the Council were difficult and, unsurprisingly, many of our European partners share the deep frustration that I know so many of us feel in this House over the current impasse. There was a range of views about the length of an extension, with a large number of member states preferring a longer extension to the end of this year or even into the next. In the end, what was agreed by the UK and the EU 27 was a compromise: an extension lasting until the end of October. The Council also agreed that we would update on our progress at the next meeting in June. Critically, and as I requested, the Council agreed that this extension can be terminated when the withdrawal agreement has been ratified. So, for example, if we were able to pass a deal by 22 May, we would not have to take part in European elections and, when the EU has also ratified, we would be able to leave at 11 pm on 31 May. In short, the date of our departure from the EU, and our participation in the European parliamentary elections, remains a decision for this House. As President Tusk said last night:

"During this time, the course of action will be entirely in the UK's hands."

In agreeing this extension, there was some discussion in the Council about whether stringent conditions should be imposed on the UK for its EU membership during this period, but I argued against this. I put the case that there is only a single tier of EU membership, with no conditionality attached beyond existing treaty obligations.

The Council conclusions are clear that during the course of the extension the UK will continue to hold full membership rights. In turn, I assured my fellow leaders that the UK will continue to be bound by all our ongoing obligations as a member state, including the duty of sincere co-operation. The United Kingdom plays a responsible and constructive role on the world stage, and we always will. That is the kind of country we are.

The choices we face are stark and the timetable is clear. I believe we must now press on at pace with our efforts to reach a consensus on a deal that is in the national interest. I welcome the discussions that have taken place with the Opposition in recent days and the further talks that are resuming today. This is not the normal way of British politics and it is uncomfortable for many in both the Government and Opposition parties. Reaching an agreement will not be easy, because to be successful, it will require both sides to make compromises. But however challenging it may be politically, I profoundly believe that in this unique situation where the House is deadlocked, it is incumbent on both Front Benches to seek to work together to deliver what the British people voted for, and I think that the British people expect their politicians to do just that when the national interest demands it.

I hope that we can reach an agreement on a single unified approach that we can put to the House for approval, but if we cannot do so soon, we will seek to agree a small number of options for the future relationship that we will put to the House in a series of votes to determine which course to pursue. As I have made clear before, the Government stand ready to abide by the decision of the House, but to make this process work, the Opposition would need to agree to this, too.

With the House's consent, we could also bring forward the withdrawal agreement Bill, which is a necessary element of any deal, whichever course we take. The Bill will take time to pass through both Houses, so if we want to get on with leaving, we need to start this process soon. It could also provide a useful forum to resolve some of the outstanding issues in the future relationship.

Crucially, any agreement on the future relationship may involve a number of additions and clarifications to the political declaration. I am pleased that at this Council, all 27 member states responded to my update on the ongoing cross-party talks by agreeing that

“the European Council is prepared to reconsider the Political Declaration on the future relationship in accordance with the positions and principles stated in its guidelines and statements”.

The Council also reiterated that the withdrawal agreement itself could not be reopened.

I know the whole country is intensely frustrated that this process to leave the European Union has still not been completed. I never wanted to seek this extension and I deeply regret that we have not yet been able to secure agreement in this House for a deal that would allow us to leave in a smooth and orderly way. I know, too, that this whole debate is putting Members on both sides of the House under immense pressure and causing uncertainty across the country. We need to resolve this, so let us use the opportunity of the recess to reflect on the decisions that will have to be made swiftly on our return after Easter. And let us then resolve to find a way through this impasse so that we can leave the European Union with a deal as soon as possible, so that we can

avoid having to hold those European Parliamentary elections and, above all, so that we can fulfil the democratic decision of the referendum, deliver Brexit and move our country forward. This is our national duty as elected Members of this House and nothing today is more pressing or more vital. I commend this statement to the House.

1.43 pm

**Jeremy Corbyn** (Islington North) (Lab): I thank the Prime Minister for an advance copy of her statement. Yesterday, EU leaders agreed to grant the United Kingdom an article 50 extension until 31 October. This means that Britain will now have to start the process of holding European elections in the extraordinary situation of not knowing whether new MEPs will take their seats, or for how long. This has come just three weeks after the Prime Minister told the House that she was not prepared to delay Brexit any longer than 30 June. This second extension in the space of a fortnight not only represents a diplomatic failure, but is another milestone in the Government's mishandling of the entire Brexit process.

A measure of this could be seen in this House on Monday when one third of her party voted against her own policy to request a short delay and four of her Cabinet members abstained. Can the Prime Minister confirm that the request by the Leader of the House on Tuesday for the EU to reopen the withdrawal agreement has also been rebuffed? The Prime Minister stuck rigidly to a flawed plan and now the clock has run down, leaving Britain in limbo and adding to the deep uncertainty for business, workers and people all across this country.

I welcome that the Prime Minister finally decided to reach out to the Opposition last week and open talks to try to find a breakthrough. The fact that the invitation did not even come at the eleventh hour, but at five past midnight three days after the Prime Minister had missed her own Brexit deadline of 29 March, is a reflection of the Government's fundamental error in not proceeding by consensus. However, I can report to the House that the talks now taking place between the Opposition and the Government are serious, detailed and ongoing, and I welcome the constructive engagement that we have had. Although this view may not be universally shared on the Conservative Benches, I also welcome the indications from the Government that they may be willing to move in the key areas that have prevented the Prime Minister's deal from being supported on this side of the House. If these talks are to be a success, resulting in an agreement that can bring our country back together, the Government will have to compromise. That is why it was with disappointment that I read the Secretary of State for International Trade's letter this week, in what seemed to be an attempt to scupper meaningful talks by all but ruling out Labour's customs union proposal—a proposal, I might add, that is supported by business and industry bodies as well as by all leading trade unions in this country. It is a proposal that European Union leaders and the Irish Taoiseach just yesterday said is both credible and negotiable.

Labour will continue to engage constructively in talks, because we respect the result of the referendum and we are committed to defending jobs, industry and living standards by delivering a close economic relationship with the European Union and securing frictionless trade with improved rights and standards. If that is not

[Jeremy Corbyn]

possible, we believe all options should remain on the table, including the option of a public vote. We see no advantage in the proposals of the Secretary of State for International Trade to create distance and divergence in our trading relationship with our largest trading partner.

This House must also bear in mind that after a deal has passed, the current Prime Minister has said that she will step down. We have no idea who may succeed her, so with that in mind, we have to entrench any agreement, because some of those already throwing their hats into the ring have said that they would scrap the Human Rights Act, they would rip up burdensome regulation, or they would even prefer to leave without any deal at all. Some on the Conservative Benches want nothing more than to use Brexit to create a race to the bottom, opening up our economy to US big pharma companies in our national health service and hormone-treated beef on our plates, to slash workers' rights and consumer standards, and to have the UK become a virtual tax haven on the shores of Europe.

Let me be clear to the Prime Minister and to the country: Labour will not support any deal that would leave us open to such a dystopian vision for the future of this country. It is incumbent on all of us now to find a way forward. We must continue to talk to each other, and if the Government are serious, the red lines must move and we must see a real compromise. I look forward to the discussions in the coming days and, even at this late stage, to working to find a deal that can command the support not only of this House, but, perhaps more importantly, of the public across this country too.

**The Prime Minister:** The talks between the Government and the Opposition have indeed been serious. They are detailed and they are being taken forward in a constructive and positive fashion. We did, of course, offer talks at an earlier stage than very recently, but I am pleased that we are now able to sit down in this way.

The right hon. Gentleman raised the issue about the European parliamentary elections. Of course, had Members in this House voted with a majority to agree the withdrawal agreement on 29 March, we would have guaranteed leaving on 22 May and not holding the European parliamentary elections. At the time, obviously, he did not feel able to support a deal to enable us not to hold those European parliamentary elections. It is still possible to do so, and we will continue to work on that.

The right hon. Gentleman talked about the need for us to protect jobs, industry and living standards; indeed, that is what we have been aiming to do with the deal that we agreed with the European Union. But we have been doing that not just in relation to the deal with the European Union. It is this Government who have presided over record levels of people in employment. It is this Government who have helped people with their living standards, with tax cuts for 32 million people.

The right hon. Gentleman talked about the future relationship and the need to entrench aspects of the future relationship. Of course, the Government did, on 29 March, say that we would accept the amendment tabled on the Order Paper by the hon. Member for Stoke-on-Trent Central (Gareth Snell), which would require Parliament to have a role in looking at the future relationship and the negotiating objectives for

the future. That clearly makes the case that any Government—any Government—as they are going through those negotiations, will have to ensure that they take Parliament with them in agreeing that future relationship.

On the issue of coming together in an agreement, the point is very simple. I am not prepared just to accept Labour's policies; the Labour Party is not prepared just to accept our policies. As the right hon. and learned Member for Holborn and St Pancras (Keir Starmer) has said, this takes compromise on both sides, and that is what we are doing: sitting down seriously to find a way that enables this House to ensure that there is a deal that commands a majority, so that we can leave the European Union, fulfil the vote of the British people in 2016 in the referendum and do so in a way that does indeed protect jobs, living standards and industry.

**Mr Kenneth Clarke (Rushcliffe) (Con):** May I urge my right hon. Friend the Prime Minister to stick to her commitment to lead the country through to the conclusion of the Brexit process, and to ignore some of the vicious attacks being made upon her by our more extreme right-wing colleagues?

Given that my right hon. Friend rightly points out that, in the national interest, the next obvious step is to reach a settlement between the Government and the principal Opposition party on the best way forward, will she indicate that it is clear that the minimum that that requires is some sort of customs arrangement and sufficient regulatory alignment at least to keep our trade as open and free as it has been across the channel and in the Republic of Ireland? Can she negotiate that so that it does actually bind any successor Government in future negotiations?

**The Prime Minister:** My right hon. and learned Friend is right that, as we look to that future relationship, we are looking at the customs arrangement that would be in place in that future relationship. We have already indicated, as is in fact reflected in the political declaration, that we want to retain the benefits of a customs union—no tariffs, no quotas and no rules of origin checks. That is provided for in the political declaration as it currently stands. Of course, we have not been able to enshrine that in legal text, because it is not possible for the European Union to negotiate that treaty with us until we are a third country—until we are out of the European Union—so any commitments that are made here will be about the negotiating objectives that we take through into that process. However, there will still be negotiations to be had with the European Union.

In terms of adding to and clarifying what is in that political declaration, and the position of the UK Government, the EU Council, as I have indicated, has said that it would be willing to look at additions and clarifications to that political declaration.

**Ian Blackford (Ross, Skye and Lochaber) (SNP):** I thank the Prime Minister for advance sight of her statement. What a total fiasco the past few weeks, months and years have been under this shambolic Tory Government. The UK did not leave the EU in March, and thankfully, given the efforts of SNP politicians and others in this place, and the good will of the European Union, we will not crash out of the EU on Friday. What an irony that it is the European Union that has got the

UK out of this mess. Let that be a lesson for Members in this place: it is the EU that has put the interests of our citizens in the UK first—our businesses, our farmers and our fishermen. We should not be lambasting the EU but thanking it.

With the European Union agreeing to a further extension to article 50, the Prime Minister must use this time to hold a second EU referendum, with the option of remaining on the ballot paper. It is now a very real possibility that we can remain in the European Union. There were a total of 133 days between the 1997 general election and the devolution referendum in Scotland. As of today, there are 204 days until the new Brexit deadline on 31 October. Will the Prime Minister now remove the ridiculous excuse that there is not enough time to hold a second referendum, with remain on the ballot paper? Scotland did not vote for Brexit and should not be forced to accept any Brexit deal that will harm our interests. The only way forward is to put the decision back to the people.

Scotland will not support a Brexit deal cooked up by the Brexit-supporting Labour and Tory parties, so let me ask this; yesterday, the Prime Minister ducked and dived my questioning, so a simple yes or no will suffice. Have the Government offered a second EU referendum in talks with the Labour party? Yes or no? Has the Labour party requested a second EU referendum in the talks? Yes or no? Is the Labour party cosying up to the Tories, asking to end freedom of movement as the price for their support for a Tory deal? [HON. MEMBERS: “Yes or no?”]

Finally, will the Prime Minister recognise that she cannot fix this mess alone? She should stop ignoring the people of Scotland and open meaningful discussions with the devolved Governments and civic society. The Prime Minister should start leading by listening and please get her head out of the sand.

**The Prime Minister:** The Government have not offered a second referendum. I said to the right hon. Gentleman yesterday in Prime Minister’s questions that our position on that issue had not changed. A second referendum has been rejected twice by this House. But, of course, once we have agreed a deal and the Bill is going through that puts that in place, I am sure there will be Members of this House—because there are Members who do support a second referendum—who will want to press their case.

There is not an issue of an excuse about timing. I believe it is important for us to deliver on the result of the first referendum that took place in 2016. And can I just say this to the right hon. Gentleman? If he is so interested in referendums, the question is, will he now abide by the result of the 2014 Scottish referendum? Yes or no?

**Sir William Cash** (Stone) (Con): Does my right hon. Friend appreciate the anger that her abject surrender last night has generated across the country? Having broken promises 100 times not to extend the time, she knows what I am saying—and she has done that. Does she also accept that this withdrawal agreement undermines our democracy, the constitutional status of Northern Ireland, our right to govern ourselves, our control over our laws, and our national interest? Will she resign? [Interruption.]

**The Prime Minister:** I think you know the answer to that. I say to my hon. Friend, first, that I do not recognise the description of the withdrawal agreement that he has put before this House. I believe we have negotiated a good deal for the United Kingdom. He references the fact that I have said on many occasions in this House—he is absolutely right, and he and other hon. Friends have been keeping count—that I wanted us to leave the European Union on 29 March, and indeed I did. I voted for the UK to leave the European Union on 29 March. I wanted us to set in train that guaranteed leaving on 22 May. I voted to leave on 22 May. Sadly, a sufficient number of Members across this House did not vote to leave the European Union on those dates, and hence the extension has been requested to enable us to come to a position where this House can agree, on a majority, a deal that we can then deliver to leave the European Union.

**Hilary Benn** (Leeds Central) (Lab): May I thank the Prime Minister for putting the national interest above her party’s interest in rejecting no deal and applying for, and agreeing to, an extension of article 50?

We may now have more time, but our businesses face more uncertainty. May I encourage the Prime Minister, during the Easter recess, to take her own advice and reflect on the decisions that need to be made, and then to decide to put her deal to the British people, so that they themselves can decide whether they still wish to leave now that we know the actual choices that Brexit involves or whether they wish to remain, and we can finally bring the crisis facing our country to a conclusion?

**The Prime Minister:** As I told the right hon. Member for Ross, Skye and Lochaber (Ian Blackford), neither I nor the Government have changed our view on the need for this House, for this Parliament, to deliver on the result of the first referendum. Let me also say to the right hon. Gentleman that, as I said in my statement, I think it is for all of us across the House to recognise the decisions that now face us. It is for the House to determine whether we are going to deliver Brexit for the British people. We have that opportunity. We can work together to find an agreement that will command a majority of the House, and if we do that in time, we can leave the European Union without holding the European parliamentary elections.

**Dame Caroline Spelman** (Meriden) (Con): Some car factories in my region are already in a forced shutdown because of the Brexit uncertainty. I thank the Prime Minister for helping us to avoid a no-deal crash-out, and, through her, I thank the 27 Heads of State who supported that decision. Will she elaborate a bit more on her words about creating a forum to establish our future relationship with Europe?

**The Prime Minister:** I think that my right hon. Friend is alluding to references that I have made previously to the importance, as we are looking at that negotiation on the future relationship, of ensuring not only that Parliament has a greater role in that process, but that we have wider consultations with civil society, businesses and trade unions. The exact format of that forum has not yet been determined, but I think that it will be an important element of the next stage of the process, to ensure that all voices are being heard and can contribute to the debate on that future relationship.

**Sir Vince Cable** (Twickenham) (LD): As the Prime Minister has again acknowledged, notwithstanding her own personal objections the House could choose to attach a referendum amendment to the withdrawal Bill. Bearing in mind the constitutional advice that we shared in cross-party talks a few weeks ago, will she now ask her officials to prepare a timetable, to be completed before the end of October, in which such a hypothetical poll could be conducted if the House willed it?

**The Prime Minister:** The right hon. Gentleman is aware of the Government's position on the issue that he has raised. As I have said, there are those in the House who may wish to press their case on this matter when the legislation is going through, but let me gently remind him that the House has already rejected the proposal for a second referendum twice.

**Sir Patrick McLoughlin** (Derbyshire Dales) (Con): Will the Prime Minister take the opportunity to remind the House again that, although the Leader of the Opposition said that he was not invited to engage in talks until five past 12, he actually refused to do so some time ago? If he had not, we could have moved this process on a lot more quickly. Is it not also the case that whatever we may say, the simple fact is that the European Commission has said that the only deal that is available to us is the one that the Prime Minister is recommending to the House?

**The Prime Minister:** My right hon. Friend is absolutely right on that last point. The question of the withdrawal agreement and the fact that it could not be reopened was reiterated again by the European Council in its decision yesterday.

It is the case that it was some weeks ago that I first offered the Leader of the Opposition the opportunity to talk. We had an initial meeting. There was then not the same level of follow-up meetings and the same level of interest. What I am pleased about is that there is, I think, a change in the approach that is being taken: we are both sitting down seriously, looking at these issues in detail and looking at them constructively.

**Nigel Dodds** (Belfast North) (DUP): Until yesterday, the EU was saying very clearly that unless there was a credible plan for an election or a referendum, or a prospect of getting the withdrawal agreement through soon, it would not grant an extension, and that if it did, there would be stringent conditions. In fact, it held to neither of those statements. When it was faced with the unpalatable choice of a no deal, it backed down. Will the Prime Minister learn the lesson of that? She continues to reiterate what the EU has said about the withdrawal agreement, and to praise her withdrawal agreement, but she, and the rest of the Government Front Bench, voted for changes to the backstop and the withdrawal agreement, and the Attorney General, in his devastating critique of it, said that it had not changed the fundamentals of what had been agreed. Will she please examine where she is going with all this, learn the lessons, and come back with something that can actually secure a majority in the House?

On the issue of extensions, will the Prime Minister also bear in mind that the current Session of Parliament also bear in mind that the current Session of Parliament is—I understand—due to end fairly soon? There is some

talk of extending it beyond two years. I think that many in the House, including those on this Bench, would consider that unacceptable.

**The Prime Minister:** We have consistently sought to change the withdrawal agreement, and in particular to change the backstop. The right hon. Gentleman will know full well that we have argued on many occasions for a time limit or a unilateral exit clause, or the replacement of the withdrawal agreement by alternative arrangements. Before the withdrawal agreement was originally agreed in November, the Government pushed consistently for an exit clause, but the EU did not agree to it then. After the first meaningful vote, we raised the issue again. We sought to change the withdrawal agreement, and pushed for it to be replaced by alternative arrangements.

In January, there was an exchange of letters between myself and the Presidents of the European Commission and the European Council. On 11 March, in Strasbourg, the President of the European Commission and I agreed a package which means that the EU cannot try to trap the UK in the backstop indefinitely—that would be explicitly a breach of the legally binding commitments that we have agreed—and there is a legal commitment that both parties aim to replace the backstop with alternative arrangements by December 2020. At every stage, we have been working to secure changes in the withdrawal agreement. The European Union has been clear—

**Nigel Dodds:** It has backed down.

**The Prime Minister:** The right hon. Gentleman says that the EU has backed down. Yesterday I did put the case in relation to conditionality to which he refers, and there was discussion around the table about the issue. The aspect on which I think everyone around the table focused is that, legally, there is only a single tier of membership of the European Union, and the EU rejected the concept of conditionality on that basis.

**Sir Oliver Heald** (North East Hertfordshire) (Con): The Prime Minister will recall that the Conservative manifesto contained a commitment to negotiate a comprehensive free trade and customs agreement. Does she agree that her political declaration—which has been agreed—and her discussions with the Labour party are being conducted in that spirit? Will she keep going, and try to keep to the timetable that will avoid the European elections? Many of us feel that it is time to get this done.

**The Prime Minister:** We are indeed conducting the negotiations in the spirit that my right hon. and learned Friend has described, and I do indeed want to achieve the timetable that he has set. I think that many of us on both sides of the House believe that it is important for us to do all that we can to set this in train to ensure that we can leave the European Union before the European parliamentary elections.

**Yvette Cooper** (Normanton, Pontefract and Castleford) (Lab): We are in this difficult situation because the Government's approach has not worked, and simply going round in the same circles or doing the same things will not solve the problem either. It would be helpful to understand how far the Prime Minister is actually prepared to reconsider her red lines. Is she now willing to consider a common external tariff with the EU—which is a key part of any customs union—or does she still rule that out?

**The Prime Minister:** Obviously the House has rejected the Government's plan. The House has also rejected the Opposition's plan. The House has rejected no deal, the House has rejected revocation, and the House has rejected a second referendum. At some stage, the House needs to come to an agreement on what it can agree on in order to take this issue forward. When people talk about the customs union—*[Interruption.]* Yes, I am aware of the question that the right hon. Lady asked. I think that there is more agreement in relation to a customs union than is often given credit when different language is used. We have been clear that we want to obtain the benefits of a customs union—no tariffs, no rules of origin checks and no quotas, while being able to operate our own independent trade policy. The Labour party has said that it wants a say in trade policy. The question is how we can provide for this country to be in charge of its trade policy in the future.

**Mr John Baron** (Basildon and Billericay) (Con): The fact remains that we would have left the EU by now on World Trade Organisation terms if the Prime Minister had not extended deadlines. The investment decisions underpinning our strong economic performance in recent years have been taken in the full knowledge that we could be leaving on WTO terms. Will the Prime Minister therefore show more confidence and commit to the House that if this Parliament does not pass a deal we will be leaving on WTO terms—terms by which we profitably trade with many countries outside the EU?

**The Prime Minister:** My hon. Friend has continued to champion the concept of leaving without a deal with the European Union. I believe that it is important for this country that we are able to leave in an orderly way. He references WTO terms. We trade with many countries across the world not on WTO terms but on the terms that are determined by the EU trade agreements with those countries.

However, leaving without a deal is not just about our trade arrangements. It is about other issues. It is about our security as a country as well. There are other matters that a deal will cover. I continue to believe that leaving with a deal in an orderly way is in the best interests of this country, and that is what I am pursuing.

**Mr Speaker:** In the midst of these important and inevitably contentious exchanges, may I ask the House to join me in warmly welcoming in the Gallery today the former Speaker of the New Zealand Parliament David Carter, accompanied by Deputy Speaker of the Parliament, the honourable Anne Tolley MP? It is a great delight to welcome you both. You come from a country that we regard as a great friend, and David you have been a great friend to us and to me. Welcome.

**Kate Hoey** (Vauxhall) (Lab): Does the Prime Minister take any responsibility for the fact that she, a Conservative Unionist Prime Minister, signed up to the backstop originally without ensuring that she would get support in Parliament for it? The only vote that went through with a big majority was the Brady amendment. Has she really done her best to get the backstop removed? It must be removed before the House will support her withdrawal agreement.

**The Prime Minister:** As I said earlier, we have at every stage taken this issue of the backstop. We have been arguing with the European Union in relation to this issue. As a result of the decision that was taken by the House, we took the Brady amendment back to the EU. The legally binding changes that were obtained in the agreement in Strasbourg between me and the President of the European Commission were a direct result of reflecting the views of the House. The Government have been clear not only that there is an accelerated timetable to determine alternative arrangements that can replace the backstop but that we have committed to putting money into the work that will ensure that we have those alternative arrangements to replace the backstop.

The hon. Member for Vauxhall (Kate Hoey) knows that my view is that the backstop should never be used and need never be used. We need to ensure that we have the relationship in the future. That is why the future relationship is the important way of sustainably ensuring that we meet all our obligations, including those in relation to a border between Northern Ireland and Ireland.

**Mr Steve Baker** (Wycombe) (Con): The Government continue in office thanks to the support of our confidence and supply partners. In the event that the withdrawal agreement is pushed through unamended over the heads of those partners, will the Prime Minister be seeking the confidence of the Labour party?

**The Prime Minister:** I recognise that reaching across the divide between the Government and Opposition Front Benches to attempt to come to an agreement on a matter is not usual practice. It is virtually unprecedented in the conditions in which we are doing it today. I believe that it is in the national interest for this House to deliver on the result of the referendum, to deliver Brexit for the British people and to do so in an orderly way. I have now voted three times to leave the European Union with a deal. I want to see this House by a majority voting to leave the European Union with a deal, and that is the work we are carrying on. That is where we try to find agreement across the House.

**Anna Soubry** (Broxtowe) (Ind): I welcome the extension because it provides time for a people's vote, and I agree with the words of the right hon. Member for Leeds Central (Hilary Benn) when he says that it is the only way out of the crisis and to end the uncertainty.

Mr Speaker, it will not have escaped you that a number of hon. Members have heard the words of the Prime Minister when she speaks about compromise, but she still refuses to say, or is unable to tell the House, what is her compromise. What are the red lines that she has set down that she now intends to rub out? Prime Minister, please answer those questions. Which of your red lines are you now prepared to rub out?

**The Prime Minister:** The whole point of sitting down, negotiating and trying to come to an agreement is that both sides explore where that point of agreement may be. Those are the discussions that we are having. We are entering into them seriously—

**Anna Soubry:** What will you rub out?

**The Prime Minister:** Oh, rub out, rub out. I suggest that the right hon. Lady looks at the moves that the Government have already made in a number of areas that have been requested by Members across this House.

**Dr Andrew Murrison** (South West Wiltshire) (Con): The Government, Leo Varadkar, Michel Barnier and Angela Merkel have all said that there will be no hard border even in the event of no deal. So can we now put the idea of a Northern Ireland forever backstop out of its misery and work on mitigating an up-front customs union if a customs union is the price of Labour support for getting something approximating Brexit over the line?

**The Prime Minister:** I have talked with a number of those my hon. Friend has cited in relation to the border, but the European Union has absolutely been clear that the rules of the European Union must be applied at the border in the event of no deal. Some of the other comments have been taken out of context in the interpretation that has been given to them. I come back to the position that I set out earlier on the issue of a customs union. We want to see the benefits of a customs union—that is in the political declaration—no tariffs, no quotas and no rules of origin checks. We also want to see, and this was reflected in the political declaration, an independent trade policy. The Labour party has a position of the benefits of a customs union with a say in trade policy. We are very clear that the benefits of a customs union can be obtained while ensuring that we have the freedom to make those trade deals around the rest of the world that we want to make as an independent country.

**Mr Ben Bradshaw** (Exeter) (Lab): I thank the Prime Minister on behalf of my constituents in Exeter for ensuring that this country does not crash out of the European Union without a deal tomorrow. That was in the national interest, and I thank her for that. Does she recognise, in the national interest, that the only way out of this gridlock is to give the decision back to the people: to give them a confirmatory vote on her Brexit deal?

**The Prime Minister:** The way out of this gridlock is for the House to identify the deal that it can agree and take forward and that can command a majority of the House. It is for this House to deliver on the result of the referendum that took place in 2016.

**Sarah Newton** (Truro and Falmouth) (Con): Clearly the Prime Minister has won the respect of the European Union leaders. It is really important that we have good relations with our near neighbours and allies. It is essential for our prosperity and security. I urge her to ignore the bullies on our Back Benches, stick to her guns and deliver the Brexit that was in our manifesto so well described by the Leader of the House.

**The Prime Minister:** I thank my hon. Friend. We are aiming to deliver what I believe people in this country voted for: a Brexit that protects jobs and livelihoods, protects our security and protects our Union but also ensures that we bring an end to free movement, that we are no longer under the jurisdiction of the European Court of Justice and that we no longer send vast sums of money to the European Union every year. That is

what we are aiming to deliver, and I want to see a deal that enables us to do that gaining a majority in this House.

**Liz Saville Roberts** (Dwyfor Meirionnydd) (PC): I am grateful for advance sight of the statement. Twenty-seven leaders decided the UK's fate last night, while the Prime Minister waited for their decision outside. Seven of those leaders represent countries whose populations are smaller than that of Wales, yet we are told here in Westminster that Wales is too small and too poor to have a seat at the table. Does the Prime Minister agree that Wales would be best served in a Union that treats its members as equals rather than staying in this self-harming Union of inequality?

**The Prime Minister:** As the right hon. Lady knows well, we work with the devolved Administrations across the United Kingdom in taking forward the issues of particular concern to various parts of the United Kingdom to determine the right way forward. We entered the European Union as one United Kingdom and we will leave the European Union as one United Kingdom.

**Sir Peter Bottomley** (Worthing West) (Con): Following the referendum in 2016, and given the two major parties' policies in 2017, we have a collective responsibility to deliver. The rational, responsible, practical way forward is to take the withdrawal agreement, with a majority, through this House and then move on with the best possible customs arrangements. That would satisfy most people—including, I believe, the majority of the people in Northern Ireland.

**The Prime Minister:** My hon. Friend is absolutely right. It is important for us to deliver on the vote in the referendum. He reminds the House that the two main parties in the Chamber both campaigned at the last general election on manifestos precisely to deliver that Brexit, and that is what we should be looking to do.

**Liz Kendall** (Leicester West) (Lab): Prime Minister, we need to use this extension for a purpose. One more heave is not good enough, and it will not work. Neither will trying to con people that we can have all the benefits of a customs union and still have a completely independent trade policy. I ask her once again: does she acknowledge that, even if it is not what she wants, putting her withdrawal agreement to the public is the way to break this Brexit deadlock and get the resolution our country desperately needs?

**The Prime Minister:** I genuinely believe that the way to break the Brexit deadlock is for this House to be able to agree on a deal that will deliver on the vote of the British people.

**Mr Peter Bone** (Wellingborough) (Con): At Prime Minister's questions on 20 March, when I asked the Prime Minister why she was seeking to extend article 50 having promised 108 times not to do so, she said:

“as Prime Minister I could not consider a delay further beyond 30 June.”—[*Official Report*, 20 March 2019; Vol. 656, c. 1041.]

We now have an extension up to 31 October. Prime Minister, how are you going to honour that commitment you gave to the House on 20 March?

**The Prime Minister:** This House and I can honour that commitment by voting for a deal that enables us to leave before 30 June.

**Mr Pat McFadden** (Wolverhampton South East) (Lab): The Prime Minister has applied for and now been granted two extensions to the article 50 period. She did that to avoid the consequences of a no-deal Brexit. Those consequences were laid out by the Cabinet Secretary two weeks ago: rising food prices, shortages of food, stockpiling medicine, huge damage to manufacturing and the weakening of our national security. Yet for two years she talked up that outcome, saying that no deal is better than a bad deal. That irresponsible rhetoric helped to normalise those consequences in the minds of the public. Does she regret talking up no deal, legitimising an outcome that she knows is bad for the country and which, through the acceptance of these extensions, she is desperate to avoid?

**The Prime Minister:** I stand by what I have consistently said in relation to no deal being better than a bad deal, but we have a good deal. I have voted on three occasions in this House for us to leave the European Union with a deal. All Members of this House who wish to deliver on leaving the European Union need to think about how we can come together and find a majority that enables us to do just that. I have voted to leave with a deal; I hope the right hon. Gentleman will want to vote to leave with a deal in the future, too.

**Julia Lopez** (Hornchurch and Upminster) (Con): Since the first defeat of the deeply flawed withdrawal agreement, the Government seem to have focused on how to make all other options worse rather than how to make the agreement better. Given that that narrow strategy continues to fail and cross-party talks may not bear fruit, what assurances and outline did the Prime Minister give our EU friends on her plan B, such that this latest extension becomes one with a purpose?

**The Prime Minister:** My hon. Friend is absolutely right—the point was made earlier about the European Union expressing that it wanted a purpose for any extension. I was clear with it about the approach we are taking, the talks we are having with the Opposition and, as I made clear in my statement last week, that if we cannot come to an agreement with the Opposition such that there would be a proposal that would meet a majority across the House, we would move to a means of ensuring that this House was able to vote on options and come to a decision as to its preferred option of what would be able to get a majority across this House. The extension is there to enable us to put that process into place.

**Caroline Lucas** (Brighton, Pavilion) (Green): A six-month delay is just 74 sitting days and to waste that on a Tory leadership contest would be an unforgivable act of self-indulgence—for once, the Prime Minister might agree with me. She has wasted the last two years. Will she undertake not to waste one day further by supporting the immediate establishment of a House business committee so that we might have a chance of having a process that is in the interests of the country rather than of the Tory party, with more votes being pulled at the last minute and more game playing?

**The Prime Minister:** No. Arrangements in relation to the business of this House have been changing in recent days, through decisions taken by this House, but I do not believe that the establishment of a House business committee is the right way forward.

**Mr Mark Francois** (Rayleigh and Wickford) (Con): The Prime Minister's first extension was based on the fact that we would ratify the withdrawal agreement, and in what was in effect meaningful vote 3 we turned it down again. Now she has been given another extension—longer than she asked for—yet again on the basis that somehow we will ratify the withdrawal agreement. Perseverance is a virtue, but sheer obstinacy is not. *[Interruption.]* Prime Minister, if, as I suspect, the Leader of the Opposition strings you along in these talks and then finds a pretext to collapse them and throws in a confidence motion, what will you do then?

**The Prime Minister:** I would continue to argue for the Conservative party remaining in government. It is a party that has led to a situation in this country where we see record levels of employment, 32 million people with tax cuts, a modern industrial strategy and 1.9 million more children in “good” or “outstanding” schools. We are delivering for people, and that is why this party should remain in government.

**Stephen Doughty** (Cardiff South and Penarth) (Lab/Co-op): I welcome this extension and the ruling out of a catastrophic no deal. I also welcome the talks going on between our two parties, because it is important that we try to find consensus and attempt to break the deadlock. However, I warn the Prime Minister that attempting to decouple the issue of a deal from whether it goes back to the people for their confirmation will not be acceptable to many people on the Opposition Benches, or indeed an increasing number on her own. Will she recognise that the only way to break the deadlock will be a confirmatory vote, putting this issue back to the people?

**The Prime Minister:** The hon. Gentleman will have heard the answers I gave earlier to similar questions about a second referendum. We gave a vote to the British people in 2016 and I genuinely believe that we should be delivering on that. I think that, actually, there is a view across this House that we should be delivering on Brexit. The question is finding an agreement across the House that enables us to do that, to get the legislation through and to leave the EU.

**Maggie Throup** (Erewash) (Con): Will my right hon. Friend confirm that if the House comes together to support a deal in a timely fashion after Easter, there would be every reason not to hold the European elections?

**The Prime Minister:** My hon. Friend is right. Obviously, it is a very tight timetable, but if we were able to have an agreement that commanded a majority across this House—obviously, we would have to get the legislation through—my ambition and aim would be to do that so that we do not need to hold the European parliamentary elections.

**Joanna Cherry** (Edinburgh South West) (SNP): Whenever the Prime Minister is asked about a second referendum, she is keen to remind us that that option has been defeated twice in this House, but of course her withdrawal

[*Joanna Cherry*]

agreement has been defeated three times. On its second outing in this House, the motion for a second referendum got 280 votes, which was considerably better than her withdrawal agreement did on its second outing. In fact, if support for a second referendum grew at the same rate as that for her withdrawal agreement, it would win outright if it got a third vote. In recognition of that fact, if the Prime Minister cannot get an agreement with Her Majesty's Opposition, will she include a second referendum in the number of options she intends to put this House?

**The Prime Minister:** The hon. and learned Lady is talking about process in relation to a second referendum. What this House needs to agree is the basis on which we can leave the European Union, which is the substance of our discussions with the Opposition.

**Damian Green** (Ashford) (Con): Many in this place and, more importantly, many exporting businesses and farmers will welcome the fact that they no longer face tariffs that would threaten their survival, which is what would have happened if we had crashed out with no deal tomorrow night. To that extent, the Council conclusions are very welcome. Does my right hon. Friend the Prime Minister agree that, contrary to the many voices from the Opposition Benches, a second referendum would not be the end but the start of the process, and that in the current climate it would be much more likely to lead to greater division in this country, rather than the healing that we desperately need?

**The Prime Minister:** My right hon. Friend is absolutely right. I am concerned that a second referendum would increase division in our society and across this country at a time when we need to bring people together. We can bring people together by agreeing the way in which we can leave the European Union, getting on with it and delivering for people on their vote.

**Peter Kyle** (Hove) (Lab): Following on from the question asked by the right hon. Member for Ashford (Damian Green), it seems that our body politic is increasingly fearful of the electorate. We are held hostage to the 2016 referendum and other public ballots. Is it not true that the tone and conduct of us as politicians and of the Prime Minister as a leader of our country are increasingly important and as important as the policies themselves? Is not now the time for us to sit back, reflect and investigate how we can use public ballots to bring people together as a country, not run scared from public ballots, and to understand how we can lead through elections with rigour and a focus on fact rather than division?

**The Prime Minister:** I recognise the passion and seriousness with which the hon. Gentleman has campaigned and championed, in this House and elsewhere, the concept of a second referendum. Nobody is running scared of the electorate. We gave the electorate the opportunity to determine the fate of this country in relation to its membership of the European Union, and they made a decision that we should leave the European Union. If we were to go back to the people in a second referendum, I think that many would fear that that was a sign of bad faith in relation to their politicians and that could damage our democracy.

**Richard Harrington** (Watford) (Con): I thank my right hon. Friend the Prime Minister for all her efforts to remove the nonsense of no deal from the agenda. In her statement she said that if the talks fall—I certainly hope that that will not be the case—she will put to the House a series of votes to determine which course to pursue. Will she confirm that there will be preferential voting system to allow the House finally to decide on one solution to this problem?

**The Prime Minister:** What I have said—and this is the Government's intention—is that if the talks with the Opposition fail to find a point of agreement between us that we believe would get a majority across this House, we would work with the Opposition to identify options and votes to be put to this House to find a way of determining a single result. There are a number of ways in which it is possible to do that. I think it would be important to ensure, were we in that position, that whatever system was chosen was genuinely going to come to a proper reflection of the views of this House.

**Stephen Kinnock** (Aberavon) (Lab): The Prime Minister knows that full membership of the single market is the only way we can guarantee workers' rights and the integrity of the Union and do something for the services sector, which represents 80% of the economy. A stand-alone customs union simply does not cut it. In the options that will be presented to us if the talks do not work, can she guarantee that full membership of the single market through the European economic area will be on offer?

**The Prime Minister:** I do not recognise the picture painted by the hon. Gentleman. It is not the case that full membership of the single market is the only way to achieve the benefits that he has referred to. He is right that it is particularly important, as we leave the European Union, that we have a care for our services sector, given the significant extent to which it plays a role in our economy. On flexibility, maintaining and recognising the importance of the City of London, particularly in financial services and the risk borne here in the United Kingdom, leads us to want to see that greater flexibility in relation to services.

It is not the case that the only way to ensure that we maintain and enhance workers' rights in the United Kingdom is through full membership of the single market. This is a Government who are enhancing workers' rights, because we believe that is what is right in the United Kingdom.

**Sir Nicholas Soames** (Mid Sussex) (Con): Does my right hon. Friend agree that there are many other very important issues facing the European Union—including, for the moment, the United Kingdom—particularly in respect of the EU's crucial relationship with China? Given the extension granted by our European partners, will she confirm that she will direct Britain's negotiators to use the extra valuable time creatively in relation to trade with China, which when we have left the European Union will inevitably be much harder to negotiate?

**The Prime Minister:** My right hon. Friend is absolutely right that there are a number of other issues facing the European Union, including its relationship with China. He will be aware of the benefits that the United Kingdom already has from investment from, and interaction of

trade with, China. We will, of course, want to enhance that for the future. As a member of the European Union during this extension, we will continue to participate and to operate with that duty of sincere co-operation and fulfil all our rights and obligations.

**Chuka Umunna** (Streatham) (Ind): The Prime Minister has wasted most of the past two years negotiating Brexit with her own divided party. What she actually needs to do is to rub out her red lines to bring this House and our country together. The problem is that she always puts her party before country. Will she now commit to stop flogging her dead horse of a deal, face down the hardliners in her own party and give serious consideration to a people's vote, which her own Chancellor has said is a perfectly credible proposition?

**The Prime Minister:** I refer the hon. Gentleman to the answer I gave earlier.

**George Freeman** (Mid Norfolk) (Con): Does my right hon. Friend agree with me, a former Business Minister, that this country's businesses, on which we all rely, deserve better than this ongoing crisis and chaos, and need the certainty that could be delivered if every Member of this House respected the referendum and a vote to leave in their constituency, and voted for it? Could she also tell me what to tell voters on the doorsteps on 2 May, when my hard-working local councillors risk being thrown out, after four years of really good work on our behalf, for something that they are not responsible for?

**The Prime Minister:** My hon. Friend is absolutely right about the importance of our finding a way through in this House to deliver on Brexit and to ensure that we do so in an orderly way. He should tell voters on the doorsteps that this is a Government who have been working, and who continue to work, to deliver Brexit. When it comes to the local council elections, I am sure that people will recognise that if they want good local services and lower council tax, there is only one way to vote and that is Conservative.

**Owen Smith** (Pontypridd) (Lab): I commend the Prime Minister for the flexibility she has shown in recent days in rejecting a no deal and requesting the extension to article 50 that she had previously rejected. May I ask that she shows a similar spirit of compromise in accepting that one way in which she could get her deal through this Parliament is by attaching to it a people's vote?

**The Prime Minister:** I refer the hon. Gentleman to my earlier answer.

**Alistair Burt** (North East Bedfordshire) (Con): I also support the Prime Minister's efforts in continuing to seek a resolution to this problem, and I share her concerns about being where we are, but I am concerned that the next time we seek an extension it may not be there. In order to avoid the dramatic consequences of that, and in addition to pursuing the withdrawal agreement as she rightly should, will she be as flexible as possible in relation to the alternatives and, if she is to get a true reflection of the House's view, allow free votes on those alternatives to ensure that we can get an agreement over the line, leave the EU and have the future relationship with the EU that we want?

**The Prime Minister:** This is the first opportunity I have had to thank my right hon. Friend for all his work as a Minister over the years.

We are working to see whether we can find a point of agreement with the Opposition that would command a majority in this House. If we are not able to do that, we will want to agree how we can take votes forward such that we identify an opinion across this House that would command a majority and enable us, as he says, to leave the European Union in an orderly way that is good for the UK.

**Sammy Wilson** (East Antrim) (DUP): In these negotiations the EU demanded £39 billion, and got it; an unnecessary Irish backstop, and got it; a withdrawal agreement that would tie our hands in future negotiations, and got it; and extensions that go against commitments given by the Prime Minister, and got it. Can she give us any example of any EU demand that she has actually resisted?

**The Prime Minister:** I could give plenty of examples, but I will give the right hon. Gentleman just two. We resisted a Northern Ireland-only customs territory in the backstop and made sure it is a UK-wide customs territory. He says that the EU demanded £39 billion. No, it did not. It started off at £100 billion, and our negotiations got it down.

**Alberto Costa** (South Leicestershire) (Con): Most Members of this House will have at the forefront of their mind the issue of citizens' rights. Although I welcome the Prime Minister's pledge to respect the rights of EU nationals here and the reciprocal rights given by some member states, in the absence of a withdrawal agreement those rights are not underpinned by international law. Will she help arrange a meeting between me, British in Europe, which represents more than 1 million British citizens in Europe, the 3 million and the Secretary of State for Exiting the European Union to discuss these issues?

**The Prime Minister:** My hon. Friend has resolutely championed the cause of EU citizens here in the UK and of UK citizens living in the European Union. We welcome the contribution that EU citizens have made here in the United Kingdom, which is why we have given our guarantee to protect their rights. We are working with the EU27, which has, at various levels, guaranteed the rights of UK citizens living in EU countries. We continue to work to ensure that we have those reciprocal rights, but my hon. Friend has raised an issue of importance, and I am happy to ensure that he and those representatives are able to meet the Secretary of State for Exiting the European Union to discuss these issues.

**Ms Karen Buck** (Westminster North) (Lab): The Prime Minister has referred to the withdrawal agreement and implementation Bill, which I assume is ready to go. Can she tell the House how the Government intend to judge when and whether they will be in a position to bring forward that Bill?

**The Prime Minister:** Crucially, we will see how the talks with the Opposition progress. As I have said, there have been further talks today. The talks have been

[*The Prime Minister*]

conducted in a positive and constructive manner, and I look forward to them continuing to be conducted in that manner. Obviously, if we are able to reach a point of agreement with the Opposition on the way forward, that is what we will seek to bring to this House.

**Mr David Jones** (Clwyd West) (Con): The Prime Minister has spoken of the need for compromise, so will she undertake, in the additional six months or so that we have been allotted as a consequence of the article 50 extension, to seek to persuade the European Union of the need to compromise and show less obduracy on the issue of the Irish backstop? Will she explain to the EU that, so long as the Irish backstop remains unamended, it is extremely unlikely that the withdrawal agreement will be approved by this House?

**The Prime Minister:** As I enunciated earlier, over not just the last few months but in advance of the withdrawal agreement being agreed in November 2018, we have been pressing the issue of the Irish backstop. As my right hon. Friend knows, legally binding changes were obtained in the agreement between me and President Juncker at Strasbourg in early March. Those changes were, of course, brought to this House, and the House then continued to reject the withdrawal agreement. What we are now doing is finding a way through that ensures the deal we have agreed with the European Union can find a majority in this House. Once again, the European Union has been clear that the withdrawal agreement is not open for renegotiation.

**Helen Goodman** (Bishop Auckland) (Lab): The six largest manufacturers in my constituency and the National Farmers Union all pressed to take a no deal off the table, and I am extremely glad that that has happened. When the Prime Minister next looks at the Opposition's proposal for a permanent customs union, will she bear in mind the example of Turkey, which is in the customs union but also has its own separate trade deals with third countries?

**The Prime Minister:** I can assure the hon. Lady that people have spoken to me, both positively and negatively, about the Turkish example in relation to a customs union. In practice, Turkey does not find itself able to have that freedom in relation to trade deals because of its arrangements with the European Union.

**Bill Grant** (Ayr, Carrick and Cumnock) (Con): I have a timber processing plant in my Ayr constituency and, for the first time in 20 years, it has maxed out its storage and, at great expense, secured additional product storage, all due to Brexit uncertainty. Does my right hon. Friend recognise that these costs cannot be borne indefinitely? Collectively, as a Parliament, we need to get the Brexit deal done to bring certainty to all our businesses.

**The Prime Minister:** I thank my hon. Friend for bringing home in a very real way the impact that the uncertainty is having on businesses across the country. I want to bring an end to that uncertainty, and I want to do it as soon as possible. We can only do it if this House is able to come together and find a majority for a deal that enables us to leave.

**Deidre Brock** (Edinburgh North and Leith) (SNP): Guy Verhofstadt has said it is “a simple fact” that there is no “big obstacle” to an independent Scotland rejoining the EU, yet the Prime Minister said yesterday that independence would mean Scotland is thrown out of the EU. Indeed, that is what the people of Scotland were told time and again in the run-up to the independence referendum. Will the Prime Minister retract the ridiculous assertion that Scotland will somehow, uniquely, not be allowed to join the EU, despite potentially being one of its richest member states?

**The Prime Minister:** The hon. Lady needs to recall the statements that were clearly made by the European Union when Scottish independence was being considered in the referendum. The point is very simple. The SNP said at the time that Scotland, if it voted for independence, could just carry on being a member of the European Union, and the EU was very clear that Scotland would have to apply to become a member. That was very clear at the time of the independence referendum, and it was said clearly by the European Union.

**Antoinette Sandbach** (Eddisbury) (Con): My constituents welcome the fact that the Prime Minister is trying to work across party to secure a final resolution to Brexit. May I ask her, when considering her red lines, to look at the evidence of the ComRes poll that was conducted immediately after the referendum vote, which indicated that only 35% of those voting leave believed that they were voting to leave the single market or the customs union? Will she do a value for money assessment on our confidence and supply partners, when they are both undermining confidence in the UK and failing to supply votes?

**The Prime Minister:** When people voted across the United Kingdom to leave the European Union, obviously individuals voted for different reasons, but I think underlying the vote was that desire to ensure that the United Kingdom, as an independent nation, could make decisions for itself in a number of areas where it was previously not making those decisions. What we want to see—what I think people want to see collectively across this House—is us, outside the European Union, continuing to have a good trading relationship with the European Union. I think the deep and special partnership that we have spoken about is important for us, for the future, to have with our nearest neighbours, and that is what we are pursuing.

**Lady Hermon** (North Down) (Ind): Prime Minister, today, when the cross-party talks with the Labour party resume, may I suggest that the Labour leader is firmly reminded that he cannot pick and choose the days on which he stands up and defends the Good Friday agreement? Yesterday, at Prime Minister's questions, he was quite happy to stand up and, quite rightly defend the Good Friday/Belfast agreement, to mark the 21st anniversary of the signing of that agreement. He described it as

“a great achievement...by the Labour Government at that time”—  
[*Official Report*, 10 April 2019; Vol. 658, c. 309],

and it was. It brought peace, which we cherish in Northern Ireland and right across the United Kingdom. But the Leader of the Opposition must stand up every day and defend the Good Friday agreement.

**Mr Speaker:** Order. May I very gently say to the hon. Lady that questions to the Prime Minister are about matters for which she is responsible. The Prime Minister is not responsible for what the Leader of the Opposition does or does not say, and we have got a lot to get through, so we need it in a sentence.

**Lady Hermon:** Thank you, Mr Speaker. May I urge the Prime Minister, in the cross-party talks today, to remind the Leader of the Opposition that the Good Friday agreement and the protection of the constitutional position of Northern Ireland and the consent principle are guaranteed by her Brexit deal, which is therefore something that the Labour party should support?

**The Prime Minister:** The hon. Lady makes a very important point. The Brexit deal does defend the Belfast/Good Friday agreement. We are very clear that we will continue to meet the commitments that we, as a United Kingdom Government, have in relation to that agreement. That is recognised on all sides. We have made those statements clearly within the deal that we have negotiated with the European Union, and I believe that is another reason why it should be supported.

**Chris Heaton-Harris (Daventry) (Con):** How difficult is it to negotiate with our EU partners now, when actions taken by this Parliament and advice given to the Prime Minister by No. 10 mean that my right hon. Friend has no choice but to take whatever she is given by our European partners?

**The Prime Minister:** I think this is the first opportunity I have had to thank my hon. Friend for the work that he has done. The fact that we have made the preparations that we have for no deal is largely down to the work that he did as the Minister responsible for that in the Department for Exiting the European Union during his time there.

Of course, earlier this week this House did vote to require an extension to be requested from the European Union. It also maintained the prerogative power for the Government to enter into international agreements—to have that flexibility. The House has made known its view on a number of issues; what it has not so far been able to do is actually come to an agreement on the withdrawal agreement and a deal, such that we can move forward and leave the European Union.

**Chris Bryant (Rhondda) (Lab):** It is good, of course, that the Front Benchers are talking to one another. The trouble is that this Parliament is not quite as simple as that. We have had more Members resign from their political parties than in any other Parliament in history. We have had more Members resign from their posts on the Government side and the Opposition side than in any other Parliament in history. So the truth is, we shall have to go on to the next stage fairly quickly. I would just urge the Prime Minister to do that. Will she answer the question that the leader of the DUP asked earlier, about whether it is her intention to keep this parliamentary Session going all the way through to 31 October? That would give enormous amounts of power to the Government, and I think it would be a wholly retrograde step.

**The Prime Minister:** My focus at the moment, in relation to parliamentary time, is on seeing whether we

can find an agreement that will enable us to do what is necessary to get a withdrawal agreement ratified by this Parliament so that we can leave the European Union.

**Mr Jonathan Djanogly (Huntingdon) (Con):** May I thank the Prime Minister for going out to Brussels, standing up in the national interest and coming back with an extension that means we can avoid the car crash and disaster of a hard Brexit? I commend her for opening negotiations with the Opposition. Will those negotiations have a timetable or structure? Will we know what the process will be when we come back after Easter? I think that would give hon. Members satisfaction and an idea of where we are getting to and, if necessary, what the alternative plan Bs are.

**The Prime Minister:** My hon. Friend makes an important point. Obviously the nature of our discussions with the Opposition and how they progress will determine the timetable, but I am very clear that if we are to meet the desire, which I certainly have, of not holding European parliamentary elections, then of course there is a timetable that needs to be adhered to, so we will need to make that decision soon. With constructive talks, as they are at the moment, I think it is absolutely right that we continue to see whether we can find the point of agreement between us.

**Mr Barry Sheerman (Huddersfield) (Lab/Co-op):** Many of us who are watching the Prime Minister working very hard and diligently believe that, in her own way, she has been pursuing the national interest, and we thank her for it. I welcome the fact that, in the national interest, she has reached out across the parties to get this sorted. May I give her some good news? I feel that, having got the delay, there is now a much more optimistic spirit here—in May I will have been in this House for 40 years, so I have a good feel for this place—and that across the parties we can get more good will and really get this sorted. Let us cast aside some of the red lines and all that stuff and come into the room in a positive spirit. We on the Back Benches will support the Opposition leadership and her leadership, in the national interest, if that gets it sorted.

**The Prime Minister:** I thank the hon. Gentleman for the optimism that he has shown, and for his reference to the positive mood in the House. I hope that we will indeed be able to do as he suggests and find a way through, because I think that the public want us to do exactly as he said: to get this sorted.

**Victoria Prentis (Banbury) (Con):** The views of Brenda from Bristol are definitely echoed by those of Beryl of Banbury. The last thing we want is European parliamentary elections. I ask the Prime Minister, even though she has now managed to achieve a longer extension, to do everything she can to ensure that we leave the EU as quickly as possible, as my constituents voted to do nearly three years ago.

**The Prime Minister:** Getting the terminability of the extension was very important for us. It means that it is in our hands; we can leave earlier, on a timescale that means we do not have to hold European parliamentary elections, and we can deliver for my hon. Friend's constituents and constituents up and down the country.

**Wes Streeting** (Ilford North) (Lab): The Prime Minister has now asked this House several times to vote for her deal. The fact is that if she agreed to put it to a confirmatory vote, it would sail through. Is the reason she does not want to do so that she thinks it would not achieve a majority and, if so, is that not thoroughly undemocratic? If she genuinely believes that it delivers the will of the people, why will she not ask them?

**The Prime Minister:** No, it is not because I am concerned about what the result of such a vote would be; it is because I believe that, having given the decision to the British people on whether we should leave the European Union, it is the duty of this House to deliver on that.

**Sir Desmond Swayne** (New Forest West) (Con): Is not it abundantly clear that anyone who believes that a second referendum will bring the nation together was on another planet during the last one?

**The Prime Minister:** My right hon. Friend makes a very important point. I believe that a second referendum would be divisive, rather than healing.

**Martin Whitfield** (East Lothian) (Lab): The deal will require ratification by the European Parliament. The current European Parliament will sit for the last time a week from today, and then after the elections it will meet just once in July to sort itself out. It will not really meet properly until October or November. Is an earlier leaving date not actually an impossibility, because the deal cannot be ratified?

**The Prime Minister:** No, it is not an impossibility. It is possible for the European Parliament to ratify in advance of the United Kingdom ratifying.

**David Tredinnick** (Bosworth) (Con): As a long-term supporter of the deal of my right hon. Friend, I congratulate her on coming back from Europe with an extension that does not have the onerous conditions that we were all told would be imposed. Speaking for the businesses in the midlands, may I say that time is of the essence? They are not getting the bank loans that they need and are going out of business. May I also say, with reference to the Opposition, that it is the Opposition who are being blamed for their intransigence and sheer bloody-mindedness in this matter?

**The Prime Minister:** In relation to businesses, my hon. Friend is absolutely right: time is of the essence. It is important that we bring the uncertainty that businesses are facing to a conclusion. That is why it is absolutely right that we do everything we can to find a way through to achieving a majority in this House that delivers on Brexit and that does it in an orderly way so that we give certainty to those businesses.

**Mary Creagh** (Wakefield) (Lab): President Tusk urged the Prime Minister to use the time well and her EU counterparts have urged a duty of sincere co-operation on her. I had hoped that that duty would extend to the cross-party talks, but listening to her replies in this place today, I am filled with a growing dismay that she has failed to understand that the Labour party's negotiating mandate has been set out by the members at our party

conference and that it says that any deal needs to be put back to the people for a confirmatory ballot with an option to remain. I can tell her now that those talks will not succeed unless she hardwires that into the withdrawal agreement Bill; she simply will not get a stable majority for that Bill in this place.

**The Prime Minister:** Both sides—both Government and Opposition—are approaching these talks with the aim of constructively looking to see whether we can find a way through this that will command a majority in this House that will then enable us to get the legislation through. The hon. Lady did what other hon. and right hon. Members on both the Labour and the Government Benches did at the previous general election, which is stood on a manifesto to deliver Brexit.

**Martin Vickers** (Cleethorpes) (Con): In her statement, my right hon. Friend spoke of the British people being frustrated with the present situation. I can certainly confirm that that applies to my constituents, but they are also angry and feel that our country has been humiliated. Can the Prime Minister give them at least a crumb of comfort by absolutely assuring them that there will most certainly never ever be another application for an extension? Does she agree that the one benefit from the extension is that it gives us even more time to prepare for no deal?

**The Prime Minister:** I thank my hon. Friend for the support that he has recently shown for the deal. The best way that we can give that confidence to his constituents is by ensuring that, in this House, we agree a deal so that we are then able to deliver on our leaving of the European Union.

**Geraint Davies** (Swansea West) (Lab/Co-op): The Prime Minister said a moment ago that the European Parliament can vote to ratify the deal before we can in this Parliament. Presumably, during the interlude, there will be further negotiations to change the political declaration. Will she tell me how she intends to entrench any agreements on the political declaration that are made in good faith between the two parties if not by a public confirmatory vote? Such a vote will make the agreements on the declaration sustainable as it will prevent them being ripped up by a future leader.

**The Prime Minister:** We have already indicated our intention to ensure that Parliament has a greater role in relation to the future relationship by accepting, as we said on 29 March, the amendment in the name of the hon. Member for Stoke-on-Trent Central (Gareth Snell). Elements of this are about the political declaration, but there are also elements that are about what we do here in this House in UK legislation to ensure that we are entrenching objectives for that future relationship. Of course, the negotiation still has to take place with the EU on that future relationship, but there are many steps that we can take here in the United Kingdom to give confidence to Members of this House.

**Sir Geoffrey Clifton-Brown** (The Cotswolds) (Con): The Prime Minister's resolve—especially with her lack of sleep—in trying to persuade this House to come up with an acceptable solution to our Brexit problem is to be highly commended. In return, will she continue to

resolve to press our European partners for the only thing that has had a majority in this House, namely the Brady amendment combined with the Malthouse compromise?

**The Prime Minister:** The position on the withdrawal agreement has been reiterated by the European Council, but of course the point of the Brady amendment was that alternative arrangements should be in place that could replace the backstop. One of the things that we have agreed with the European Union is a timetable for work on those alternative arrangements. As I indicated earlier, the Government have committed funding for the work that is necessary to ensure that we will be in a position such that, at the end of December 2020, the backstop would not need to be used and that, if interim arrangements were necessary, those alternative arrangements would be available.

**Patrick Grady** (Glasgow North) (SNP): The 78% of my constituents who voted remain do not want an extension; they just want this business stopped. The ways to break this deadlock are a new referendum, a new House of Commons or a new Prime Minister, so which is it going to be?

**The Prime Minister:** The hon. Gentleman knows full well that I believe it is the duty of this House—I believe it is the duty of this Parliament—to deliver on the result of the referendum that took place in 2016 with a deal to leave the European Union in an orderly way, and that is what we are working to do.

**Mr Shailesh Vara** (North West Cambridgeshire) (Con): This House very much appreciates the Prime Minister's desire to leave with a deal. However, the Prime Minister will appreciate that a responsible Government must prepare for all eventualities. There are Members of this House who do not favour a no-deal scenario because they feel that the country is not ready to leave in such circumstances. Given that we are now in extended territory in terms of leaving the EU, will the Prime Minister kindly give the House an assurance that she has given instructions to the Government to prepare for no deal, should we reach that eventuality? I hope that she appreciates that doing so not only would strengthen our position as far as the EU is concerned in further negotiations, but would mean, if we did have to leave on a no-deal basis, that we could do so with confidence and without fear.

**The Prime Minister:** It is right, as we have not yet agreed a deal on the basis on which we are leaving the European Union, that we continue to make preparations for all eventualities. However, I also say to my hon. Friend that, in a no-deal situation, it would not simply be a question of what the United Kingdom Government had done; it would be a question of what other Governments in the European Union had done. While any preparations would be made to mitigate the impact of no deal, of course there would be elements outwith the control of the UK Government.

**Stella Creasy** (Walthamstow) (Lab/Co-op): The Prime Minister will be relieved to hear that I am not going to ask to dip into her stash of cough sweets, but I want to follow up on something she said to the right hon. Member for Meriden (Dame Caroline Spelman).

The Prime Minister said one of the things she wants to do with the time now available to her is to hear what businesses and the public think about all the things in front of us. Does she recognise that the fairest, most inclusive and most democratic way to do that would be to learn from other countries and have a citizens' assembly?

**The Prime Minister:** I thank the hon. Lady for her question, particularly given the state of her throat and voice. As we have indicated, we are obviously looking at establishing a more formal forum in which it is possible to bring people together. We have been listening to business, of course, and we have been talking and listening to trade unions and civil society, but we are looking at a more formal way of doing that. Arrangements for that will be set out in due course.

**Robert Neill** (Bromley and Chislehurst) (Con): Will the Prime Minister accept the very clear message I got from my fellow commuters from Chislehurst this morning, who I think are pretty representative of my constituency? They say she has done the right thing by the country in avoiding no deal, which would have done real harm to their real world jobs and businesses; they believe that, in the real world, there is no harm in seeking compromise and reaching out—in fact, that is a good thing—and that rigidity and fundamentalism do not work; and they want her to have our support in continuing to see this through and have the matter done.

**The Prime Minister:** I thank my hon. Friend and thank the commuters from Chislehurst for the comments that have been brought into the House. That is absolutely right. I think that people recognise the importance of compromise and recognise the importance of working this through, finding a solution, and getting it done.

**Mr Speaker:** I feel sure that the commuters of Chislehurst were greatly encouraged to be accompanied on their journey by the hon. Member for Bromley and Chislehurst (Robert Neill).

**Seema Malhotra** (Feltham and Heston) (Lab/Co-op): The Prime Minister, three years after the referendum, is finally engaged in cross-party talks, but she may recall that as long ago as the week she took office, I wrote to her calling for cross-party working in the national interest and for her to urgently engage the country, through a national convention, on how we move forward. So with committed Brexiteers like Peter Osborne now expressing concern about where we have reached and the risks of Brexit for our economy and our Union, who does she plan to involve in the more formal forum she has described in order to engage the public in how we move forward and use the next six months wisely to bring our divided country together?

**The Prime Minister:** We do want to bring our divided country together. First of all, in order to do that, we need to have agreement across this House for a deal that can ensure that we can deliver Brexit and then move on to the second stage where we will indeed be having that commitment both in terms of the responsibilities and involvement of this House but also of businesses, trade unions and civil society.

**Richard Graham** (Gloucester) (Con): Given the collective failure of Parliament so far to secure the withdrawal agreement that will allow us to leave the European Union, the Prime Minister is absolutely right to seek cross-party consensus, secure an extension of article 50, and urge us to a resolution of this as quickly as possible to avoid the European Union elections. In that process, the wording on customs arrangements in the future political declaration is likely to be key. I have asked the Chairman of our Select Committee on Leaving the EU to distribute a briefing on this, but could my right hon. Friend also organise for leading representatives of major business organisations to brief Members across the House on the importance of the withdrawal agreement Bill and what their views on the customs union are?

**The Prime Minister:** My hon. Friend has made a very interesting and important suggestion, and I will certainly look very carefully at it. It is important that Members of this House have as much information as possible when they are making decisions on these matters, and certainly the voice of business will be an important part of that.

**Dr Rupa Huq** (Ealing Central and Acton) (Lab): I must thank the Prime Minister for having me round exactly a week ago—it feels like six months ago—for a much more agreeable cross-party dialogue than the confrontational exchanges that we have in here. I congratulate her on her achievement of the wee hours yesterday night, or this morning—whenever it was. In recognition of the spirit of reaching consensus that she talked about—we discussed last week how all our constituents just want this stalemate moved on from—I am now prepared to allow her deal to pass, subject to the small rider that it has attached to the end of it a ratificatory referendum to check that the will of the people in 2016 is the will of the people now. I feel that would imbue it with democratic renewal. That is my compromise—it is a big climbdown from what I have said all the way up to now—and I just wonder if she would tell us what is hers.

**The Prime Minister:** I was happy to have a discussion with the hon. Lady last week. I think that in her question she referenced the need that constituents feel to be able to move on from this situation. I just say to her gently that I do not think that holding a second referendum would enable people to move on—it would create further division.

**Jeremy Lefroy** (Stafford) (Con): I thank the Prime Minister for all that she has done over the past weeks, days and months, and for what she achieved yesterday. Will she join me in thanking Sir Tim Barrow, the UK's representative at the European Union, and his staff, and indeed many of the fellow leaders at the European Council who showed great good will towards the United Kingdom in coming to this agreement and listening to the points that she made? They are our partners for the future, whatever that holds.

**The Prime Minister:** I am very happy to welcome and congratulate Sir Tim Barrow and all his staff on all the work that they have done. They have been putting in long hours on behalf of the United Kingdom and made a really important contribution to the work that we

have been doing with the EU in negotiating this particular deal. My hon. Friend is also absolutely right about those EU leaders who were willing to come round the table to get that agreement yesterday. Some broke off from election campaigning. One restricted a trip that he was making to Vietnam in order to come. I was grateful to them for that. They are our partners and they will continue to be our partners.

**Tom Brake** (Carshalton and Wallington) (LD): When, two years ago, the Prime Minister devised a Brexit that reflected the will of the people, I assume that it did not include many elements of Labour policy. If she agrees a blue-red Brexit with the Leader of the Opposition, it cannot, by definition, reflect her interpretation of the will of the people. Does that not make the case for a people's vote unassailable?

**The Prime Minister:** There are plenty of things on which we agree with the Opposition on this matter—ending free movement, protecting jobs and upholding and enhancing workers' rights. There is much that we agree on and we are working to see how we can come to a final agreement between us that would get a majority in the House.

**Vicky Ford** (Chelmsford) (Con): Ten years ago, European elections were held in the heat of the expenses scandal and many voters chose to stay at home. Two members of the British National party were sent to represent our country despite the fact that less than 3% of voters voted for them and despite the abhorrent policies of that party, which denied membership to anyone whose face was not white. Can I therefore urge my right hon. Friend the Prime Minister and the Leader of the Opposition to do everything they can to resolve this impasse, so that we do not need to fight European elections but, if we do, to fight them with a positive attitude from the centre and not to hand a platform to extremists again?

**The Prime Minister:** My hon. Friend makes an important point. I believe—and I hope this view is shared on both sides of the House—that we should work to try to ensure that we do not need to hold those European parliamentary elections and we can get an agreement that can achieve a majority in the House, so that we can leave without holding the elections. It is important, as she says, that we do not see platforms being given to extremists.

**Dr Paul Williams** (Stockton South) (Lab): When there are problems in a relationship, we encourage couples to keep on talking. When there is an industrial dispute, negotiations are always best. When there is a dispute between countries, we encourage both sides to talk. Why does the Prime Minister think that having a binding public confirmatory vote would be so divisive?

**The Prime Minister:** The hon. Gentleman gives examples of when it is important for people who disagree to come together and talk. That is exactly what I am doing with the Opposition at the moment. As I have said before, one of the reasons I think a second referendum would be divisive is that many people think they voted for a conclusion in the first referendum and would lose their trust in politicians if we fail to deliver on that.

**Matt Warman** (Boston and Skegness) (Con): Some 76% of my constituents voted to leave the European Union, and every day that Parliament fails to deliver on that is another day that their faith in democracy is diminished. This is about more than Brexit: a second referendum would be a hammer blow to that faith in democracy and we cannot let that happen.

**The Prime Minister:** My hon. Friend speaks powerfully on this issue. As I have indicated in answer to a number of questions, I believe the House has a duty to deliver on the vote of the British people and to deliver Brexit for them.

**Kevin Hollinrake** (Thirsk and Malton) (Con): In last week's indicative votes, the Opposition Front Bench moved one of their key red lines and supported a solution that does not include a permanent customs union, but instead included a customs arrangement. Now that we are virtually on the same page, is it not time to put party politics aside and work cross-party to agree a deal in the national interest?

**The Prime Minister:** The public expect no less of us. At a time such as this, when there has been this deadlock, they expect politicians to work together, to sit down and find a solution, and that is exactly what we want to do.

**Rachael Maskell** (York Central) (Lab/Co-op): To date, the Prime Minister has failed to move on her red lines, so has not in sincerity reached out across Parliament, let alone across the country. Our nation is stressed, hurting, dividing and breaking. How will she use the time available to her to bring our country together and heal the divides in our nation? Will she work across the House to do this?

**The Prime Minister:** That is exactly what we are doing. We are having talks in a positive, constructive atmosphere, looking at things in detail. We have both started and, as I have said, there is a lot that we agree on. There are some differences between us, but we are working to see whether we can find agreement on them. The hon. Lady talks about bringing the country together. I think a first step in bringing the country together is being able to bring this House together to find a deal so that we can deliver Brexit.

**Mike Wood** (Dudley South) (Con): My right hon. Friend is aware of my view of a lengthy extension, but the extension period that she has negotiated ends if an agreement is ratified. What guarantees has she secured that the European Parliament will ratify any agreement in a timely manner without unnecessary delay?

**The Prime Minister:** It is clear that what has been agreed, as I understand it, is that there is a process by which the European Parliament, as I indicated earlier, would be able to ratify prior to the United Kingdom ratifying. Of course, that ratification could be subject to us then ratifying to enable the whole process to be completed.

**Clive Efford** (Eltham) (Lab): The Prime Minister seems to have indicated that she is quite clearly not prepared to give at all on her red lines. She said in her statement that if we cannot come to a cross-party

agreement, she wants to bring back a small number of options before the House soon. How long is soon and what will be included in those options?

**The Prime Minister:** First, I have indicated on a number of occasions that we are working constructively and positively with the Opposition to find that point of agreement between us. As I have said, there are many issues. People often talk, for example, about disagreement between us on customs, but actually we agree that we want the benefits of a customs union, with no tariffs, no rules of origin checks and no quotas. The hon. Gentleman references the potential second stage if it is not possible to come to that agreement. We would be working with the Opposition to identify those options and how to take those forward.

**Derek Thomas** (St Ives) (Con): People want and expect us to get on with the job, and I believe that trust in our democratic system is being eroded at an alarming rate. Assuming that the Prime Minister can get meaningful vote 4 approved, is it still her view that the transition period will end at the end of 2020? If it is, that would demonstrate that we are true to our word.

**The Prime Minister:** It is certainly my view that that transition period can end at the end of December 2020, and indeed we should work to ensure that it does end at the end of December 2020. Of course, the sooner that we can get a deal ratified by this Parliament, the more likely it is that we will be able to meet that timetable.

**Dr Lisa Cameron** (East Kilbride, Strathaven and Lesmahagow) (SNP): As Easter approaches, my churches across East Kilbride, Strathaven and Lesmahagow have expressed grave concern about growing intolerance towards EU citizens in the UK as a result of the Brexit discord and extreme right-wing views. What more can the Prime Minister do to denounce that intolerance and reassure our EU citizens that they are valued? We want their contribution because they improve our society for the better.

**The Prime Minister:** I am very happy to echo the hon. Lady's comment. EU citizens make a valuable contribution to our society and our economy. We are the better for the contribution that they make. That is why the Government have been clear in guaranteeing and protecting the rights of those EU citizens. We are one community and we should move forward as one community.

**Rehman Chishti** (Gillingham and Rainham) (Con): Paragraph 10 of the conclusion says that further extension "cannot be allowed to undermine the regular functioning of the...institutions."

Prime Minister, that is exactly what would happen if we take part in the European elections. We would get far-right, extremist individuals, such as those protesting outside No. 10 on 29 March, exploiting people's grievances for their own interests. I sit on the Home Affairs Committee, and—the Prime Minister knows this well—there over 100 live investigations into extremism, most of them involving far-right extremists. Taking part in the European elections would give legitimacy to some of those vile individuals and their beliefs. Prime Minister, my constituents say: please deliver by the 22nd, so that we do not take

[*Rehman Chishti*]

part in the European elections; and if not, this has gone on long enough—deliver on the democratic mandate that the people have voted on and leave without a deal.

**The Prime Minister:** I absolutely agree that we should be working to ensure that we leave the European Union with a deal, and without having to hold those European parliamentary elections.

**Diana Johnson** (Kingston upon Hull North) (Lab): I am sad to say that no matter how the Prime Minister dresses up last night as a bilateral negotiation, it was actually a humiliation for this country on her watch. In the spirit of saying that she wants to compromise, will she confirm to me, and to many of my constituents who have been in touch, whether she will move away from any of the red lines she has put forward?

**The Prime Minister:** The Government have already shown a willingness to move when issues have been put to us. We have done that on some of the issues around workers' rights, and there are still issues that people may wish to discuss with us. We have already shown our willingness to move on issues.

**Stephen Kerr** (Stirling) (Con): May I compliment the Prime Minister on her stamina, and thank her for making the future of the Union paramount in her considerations? The last thing we need in Scotland is another divisive referendum, and I know that the people of Stirling want us to come together and resolve this issue. They want us to compromise and be grown up about this. Does the Prime Minister agree with this sentiment from Liz Cameron, chief executive of the Scottish Chambers of Commerce?

"It would be a disgrace for any of those who claim to represent our citizens if, come 31st October, the same late-night drama plays out again".

**The Prime Minister:** My hon. Friend is right, and all Members of the House now have the responsibility to come together to find a way through, and ensure that we get this done.

**Patricia Gibson** (North Ayrshire and Arran) (SNP): The Prime Minister has repeatedly set her face against a second referendum, but she also said that compromise will be required, and that what she is willing to compromise on is subject to negotiations with the Labour party. If that is the case, how can she so categorically rule out a people's vote, and why is she apparently removing that option from any future negotiations and compromise conversations?

**The Prime Minister:** I refer the hon. Lady to the answers I gave earlier in response to questions about a second referendum.

**Mark Pawsey** (Rugby) (Con): Businesses have been increasing their stocks of raw materials, components and finished goods, in order to avoid the damaging disruption of a no-deal departure from the EU. In the process they have incurred substantial additional warehousing costs, and they have tied up capital that

would otherwise be available for investment. What advice would the Prime Minister give to businesses about how long they need to continue with that process?

**The Prime Minister:** My hon. Friend is right to identify the uncertainties that businesses face and the actions they have taken in the face of those uncertainties. I hope businesses will see that by reaching out to the Opposition, the Government are genuinely trying to find a way through this, and to do so within a timescale that gives businesses that certainty as soon as possible.

**Justin Madders** (Ellesmere Port and Neston) (Lab): Given that the Government's motion on the EU last Tuesday could attract the support of only about 40% of her party's MPs, if the Prime Minister were to reach an agreement with the Leader of the Opposition, what guarantees do we have that any deal will be supported by her own party?

**The Prime Minister:** The hon. Gentleman will see that support for the withdrawal agreement has been growing on this side of the House. As he knows, we are looking at whether we can find a point of agreement with the Opposition that will truly command a majority in this House, and enable us to get the necessary legislation through.

**Matt Western** (Warwick and Leamington) (Lab): I thank the Prime Minister for listening to the House and working with the European Union to avoid a no-deal exit that would have cost manufacturing greatly. Jaguar Land Rover is centred around my constituency, and the loss of £1.2 billion a year would threaten its viability. Does the Prime Minister agree with the Secretary of State for International Trade that a customs union between the UK and the EU would be the worst of both worlds?

**The Prime Minister:** We are looking to ensure that we obtain the benefits of a customs union that have been identified in the political declaration, and we are continuing to move forward on that. On trade policy, we believe it is right to have a good trade agreement with the European Union for the future, but also to have good trade agreements with the rest of the world, and the ability to negotiate them.

**Mr Speaker:** We conclude with a question from the distinguished Chair of the Procedure Committee.

**Mr Charles Walker** (Broxbourne) (Con): It goes without saying that I look forward to joining the Prime Minister in delivering Brexit in Broxbourne, so can I just say to my right hon. Friend, in concluding, that I have nothing left to say on Brexit—until at least another week has passed? Will she join the rest of the House in having a few days off next week? Before she leaves this place tonight, can she suggest to the Chief Whip that he has a few solid 12-hour sleeps as well?

**The Prime Minister:** I thank my hon. Friend for his sentiments. I am sure everybody across the whole House is looking forward to the opportunity to take some time to reflect on the issues we are dealing with in this House and to do that away from this Chamber. I will certainly pass on his request to the Chief Whip.

## Arrest of Julian Assange

3.30 pm

**The Secretary of State for the Home Department (Sajid Javid):** With permission, Mr. Speaker, I would like to make a statement on the arrest of Julian Assange.

This morning, after nearly seven years inside the Ecuadorean embassy, Mr Assange was arrested for failing to surrender in relation to his extradition proceedings. He was later also served with a warrant for provisional arrest, pending receipt of a request for extradition to stand trial in the United States on charges relating to computer offences. His arrest follows a decision by the Ecuadorean Government to bring to an end his presence inside its embassy in London. I am pleased that President Moreno has taken this decision and I extend the UK's thanks to him for resolving the situation. Ecuador's actions recognise that the UK's criminal justice system is one in which rights are protected and in which, contrary to what Mr. Assange and his supporters may claim, he and his legitimate interests will be protected. This also reflects the improvements to the UK's relationship with Ecuador under the Government of President Moreno. These are a credit to the leadership of the Minister for Europe and the Americas, my right hon. Friend the Member for Rutland and Melton (Sir Alan Duncan), and to the ongoing hard work of Foreign Office officials in London and Quito.

Mr Assange was informed of the decision to bring his presence in the embassy to an end by the Ecuadorean ambassador this morning shortly before 10 am. The Metropolitan police entered the embassy for the purpose of arresting and removing him. All the police's activities were carried out pursuant to a formal written invitation signed by the Ecuadorean ambassador and in accordance with the Vienna convention on diplomatic relations. I would like to take this opportunity to thank the Metropolitan police for the professionalism they have shown in their management of the immediate situation, and during the past seven years.

Both the UK Government and the Ecuadorean Government have become increasingly concerned about the state of Mr Assange's health. The first action of the police following his arrest was to have him medically assessed and deemed fit to detain. The Ecuadoreans have made their best efforts to ensure that doctors, chosen by him, have had access inside the embassy. While he remains in custody in the UK, we are now in a position to ensure access to all necessary medical care and facilities.

Proceedings will now begin according to the courts' timetable. Under UK law, following a provisional arrest, the full extradition papers must be received by the judge within 65 days. A full extradition request would have to be certified by the Home Office before being submitted to the court, after which extradition proceedings would begin. At that point, the decision as to whether any statutory bars to extradition apply would be for the UK's courts to determine.

I will go no further in discussing the details of the accusations against Mr. Assange either in the UK's criminal justice system or in the US, but I am pleased that the situation in the Ecuadorean embassy has finally been brought to an end. Mr Assange will now have the opportunity to contest the charge against him in open court and to have any extradition request considered by

the judiciary. It is right that we implement the judicial process fairly and consistently, with due respect for equality before the law. I commend this statement to the House.

3.34 pm

**Ms Diane Abbott** (Hackney North and Stoke Newington) (Lab): I thank the Home Secretary for his account of events. On the Labour Benches, we are glad that Julian Assange will be able to access medical care, treatment and facilities, because there have been worrying reports about his ill health. Of course, at this point that is all a matter for the courts.

We in the Opposition want to make the point that, even though the only charge that Julian Assange may face in this country is in relation to his bail hearings, the reason we are debating this this afternoon is entirely to do with his and WikiLeaks' whistleblowing activities. These whistleblowing activities about illegal wars, mass murder, murder of civilians and corruption on a grand scale have put Julian Assange in the crosshairs of the US Administration. For this reason, they have once more issued an extradition warrant against Mr Assange.

The Home Secretary will know that Mr Assange complained to the UN that he was being unlawfully detained as he could not leave the Ecuadorean embassy without being arrested. In February 2016, the UN panel ruled in his favour, stating that he had been arbitrarily detained and that he should be allowed to walk free and compensated for his "deprivation of liberty". Mr Assange hailed that as a significant victory and called the decision binding, but the Foreign Office responded by saying that this ruling "changes nothing". I note that the Foreign Office responded then, not the Home Office or the Ministry of Justice. The Foreign Office has no responsibility for imprisonment and extradition in this country, but it is interested, of course, in relations with allies and others.

We have precedent in this country in relation to requests for extradition to the US, when the US authorities raise issues of hacking and national security. I remind the House of the case of Gary McKinnon. In October 2012, when the current Prime Minister was Home Secretary, an extradition request very similar to this one was refused. We should recall what WikiLeaks disclosed. Who can forget the Pentagon video footage of a missile attack in 2007 in Iraq that killed 18 civilians and two Reuters journalists? The monumental number of such leaks lifted the veil on US-led military operations in a variety of theatres, none of which has produced a favourable outcome for the people of those countries. Julian Assange is being pursued not to protect US national security, but because he has exposed wrongdoing by US Administrations and their military forces.

We only have to look at the treatment of Chelsea Manning to see what awaits Julian Assange if he is extradited to the US. Ms Manning has already been incarcerated, between 2010 and 2017. She was originally sentenced to 35 years. Her indefinite detention now is because she refuses to participate in partial disclosure, which would allow whistleblowers to be pursued and not the perpetrators. Her human rights and protections as a transgender woman have been completely ignored—*[Interruption.]* Her human rights as a transgender woman have been completely ignored, and I hope that Government Members will take that seriously.

[Ms Diane Abbott]

What this has to do with Julian Assange's case is that this could be the type of treatment he could expect if he is extradited to the US. In this country, we have protections for whistleblowers, including the Public Interest Disclosure Act 1998 and others—even if some of us feel that these protections should be more robust. Underpinning this legislation is the correct premise, not that anyone can leak anything they like but that protection should be afforded to those who take a personal risk to disclose wrongdoing where that disclosure serves the public interest. Julian Assange is at risk of extradition to the US precisely because, as we in the Opposition believe, he has exposed material that is in the utmost public interest.

This is now in the hands of the British law courts. We have the utmost confidence in the British legal system, but we in the Opposition would be very concerned, on the basis of what we know, about Julian Assange being extradited to the US.

**Sajid Javid:** First, I thank the right hon. Lady for her response, but I think the whole country, if people listen to her response, will be pretty astounded by the tone that she has taken. She started by talking about the reason for Mr Assange's arrest and tried to come up with all sorts of justifications, which have nothing to do with the reason. The reason Mr Assange has been arrested is that he failed to surrender to a UK court—that is why he has been arrested. There was a provisional arrest warrant, which is subject to extradition proceedings. Those are usual procedures under UK law. There is no one in this country who is above the law. The right hon. Lady who, we should remember, wants to be the Home Secretary, is suggesting that we should not apply the rule of law to an individual.

**Ms Abbott** indicated dissent.

**Sajid Javid:** The right hon. Lady is disagreeing, but she said quite clearly that Mr Assange should not be subject to UK law, and that is something that should worry any British citizen, should she ever become Home Secretary.

**Ms Abbott** rose—

**Sajid Javid:** The right hon. Lady can intervene later if you allow her, Mr Speaker—that is possible. However, I want to finish my comments in response to hers.

The right hon. Lady also talked about the UN, as though the UN had some opinion on this issue. I am sure it was not intentional, but she was at risk of not giving quite correct information, because the UN has no view on the Assange case. I think she was actually referring to the view of a group of independent persons who decided to look at this case. They do not speak for the UN in any way whatever. It was a small group of individuals who came up with a deeply flawed opinion, suggesting that somehow Mr Assange was indefinitely detained in the UK by the British authorities. In fact, the only person responsible for Mr Assange's detention is himself—it was entirely self-inflicted. It is astonishing that the right hon. Lady should even bring up that report and suggest that, somehow, it was a UN view or a UN report.

Then the right hon. Lady talked about the US request for extradition. I will not be drawn into the request for extradition; it is rightly a matter for the courts. Should

the courts deem it correct and necessary at some point to send a request for extradition to me, I will consider it appropriately under our laws.

I note that the shadow Home Secretary, both today and in the past—and indeed the Leader of the Opposition—have defended Assange and WikiLeaks from efforts to tackle their illegal activity. They could have clarified things today for the British public; the right hon. Lady could have done that on behalf of the Opposition, but she did not. Why is it that, whenever someone has a track record of undermining the UK and our allies and the values we stand for, you can almost guarantee that the leadership of the Labour party will support those who intend to do us harm? You can always guarantee that from the party opposite.

**Dr Julian Lewis** (New Forest East) (Con): How much has the police operation guarding the embassy cost, and is there any prospect of recovering any of this money—perhaps from Mr Assange's celebrity backers?

**Sajid Javid:** That is an interesting suggestion from my right hon. Friend as regards cost recovery. Up to 2015—the figures I have are for up to 2015—the police operation cost an estimated £13.2 million.

**Patrick Grady** (Glasgow North) (SNP): I too thank the Home Secretary for advance sight of his statement. I am sure his swift actions and determination to appear before the House have not been lost on his audience on the Tory Back Benches.

It is right that nobody is above the law, and in many ways today's actions mean that at least one kind of deadlock has been broken, which is perhaps important, at least from a health and wellbeing point of view. However, at the same time human rights under the law are inviolable, and the treatment Mr Assange receives in the period to come must take place with appropriate due process and with respect to the protection of the rights that the Home Secretary stressed.

Will the Home Secretary therefore confirm that nobody should be extradited from the United Kingdom if they face an unfair trial or a cruel and unusual punishment in the destination country? Will he also assure us that any judicial process here in the United Kingdom will be carried out with as much transparency as possible, and with all appropriate opportunity for review and appeal, as necessary?

**Sajid Javid:** I am very happy to agree with what the hon. Gentleman said. This country has a long and proud tradition of human rights. When it comes to extradition requests, wherever they may come from, it is absolutely right that the courts and the Government consider an individual's human rights.

**Sir Hugo Swire** (East Devon) (Con): And so this story moves to its conclusion, having cost the British taxpayer millions of pounds, and having ruined relations between Ecuador and the United Kingdom during the period concerned. I very much hope that those relations can now be sustained and nurtured.

Let me make two points. We should not allow Mr Assange to get away with the idea that he was arbitrarily detained, which is ridiculous given that he could have walked out of that door at any time, or the

idea that he had no charges to answer originally in Sweden, because the Swedish prosecutor would have needed to interview him personally, which he never allowed her to do. Those two facts need to be put right in the middle of this ridiculous story.

**Sajid Javid:** My right hon. Friend has made a number of important points. He referred to our relationship with Ecuador, which is very good, as I think today's outcome shows. Let me repeat that it is thanks to the hard work of my right hon. Friend the Minister for Europe and the Americas that that relationship is so strong today.

My right hon. Friend the Member for East Devon (Sir Hugo Swire) was absolutely right to remind the House that this was a self-inflicted detention. This was a decision by Mr Assange to lock himself up for seven years.

**Ian C. Lucas** (Wrexham) (Lab): I am pleased that the right hon. Member for East Devon (Sir Hugo Swire) mentioned Sweden, because the Home Secretary did not. He did not mention the fact that proceedings there led, as I understand it, to the original issuing of the warrant. Will those Swedish proceedings continue, and if there is any competitive aspect between the Swedish prosecution and the United States prosecution, how will it be resolved?

**Sajid Javid:** I can tell the hon. Gentleman that the original extradition request was a Swedish request, but at a later date the Swedish authorities chose to withdraw it. Whether there is an existing or a new Swedish request I can neither confirm nor deny. Should there be more than one request for the extradition of any individual, that will be dealt with in the usual way by the courts.

**Mr Bob Seely** (Isle of Wight) (Con): I understand that the potential extradition to the United States relates to the half a million leaked documents in the Chelsea Manning case. Does my right hon. Friend agree that there is potentially a more serious and disturbing case against Julian Assange in relation to his and WikiLeaks' role in the Kremlin's 2016 attempts to interfere with and manipulate the United States presidential elections, when WikiLeaks was used by Russian military intelligence—the GRU—as the primary vehicle to disseminate stolen documents, hacked by the GRU from the Democratic party? While some see him as an information war hero, others see him as a useful stooge of an authoritarian state.

**Sajid Javid:** I am sure my hon. Friend will appreciate that it would be inappropriate for me to refer to any accusations that may or may not be made against Mr Assange. I understand that he has talked about this issue on a number of occasions, including today, on "The World at One". He is very articulate, and I am sure that many people will have heard him.

**Sir Edward Davey** (Kingston and Surbiton) (LD): I thank the Home Secretary for his statement. Clearly today's arrest was correct, but looking ahead will he confirm that any extradition request from the United States will be considered by the Home Office, that that will include public interest test and press freedom considerations, and that any court hearing an extradition case would also be able to consider a public interest test and a press freedom defence?

**Sajid Javid:** I thank the right hon. Gentleman for his support for today's action. In the first instance, the extradition request is a matter for the courts. Once a full extradition request is received, my Department will determine whether it is certifiable, but after that it will go to the courts, which will have to make the initial decisions according to our law.

**Bob Stewart** (Beckenham) (Con): Julian Assange says, apparently, that his personal space has been violated. That is a bit rich, in view of the number of people who have been put in extreme danger among our allies.

**Sajid Javid:** It may be appropriate for me to draw attention to the statement made today by President Moreno of Ecuador. He said that "the discourteous and aggressive behaviour of Mr Julian Assange" had led to his action. That tells us something in itself.

**Diana Johnson** (Kingston upon Hull North) (Lab): I am concerned that a man suspected of rape, which is what in this case actually happened, was able to do what he did for several years to escape justice. I have seen media reports that lawyers for the victims in Sweden are taking steps to start the proceedings off again. I wonder whether the Home Secretary might be able to investigate that and let the House know. I am sure that many Members of Parliament are very anxious about the matter.

**Sajid Javid:** I understand the hon. Lady's concerns. It would be inappropriate for me to talk about any accusations that have been made, whether from Sweden or elsewhere, against Mr Assange. She may want to reflect on the words that were used by her Front-Bench colleague. On 7 December 2010 the right hon. Member for Hackney North and Stoke Newington (Ms Abbott) openly tweeted her support for Mr Assange. The hon. Lady might like to reflect on the leadership that she is receiving from her own Front Bench.

**Matt Warman** (Boston and Skegness) (Con): The right hon. Member for Kingston and Surbiton (Sir Edward Davey) is right to praise press freedom, and I know that my right hon. Friend the Home Secretary is an advocate for that, but whatever the shadow Home Secretary says, is it not the case that responsible journalists do not play fast and loose with the national interest and put our people in danger?

**Sajid Javid:** My hon. Friend, a distinguished former journalist himself, is right in what he says. Press freedom in this country is sacrosanct, but by and large people who work in the press in this country are responsible.

**Clive Efford** (Eltham) (Lab): I find it extraordinary that someone so rich and powerful—or powerful, anyway—can avoid an allegation of rape in the way that Julian Assange has for so many years, costing so much taxpayers' money. Who is paying the £13.2 million bill that Julian Assange has cost us? Is it the people of London in cuts to their police service, or does it come from a central budget?

**Sajid Javid:** I understand very much the hon. Gentleman's sentiment; he speaks for many people across the House. He asks who has paid the bill. I referred earlier to the

[Sajid Javid]

£13.2 million up to 2015. It has come from various sources, but each one is the British taxpayers, and that is why they will welcome the justice that has been done today.

**Stephen Kerr** (Stirling) (Con): It is right and proper that my right hon. Friend has paid tribute to the Minister for Europe and the Americas for the work that he has done. It is also appropriate to pay tribute to the strength, resilience and patience of the British diplomatic service.

**Sajid Javid:** I very much agree with my hon. Friend. In particular I would pick out the British ambassador in Ecuador, who has been brilliant in the way she has pursued this and worked with her counterparts in Ecuador, Ecuadorean Ministers and others, as well as Ministers in the Foreign Office.

**Ross Thomson** (Aberdeen South) (Con): I join my right hon. Friend in sending our gratitude to President Moreno for his decision. Does he agree that it is right that Mr Assange will now face justice, and that he will do so in the proper way, with the proper protections of the British legal system?

**Sajid Javid:** I can absolutely give that assurance to my hon. Friend. Today is a good day for justice. The British legal system, our defence of the rule of law and the fairness of our legal system are world-renowned, and that is exactly what Mr Assange will receive.

**Mike Wood** (Dudley South) (Con): I join hon. Members in thanking my right hon. Friend for his statement and the Metropolitan police for their effective action this morning. The Ecuadorean President has indicated that Julian Assange repeatedly violated the conditions of his asylum at the embassy. Does my right hon. Friend have any further details of such violations?

**Sajid Javid:** I join my hon. Friend in thanking the Metropolitan police, who for many years have done an outstanding job, for making sure that Mr Assange was arrested and presented in front of the courts. He asks me about the Ecuadorean Government. I might point his attention to the statement that President Moreno has made today in a video message. He talked about how Mr Assange was discourteous and aggressive. He made a number of accusations against Mr Assange, which were one of the reasons why the President decided, as a sovereign decision of the Ecuadorean state, to remove what they call diplomatic asylum.

**Stephen Kerr:** On a point of order, Mr Speaker. I would be grateful for your guidance in respect of a matter that arose earlier today at Digital, Culture, Media and Sport questions. It concerns comments you made, Mr Speaker, about the planning application in my constituency for the development of a beautiful, unspoilt part of countryside at Park of Keir.

Mr Speaker, you rightly take every opportunity to praise Judy Murray, who I know you fully respect and admire, and you rightly identified her as one of the sponsors of the proposed Park of Keir development. How can I make it clear for the record that there is a substantial body of opinion in Dunblane and Bridge of

Allan among my constituents who want there to be a legacy for Andy and Jamie Murray in the Stirling area but do not want this piece of glorious countryside to be developed for that or any other purpose?

**Mr Speaker:** The hon. Gentleman has found his own salvation, and he has done so with very good grace and an admirable sense of humour in relation to what is a serious matter. He is doing his constituency duty as he judges it right.

Look, I completely respect the fact that there are different points of view about the matter. I did express public support for Judy Murray and Park of Keir some considerable time ago, and I reiterated it. The hon. Gentleman has made his own point in his own way, and I recognise immediately that he also speaks for many other people. He has put that on the record in a perfectly proper way, and I think we can both honourably leave it there.

**Sir Mike Penning** (Hemel Hempstead) (Con): On a point of order, Mr Speaker. On Monday, you kindly granted an urgent question when medical cannabis was confiscated from a child as she entered the UK from Holland. I can tell the House today that a prescription has been issued for medical cannabis so that young girl can have the medication she needs. Sadly, at the moment there is still a blockage. With the Home Secretary on the Front Bench—I know he is working tirelessly to help us—I wonder whether the lifting of that blockage, to allow the prescription to be honoured, has yet to be done.

**Mr Speaker:** Well—this is usually used pejoratively, but I say it in a non-pejorative sense—the right hon. Gentleman has opportunistically taken the chance to raise a point of order in the full knowledge of the presence of the Home Secretary. The Home Secretary is not obliged to respond, but he looks as though he wishes to do so.

**Sajid Javid:** Further to that point of order, Mr Speaker. I am happy to respond. It is perfectly proper that my right hon. Friend has raised this really important issue, and he was right to do so earlier this week as well. The Home Office has been working with the Department of Health and Social Care, which is the Department responsible for issuing licences since the prohibition was lifted. We will continue to work carefully, and we will make sure that it can be done as soon as possible.

**Mr Speaker:** Perhaps I could be forgiven for saying, in the gentlest and most understated of spirits, that having known the right hon. Member for Hemel Hempstead (Sir Mike Penning) for a good many years, the sooner that interdepartmental co-operation is brought to a successful conclusion, the better. If that is not the case, I think I can confidently predict that the right hon. Gentleman, quite properly, will go on and on and on about the matter.

**Sir Mike Penning:** And on.

**Mr Speaker:** And on, because he is a persistent terrier of a parliamentarian. That UQ served an important public purpose, and the right hon. Gentleman deserves great credit for bringing it to the House.

**Sir Mike Penning:** A terrier is a very small dog.

**Mr Speaker:** Yes. [*Interruption.*] It has been suggested that the right hon. Gentleman is more a persistent Rottweiler than a persistent terrier.

**Dr Julian Lewis:** A bloodhound.

**Mr Speaker:** Or a bloodhound. Okay, we have pursued this matter to destruction for now. I am glad the House is in a good spirit.

### BILL PRESENTED

#### LEGAL TENDER (SCOTTISH BANKNOTES) BILL

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

Mr Alistair Carmichael presented a Bill to make provision about the acceptance of Scottish banknotes throughout the United Kingdom; to oblige businesses and companies to accept Scottish banknotes as payment; and for connected purposes.

*Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 379).*

### ADJOURNMENT (EASTER)

*Motion made, and Question put forthwith (Standing Order No. 25)*

That this House, at its rising today, do adjourn until Tuesday 23 April 2019.—(*Wendy Morton.*)

*Question agreed to.*

## Backbench Business

**Mr Speaker:** On account of the urgent question and the number of statements, I think the House ought collectively to be informed that a judgment was made at a much earlier stage today by the Chair of the Backbench Business Committee, in consultation with debate sponsors, that the Back-Bench debate on the definition of Islamophobia, in the name of the hon. Member for Ilford North (Wes Streeting), was an extremely important debate that deserved a proper allocation of time and should therefore be rescheduled. I think that would be seemly and respectful.

### Loan Charge

*Debate resumed.*

*Question (4 April 2019) again proposed,*

That this House expresses its serious concern at the 2019 Loan Charge which applies from 5 April 2019; expresses deep concern and regret about the effect of the mental and emotional impact on people facing the Loan Charge; is further concerned about suicides of people facing the Loan Charge and the identified suicide risk, which was reported to HMRC; believes that the Loan Charge is fundamentally unfair and undermines the principle of the rule of law by overriding statutory taxpayer protections; expresses disappointment at the lack of notice served by HMRC and the delays in communication with those now facing the Loan Charge, which has further increased anxiety of individuals and families; is concerned about the nature and accuracy of the information circulated by HMRC with regard to the Loan Charge; further regrets the inadequate impact assessment originally conducted; understands that many individuals have received miscalculated settlement information; calls for an immediate suspension of the Loan Charge for a period of six months and for all related settlements to be put on hold; and further calls for an independent inquiry into the Loan Charge to be conducted by a party that is not connected with either the Government or HMRC.

**Mr Speaker:** We now come to the resumed debate, which was sadly interrupted by the rather well-publicised leak last week, on the motion on the introduction of the 2019 loan charge. Justin Madders had just concluded his oration when the debate was suspended last Thursday—something I am sure all colleagues recall very keenly—therefore I think I am right in saying that the next person to speak in this debate is Mr Stephen Metcalfe.

4.1 pm

**Stephen Metcalfe** (South Basildon and East Thurrock) (Con): Thank you for calling me so early in this resumed debate, Mr Speaker. I have to say that I had never imagined that I was going to speak in it, seeing as rain stopped play at about this time last week. I am by no means an expert on the 2019 loan charge, but I, like many others who expressed an opinion last week, have been contacted by numerous constituents who have set out in clear terms how they believe it would impact on them. They are being asked to pay back thousands, tens of thousands, and in some cases even hundreds of thousands of pounds that they never believed would be due.

Do not get me wrong: I believe that everyone should pay their fair share of tax. We know that that is what funds our public services, and we should clamp down on tax evasion at every possible opportunity. However, minimising tax exposure has always been a legitimate part of our tax system.

[Stephen Metcalfe]

When looking at this issue, I have been on a journey. Initially I was in two minds about the validity of the arguments presented. Obviously, I had great sympathy for my constituents on both a personal and an individual level, but I felt that the old adage, “If something looks too good to be true, it is too good to be true,” applied. I have now, however, come to a different conclusion. I have looked at the individual cases presented and at the wider issues. To demonstrate why I have come to that conclusion, I want to use the words and sentiments that one particular constituent has sent me. He wants me to do this anonymously, as he does not want to prejudice himself or his case. As an aside, I am not sure that it is a healthy state of affairs when constituents are scared to speak out against a Government agency.

My constituent is a freelance IT professional who was advised to enter one of these schemes. When he entered the scheme, to give himself confidence that it was legally compliant and that what he was being told by his professional adviser was true, he contacted Her Majesty’s Revenue and Customs. The correspondence my constituent has from HMRC shows that in 2012, when he was checking for compliance under disclosure of tax avoidance schemes legislation, he asked HMRC to review the particular arrangements he had joined. I am informed that the HMRC anti-avoidance group concluded that no hallmarks of tax avoidance were in evidence and so HMRC did not assign a DOTAS number to that arrangement.

If that is true, which I obviously believe it is, I think it is fair to say that, under HMRC’s duty of care and due diligence, it had plenty of opportunity to inform my constituent that things had changed and that the particular arrangement that he had entered into would be liable to taxation. HMRC completely failed to notify my constituent that anything was amiss, so for years he relied on the initial HMRC advice he had received and continued as a customer of the arrangement.

**Mr Charles Walker** (Broxbourne) (Con): That retrospective and disproportionate approach being taken by HMRC are what concern a number of my constituents. The people I represent are very reasonable, and they would be happy to come to an arrangement with HMRC, but HMRC seems to want to bankrupt its debtors, as opposed to getting some return from them.

**Stephen Metcalfe:** My hon. Friend makes an excellent point. All the correspondence I have had has been phrased in very reasonable terms. People want to do the right thing, but they feel under a huge amount of pressure.

**Bob Stewart** (Beckenham) (Con): I am sure that, every year, my hon. Friend’s constituent sent in a tax return, which HMRC ticked, approved and sent back. Only recently has HMRC suddenly seen the way things are going and said, “Right, this is some kind of tax avoidance. Let’s get it all back, and in one year.”

**Stephen Metcalfe:** I do not know what the rules are on my hon. Friend reading the next line of my speech over my shoulder, because it says here that my constituent continued with these arrangements and, each and every

year, dutifully declared on his tax return the amount he had received in loans and the amounts he had returned thereof. It came as a surprise that, years later, HMRC intends to use its newly granted powers—in what my constituent describes as “winding back the clock”—to retrospectively claim that the arrangements my constituent and others had used were not legal, had never worked and that the tax on the loans was always due.

**Dr Sarah Wollaston** (Totnes) (Ind): I thank the hon. Gentleman for making these excellent points. Like me, does he find that he has several constituents who had no option but to be self-employed and were required to enter such vehicles?

**Stephen Metcalfe:** The hon. Lady makes an excellent point. For many there was no option. In many cases, as in the case of my constituent, people had to enter these schemes. My constituent even checked whether there were alternative options and checked the legitimacy of it, never thinking it would come back to haunt him.

I have to say that I do not like it. It feels wrong. I would like to think that I am a fairly reasonable chap, and when I feel that something is wrong or off and does not feel like natural justice, it tends to be true. Eventually, the Government will come round to my way of thinking, or I very much hope so.

As I said, I am not an expert on tax in general, but the charge is retrospective and HMRC failed to notify scheme users of the tax liability. Users sought professional advice or were advised to enter these schemes and, as in my constituent’s case, annually declared what they were doing.

**Bill Grant** (Ayr, Carrick and Cumnock) (Con): Does my hon. Friend agree that, for some caught up in the loan charge, their circumstances may be the result of unfortunate omissions in, for example, professional advice or, indeed, HMRC advice, rather than a deliberate act on their part? For that reason, clemency and reasonableness should be applied by HMRC.

**Stephen Metcalfe:** My hon. Friend makes an excellent point that stands entirely on its own right, and I hope it has been heard.

**Sir Oliver Heald** (North East Hertfordshire) (Con): On giving latitude, does my hon. Friend agree that these cases vary quite considerably? In some cases, it may be about allowing more time for people to pay; in others, it may be about looking at the detail of the debt and whether there is other evidence to suggest it should be less; and in some cases, it is a question of giving latitude on how many years HMRC goes back.

**Stephen Metcalfe:** My right hon. and learned Friend makes some good points, and I am aware that the Government have set out some of the mitigating measures they want to put in place. I am sure we all welcome those measures, but there is a need for both a pause and a full and proper review of what is being proposed to see whether we are acting in a way that would be considered to be natural justice.

**Sir Michael Fallon** (Sevenoaks) (Con) *rose*—

**Stephen Metcalfe:** I want to continue. In failing to act back in 2012, when it had the opportunity—and surely the duty—to do so, HMRC denied my constituent the opportunity to depart the arrangements and seek an alternative solution for his payroll needs.

**Sir Michael Fallon:** My hon. Friend has been so generous in giving way that I hesitate to intervene once again. When he says that something feels wrong, he is on to something, because what feels wrong to some of us is that the equivalent effort does not seem to be put into pursuing the promoters of the schemes, or indeed the employers, and that the entire weight of recovering the so-called tax gap is falling only on the employees. That does not feel right.

**Stephen Metcalfe** *rose*—

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. Before the hon. Gentleman answers that point, I should explain to the House that we have less than 50 minutes left for this debate, for obvious reasons. He finds himself in the difficult position of being the opening speaker, as it were, and therefore he has been required to take a lot of interventions because people have short points that they want to make, but of course this debate had the bulk of its time last week, and I know from what people have told me that what they actually want to hear is the Minister's reply to the many questions that were asked last week, and will be asked this week. There will therefore be a very short time limit on speeches—probably two minutes. The hon. Gentleman has been very generous in taking interventions, and I am sure he wants to finish the points that he would like to make. I have no objection to his taking further interventions, as long as the House realises that that will be the bulk of the debate.

**Stephen Metcalfe:** Madam Deputy Speaker, I hear what you say loud and clear, but I did want to allow Members to intervene because I think it allows them to get their points on the record.

The point that my right hon. Friend the Member for Sevenoaks (Sir Michael Fallon) raised is completely valid. We need to be throwing the net wider to recover some of this money.

I reiterate that my constituent acted only under advice from a chartered accountant, with tax counsel's opinion, so although everyone has a duty to pay the tax they owe, this feels off. It feels like a retrospective tax grab. We know that it is causing great stress, anxiety and depression. We know that there have been three suicides associated with it. It cannot be right and surely we must have a duty to look at it again.

If I may, I shall quote my constituent, who says:

“Very simply, if the loan charge is not delayed, and comes in as it is, it will destroy my quality of life and that of my family. It may well prevent me from working and lead me into bankruptcy. It has already caused me to suffer extreme stress, and is causing huge anxiety for my family. If the Government ploughs on with this retrospective legislation, it will be responsible for devastating the lives of families across generations.”

I will leave it there.

Will the Minister seriously consider a delay in implementation and a removal of the retrospective nature of the charge, so that it certainly does not go back further than 2017, when the charges were first announced? I hope that he will build on the assurances that he has

given Members who have written to him—I am very grateful for those reassurances—by finding other mitigating measures, so that we can demonstrate, as a House, that we can respond positively and that we are capable not only of listening to, but of hearing and acting upon, the words of the people who come to us, asking for our representation.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Eleanor Laing):** There will be an immediate time limit on speeches of three minutes.

4.14 pm

**Ruth George (High Peak) (Lab):** Constituents who have come to me are overwhelmingly people with their own businesses who took out a scheme in order to free up more money to invest in those businesses, to employ people and to make sure that that business had a sustainable future. They do not object to the fact that it has, since 2012, been found that those schemes are wrong, but they do object to the fact that they are being sought for payments from before that time. The advice they are getting from the Inland Revenue on settlement figures is extremely late. One of my constituents was informed on Tuesday 2 April that he needed to make a settlement agreement by that Friday, when he was working abroad and had no access to his accounts. That sort of behaviour is simply unreasonable, and no taxpayer should have to accept it.

The Inland Revenue has stated that it does not expect anybody to have to sell their main residence, yet it is requiring taxpayers to seek to take out a large loan or mortgage on their only or main residence. These people are often in their late 40s or 50s, coming to the end of their working life, so they cannot take out such large loans on their property, and if they do they are in danger of defaulting, in which case they will lose the property anyway. I therefore ask the Minister to look at what the Inland Revenue is requiring by way of loans on main properties. Does he stand by the Inland Revenue's advice that main properties are not to be put at risk?

I also ask the Minister, and those who are supporting people with the loan charge, to look at the case of professional indemnity insurance for the chartered accountants or tax advisers who often gave this advice, and at whether the scheme promoters were covered by the Financial Services Compensation Scheme, because if it was pensions or any other area of financial services, we would be going straight to professional indemnity and to the Financial Ombudsman Service to seek compensation.

The Minister needs to look at the advice that is being given. The Inland Revenue told the Public Accounts Committee two weeks ago, “Among the disguised remuneration users, there are undoubtedly people who have liabilities for years, where under the normal rules we do not now have assessing rights...we have asked those people to settle voluntarily for those years, which they may choose to do so.” Those figures are not divided out and people are not given the opportunity to pay back the loans to the companies that made them. Will he look at that?

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Eleanor Laing):** Order. After the next speaker, the time limit will be reduced to two minutes.

4.17 pm

**Adam Holloway** (Gravesham) (Con): I pay tribute to the right hon. Member for Kingston and Surbiton (Sir Edward Davey) and the Loan Charge Action Group for all that they have done, and indeed to the Minister, who for a long time has been given a hard time on the subject.

I am speaking today on behalf of about 100 constituents whose lives have been blighted by this and who have lived with awful uncertainty for about three years. After last week's debate, I met a number of them at the City Praise Centre in my constituency. I have to say that when I first met constituents about this, my heart did not exactly bleed for them; it is not fair for one particular group of people to pay income tax at a lower rate than the rest of the workforce, and lots of my constituents are in real need, living in substandard accommodation and waiting months for hospital appointments, so I cannot condone the systematic loss of revenue to the Treasury.

**Bob Stewart:** The people who are coming to my hon. Friend are normal people, such as nurses—some of them actually work for HMRC.

**Adam Holloway:** I thank my hon. Friend and absolutely agree.

My view has since shifted, however, as I have come to understand more about their circumstances. These people are not pocket Al Capones out to defraud the system; they are self-employed professionals who are contracting to different entities, paying their own pensions, without the protection of regular employment, and trying to avoid the complexities of IR35. I guess any of us would wish to minimise the tax we pay, and HMRC knew about those arrangements for decades and was slow in taking legal action, and inept in shutting it down.

**Sir Henry Bellingham** (North West Norfolk) (Con): Does my hon. Friend agree that one of the great iniquities here is that HMRC knew what was going on but did not actually do anything about it with expedition and decisiveness at the time?

**Adam Holloway:** Absolutely, and now of course it is pursuing an aggressive policy that, on any analysis, is retrospective on my constituents. These constituents may have been naive and over-optimistic, but most of us are in no doubt that, for many years, they all believed that these schemes were lawful and an effective means of mitigating their tax. I therefore support a delay to the implementation of the loan charge to allow an independent tribunal to assess the issue of retrospectivity, and, in light of that, to consider whether the loan charge is fair and proportionate after taking into account, first, the failure of HMRC to take effective action for all those years, and, secondly, the fundamental protections that every taxpayer should expect.

Finally, I fear that this policy is another example of how those at the very highest echelons of our Government seem to have a tin ear when it comes to the good people whom they represent.

**Several hon. Members** *rose*—

**Madam Deputy Speaker (Dame Eleanor Laing):** A two-minute time limit.

4.19 pm

**Marsha De Cordova** (Battersea) (Lab): I begin by thanking the Backbench Business Committee for this debate, the loan charge all-party group for its fantastic work, and the campaigners for bringing this situation into the public eye.

Many employees signed up to these disguised remuneration schemes and arrangements in good faith, and many of them declared them to HMRC. The problem is that many of them are now being unfairly caught up in the Government's loan charge. Their retrospective implementation has left many people who were unaware of these schemes with eye-watering bills. That is the case for many of my constituents who have been to see me to explain that they have been unfairly burdened with this charge. They did not know that these schemes were a form of tax avoidance, and now they are being asked to pay back tens of thousands of pounds—money that they can ill afford. The burden of paying it back is causing them great distress, including mental ill health.

One constituent told me that she fears that she will have to sell her home. Another constituent risks going bankrupt, while another just broke down in tears when they visited my recent surgery, fearing the consequences that the charge will have on both them and their family. We know that these are not isolated incidents. All these facts were also revealed in the excellent inquiry into the loan charge by the all-party group.

What is most disappointing about the Government's response is that this scheme is targeting individuals rather than the companies. It is unfair that many of my constituents are being asked to pay back tens of thousands of pounds. I urge the Minister, when he responds, to commit to suspending the scheme for six months and, more importantly, to calling for a judge-led independent inquiry.

4.22 pm

**Sir Geoffrey Clifton-Brown** (The Cotswolds) (Con): I rise to support my constituent, Kieran Smythe, who bought schemes extending back to 2014. He believed that the schemes that he was sold were approved by HMRC and a QC.

As many Members of this House have said, the problem is that HMRC has been very slow to react to this whole matter. As far back as 2004, Dawn Primarolo, when she was Paymaster General, said that the Government would legislate to stop these schemes. The Government legislated again in 2011, but it was not until the Finance Act in 2017 that the loophole was closed.

Let me say in the very short time that I have left that the excellent Library briefing that we have been given says that the Government estimate that 50,000 individuals will be affected by the charge on these disguised remuneration loans, of whom only 24,000 so far have contacted HMRC. It is my understanding that if they have not contacted HMRC and agreed a repayment scheme by 5 April this year, they will be liable to a full range of payments and penalties.

In closing, I simply say to my right hon. Friend the Minister that if this debate is to have meant anything, can there please be a little flexibility in how those payments and charges are investigated, so that at least everyone paying them can be fully satisfied that they are properly due?

4.23 pm

**Wes Streeting** (Ilford North) (Lab): Tax is the price that we all pay for a civilised society. I certainly come from the “pay your bloody taxes” school of thought when it comes to disguised remuneration schemes.

With the short time that is left, may I explain to the Minister, from what I have seen both on the Treasury Committee and from my own casework, the weaknesses in his and HMRC’s argument? First, HMRC knew about these schemes for many years. Year after year, in successive tax returns, in individual cases and collectively, it signed off those returns, and failed to take action against promoters.

Secondly, people took advice and acted in good faith year after year on the basis of that advice. That is certainly what happened in my constituency cases. The Government should be taking far sterner action against promoters than individuals who were misled.

Thirdly, in the way it has conducted itself, HMRC has fallen woefully short of the standards we should expect, both in its lack of timely communication with taxpayers and in the way it has misled legislators in calling for them to legislate for the loan charge.

Taking all those things into account, even now, there are people in my constituency and across the country who face demands for six-figure sums. No one—at least no one from an ordinary background, which my constituents are—can afford to pay them back. People are being compelled to settle now, while the situation is under active consideration by parliamentarians. When we look at how many MPs have signed the early-day motion and the letter to the Minister, it is clear that this policy no longer commands the support of the majority in this House.

4.25 pm

**Robert Neill** (Bromley and Chislehurst) (Con): I have met constituents and seen copious documentation that they have brought me that reinforces everything that has been said by every other hon. Member in the Chamber, in particular about the good faith in which people entered into these schemes, the lassitude with which Her Majesty’s Revenue and Customs originally pursued the matter, and the arbitrary way in which it acted thereafter. I endorse the calls for a pause to the scheme, for an independent inquiry and for the retrospective element to be removed. It simply is not just.

There is an old legal saying—perhaps you recall it, Madam Deputy Speaker—that he who comes to equity must have clean hands. The person who seeks the redress of the courts must have acted in good faith. I fear the Revenue has not acted in good faith in this matter, with my constituents or with taxpayers generally. There is an aggressive attitude towards tax collection that has gone beyond the bounds of fairness.

The other legal observation I make is that of Mrs Justice Whipple, who said in a Revenue case in 2015 that HMRC’s primary duty—to collect tax—is not

“a trump card which prevails over all other considerations.”

Instead, she said, it is

“a broad duty, exercised by means of a wide managerial discretion, within which is embedded the obligation to treat taxpayers fairly”.

My constituents, as taxpayers, saw years go by in which the Revenue had the opportunity to raise its concerns about these schemes with them but did nothing. Their bills therefore ran up, and then, suddenly, they were hit with arbitrary figures. They have not been treated fairly by the Revenue in this case, and we look to the Minister to put that right.

4.27 pm

**Peter Aldous** (Waveney) (Con): My constituents who have been badly affected by the loan charge are not wealthy people, and they were doing only what their advisers and employers encouraged and perhaps even coerced them to do. They had no reason to doubt the validity of the advice they received, and they were led to believe that everything was above board and within the law. They are now being asked to pay tax for periods a long time ago, when their financial circumstances were very different and for which they thought the slate had been wiped clean, which is imposing very worrying burdens.

I shall make three brief observations. First, in my constituency, it appears that those working in particular sectors have been hit hard by the loan charge. That is particularly true of those working in IT and in the North sea oil and gas sectors, both of which used to be considerably more attractive, with better pay available than is the case today.

Secondly, it strikes me as both wrong and inherently unjust that HMRC is seeking tax payments from a group of people, many of whom are not well off and are really struggling to get by, yet it is not pursuing those client organisations, agencies and umbrella groups that benefited from setting up these arrangements and actually encouraged and coerced people to enter them in the first place.

Thirdly, a great deal has been said about the retrospective nature of these charges, which change the tax position for past years right back to 1999. In the two sectors I mentioned—IT and oil and gas—job prospects were considerably better at the start of the millennium than they are now. I know the Minister well, and he is someone for whom I have great regard and respect, but I urge him to pause, listen and review.

4.28 pm

**Mary Robinson** (Cheadle) (Con): Before the sitting was suspended last week, I listened with interest to over two hours of debate on this, so I know that the arguments have been well made and we will review them again.

One thing that those arguments have in common is that they concern people who genuinely entered into these schemes under the impression that everything was above board, based on what they believed to be good and sound advice from accountants, advisers and banks. These people were, in many cases, entrepreneurial, self-employed individuals. It is important to stress that, as far as they were concerned, they were not employees and so did not gain from the security of the benefits that come with most forms of employment such as sick pay or holiday pay. To all intents and purposes, they were simply self-employed.

[*Mary Robinson*]

I urge the Minister to consider putting the loan charge on hold and to consider an independent inquiry. It is important that before we do so, we reflect on the way that things have been changed. I recognise the changes that have been made by HMRC, which now targets the promoters of tax avoidance schemes rather than the individuals who entered into them under the impression that they were legitimate. I would argue that there is a better case for pursuing those who promote these schemes. This approach is successful. Only two weeks ago, HMRC won a legal case against a tax avoidance scheme provider, Hyrax Resourcing Ltd, collecting £40 million in unpaid tax. As I understand it, Hyrax users were paid just enough to comply with the minimum wage, with the rest of their income made up of loans that were transferred to an offshore trust in Jersey.

This is an important development, because it now contrasts with the way in which we were approaching the matter previously. We are now approaching it through the promoters and closing things down in the legitimate way that we should expect. That is the right way to do it. That is important for the people who have been pursued, going back 10 or 20 years, and who want to see that the process is done in the right way. We should put this on hold now.

4.31 pm

**Richard Harrington** (Watford) (Con): What can I say in two minutes, Madam Deputy Speaker? Well, I will do my best.

I am a person who is naturally a bit cynical when constituents come to see me and I try to see both sides of the story, but in this case I had more than 160 constituents in the group in Watford to do with the loan charge. I commend Her Majesty's Revenue and Customs—rather like the hon. Member for High Peak (Ruth George), I sometimes still call it the Inland Revenue—for its efforts to deal with tax evasion, but it seems to me that in this case it is not tax evasion. These were schemes put forward by accountants and schemes where people took on employment and were told that that was the way they had to do it.

**Mr Jim Cunningham** (Coventry South) (Lab): Does the hon. Gentleman agree that action should be taken against the employers who forced these people into these schemes and the financial advisers who sold them the schemes in the first place? I have had lots of constituents on at me about that. [*Interruption.*]

**Richard Harrington:** My right hon. Friend the Member for Hemel Hempstead (Sir Mike Penning) says, "Spot on." I too fully accept the validity of the hon. Gentleman's intervention.

Clearly, these schemes were not correct. The way to deal with this is to say that if people went into this because they were reasonably advised to, or told to by their employers, then even if they are liable, HMRC should have the flexibility, on a humanitarian and a mitigation basis, to say, for example, that the money should be paid back over a lengthy period—monthly, quarterly or whatever. I am sure that HMRC does not wish to bankrupt people, ruining their lives and so on.

My right hon. Friend the Minister is himself a man experienced in business who is very aware of the ways of the world. I am sure that he knows the difference between criminal tax evaders and people like my constituents in Watford and other hon. Members' constituents. Because of that difference, HMRC should have the flexibility to deal in a humanitarian way with these unfortunate people.

4.33 pm

**Dr Julian Lewis** (New Forest East) (Con): If there is an inquiry into this matter, as I hope there will be, I would be surprised if it were not found that the whole issue boils down to a single, simple question—were people who were using these avoidance schemes and openly reporting them to the taxman adequately warned at the time by HMRC that such schemes were not approved and might lead to heavy future bills? If they were warned yet chose to proceed, they have only themselves to blame for continuing to use such schemes after the warning was given, but if they were not warned at all, then HMRC cannot reasonably expect to recover any tax whatsoever from them.

4.34 pm

**Bob Stewart** (Beckenham) (Con): I have huge sympathy with my constituents caught by loan charge repayments, because they are normal honest people who thought they were doing the right thing. They had no intention of diddling the taxation system.

Most people who owe loan charge repayments accept that they are now liable to pay that tax back. What I find unacceptable is the amount of interest that is heaped on that tax requirement. My plea to the Minister—as he knows, because I have spoken to him separately about this—is to reconsider the interest charges. In my view, they are far too high and, as a decent gesture—because these people did act decently—the interest charges should be dropped entirely. Such a move would go a long way to lessen concerns among my constituents, and it would be a fair way to proceed, bearing in mind HMRC's lack of warning to participants in loan schemes.

4.35 pm

**Peter Grant** (Glenrothes) (SNP): I am grateful for the chance to sum up in this debate. Even without the request for brevity, I do not think my voice would last much longer than the few minutes that I have.

I do not know if the sponsors of the motion intend to divide the House tonight, but I think that would be a mistake. Everyone would support it, with the possible exception of the Minister. We have heard rumours that they will artificially force a Division, but I am not sure that this is the right occasion to do that.

Last week, the right hon. Member for East Antrim (Sammy Wilson) reminded us that three of the main tenets of a tax system are certainty, fairness and convenience. Another one is that tax has to be mandatory. If it is too easy to dodge the tax, it will not work. There is a distinction, which a recent speaker highlighted, between the vast majority of the 50,000 people we are talking about—who may have been naive or made the mistake of trusting their professional advisers too much, and who may be mildly culpable but certainly were not culpable to the extent that they deserve to go through

the stress that they are going through now—and a fairly small number of people who knew what they were doing. They are probably hiding at the back now, hoping that the justifiable cases will get some sort of dispensation and they can go through on their coat-tails. One of the criticisms of HMRC in the past has been that it has not distinguished between the people who made mistakes—who maybe took a bit of a chance, not really understanding what they were doing—and those who went into this with their eyes open and the deliberate intention of dodging substantial amounts of tax. That has to include the promoters and employers of the schemes.

My hon. Friend the Member for Aberdeen South (Ross Thomson), in his opening comments last week, pointed out that many of the companies that are most culpable have conveniently been wound up. The people who set them up have not been wound up. They are still there and they can still be traced. They are running similar schemes in similar companies. One of the things that the independent inquiry that is clearly needed should be able to do is to look into whether there is a case for lifting the usual veil that separates limited companies from those who run them. If company directors are found guilty of personal misconduct, sometimes they can be held liable for the wrongdoings of the company, despite the fact that legally they are two different persons. That may have to be looked at on this occasion.

Three questions have to be asked. This is quite a task for HMRC because I want it to do this for each one of the 50,000 people, so that each case is looked at on its merits. First, was the tax liability properly and legally established at the time? In many of the cases we are talking about, that may have been the case. Secondly, did HMRC take reasonable and intelligent steps to identify and notify the debt and to attempt to recover it at the time? In many other civil debt cases, if the person who is owed the money does nothing about it for years and then tries to claim the money with interest, it is time-barred and they cannot do it. Why is HMRC not subject to the same restriction?

Finally, and most importantly, is HMRC taking recovery action now that is fair, proportionate and reasonable, given the individual circumstances of the person they are pursuing? In many of the cases we have heard about today and even more so last week, there is a serious question to be asked there. I am not asking whether HMRC is acting within its legal powers; I am asking whether it is acting fairly and reasonably. Sometimes HMRC's powers do not require it to act reasonably and fairly.

Actions need to be suspended so that the issue can be sorted out. At this stage, I cannot support a full amnesty because an inquiry would identify the people who should be held to account and who should pay back substantial amounts of back tax. I cannot support the full wording of the early-day motion on an immediate amnesty, but that may change once we have dealt with the people who set up the companies—not those who were on £30,000 a year, like most of the cases we are talking about—and were raking in profits of millions of pounds and paying heehaw in tax. They are the people HMRC should be going for. If HMRC did that, the amount of money recovered would be a significant proportion of the total for which we are now pursuing 70 of my constituents and 50,000 of our constituents collectively.

4.39 pm

**Peter Dowd (Bootle) (Lab):** I will not have time to take interventions, so the House will have to forgive me for that. I thank the hon. Member for Aberdeen South (Ross Thomson) for bringing this matter to the House's attention. I will not reiterate the points made in the many contributions to the debate today, and I hope that last week's thoughtful contributions have given the Financial Secretary to the Treasury pause for thought.

Labour believes that it is necessary to take action against all forms of tax avoidance and evasion. We stood on a manifesto that included a tax transparency and enforcement programme, and we continue to stand against schemes of this nature in their many forms. HMRC estimates that 50,000 individuals have not paid the proper taxation as a result of disguised remuneration schemes, of which there could be up to 250 variations. As of the start of this year, roughly half of those affected—27,000 people, as has been said—had registered with HMRC to correct their tax affairs. However, the Loan Charge Action Group estimates that up to 100,000 might be affected. Will the Minister clarify that?

What plans do the Government have to undertake a distributional analysis of the impact of the loan charge? Labour raised that matter through an amendment to the last Finance Bill, which was sadly rejected. It is vital to note that many of those concerned were encouraged by other parties to enter into a disguised remuneration scheme, sometimes even by their own employers, as has been made clear. We do not believe that the Government have done enough to pursue third parties who promoted such schemes. They must surely take a share of responsibility in many cases for what took place.

The report published by the Government suggested that only 10 organisations are facing legal action for promoting the use of such schemes. That seems a small number compared with the 50,000 individuals being chased. Why so few? I note also that only one and half pages of the 56-page report was dedicated to action against organisations promoting DR schemes, which is telling in itself. The Government have taken steps to allow those affected by the loan charge to repay their tax over a set period, with those earning £50,000 or less being granted up to five years to settle their affairs and those earning £30,000 or less getting up to seven years. What evidence was used to agree that period? If we knew more about the distributional impact of the loan charge, as Labour has repeatedly suggested we should, we would know whether that was manageable for individuals. Given the extreme stress that the loan charge is causing, have the Government nevertheless considered looking at extending that period to allow a more gradual payment? That would ensure that the full tax owed could be returned to HMRC in a manner that did not weigh too heavily on individuals. Has the Minister explored that option?

I would like to raise a point first made by Ray McCann of the Chartered Institute of Taxation to the Treasury Sub-Committee in December. He pointed out that the charge might be applied to those who had previously notified HMRC of their use of the scheme through the disclosure of tax avoidance schemes, but HMRC did not follow up on the disclosure—a point raised by many others. In the evidence session, Mr McCann suggested that that might leave the Government in murky legal territory when trying to apply the loan

[Peter Dowd]

charge to individuals who had disclosed and included a DOTAS number on their tax returns. The review published last week seemed to suggest that a minority of cases were affected and rejected the assertion that legal issues may arise here. Can the Minister comment on that and say whether any action has been taken to rectify what seems to be a failure of HMRC to investigate DOTAS in some cases?

Will the Minister also comment on the impact of cuts to HMRC staffing and the loss of expertise on its ability to deal with such cases quickly in advance of the deadline? HMRC has lost 1,274 staff since March 2018 and 15,637 since 2010. This is a point that I have repeatedly asked about. Even the Government's own review conceded that many individuals who have come forward to HMRC to have their cases settled have not been dealt with at all yet, or have waited a long time for a response. Does the Minister not accept that once again we are seeing the fault lines in the Government's programme of HMRC retraction? This is clearly an issue of huge importance to those facing a significant increase to their tax bill, and the Government must act quickly, following recent events and their impact on people. I do not impugn the Financial Secretary to the Treasury in any way, but the Government could provide more comfort and certainty for those now facing significant additional financial pressures as a result of the charge.

It is important that the Government act to recoup tax owed, notwithstanding the many concerns raised by Members about constituents' individual circumstances, but a blanket approach is not appropriate. We cannot have a tax system that, as one Member suggested, is based or run on instinct. I expect the Financial Secretary knows well that people are deeply concerned about this issue, and I am sure he will respond as constructively and positively as he can, given the many concerns raised by Members.

4.45 pm

**The Financial Secretary to the Treasury (Mel Stride):** I welcome the return of this debate, which was so interestingly interrupted by rain—I think that is about the only matter raised for which I have not been blamed at some point, as it was an act of God. I congratulate my hon. Friend the Member for Aberdeen South (Ross Thomson) on securing the debate, and I thank all those who have participated, both today and last week.

Perhaps I can try to find the one element of consensus that unites Members on both sides of the House. Most speakers have referred to the fact that they have no time for aggressive and contrived tax avoidance, and they are right. Every amount of tax avoided in such a way means more tax for other taxpayers to find, or less funding for our vital public services.

**Mr Shailesh Vara** (North West Cambridgeshire) (Con): Will the Minister give way?

**Mel Stride:** I am afraid I will not. I want to make progress, as there is a lot to cover and little time.

For the benefit of the House, let me set out the heart of how these schemes work, so that we are clear on that point. An employer can engage an employee and pay them in the normal way, by way of earnings, in which

case national insurance for the employer and the employee is due. Income tax must also be paid by the employee. Alternatively, they can use a loan scheme, which generally works like this: instead of the employer paying the employee in the way I have described, money is sent out to a low or no-tax tax haven, and placed in a trust. That money then comes from the trust back to the United Kingdom, where it is treated as a loan, even though there is no intention of ever settling that loan or paying it off. Because that money it is treated as a loan, it is claimed that it does not incur any national insurance or income tax because it is not earnings.

When confronted with the reality of how these schemes work, most people would say that that is not right. That brings me on to one of the most commonly held misconceptions about these schemes and the loan charge, which is that the loan charge is retrospective. There was never a time in the history of our country where the model for payment that I have just outlined has ever been correct within the tax rules of any previous year. That is a simple fact.

**Sir Henry Bellingham:** Will the Minister give way on that point?

**Mel Stride:** I will not give way just yet. My second point is that the very nature of this means of payment, of tax avoidance, is that it involves a loan that is still outstanding—those loans are still outstanding today, at this very moment, for any schemes that still persist. It is a simple fact that most people, including the 99.8% of the tax-paying public who did not go anywhere near these schemes, would have concluded that if something looked too good to be true, it probably was too good to be true.

**Colin Clark** (Gordon) (Con): The Minister is generous in giving way. In my constituency, 140 people are affected, largely in the oil and gas sector. Oil and gas employers encouraged people to enter these schemes. Does the Minister agree that companies in that sector should be held to account, as should employers and the people who sold the schemes?

**Mel Stride:** My hon. Friend is entirely right. I will come on, in the limited time I have, to deal with both employers and promoters, as those are very important aspects too.

When it comes to retrospection the other important point is that, contrary to the suggestion many right hon. and hon. Members have made that this issue has just suddenly appeared and HMRC has just started to address these scheme, it has been taken through the courts over countless years. In 2004, Dawn Primarolo, who was referred to earlier in this debate, was instrumental in bringing in the DOTAS legislation upon which recent cases have been concluded in HMRC's favour. There has been a concerted effort by HMRC over many, many years to clamp down on these particular arrangements.

Some of the other misinformation includes the idea that thousands upon thousands of taxpayers are about to be made bankrupt. HMRC very, very rarely has a situation where somebody is placed in bankruptcy. That is not right for the individual and it is not right for our tax collecting authority. In fact, my hon. Friend the Member for Mole Valley (Sir Paul Beresford) gave several examples last week of where he had accompanied

his constituents and got involved with their tax affairs and their dealings with HMRC. In each case, as he was able to state, a fair and reasonable settlement was entered into. That is the main thrust of HMRC's approach.

It has also been suggested that people will lose their home as a consequence of the loan charge. It could not be clearer: HMRC has publicly stated that nobody will lose their primary residence as a consequence of settling their loan charge liability. On the point my hon. Friend the Member for Gordon (Colin Clark) raised about employers and individuals, it has been assumed widely in this debate that the vast majority of those impacted by these measures are individuals. That is not the case. Of the 6,000 settlements to date and the £1 billion that has been brought in, 85% by value has come from employers, not employees. In the first instance, HMRC will go to the employer, not the employee.

The issue of promoters is extremely important and, quite rightly, a number of right hon. and hon. Members have raised it. I want to make it clear that HMRC is cracking down on the unscrupulous promoters who sell these schemes. In fact, it is currently investigating more than 100 promoters and others involved in the promotion of tax avoidance. That includes promoters of disguised remuneration schemes. In recent years, HMRC has also litigated a number of cases of failure to disclose under DOTAS, which came in in 2004—not recently—and several recent decisions in cases on disguised remuneration have been found in HMRC's favour. HMRC has also made successful complaints to the Advertising Standards Authority in relation to DR schemes to stop promoters making misleading claims about the arrangements they are selling. Just two weeks ago, HMRC announced that it had won a legal case against a loan scheme avoidance promoter, Hyrax Resourcing, which will help HMRC to collect over £40 million in unpaid tax. For the reasons I have set out, it would not be right to delay these arrangements.

Let me turn now to two particularly important issues that many Members have raised, first on the affordability of payment arrangements. Let me be very clear: it is never the intention of HMRC to bankrupt anyone who comes forward in good faith to agree a manageable payment plan. I can confirm that HMRC is authorised to agree tailored repayment plans for those affected by the loan charge based on ability to pay. Where tax is payable under self-assessment, payment will of course not be due until January 2020. There is also no maximum repayment period, and plans of 10 years or more can be put in place where required. Further, I can announce today that HMRC is now forming a dedicated team focused solely on agreeing these manageable payment arrangements for those due to pay the tax they owe by way of the loan charge.

**Mr Vara:** Will the Minister give way?

**Mel Stride:** I have no time, I'm sorry.

The second very important matter I would like to address is the interaction between vulnerable people and HMRC regarding disguised remuneration and the loan charge, including where there are mental health issues. Let me make it clear that wherever HMRC is engaging with vulnerable people, it will do everything it can to ensure that they have all the support they need. This support includes a helpline that is dedicated solely

to looking after loan charge customers, with a team fully trained to identify those who may be vulnerable and to provide appropriate support. Where necessary, HMRC will always refer individuals to the right external sources of support.

**Sir Henry Bellingham:** Before the Minister moves on, will he give way?

**Mel Stride:** I have little time and I must cover the ground. HMRC also has a vulnerable customers team available to provide specialist, one-to-one support for vulnerable customers in need of it. Today, I can confirm that HMRC will be expanding its specialist service for customers with additional needs so that it will include anyone who finds their tax affairs under scrutiny. As we roll out that additional support, we will start with those affected by the loan charge as our first priority.

I appreciate that facing any tax bill is unwelcome, but it is only right that we deal with disguised remuneration. When we fail to do so, we are effectively saying to the 99.8% of taxpayers who have not been involved in these schemes that we expect them to pay more, and we deny our vital public services—our nurses, teachers, doctors, police and many others—the funding that they deserve.

4.56 pm

**Ross Thomson** (Aberdeen South) (Con): I thank the Backbench Business Committee for allowing us to reschedule this very important debate delayed due to the leaky roof. I have to admit, it was the first time in my life that I nearly became a Tory wet, but thankfully, that did not happen.

**Sir William Cash** (Stone) (Con): A Tory wet!

**Ross Thomson:** Thankfully, I am not.

I thank all colleagues who have contributed to and participated in this debate, which has now taken place over two days. There were far too many colleagues to name individually in the time that is allowed to me, but what this has shown is a great display of cross-party working and cross-party consensus. At times like this Parliament shows itself at its very best, and I hope this goes some way to restoring some public trust in politicians and in Parliament. It has been clear from all the contributions that there has been unanimous—or almost unanimous—support for the motion.

Some very clear messages have come from this debate. Fundamentally, this is about the retrospective effect of the loan charge: people—our constituents—have acted in good faith and now face enormous bills, which, in many cases, can be devastating to them and their families. For me and others in the House, it is a clear breach of the rule of law and natural justice. Another message is that we are talking about ordinary people, not the mega-wealthy. We have to do more to pursue those who were the promoters of these schemes. Colleagues have very eloquently outlined their constituents' concerns and concerns about how their constituents are being treated and pursued by HMRC.

I thank the Minister for his considered response. Although we take a different view on the policy of the loan charge, I have always found him to be a decent, courteous and engaging individual, who has always been willing to listen to my constituents' concerns and act on them.

[*Ross Thomson*]

I am disappointed that there will not be a delay or an independent review of the loan charge. As the charge has come into effect, I hope that the Government will do all that they can to support individuals who find themselves in these circumstances and to show clemency and support to those who potentially face bankruptcy. I welcome the Minister's announcement that additional support will be put in to help those individuals, but we have to bear in mind that the only reason why they have to receive any additional support is that they are being put in this position in the first place.

Those of us who have been campaigning against the loan charge are not going to go away any time soon. We will keep engaging and campaigning on this issue. As Parliament has shown over the last few weeks, we can find many innovative and creative ways to make a change in this place. I thank everyone for taking the time to participate in this debate to raise the concerns of their constituents, and I hope that we will support the motion in front of us this afternoon.

*Question put and agreed to.*

*Resolved,*

That this House expresses its serious concern at the 2019 Loan Charge which applies from 5 April 2019; expresses deep concern and regret about the effect of the mental and emotional impact on people facing the Loan Charge; is further concerned about suicides of people facing the Loan Charge and the identified suicide risk, which was reported to HMRC; believes that the Loan Charge is fundamentally unfair and undermines the principle of the rule of law by overriding statutory taxpayer protections; expresses disappointment at the lack of notice served by HMRC and the delays in communication with those now facing the Loan Charge, which has further increased anxiety of individuals and families; is concerned about the nature and accuracy of the information circulated by HMRC with regard to the Loan Charge; further regrets the inadequate impact assessment originally conducted; understands that many individuals have received miscalculated settlement information; calls for an immediate suspension of the Loan Charge for a period of six months and for all related settlements to be put on hold; and further calls for an independent inquiry into the Loan Charge to be conducted by a party that is not connected with either the Government or HMRC.

**Sir William Cash (Stone) (Con):** On a point of order, Madam Deputy Speaker. I have in my hand the statutory instrument containing the regulations regarding the outcome of what I term the abject surrender that took place last night in Brussels. It was made at 3.15 pm today, and it was laid before Parliament at 4.15 pm—just three quarters of an hour ago. I raised some points earlier with the Speaker himself, which are on the record, and I just want to add to that by referring to the fact that we have a two-page explanatory memorandum for what is only about a six-line statutory instrument—for very good reason—and it includes, for example, reference to the commencement of section 1 of the European Union (Withdrawal) Act 2018. I just draw that to the attention of the House, because it is really important. It is essential that the public should know that this has been done. There are serious question marks over the legality of this, and there is likely to be a challenge in the courts, leading to the Supreme Court, on this issue.

**Madam Deputy Speaker (Dame Eleanor Laing):** I thank the hon. Gentleman for his point of order. The House knows how assiduous he has been in recent weeks—well, in recent decades—in making sure that the legality, the constitutional position, the propriety, the timing and so on of any matters that pass through this House are properly dealt with. I appreciate the points that he is making in relation to this statutory instrument, which has been laid this afternoon, but he knows, as the House knows, that it is not a matter on which I can give him an answer from the Chair. However, he has, in his usual eloquent way, drawn the matter to the attention of the House, of the Government and of the world in general. I thank him.

#### SITTINGS IN WESTMINSTER HALL

*Ordered,*

That, notwithstanding the provisions of Standing Order No. 10(2)(b), the sittings in Westminster Hall on Tuesday 23 April shall begin at 11.30am, shall be suspended from 1.30pm to 4.30pm and may then continue for up to a further three hours.—  
(*Rebecca Harris.*)

## Police Complaints and Accountability

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

5.3 pm

**Ian C. Lucas** (Wrexham) (Lab): It is a pleasure to see you in the Chair, Madam Deputy Speaker.

My constituent Nicholas Churton was murdered in his own home, in the heart of Wrexham, on 23 March 2017 by Jordan Davidson. Davidson is responsible for this horrific crime and for other attacks, for which he is now serving a 30-year prison sentence. However, the events leading to these crimes revealed grave errors by the police and by the probation services in Wrexham and north Wales.

I have secured knowledge of the detail of those errors only with the assistance of Jez Hemming of the *Daily Post* newspaper in north Wales. For the bulk of this case, I have secured no co-operation whatever from North Wales police. Indeed, I now believe that I, along with the public, was misled deliberately about the facts of the case to conceal those errors, and that there has been a systematic cover-up involving North Wales police, the probation service, the community rehabilitation company, the Independent Police Complaints Commission and the Independent Office for Police Conduct.

The facts are that Davidson was released from prison in December 2016. He was under the supervision of the community rehabilitation company. A number of errors were made in his supervision, as was conceded by the probation service in an internal inquiry report on which I have been briefed, although I have not seen it. However, this evening I want to focus on the police.

On 19 March, while on licence, Davidson was arrested by North Wales police and taken into custody for possession of a knife. It appears that he was charged, but in any event he was released by the police and given bail, despite being on licence. The CRC was not notified by the police of his arrest until 24 March, the day after he had murdered Nicholas Churton.

After murdering Mr Churton, Davidson threatened others in central Wrexham. One of my constituents gave me this account:

“I came across Jordan Davidson and he was trying to commit robbery on an elderly gentleman, he was threatening him; this elder man was begging me to tell Jordan not to kill him. As Jordan was distracted by me the man left swiftly. He then turned on me he pulled a machete out, (the one used in the murder) demanded I told him where I lived and where my family were, of which I did not do. He told me at this time he had already killed two people, which I unfortunately found out later had some truth as he did murder one man. I managed to get away and phone the police as soon as I could.”

After Davidson’s arrest, which involved commendable bravery on the part of individual North Wales police officers, the Independent Police Complaints Commission, as it then was—now the Independent Office for Police Conduct—commenced an inquiry into contact between Mr Churton and North Wales police before Mr Churton’s death. That inquiry, which I will call IOPC 1, has now concluded. Contrary to IPCC policy, I, as the local MP, was not informed about the inquiry or its terms of reference.

In December 2017, following Davidson’s trial, I saw a summary of the prosecution case used at the trial. That was the first communication that I received about the

case, and I was shocked by its contents. I immediately wanted to know why Davidson had been released from police custody on 19 March, four days before killing Mr Churton. I emailed the then chief constable, Mark Polin, and asked him why that had happened. He replied that because the matter was subject to an IPCC inquiry, he could not respond to my question. I now know that that was untrue. In fact, the IPCC inquiry related only to communications between Mr Churton and the police prior to Mr Churton’s murder. There was no inquiry into the circumstances of Davidson’s release from custody on 19 March. In April 2018, following my own questions and inquiries, the IOPC commenced an inquiry into his release which has still not concluded.

Let me ask the Minister a number of questions. First, why did North Wales police and the IPCC fail to tell me of a police conduct inquiry involving a murder and additional serious assaults in the middle of my constituency? Secondly, who decided to exclude the police decision to release Davidson on bail after his arrest for possession of an offensive weapon from the terms of reference of the IPCC inquiry, and why was that done? Thirdly, why did the then chief constable of North Wales, Mark Polin, tell me that there was an inquiry into Davidson’s release when there was not?

Fourthly, was the North Wales police and crime commissioner notified of the inquiry by the IPCC in 2017, and of its terms of reference? Is there an obligation to notify PCCs of such inquiries? If a notification was made in this case, when was it made? Fifthly, was the family of Nicholas Churton notified of the inquiry, and the fact of the release of Davidson four days before his murder? Sixthly, why did the probation service and the CRC fail to highlight the fact that the release of Davidson was not included in the IPCC inquiry? Should they have done so?

To my mind, we have a cover-up in this case. I was not told, as I should have been, of the inquiry into the death of my constituent. The release of Davidson on bail by the police was, I believe, concealed from Mr Churton’s family, from me, and from the public who were endangered by him. I was misled by the then chief constable of North Wales police, who told me that the release was the subject of an inquiry when it was not. At the suggestion of the IOPC in a letter that I received yesterday, I have now made a formal complaint to North Wales police and crime commissioner about this, although I am very disappointed that it required action by me for them even to investigate the matter.

My concern is that the present system permitted all this to happen and allowed the police and the IPCC to cover up serious misconduct which, in this case, led to a murder in the heart of my constituency a few days later. This misconduct was not notified, to my knowledge, to anyone outside North Wales police, including the IOPC and the family of the deceased, until I raised it myself. I had to tell the family of the deceased of the release of Jordan Davidson.

It is now over two years since Nicholas Churton was brutally murdered. We need an independent investigation into how this happened. I have no confidence in the various bodies and organisations that I have referred to because none of them and none of the systems worked to reveal the errors in this case, which had catastrophic consequences. What we need above all is some transparency

[Ian C. Lucas]

and honesty from the organisations involved. The family of Nicholas Churton, with whom I have been working, deserve that honesty.

I have a great deal of respect for the Minister, and I hope that he will assist me in sorting out a system that can deliver transparency and openness to enable us to have confidence in the organisations that operate on our behalf in our communities.

5.2 pm

**The Minister for Policing and the Fire Service (Mr Nick Hurd):** I congratulate the hon. Member for Wrexham (Ian C. Lucas) on securing this debate, which I think is his second on this specific subject in Parliament, which reflects his persistence and passion for getting to the truth of some clear evidence of failure of the system in this tragic murder. If he will allow me, I would also like to place on record my personal condolences and sympathy to the family of Nicholas Churton. The hon. Gentleman makes a powerful point. The death is a tragedy and, I am sure, extremely difficult for the family to deal with. We do not want to compound it by creating a sense of the system not learning from or being honest about the past. I know the hon. Gentleman to be a man of common sense and experience in this place. When I hear him articulate his feeling that he has been personally misled and talk about a systematic cover-up, I know that he will not be using that language lightly. I take that seriously and congratulate him on his persistence and his campaign on this. Clearly, the *Daily Post* and Jez Hemming have been an active partner in that.

Jordan Davidson is now rightly serving a life sentence for his wicked and senseless murder of Mr Churton. I join the hon. Member for Wrexham in recognising the bravery of the two North Wales police officers, PCs Rhys Rushby and David Hall, who were attacked with a hammer when they arrested Davidson and have subsequently attended the National Police Bravery Awards 2019. The key thing surely is that the family and the hon. Gentleman feel comfortable that an honest process is under way to learn from the mistakes that clearly were made. In that context, let me address the remainder of my remarks to the issues that he raised about the police and the IOPC, which were the main focus of his remarks.

For the information of the House, I place on record that the probation service had a number of questions to answer, given that Jordan Davidson was subject to statutory probation supervision at the time. The Wales Community Rehabilitation Company had to complete a serious further offence review and identified a number of deficiencies in the management of Jordan Davidson. Her Majesty's Prison and Probation Service subsequently oversaw the Wales CRC's implementation of the improvement actions from the SFO review. My understanding—I stand to be corrected—is that all actions on that SFO action plan for Jordan Davidson had been completed at the end of November 2018, and the effectiveness of the actions continues to be monitored through contract management assurance activity and governance.

I am aware that the hon. Gentleman met the Minister of State, Ministry of Justice, my hon. Friend Member for Penrith and The Border (Rory Stewart), in December last year to discuss his concerns about the case. He will

be aware that the Minister remains of the view that there was no evidence of systematic failings that would warrant an inquiry. I hope he is more satisfied than he is with the police's role in this case that the probation service has addressed the issues and failings and that the action plan has been implemented.

**Ian C. Lucas:** On that point, for clarification's sake, it is correct that I met the Minister from the Ministry of Justice. We decided to await the outcome of the outstanding IOPC 2 report, because there are issues relating to the communication between the police and the probation service that will become clear only when that report concludes.

**Mr Hurd:** I thank the hon. Gentleman for placing that important clarification on the record. As he made clear, this tragic case is subject to investigations—plural—by the Independent Office for Police Conduct. The IOPC's first investigation was concerned with North Wales police's contact with Mr Churton, and that concluded in October last year. It identified cases to answer for misconduct for two officers and urged the force to review its procedures in recognising vulnerability, grading and resourcing and making use of intelligence. I understand that the force has already undertaken work in some of those areas since referring Mr Churton's death to the IOPC. I had that confirmed personally to me by the assistant chief constable.

As the hon. Gentleman said, a second IOPC investigation into the force's involvement in the management of Jordan Davidson remains ongoing. He made the point that the investigation has already run for a year. I understand, having asked the question, that the IOPC expects to complete it by this summer. I hope that reassures him. He will understand that it would be inappropriate for me to comment further while that investigation is ongoing. He and I will have to wait until the respective investigation reports have been published and potential proceedings have concluded.

I heard clearly the hon. Gentleman's frustration about his engagement with the police and the system and the degree to which he feels misled—a powerful word in this context. I understand that he has been in correspondence with and met senior members of North Wales police to discuss its organisational learning, its response to date and intended actions. If he feels that contact has not been substantive or that there are issues that continue to need to be addressed, he and I should discuss that. I can certainly help him to make that point directly to North Wales police's leadership.

**Ian C. Lucas:** Just to clarify the position, I met the police around the time of the conclusion of the first IOPC inquiry; I think that was within the last six months. I had no communication at all from the police before then. It is fair to say that North Wales police now has a new chief constable and that this case relates to the previous regime, so to speak.

**Mr Hurd:** I note both points, and I note from reading the reports of previous debates and the briefing for this one that the previous chief constable held the view that he was heavily restricted in what he could say and the information he could pass on. However, I understand that, under new leadership, the engagement with the

hon. Gentleman is more forthcoming, and I welcome that. I note also his comments about the police and crime commissioner.

We believe that much work has been done in the time since Mr Churton's tragic murder in order for North Wales police to embed and improve understanding in relation to their procedures for the effective management of risk. That work has been carried out in advance of the publication of the IOPC reports, in order to ensure that it is positioned as well as possible to respond to any emerging recommendations.

Examples of that work include a full review of the force's control room policies in relation to the grading of incidents and resource deployment, which has resulted in a single update force control centre policy. Regular meetings have been established between the managed response unit supervisors and the control room supervisors to share learning. Furthermore, in January 2018, the force introduced a structured monthly audit process on individual call performance, which now captures important information on the nature of the call to the force and the initial actions of the call handler. Those supervisors will also be subject to audits to ensure that their intervention and supervision of vulnerable incidents is monitored.

I understand that the force has also invited the hon. Gentleman to visit its joint control room to gain a better understanding of how it acts as the vital first point of contact between the public of north Wales and operational police officers. That will provide an opportunity to experience the processes in action, to assist with the understanding of procedures for the effective assessment and management of risk and the deployment of officers. I hope the visit will provide the hon. Gentleman with an awareness of how the force manages incidents of this type and that he will witness the work the force has already implemented as a result.

I get a sense from that that the North Wales police have been active in responding to evidence of failings in their processes, and that the force is more proactive and constructive in its engagement with the hon. Gentleman and, I understand, the family as well. I hope he will welcome that.

At the heart of this is the issue of how police complaints are managed and the timeliness of investigations, which has been a long-standing problem. The hon. Gentleman reflected that frustration in his remarks and I am sure it is felt deeply by the family as well.

We have encouraged substantial reform in the way in which the IOPC manages complaints and streamlines processes. Complaints made against the police must be responded to in a way that maintains trust, builds public confidence and allows lessons to be learned. I am the first to acknowledge that the current system can sometimes be confusing, opaque and frustrating for the public and for Members of Parliament representing them.

I am delighted to say that the IOPC is now completing more investigations more quickly than ever before. As evidence of that, in the first full financial year since its inception in January 2018, approximately 80% of the IOPC's investigations were completed within 12 months, which is a 20% improvement on the previous year. That is the highest performance in the history of the organisation.

The average time taken to complete investigations to final report is 10 months. Of the 538 active cases that the IOPC inherited from the IPCC, more than three

quarters have now been closed, and in 2018 it closed more investigations than were opened. Importantly, the improvements in timeliness have not caused the quality of investigations to fall. Through the ministerial board on deaths in custody, the IOPC is also leading on work with other stakeholders to drive improvements in how they work in IOPC cases.

What I take from this debate is that the hon. Gentleman continues to feel not only deep misgivings about how the system—both the probation service and the police—handled the tragic murder and the events leading up to and after it, but a deep frustration about how, since then, the system has, in his clear view, failed to engage appropriately with him in his job representing his constituency and the family. This debate will be watched closely in Wrexham and by the authorities there, and that message will not be lost on them.

The hon. Gentleman asked some direct questions to which I do not have the answers today, but I undertake to get back to him. The feedback we have had from North Wales police is that it is beginning to action fundamental changes to its processes in response to evidence of failings.

The hon. Gentleman has heard from me today that the IOPC intends to conclude the second investigation by the summer and to publish both the first and the second investigation reports together. He and I will have to wait to see the outcomes. He has also met the Minister of State, Ministry of Justice, my hon. Friend the Member for Penrith and The Border, to get a clearer sense of the changes that the probation system has made in response to its failings.

**Ian C. Lucas:** My key concern is that Davidson's release from custody was not made subject to IPCC investigation by North Wales police or by the IPCC, and no one outside the force knew of that fact. It was only when I highlighted it that the investigation commenced. My concern is that the systems are still not in place to make sure it cannot happen again.

**Mr Hurd:** I understand that message very clearly, and it will be heard by the IOPC. I undertake to make sure that the IOPC has absorbed the message. My understanding is that the first investigation looked at the police's dealings and contact with Nicholas Churton and the second is looking specifically at their contact and dealings with Jordan Davidson, but the hon. Gentleman's point is well made. Through the mechanism of this debate and the follow-up, I undertake to make sure that the message is clearly understood by the IOPC as it finalises its work for publication, hopefully this summer.

I congratulate the hon. Gentleman again on his persistence in pushing the system hard to be more transparent in its processes and more rigorous in learning from mistakes. I completely understand why that should matter both to him and to the family. I have confidence in the IOPC in terms of the rigour and increased pace of its work. If it says it will be done by the summer, I am sure it will be.

I have given some undertakings to the hon. Gentleman on trying to get some detailed answers to his detailed questions, if I can, within the scope of what is allowed. I am sure North Wales police has heard loud and clear his messages concerning his frustration about the force's historical dealings with him.

**Madam Deputy Speaker (Dame Eleanor Laing):** Before the House adjourns, I thank everybody who works so hard and such long hours to support and look after us here in the Palace of Westminster, and who have spent extra time that they were not expecting to spend in the run-up to Easter. I wish all of them, and all hon. Members, a happy and peaceful Easter holiday.

*Question put and agreed to.*

5.28 pm

*House adjourned.*

# Westminster Hall

Thursday 11 April 2019

[MR LAURENCE ROBERTSON *in the Chair*]

## BACKBENCH BUSINESS

### Retail Crime

1.30 pm

**David Hanson (Delyn) (Lab):** I beg to move,

That this House has considered prevention of retail crime.

I welcome you to the Chair, Mr Robertson. I thank right hon. and hon. Members for coming to this important debate against much competition on a busy day, with the Prime Minister shortly to speak in the main Chamber. I wish to put on record my thanks to the Backbench Business Committee for granting the debate, and to the right hon. Member for South Holland and The Deepings (Sir John Hayes) and my hon. Friend the Member for Birmingham, Selly Oak (Steve McCabe) for sponsoring it.

I also wish to put on record my thanks to the Union of Shop, Distributive and Allied Workers—USDAW—the British Retail Consortium, the Association of Convenience Stores, the National Federation of Retail Newsagents, the Co-op Group, and the Co-operative party for working collaboratively with me on the debate, and for raising this important issue with the Government over the last few weeks and months. Today, I will focus on two key issues: shop theft and, in particular, violence and aggressive behaviour towards shop staff.

I think it will help the House if I begin by giving a flavour of the concerns in the community about how those issues are perceived. There is a range of ways in which we can look at this matter, but I will begin by quoting the British Retail Consortium, which is the trade body for major retailers across the country. The consortium does its own annual survey on retail crime and retail concerns, and its 2018 annual survey showed some key figures that are worth sharing. There were a staggering 42,000 incidents of violence against shop staff in the United Kingdom in the last 12 months; that is 115 a day—11,615 so far this year.

Customer theft, just from BRC members, equates to £636 million in one year—£1.7 million a day. Remember, Mr Robertson, that you, I and every member of society pay those additional costs on the goods that we purchase in store. Fraud costs around £163 million a year. Robbery—the more serious end of shop theft—costs around £15 million a year, as does burglary, and criminal damage to shops costs around £3.4 million.

Those are just the figures from the BRC. The Health and Safety Executive's crime survey for England and Wales shows a reported 642,000 incidents of violence at work, including many of the issues that we will address today. USDAW, of which I am a proud member, as well as chair of the USDAW group of MPs, does an annual survey of violence and abuse against retail staff. Last year, USDAW surveyed some 6,725 members of staff, 64% of whom said that they had experienced verbal abuse when serving in a store and 40% of whom said that they had been threatened by a customer when serving in a store. Furthermore, USDAW assessed that an average of 280 shop workers are assaulted every day.

One important issue, which I will ask the Minister to focus on, is the triggers of violence and threats to shop staff. USDAW identified that the top triggers are shop theft itself, in terms of apprehending people who are stealing, and critically—I hope the Minister will focus on this in the longer term as well as today—the enforcement of age-related sales. If a member of the public comes in to buy alcohol, they have to be 18; there are also age restrictions on cigarette sales.

I raised age-related sales of knives and acids with the Minister during consideration of the Offensive Weapons Bill, because the legislation was making it an offence. It is not the police, trading standards or the Minister who will uphold the legislation on the frontline; it is the members of staff who face a customer seeking those products. In 22% of cases, age-restricted sales triggered violence, and in 21% of cases, the sale of alcohol triggered violence.

**Mark Tami (Alyn and Deeside) (Lab):** I apologise for missing the very start of my right hon. Friend's contribution. I have been told by a number of representatives of shops and supermarkets that when shoplifting takes place and is reported to the police, quite often the police are not really interested, and it is down to the shop staff to try to recover the goods. If that message gets out, the problem of shoplifting will only grow.

**David Hanson:** My right hon. Friend anticipates a later section of my initial contribution, which will be about the police response. I will come to that in due course, but it is a critical point. If shop theft takes place—if a member of staff at the local Co-op sees somebody stealing a bottle of vodka and they say, "Please put that back", that is one of the major triggers for the shoplifter to engage in verbal abuse or violence.

I have talked about USDAW and the BRC. The Association of Convenience Stores represents some 22,000 shops, the smaller stores that are in every town, village and community in the United Kingdom. It has identified that for those 22,000-plus shops, the cost of retail crime equates to £246 million per year, or £5,308 per store. Critically, that means a crime tax of 7p in the pound on the price that you and I, Mr Robertson, pay for goods. That cost comes from the loss of goods through theft and from the information that has to be provided, through CCTV cameras and in other ways, to prevent those thefts in the first place.

**Jim McMahon (Oldham West and Royton) (Lab/Co-op):** I congratulate my right hon. Friend on securing this important debate. Does he share my concern about how reductions in the police service have affected response times and confidence in the police? The Central England Co-operative has suffered 18 armed robberies, and its staff are very concerned about how vulnerable not knowing whether the police will turn up for some crimes makes them feel. Clearly, the police will turn up for armed robberies, but there are a great deal of threats and violence against our shop workers.

**David Hanson:** Given my hon. Friend's contribution, and that of my right hon. Friend the Member for Alyn and Deeside (Mark Tami), I will skip a couple of paragraphs in my speech and return to my planned order later.

[David Hanson]

These rises and these concerns come against a background of reduced police numbers. In 2009-10, I had the great honour of being police Minister for the Labour Government, and when I held that post, the Home Office had 20,000 more police officers than it currently does. That has real impacts: on neighbourhood reassurance first and foremost, and secondly on visibility, but it also has an impact on response times. Obviously, people will respond to higher-level incidents, such as armed robberies—we had one in my constituency, in Flint, only this time last week. Police will respond to those incidents.

However, turning to the Government's response to incidents of retail theft through the police forces, I will quote John Apter, chairman of the Police Federation. He has acknowledged that shoplifting is not a priority crime for stretched forces; he has said that

“as forces struggle to meet 999-call demand, incidents such as these are increasingly likely not to be attended by officers at all which, as a serving police constable with 26 years' service, I find quite shocking.”

That backs up the point that my hon. Friend the Member for Oldham West and Royton (Jim McMahon) just made. Thames Valley police has informed its local shops that it will not send officers out to deal with shoplifters who steal less than £100-worth of goods. I do not think that is acceptable, and I do not think that the Home Office believes it is acceptable. In due course, I will return to address that issue in detail, but it is a point that has been raised, so it is important that we discuss it now.

Given what the Association of Convenience Stores has said, what do other people think about this? Let me put some quotes on the table. Paddy Lillis, general secretary of USDAW—the shop workers' union—has said:

“The idea that shoplifting is a victimless crime is wrong. Theft from shops is often a trigger for violence, threats and abuse against shopworkers. The rising trend in shoplifting is extremely worrying”

for his members. Mike Mitchelson, president of the National Federation of Retail Newsagents—one of whose members was murdered in the past month, in a shop in Pinner in north London, because of the type of violence that we are discussing—has said:

“Across the country we are suffering from increasing levels of verbal and physical abuse and it's important that the full nature...of the problem is understood.”

Helen Dickinson, chief executive of the BRC, said:

“Violence against employees remains one of the most pressing issues retailers face,”

yet its crime survey once again shows

“an increase in the overall number of incidents.”

James Lowman, chief executive of the ACS said:

“The financial implications of crime are clearly damaging for” local shops, but their urgent priority is tackling “the impact of violence, abuse and aggression on people working in”

communities. He said that “there is no excuse” for that abuse, and it must be stopped.

The Co-op Group retail chief executive has said that nothing is more important than colleagues' safety. As a result, it has spent £70 million in the last three years on

innovative security, crime prevention and colleague safety measures. However, it is clear to the Co-op that it needs support from the police, the judiciary and Parliament to make sure violence against retail workers is not tolerated.

We should be concerned not just about shop theft; violence and abuse against staff working in shops is simply unacceptable, and the Government must address it. The rise in theft is going hand in hand with violence.

**Ian C. Lucas** (Wrexham) (Lab): It is very important that we also recognise that those shops provide vital services in our communities and on our high streets, which are under a lot of pressure. We as a society have to support businesses and individuals who contribute to our local economies at a time when there is a lot of concern about the future of the communities in which we live.

**David Hanson:** The vast majority of the convenience stores and local newsagents that have been referred to in the correspondence and representations I have had are one or two-person businesses, or businesses with very few staff. They also have a social function, because they keep an eye on their neighbours. If a person turns up for a bottle of milk every morning and does not on Thursday and Friday, there will be a trigger. The increase in violence and shoplifting is not acceptable, and it is driving a culture that I know the Minister abhors. The turnout in this Chamber shows that there is great concern about it. We must deal with it.

As I said earlier, that rise has happened against the backdrop of a reduction in police numbers and the response to retail theft. A key issue is that many lower-level shop theft incidents—I am not minimising their effect; I mean that they are not armed-robbery level—are fuelled by drug and alcohol addiction. The ACS said:

“Retailers perceive that 50% of the repeat offenders into shops are motivated by a drug or alcohol addiction”.

The three products targeted most by thieves in ACS stores are alcohol because it is alcohol, meat because it is expensive, and confectionary because it is the sort of thing that can be sold quickly on the streets to fuel drug or alcohol issues.

**Chris Elmore** (Ogmore) (Lab): I congratulate my right hon. Friend on securing this debate. I know how much he cares about this issue. Many Members will know that, in a previous life, I was a trainee butcher in Tesco for many years. That is where I did all my butchery training. On low-level abuse, one of the things that is not highlighted enough is that this is not just about robbery or abuse; it is also about the customers who come into the store. I remember vividly when I worked on counters that if we did not have a particular type of stock, the customers would feel free to scream abuse at us. There was no response to that; we simply had to take it. I now know that lots of retailers are developing safety training to counter the abuse that staff face and training on how to deal with aggressive customers. It is a sign of the times that more and more staff face abuse because people are having a bad day and cannot get the goods that they want. That cannot be allowed to carry on, particularly given that those people provide key services and are there to do a job. I have friends who still work in the industry and feel that they cannot stay because of the abuse that they receive.

**David Hanson:** My hon. Friend backs up my point strongly. It is simply not acceptable that people who are doing their jobs are abused. Ultimately, I want to look at age-related sales, because when the Government determine that the sale of certain goods and services should be restricted for a range of reasons, it is the shop staff who must enforce that.

**Kate Green** (Stretford and Urmston) (Lab): I apologise for not being able to stay for the whole debate. Like my right hon. Friend, I am proud to be an USDAW member, and I very much welcome the debate. He is right to highlight the theft of high-value goods, which is sometimes related to addiction and sometimes—particularly in the case of women offenders—results from coercion by others to obtain goods that can be sold for those coercive partners to benefit from. Does he agree that it would be well worth the Minister's while to look at the initiative undertaken in Manchester, where women caught shoplifting in such circumstances are diverted not to the criminal justice system per se, but to women's centres? Good, preventive work can be done there to deal with addiction, domestic abuse, coercion and other causes of this kind of retail crime committed by violent and dangerous offenders, and also some vulnerable offenders.

**David Hanson:** My hon. Friend makes a valid point. I will talk about the four or five solutions in a moment, but the outcome of this should not necessarily be putting more people in prison. It might actually be trying to deal with the causes of people committing offences in the first place. That scheme in Manchester is a good example of how that could be integrated, and maybe, with good practice, developed still further.

That brings me on to the question of drug and alcohol treatment orders. If, as the ACS says, 50% of repeat offenders are motivated by drug or alcohol addiction, the key is to stop the drug or alcohol addiction. The figures for community order starts for people who have been caught, convicted and given a community order show that, in 2014, which was well into the Government's term of office, 8,734 drug treatment orders and 5,547 alcohol treatment orders were given. However, the figures last year were only 4,889 drug treatment orders—halved—and only 3,315 alcohol treatment orders, which were down by at least a third.

If I go back—dare I say it, it is a long time now, but it is still worth going back to—to the last years of the last Labour Government, in 2007-08, we gave 16,607 drug treatment orders, which is double what we had in 2014 and four times more than now. I simply say that one way we can support people is by identifying why they steal alcohol or other products for their own use. They are doing it to sell them quickly, or to satisfy their cravings. We have to have alternatives, such as that in Manchester, and drug and alcohol treatment orders, which also help.

Finally on the picture of where we are is the threshold for low-level shoplifting. As shadow Minister, I dealt with this issue in Parliament five years ago when the Government introduced a £200 threshold for low-level shoplifting under section 22A of the Magistrates' Court Act 1980, which means that people do not go to court for thefts of goods valued at up to £200. That in itself is fine, because if they are caught that might be dealt with by post.

However, this is five years on. The concern expressed to me from both outside and inside Parliament is that that has been seen as decriminalising shop thefts of under £200. That leads to the point that my hon. Friend the Member for Oldham West and Royton made about police not attending, which leads to magistrates not taking cases in front of court, which leads to offenders thinking that they can get away with it. I simply say that we should look at that in detail and review this, now that we are five years on.

**Jim McMahon:** My right hon. Friend is being generous in giving way. To complete that picture, I visited a local Co-op store in my constituency, and the feedback was absolutely about drug and alcohol issues, but also that staff noticed a significant rise in people who just had no money, perhaps from universal credit delays; several women were caught stealing sanitary products, baby milk and nappies. It is absolutely right to point that out, but there are bigger issues in society that drive some of this that also need to be addressed.

**David Hanson:** I accept that, but we have to be careful not to equate poverty with shop theft. There are many people who have honour in themselves and will not commit crimes. However, I understand and accept that desperation can lead people to do things that they would not in perhaps more economically improved circumstances.

That background leads us to ask what we can do about this situation. I know that the Minister is engaged on this issue, and I give her credit. I moved amendments to the Offensive Weapons Bill to make age-related sales an aggravated offence. We discussed those matters formally in the Chamber, and we have discussed them informally. The amendments were withdrawn on the basis that the Minister would look seriously at the issue. I am pleased to say she had a roundtable, which I went to, as did all the parties I mentioned earlier—the retail organisations, the Co-operative Group and USDAW—so that solutions could be aired.

A helpful letter of 5 April that I had from the Minister indicates—I thank her for this—that she has now undertaken a 12-week consultation on issues including violence and age-related sales, prevention and support, the role of the criminal justice system and best practice. I urge Members and organisations to respond to it. I think that the Minister will find there is a unified voice, and that the solutions are clear to all. The challenge for the Minister will be to take them forward. She has supported an additional £50,000 of Home Office funding to the ACS, for running communications campaigns. She has looked at publishing impact statements for business, and is working with the police to develop guidance. That is all welcome.

I want to conclude with my six asks for the Minister. She looks worried. Some of them are things she will already be aware of. I started my speech by setting out what the BRC, the ACS and USDAW thought the level of attacks and violence against staff to be. I want first to ask the Minister to bring that together, so that we can identify retail crimes, their incidence, and the overall level. All those organisations, the newsagents and the ACS and USDAW, are acting individually and not as part of a formal Government response. They indicate that there is a great deal of under-reporting to the

[David Hanson]

police because, as my hon. Friend the Member for Oldham West and Royton said, the police may not be able to respond owing to their lack of numbers. Also there is a question about what the scale of the problem is. As I quoted Paddy Lillis saying earlier, the crime is not victimless. People who are threatened in shops are traumatised. People who are injured in shops go home and have days off sick. People go to their doctor and fear coming back to work. Shops have to increase security. It is not a victimless crime. We must bring a record of the whole matter together, and the Home Office is a key part of that, in conjunction with Police Scotland—I see my Scottish colleagues are here for the debate—and the Police Service of Northern Ireland.

Secondly—this will come out of the consultation, but I must mention it now—the Government should consider legislating for an aggravated offence with respect, in particular, to age-related sales and abuse of shop staff. We have tested that through the Offensive Weapons Bill and it is part of the consultation discussions. I want the Government to do it, because in addition to the traumatic experiences I have mentioned, and the potential for long-term injury and for people to lose their jobs because of assaults, staff who are required to enforce the law are the frontline, and the Home Office must back them up.

Current sentencing is complicated. The sentencing guidelines for all kinds of assaults are that

“an offence committed against someone working in the public sector or providing a service to the public”

is “an aggravated factor”, but there is no clarity about what is contained within that. If someone is abusive that factor should be taken into account—perhaps for a community sentence, which might be the most appropriate route. I want the shop worker at the front of the Co-op on their own to be able at least to say to someone, “Look, there is a sign there. If you continue this poor behaviour you are liable for an aggravated offence. Please stop.” It is a protection, if not a final conviction.

**Mark Tami:** It is not just in the shop that people can be targeted. They can be targeted on their way home, particularly if some of the offenders live in the locality. They can be subject to that sort of attack all the time.

**David Hanson:** Indeed. Again, shop staff are part of the community. The town I live in is 12,000-strong. The people who work in small shops there live in the town. They put a uniform on for 20 hours a week in some cases. In some cases, low-paid staff are putting a uniform on and enforcing the law of the land. We have to give them support. As well as the legislation, we also need to look at prosecution and the response from the police. That is important.

Following on from bringing together the numbers and examining legislation, the third of my six points is about engaging with police and crime commissioners to make shop crime a priority. The ACS has a pledge, which basically says that police and crime commissioners should pledge to be

“confronting reoffending, particularly prolific reoffenders with drug dependencies”

and

“working to standards on what a ‘good response’ to shop theft looks like”,

which is the very point that my hon. Friend the Member for Oldham West and Royton made. Another pledge is to be

“always responding promptly to shop theft where violence is involved or where a suspect is detained”.

Often it is a shop staff member detaining someone who is drunk or out of their head on drugs in the shop.

Fifteen of the 40 police and crime commissioners have signed up to that pledge, which means that 25 have not. It is important that the Home Office grabs hold of the issue, co-ordinates a response, gives a level of guidance and priority and indicates that this is an important issue. We can argue about police numbers—we have done and will continue to do so—but this is an important issue. This crime causes trauma and difficulties and the Government should examine it, so I urge them please to engage with police and crime commissioners.

The fourth of my six points is, going back to what I said earlier, about community-based penalties. My hon. Friend the Member for Stretford and Urmston (Kate Green) has indicated one mechanism. Drug and alcohol orders are another. There may be other things that can be done, including with approaches to CCTV. There could be guidance on other issues where we can give support and help. A lot of employers, such as the Co-op, are investing a lot of money in headsets, CCTV and a whole range of wireless operation things, but not every store can do that, particularly individual stores, where it is an extra burden of cost. Support for some of the community penalties will take pressure off them.

My fifth and almost final ask is for the Government, five years on, to review the £200 limit to see whether it is working, whether it has made a difference and where we are with that.

My sixth ask for the Minister is simply this: the Home Office, with the Scottish Government and the Northern Ireland Government, could explore the whole range of good practice that can be undertaken and push it out. I welcome the ongoing discussions with the organisations, but that can be done on a regular basis. I know there is a business group. What have the outcomes of it been in the nine years it has been established? What positive outcomes from it have moved things on?

Going back to my time in the Home Office, we had funds available that key organisations could bid for to help reduce crime. CCTV camera schemes could be discussed and improved. There might be all sorts of radio wireless schemes. There might be a whole range of things that the Home Office could do. It could have a fund for organisations to bid against for support to ensure we make a difference.

**Ben Lake (Ceredigion) (PC):** On the particular issue of CCTV, the right hon. Gentleman is correct to raise the prospect of the Home Office considering whether CCTV infrastructure across the UK can be improved, particularly in our towns and cities. Not only would that help the detection and prosecution of certain instances of retail shop crime, but it would act as a deterrent. I am glad to say that in my part of Wales, Dyfed-Powys police and the commissioner, Dafydd Llywelyn, have recently reinvested a lot in CCTV infrastructure. Shopkeepers in Aberystwyth and Cardigan are keen to see that return.

**David Hanson:** There is a pile of good practice, and the key thing is that the Home Office is in a great position, with the Scottish Government and the Northern Ireland Government, to pull these things together and potentially provide seedcorn funding for innovative schemes that could develop into ways of reducing crime and shop theft in particular.

The “Crime Report 2019” from the Association of Convenience Stores gives a whole range of advice and guidance as a sector on reducing crime, involving CCTV; acid and knives; how to deal with ATM thefts; antisocial behaviour, which is key; behaviour outside stores, which often attracts people whose behaviour is antisocial; how to deal with cyber-crime or internal staff theft, which happens occasionally; what to do with age-restricted sales; and how to design a store, looking to design out crime. The Home Office can get a grip, and give advice and support, on such things.

Those six asks can be developed as part of the consultation. My hon. Friends may think of and develop more, but those six can move the situation on. As I said, and we must remember it, this is not a victimless crime: this crime will impact on the store owner, the financial viability of the business, and the health, wealth and wellbeing of the members of staff. It drives up the cost of food and produce that we buy, and it causes tremendous upset and a great deal of antisocial behaviour. It does not happen just in London, other major cities or in banks; it happens on every street on every day of the week.

As Members of Parliament, we have a duty to shine a light on the issue, to offer solutions and to support the Minister in the solutions that she has graciously brought to the table but, in doing so, to keep her feet to the fire to ensure that she delivers on the consultation. We do not want just to talk about such things, and for my words to float to the ceiling of the Chamber; we want them to result in change for the better. The Minister has a chance to grapple with this and to make a success of that. She will have my full support if she does so. If she cannot grapple with it, we will have further debates and discussions until the Government do.

2.2 pm

**Ruth George (High Peak) (Lab):** I thank my right hon. Friend the Member for Delyn (David Hanson) for securing the debate and for his excellent speech.

For nearly 20 years I worked for USDAW, the shop workers’ union. I spoke day in, day out with shop workers affected by abuse, threats and violence. When I started out, I heard abuse mentioned as part of the banter in the coffee room, or members would speak at conferences about the abuse that they had received, trying to support each other and laughing at customers who abused them. They were trying to see the funny side, as so many working people do to get through. I soon realised that such offences were not laughable and not just the odd occurrences; this happened day after day, week after week, sapping away at people’s energy, self-confidence and self-esteem, and their ability to do their job.

I therefore worked with USDAW to set up the Freedom From Fear Campaign, with workers from across that great union, from shops and companies, and from all across the country. I am pleased to say that we had an

enormous amount of engagement from shop workers, who welcomed the fact that at least they had a voice to speak about what was happening to them in the workplace. Also, professional support could be put together through companies, the trade union and professional organisations to ensure that incidents got reported as far as possible, and that employers did as much as they could to support their staff, putting investment into CCTV, reporting systems or counselling for people who were traumatised.

Shop workers have to put up with far too much abuse, threats and violence each and every day. On the basis of our surveys, we worked out that every minute of every working day another shop workers suffers abuse. Each day, more than 1,000 threats of violence are reported. As my right hon. Friend the Member for Alyn and Deeside (Mark Tami) commented, those threats do not just affect people in the workplace; threats are made by people who live in the same towns and communities as shop workers, so not just those workers but their children and families are affected.

Each day, 737 assaults are reported, but that is just the tip of the iceberg. Far too many threats, assaults and instances of abuse are not reported either to an employer or to the police. As a union, USDAW has worked very hard to try to change that culture—to try to get the reports in place and to get employers and police to act on them. But too often, the impact on shop workers is not taken into account. We have fewer police on our streets and fewer police cells and custody suites; my local one in Buxton is due to close in a couple of months. That will impact on the number of arrests that can be made and the number of offenders who can be dealt with. Courts are closing down. We are seeing a reduction in arrests and prosecutions and, at the same time, a lack of the support services that my hon. Friend the Member for Stretford and Urmston (Kate Green) said exist in Manchester. I wish that such services were available in my rural area to refer prolific offenders to; too often, they are not.

Victims of crime over the years have told me how they have struggled to get back to work after being threatened or assaulted. They can have flashbacks; they suffer post-traumatic stress disorder, for which there are very few treatment services. That affects them in the workplace as they try to return to work. They might find that impossible, so they lose their job and livelihood as well as their confidence, self-esteem and courage to go out into the community.

The impact that I have described simply is not taken into account. With the reduction in the number of staff in retail, employers also have to play their part. There should not be lone working, particularly in areas that have seen assaults and antisocial behaviour in stores, but we see this far too often—staff, often women, left to cope alone at night with gangs of teenagers or with possible offenders. Employers have a duty of care to staff, and I am pleased that many employers, such as the Co-op, have put a lot of investment into supporting their staff, but others do not and we need to send out a message from this place that that is not acceptable and that employers have a duty of care that includes protection against known threats of violence.

If police get involved with employers, working with CCTV and the evidence that employers gather as part of their work, they will find that they can work with both employers and shop workers. In an era when we

[Ruth George]

are seeing a massive reduction in community policing, the police need to do that; they need to reach out to shop workers and to cafés and so on. If people want to know what is going on in a community, a sure way to find out is to ask the local shop workers; they will know. The police and the justice system need to give those workers the respect that they deserve. They need to take into account the impact of crime on those workers and their families and the impact on stores and on our high streets, which are too often suffering a decline. If they can work with them to tackle persistent offenders and get evidence on the drug dealers who are too often pushing drugs to victims who then go out and commit shop crime, they will find that they can improve the policing in their area and improve their links with the community.

For many years, I have worked with USDAW to argue for a separate offence of assaulting a worker. My right hon. Friend the Member for Delyn set this out. Shop workers do not feel that assaults and threats against them are taken seriously enough. The sentencing guidelines are extremely complicated. I worked with previous Governments on them, and there are so many factors to be taken into account that it is almost impossible for a victim of crime to see how the impact on them has had any impact on a sentence, even when an offender is actually brought to justice. A separate offence would simplify sentencing. It would encourage prosecutions, because it is simpler to get a prosecution in place through one branch of the law and through an Act. It would have a deterrent effect as well and shop workers would feel that the law is on their side. It sends the message that assaulting a shop worker is not preferable to being caught shoplifting. We in this House must send out that message to all shop workers, bar workers and café staff. They need to know that we, the police and the criminal justice system are on their side, because they are always on our side.

2.10 pm

**Steve McCabe** (Birmingham, Selly Oak) (Lab): It is good to see you in the Chair, Mr Robertson. I congratulate my right hon. Friend the Member for Delyn (David Hanson) on securing this debate and on his thoughtful and comprehensive opening speech. Not surprisingly, much of what I say will echo comments that have already been made. I thank members of the all-party group on retail crime and its former chair, the hon. Member for Wimbledon (Stephen Hammond), who have done so much to raise awareness of the issue both in Parliament and elsewhere.

In my constituency of Selly Oak, shops lost more than £214,000 last year because of shoplifting and other criminal acts. As we have heard, the knock-on effect is equivalent to a tax of about 7% on every consumer transaction. Much harder to calculate, as my hon. Friend the Member for High Peak (Ruth George) indicated, is the impact on owners, family members and staff who are threatened, intimidated and subjected to frequent violent assaults, including murder. Tragically, we recently had the murder of Ravi Katharkamar in Pinner, north-west London—a hard-working family man trying to go about his business.

We know that there were at least 10,000 attacks on shop workers. My right hon. Friend the Member for Delyn cited a higher figure from the British retail crime survey, which suggested that one of the issues is how the crime is identified and recorded. As with a number of offences, there is always some dispute about how a crime is recorded and therefore how much certainty we can have about the volume of particular crimes. As has been said, many of the perpetrators are repeat offenders, and perhaps in some cases regular offenders. They tend to target high-value items or items that are easily disposed of. It is a growing problem. The Home Office's commercial victimisation survey reported that such crimes in the retail and wholesale sector had doubled between 2016 and 2017, and the same study also revealed at least half a million assaults and threats against retail staff—about 250 a day.

Part of the problem, as we have heard, is overstretched police services, which have substantially fewer resources. In the west midlands alone, we have seen the loss of 2,000 officers since 2010 and cuts to the budget of about £175 million. Our own chief constable has publicly admitted that his force can no longer cope with the range of demands made on it. Against such a background, we need a new approach to the issue of retail crime.

I certainly agree with my right hon. Friend the Member for Delyn that, first, we have to recognise the scale of the problem, its financial impact on consumers and businesses, and its effect on ordinary people just trying to go about their business, earn a living and provide a service. There are about 46,000 convenience stores in the UK, of which 72% are operated by independent retailers or as part of a symbol group such as Spar, Nisa or Costcutter. They provide flexible employment for more than 365,000 people and 24% of shop owners work more than 70 hours per week. It is not easy, and they deserve a better deal.

On recognition, we need an agreed definition of business crime, so that all police forces record such crime to the same agreed standard. My right hon. Friend referred to the retail crime survey, which reported something like 3.5 million incidents of retail crime in 2017. At the same time, official statistics recorded only 382,000 incidents of shoplifting, which implies that there is massive under-reporting of the crime or that there is a recording issue.

Interestingly, if we add the definition of robbery, we get nearly 12,500 further incidents per year, and if we add the definition of burglary, we come up with another 7,000. There is an argument for agreeing a common definition that would allow us to get a better grip on what is happening. That would go a long way to identifying the real scale of the problem and might end the false debate about whether there are significant regional variations, which is not entirely convincing—it may be more of a recording issue.

The fact that the police will not investigate shop thefts with a value of less than £200 is virtually an incentive to offend. As my right hon. Friend the Member for Delyn said, because of stretched police resources and different ways of dealing with things, I understand how we have ended up in the situation where those who are caught with stolen goods worth less than £200 are fined and allowed to pay by post, but frankly that reduces it to the status of a parking offence. Psychologically,

it decriminalises the activity, which is why people think it is not as serious as it genuinely is. His call for a review is essential in the face of the growing crime levels.

For years, before I came to this place, I worked with young offenders, and I spent a lot of my life arguing for out-of-court disposals and community disposals, but the problem with out-of-court disposals in this area is that offenders are repeatedly issued with cautions, conditional discharges and small fines for committing almost identical crimes, so it has no impact. We should at least introduce proper banning orders, so that people who commit repeat offences in that way are banned from specific shops or retail areas. We have to find a way to curb the repetition of the activity.

Where those who are engaged in these offences have obvious addiction problems, we have to place more emphasis on that and make more effort to deal with the addiction issue. My right hon. Friend referred to the reduction in the numbers from the last year of the Labour Government to last year. There must be pressure on the courts to recognise that that is a problem and to ensure that the sentence sets out to tackle the addiction issue. A disposal that pushes that to one side is of little value and, again, is an incentive to repeat that behaviour.

Those who threaten, intimidate and commit violent attacks on shop workers should be charged with an aggravated offence. There should be an additional penalty and it should be made abundantly clear that they are not able to get away with that. My right hon. Friend mentioned the request by the Association of Convenience Stores for a pledge from police and crime commissioners. Next year, we have an election for the police and crime commissioner in the west midlands—in fact, I think that there are elections in other parts of the country as well. I will certainly demand such a pledge from all candidates in the west midlands election, and will encourage all shop owners in my constituency to do the same. We want a clear and unequivocal commitment to prioritising the tackling of retail crime and violence against shop workers.

I have a pretty good relationship with the current police and crime commissioner, David Jamieson, who is doing a good job. I looked at the police and crime plan for 2016 to 2020 while I was thinking about this debate. It is quite an impressive document of 40 pages, which deals with all sorts of important issues—road traffic injuries, mental health, young people and animal cruelty—but I could not find a single reference to retail crime, shoplifting or violence against shop workers. To be fair, page 6 refers to

“working with companies and other partners to reduce overall business crime”,

and on page 27 there is a section on supporting economic development, which also refers to working with companies.

My right hon. Friend the Member for Delyn said that 25 of the commissioners have not signed up to the pledge. The same ACS survey shows that only nine of 40 police and crime plans explicitly refer to retail or business crime. That is simply not good enough. We want a pledge from all candidates at the next election that if they win, the plan will contain a section about tackling retail crime and shop worker violence. It should detail what they will do to address the issue.

I, like my right hon. Friend, acknowledge that the Minister has indicated her interest in this subject and her determination to improve the situation, for which I

thank her. Ideally, we would see the production of a new retail crime prevention strategy, drawn up in conjunction with the sector. We need a strategy that expands on who has responsibility and what items are required to crack down on crime. We have heard about some of the good initiatives, such as that in Manchester and those of USDAW, ACS and the Central England Co-operative, which I understand is seeking a meeting with the Mayor of the West Midlands combined authority, Andy Street. If he is listening, he has an opportunity to get in on the act and help out.

We need a strategy that expands on who has responsibility for what and itemises the steps that are required to crack down on crime. I would like to see a process in which MPs get a monthly or bi-monthly constituency-level report that shows the hotspots and trends, so that there is a constant focus on taking action and utilising the measures that prove successful.

As we have heard, we must do more to help both smaller and independent stores, and encourage the Government to look at additional ways of helping to fund new and better security equipment for smaller retailers. There is a tendency to view the proceeds of crime funds as the answer to everything these days, but that money is derived from the actions of criminals, so maybe that is an area from which we could draw a little additional funding to support smaller retailers. I understand that they already spend something like £5 million of their own money on such measures. That is quite a lot for the owners of small shops, many of whom barely scrape a living—they are not rich people in any sense. We need these businesses; they provide crucial services. These people work very long hours and deserve our support.

2.25 pm

**Jim Shannon** (Strangford) (DUP): It is a pleasure to speak in this debate, and I congratulate the right hon. Member for Delyn (David Hanson) on bringing the issue to this Chamber for consideration. I said to him yesterday in a conversation that there are very few debates that he brings to Westminster Hall that I do not have an interest in, wish to participate in or support him on. It is pleasing to see the Minister in her place. She is not afraid of hard issues, and always responds positively and helpfully—we look forward to her response. She is amenable and approachable, and is prepared to give the answers to the hard questions that we ask.

As the Minister will know, policing is devolved in Northern Ireland. None the less, the issues that other Members have referred to and will refer to after my speech, are replicated across the whole of the United Kingdom of Great Britain and Northern Ireland. I thank the Backbench Business Committee for giving us the chance to participate in this debate.

I am pleased to represent Strangford in this Chamber; it is a name that I use in every speech I make. I am also pleased that the main town in my constituency, Newtownards, has bucked the trend: we have a thriving high street. We have boutique shops, specialist shops, branded shops and coffee shops—if you need it, we've got it. If hon. Members have not visited Newtownards—I know the right hon. Gentleman has—I encourage them to do so.

I am not as proud to say that we have had robberies and threatening behaviour, although it is extremely limited. However, any act of violence or theft is one

[Jim Shannon]

too many. I have three sons, two of whom have worked in shops and are now managers. During the time that they have worked in shops, they have experienced the violence that takes place. The right hon. Gentleman referred to people with drug and alcohol addictions, who sometimes try to steal from shops. In the violence that takes place, shop staff feel threatened. From my sons, I know that there have been occasions when staff have been taken off work. The hon. Member for High Peak (Ruth George) mentioned that sometimes staff are traumatised and are on sick leave for a long time. Those things happen, but it is not what someone expects when they sign up for a nine-to-five job or whatever shift they are on. The repercussions are great.

They have introduced CCTV in most of the shops in Newtownards. People who have carried out robberies, caused damage and acted violently or threateningly in shops have been made accountable for their actions. One thing that we should perhaps look at—the Minister might say this in her response—is encouraging shopkeepers to install CCTV in their properties. It seems to be a norm now, and it helps when thefts take place.

I was so disheartened to learn of the behaviour that some shopkeepers and workers have to put up with. The report provided by USDAW during Respect for Shopworkers Week gives shocking statistics. There have been instances of violence and threats, and it was made abundantly clear that abuse against shop workers remains a major problem on the frontline of retail. Other hon. Members have referred to it, and I could relate similar stories from my constituency.

Six out of 10 shop workers have experienced verbal abuse. Some 37% have been threatened by a customer, and 230 are assaulted every day. The number of incidents is in line with last year, but remains higher than two years ago. Two thirds of UK retail workers have been exposed to violence or aggression in the workplace. Earlier in the year, the British Retail Consortium reported a doubling of violence against retail staff in its annual retail crime survey. That is why this debate is so important, and why we are indebted to the right hon. Gentleman for bringing it forward.

I am in complete agreement with the general secretary of USDAW, who said:

“While there are many factors behind retail crime...severe cuts in police funding and the loss of over 20,000 police officers”

do not help. I am beyond alarmed to learn that some chief constables have said their officers can no longer attend incidents of thefts from shops, and that they are asking shop workers to detain shoplifters. We see stories on TV in which shop workers take it upon themselves to detain a person who is trying to rob a shop—I watched such a story on TV the other night. The level of courage of shopkeepers is to be commended, but that is not what they should be doing, so we have to look at that.

In my constituency, I met the local chief superintendent to discuss the fact that the Police Service of Northern Ireland would no longer investigate drive-offs at petrol stations. I am not sure how good other Members' knowledge of such incidents is, but unfortunately in Northern Ireland and in my constituency, statistics out this week show a 2% rise in drive-offs.

The meeting that we had with the Chief Constable, I think last October, involved both garage owners and the retail association. We feel that it is not the responsibility of the garage owner to take action to retrieve money from drive-offs. That is a straight theft issue and should be the responsibility of the police, or the PSNI as it is in Northern Ireland. It is not the responsibility of garage owners to source the person's address through the Driver and Vehicle Agency, and approach them and ask them to pay; yet only when they refuse to pay does it become the job of the PSNI to investigate. Such a process is hardly logical.

If someone walks out of Tesco, which featured on TV the other night, and drive away, having forgotten to pay for their week's shopping, it is considered a theft right away. However, if someone drives away from a petrol station, it is presumed to be forgetfulness. We are now asking garage owners to become detectives and track down people who have driven away with perhaps £60-worth of petrol or diesel. Clearly, the support is not there. To be fair to the police, I do not believe that it is because they are too lazy; it is because they are stretched thin. The police are so drastically underfunded and understaffed that they must prioritise every crime. Unfortunately, that leaves victims of crime having to go beyond what should be expected of them.

The right hon. Member for Delyn referred to ATMs. In Northern Ireland, we have had some of the most incredible thefts of ATMs. I am not sure whether it has been at the same level on the mainland. To give an example, one such theft happened just last weekend before I came over here. Thieves in these cases seem to pick ATMs where there is a JCB or digger not too far away building houses—that is what happened at the weekend. The thieves stole a big digger from the local building site and ripped the ATM out of the wall, which took them four minutes and 10 seconds. They had a car sitting ready. This is the story, and it was all caught on CCTV, so it is factually correct. They grabbed the ATM with the digger. The roof of the car was removed, and the ATM was placed in the back seat. Absurdly, this small car with no roof had a big ATM sitting in it, and was driven down the road. It took four minutes and 10 seconds.

Such crimes are hard for the police to respond to, given the timescale. However, there are other ways of doing so. May I make a suggestion to the Minister, as we were talking the other day about how to address such issues? All ATMs across the United Kingdom of Great Britain and Northern Ireland should have a movement device inside them. As soon as it moves, the police will know where the ATM is going and can track it.

I understand that the tracking is done by helicopters. However, I also understand that we have two helicopters in Northern Ireland that the police can access. I suggest that the police in Northern Ireland do that, and we should do the same here on the mainland. I watch “Police Interceptors” on the TV—that may show how sad I am, but I always find it quite interesting. The police helicopters are able to source and follow the person who is getting away. For me, that is a better way of doing things. There are other ways to address the theft of ATMs, the threat to staff and so on, and we should explore them.

We simply need more help on the ground from the police. People are less likely to smash and grab if they think that there may be police on the beat, as opposed to being certain that they can run and not be caught. It is my belief that action is needed to help to protect staff. That must come in the form of legislation that provides for harsher penalties. Others have referred to the fact that penalties must deter. At the moment, with cautions and let-offs, the system seems not to work in the way that it should.

For those caught stealing or being abusive, and for those who assault workers, the message must be clear: such behaviour cannot and will not be tolerated. Instead of saying to people, "You can thump me once or twice before it actually matters," it should matter the first time that someone is verbally abusive. Assault is verbal abuse, not just physical abuse.

These people are going about their daily business, and that is why we are here, on behalf of the shop workers and staff who do not deserve to be intimidated in any way. Everyone, no matter what their job or how much they get paid, deserves to be respected and to go to their place of work, leave when their paid hours are done and not be subjected to abuse in between.

We can be sure that if I were verbally abusive to my staff—I certainly am not, for the record—it would be reported to the police and in the newspapers the next week. My staff would not let me off with that anyway, because they are capable of looking after themselves; I get told off many times by them. Why is it less important for employees of the local Russell's essentials shop to be assured of support and freedom from abuse? It is not.

I am conscious that other hon. Members want to speak, so in conclusion, we have not sent the right message thus far. We need to change the narrative and be clear that people have the right to work free from abuse, and we will support them in that right. That is what the right hon. Member for Delyn said, what I am saying, what other hon. Members have said and will say, and what the shadow Minister and the Minister will say as well. People have the right to support from the PSNI or the police on the UK mainland when someone commits a crime, and we will ensure that people's right of access to the police is protected. No one should ever dread going to work because of abuse while we, by omission, are saying that it is acceptable. It is not and never will be, and that must be made clear today.

2.36 pm

**Susan Elan Jones** (Clwyd South) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. I pay great tribute to my near neighbour and right hon. Friend the Member for Delyn (David Hanson) for his thorough introduction to the debate and his extensive campaigning on the issue. I also thank all other hon. Members who have contributed.

I represent the most beautiful and nicest constituency in Parliament; there is nowhere that quite compares with it. It is 240 square miles and contains many vibrant communities. There is also a strong sense of community. Almost any shop worker who lives in my constituency will speak about that strong sense of community; how much they enjoy their job, in many cases; and how important their shop is in the community. That is all true, but unfortunately, it is not true all the time.

One deeply concerning UK-wide statistic, which came from the excellent USDAW, is that more than 280 retail staff are violently attacked every day across the country. That should cause us to be very concerned. Those shop workers go to do their jobs in the same way that others go to do their jobs, and that level of attack is concerning.

In my constituency, we have a good mix of small and medium-sized stores, and a few supermarkets, and the bulk of them take the issue very seriously. I put on the record my particular thanks to the Co-op Group, however, not simply because I am a regular shopper at the Rhosllanerchrugog and Johnstown stores, but because it has sent briefings on individual constituencies and has had the honesty to say some of the bad things that have happened in its stores.

I do not like reading things word for word, but the Co-op gave three examples of things that happened in its stores in my constituency. The first example is:

"A drunk man came into the store and started abusing one of our colleagues. This colleague asked him to calm down and stop swearing. The bloke carried on shopping and on his way out carried on the abuse so he was escorted out of the shop. When outside, he started swinging his shopping bag and throwing punches. He ripped the colleague's glasses off his face and threw them into the car park. He then ran off."

This is the second one:

"Two hooded men came into the store with a large knife. One of them grabbed a colleague and put a knife to her neck, and the other one went behind the till and grabbed another colleague. They emptied the safe and the tills and ran into a waiting car."

This is the third account:

"Four blokes came into the store, they threatened colleagues with a knife and nicked all the cigarettes that had just arrived from the delivery."

The people affected by that are ordinary working people in our communities. In that case, it was in Clwyd South, but there are examples from across the country.

I welcome what the Co-op Group has done with its community fund. In addition to security measures and the like, it supports projects that tackle crime and crime prevention measures. Its corporate social responsibility in that regard is very much to be welcomed. Of course, we need to tackle the root causes as well as the problem itself.

Reflecting what everyone else has said, I want to say this to the Minister: whatever is happening at the moment—my right hon. Friend the Member for Delyn spoke about that in great detail—it is clear that we have to do more. I echo the calls to make attacks on shop workers and other retail workers aggravated offences. When the Assaults on Emergency Workers (Offences) Act 2018 was going through Parliament, and in the campaign that preceded it, we heard many reasons why it was not possible. The campaign continued, and I am pleased to say that the Government supported it. That was very important. Many of us were co-sponsors of the Bill, and we worked on a cross-party basis. I am pleased that it got Government support.

As my right hon. Friend said, it is important that we look at creating an aggravated offence for attacks on shop workers, because shop and retail workers are a bit different from other workers. The argument will always be made that we cannot have aggravated offences against everyone. Clearly not, but the difference is that people know that shop workers have ready access to cash and have to handle it all the time.

**David Hanson:** Is not the key point the issue of age-related sales? Shop workers are upholding the law on behalf of the Government.

**Susan Elan Jones:** Absolutely so. I agree wholeheartedly. Those are the everyday dangers that shop workers have to face, and they should not have to do so. They have to deal with people who are being obstructive outside their store. I have heard examples of shop workers who have had to deal with people who did not want to pay 5p for a carrier bag. I urge the Government to commit to doing something more on this issue. Let us work together, because it is not right that people in those shops, whether in the beautiful constituency of Clwyd South or anywhere else around the country, are affected in that way.

2.43 pm

**Alison Thewliss** (Glasgow Central) (SNP): I cannot say that my constituency is as large as that of the hon. Member for Clwyd South (Susan Elan Jones), but it is small and perfectly formed, and very beautiful too. I am delighted to speak in this important debate. I pay tribute to the right hon. Member for Delyn (David Hanson) for securing it.

There are a great many shops in my constituency of Glasgow Central. It has the city centre, the major shopping streets and many large retailers of different kinds. We also have malls such as the Buchanan Galleries, which is celebrating its 20th anniversary, the St Enoch Centre, Princes Square and the Argyll Arcade. They can all be subject to retail crime in different ways. The Argyll Arcade had an armed robbery in 2014 because it contains many jewellers, and high-value goods are sold there.

Large retailers can put in place different things to cope with that. They can have CCTV and perhaps absorb some of the cost, but, as hon. Members have said, their shop workers put themselves at risk every day when they go in, because they do not know what kinds of things might happen in the store. In small businesses there is particular vulnerability, with people engaged in lone working. There are many small businesses across my constituency—retail shops that often have only one member of staff there all the time. There needs to be greater protection for them, because some of those shops cannot afford CCTV or anything like that. If things are stolen from them they have to absorb the cost. A few stolen items could be a whole day's takings. It is quite worrying for small businesses to face that kind of thing. They are particularly vulnerable.

I have a wee bit of experience in retail. I worked for Next for five years in the Buchanan Galleries and in Aberdeen and Hamilton. During that time we employees were always told not to put ourselves at risk. If someone came in to steal something we should let them go. The shop and the police would deal with it: "Don't put yourself at risk." However, it is difficult, seeing something like that happening, not to try to stop someone or intervene. The thieves we saw coming into the shop could be quite gallus. In the Buchanan Galleries at the start of a shift the managers were meeting, discussing what was happening in the store, and when they turned around someone had walked in, and walked off with a whole rail of expensive dresses. It was around Christmas, so Members will understand the type of expensive

dresses the shop would be trying to sell. Someone had come in and taken them, right next to a bunch of managers standing having a meeting, and walked off into the shopping centre and out into the street. There is nothing that people determined to do such acts will hold back from. They are absolutely gallus and brazen, and will do that time and again.

People would often steal from shops such as Next to try to return the things later and get the money back. They would be stolen not just for people to use or sell on; people would perpetrate a fraud against the store by trying to take the items back and get cash for them. Members of staff behind the till had to be aware of that, when someone was trying to return something, and challenge them. Refusing to take a return is another occasion when shop owners can be at risk; customers can kick off when there is a challenge.

The right hon. Member for Delyn mentioned drugs and alcohol as drivers for some of the type of crime in question. In Aberdeen someone would come in, on occasion, clearly under the influence of something, and try to steal children's clothes by shoving them into their pockets and down their trousers. Staff would then put themselves at risk if they tried to intervene in some way and get that person, under the influence of alcohol or drugs, out of the store—so that is another risk.

The figures from Police Scotland seem to show that shoplifting has increased. They are up 10% from April 2017 to March 2018. That is more than 2,700 more incidents. Police Scotland find that poverty is definitely something of a driver. The increase was not in thefts of dresses or watches or things of that kind; it is people stealing food, to get by, because they cannot cope. Items such as infant formula can now be out of many families' reach, because they are so expensive, and people resort to desperate measures as a result of austerity and poverty. The Government should bear that in mind when they look to tackle retail crime. Some of those crimes are very much crimes of desperation.

I want to touch on the evidence of the impact on workers. The survey on under-age sales conducted in 2016-17 found that there is a disproportionate effect on some workers: 56% of Asian or Asian British workers in the UK have reported abuse at least once a month, compared with 31% of white workers; 30% of Asian or British Asian workers in the UK reported being subject to racial abuse; and 10% reported being physically attacked at least once a month, as a result of challenging customers for ID. I agree with hon. Members who have said that challenging people for ID is a driver in many instances. That needs to be taken into account. I support all moves to improve the charges and convictions for that, because there needs to be a deterrent.

Workers who are not confident in challenging people for ID can end up in trouble themselves, because if they sell to under-age people they can be disciplined or face criminal charges. Workers are personally liable if they sell to a young person, facing a fine of up to £5,000 and/or imprisonment for up to three months. If workers are not confident in challenging for ID, there is a further impact on them as well. It may be that workers choose to leave the retail sector altogether if they regularly come under such pressure.

Lastly, an emerging issue is automation. We have all seen the new automated tills in many supermarkets. They are coming up everywhere, which is a risk to

workers' jobs; there may be fewer workers in stores if there are more automated tills. Research shows that people who would not normally steal from shops are much more tempted to do so if they use a self-service checkout. People have been seen passing off more expensive things as carrots or onions to cheat the device—something is being weighed, although it is clearly not the item being sold—and figures showed that more carrots had been sold than had ever been stocked because of people doing that.

Again, that is putting temptation in the hands of people who may be quite desperate and who may want to cheat the system because they cannot afford things. If that temptation is not checked on, people can be away and out the store before anybody realises that something has happened. There needs to be more examination of how automated tills drive retail crime and the results of that.

I will finish on the point that others finished on. Shop workers need to feel safe, as though they are not under pressure and that they are looked after. That goes from workers in the very largest supermarkets to sole workers. All of them deserve protection and our thanks for their work. We need to do a lot more to make sure that they feel safe and looked after, and if the law needs to change to do so, I would fully support that.

2.52 pm

**Judith Cummins** (Bradford South) (Lab): It is a pleasure to serve under your chairmanship, Mr Robertson. I congratulate my right hon. Friend the Member for Delyn (David Hanson) on securing this important debate.

Local shops are the lifeblood of our economy and communities. Many people rely on them, as they provide an important sense of belonging, community and identity to our local areas. However, retail crime can have a hugely damaging effect on local businesses and communities. In Bradford South, we have seen a rise in instances of burglary and antisocial behaviour near shops, as well as a rise in theft and shoplifting. I am a huge advocate of the economic contribution that small businesses make to our economy. However, small business owners have raised with me that repeated burglaries are making their insurance costs so expensive that they are being driven out of business. That is honestly not acceptable.

We all know that the police face unprecedented pressures in the context of an extremely difficult funding situation. Put bluntly, the Government are simply not giving our police forces the resources they need to do their job properly. I know that our hard-working police officers want to be out there catching those criminals who blight our communities through theft and antisocial behaviour, but they are forced to prioritise. That too often means that serious crimes such as shoplifting and abuse are not given the priority they deserve.

As my right hon. Friend pointed out, this is not a victimless crime. Local communities like mine deserve better. Our businesses, customers and shop workers rightly expect retail crime to be thoroughly investigated. The Government must stop passing the blame and start funding our police properly. As I have said many times in this place, our police should be fighting crime, not fighting for funding.

I will turn to some of the positive work being done in my constituency to prevent retail crime and to support shop owners. Traders in parts of my constituency have

signed up to a pilot Shopwatch scheme designed to tackle crime. After a spike in retail crime, I called together police, councillors, council officers and traders to find ways to improve the situation. With local councillors taking the lead, I am pleased to say that the police, the council and businesses now work even closer together, sharing information through the Shopwatch scheme about those persistently offending in the area. That is done by WhatsApp and face-to-face meetings, and it is modelled on the established Pubwatch scheme. Early signs from the pilot are positive, and I look forward to seeing the full review of how the scheme can be rolled out across my constituency.

Figures recently published by USDAW, the ACS, the Co-operative Group and the BRC all show that violence and threats against and abuse of retail workers are on the increase. In 2018, nearly two thirds of shop workers experienced verbal abuse, while an average of 280 shop workers were assaulted each and every day. That is unacceptable. No one deserves to be attacked or abused simply for doing their job.

USDAW rightly points out that as well as being a threat to shop workers' physical safety, attacks and abuse can cause anxiety and considerable worry to those subjected to them and to their loved ones. Those workers deserve dignity at work and should not be seen as easy targets for violence and abuse. I therefore fully support USDAW's Freedom from Fear campaign, which is for tougher penalties for those who assault shop workers. That is especially important in the context of the greater obligations that we place on retail staff, such as to prevent under-age people from buying knives or acid. There is evidence that those age-related checks are a particular trigger for abusive behaviour.

I again pay tribute to my right hon. Friend the Member for Delyn for attempting to amend the Offensive Weapons Bill to introduce age-related new offences in that area. I fully support him in that objective and indeed on each of his six asks in the debate. I hope that the Minister will set out in her closing remarks what more the Government plan to do to support retail workers to ensure that those who abuse or attack them are properly punished. I also hope that she will make it clear to the Home Secretary that the existing police funding settlement is simply not good enough.

2.57 pm

**Gareth Snell** (Stoke-on-Trent Central) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Robertson. I congratulate my right hon. Friend the Member for Delyn (David Hanson) on securing this debate. He has worked on this area of public policy for many years. As a member of the USDAW group and of the Co-op party, and as a proud shopper at the Co-op, I too feel that I have several reasons to participate in this debate.

We have had quite a congenial debate so far, and I put my thanks to the Minister on the record as well. As with her work on modern slavery and gangs, this is an area of her brief that she takes seriously. Although few Conservatives are present today, the quality of the Minister will in some ways make up for that, for which we should be grateful.

My constituency, much like that of the hon. Member for Glasgow Central (Alison Thewliss), is small but perfectly formed—[*Interruption.*] My hon. Friend the

[Gareth Snell]

Member for Swansea East (Carolyn Harris) says it is not, but it is—she is more than welcome to visit any time she likes between now and 2 May, and I will show her.

Like many urban-based constituencies, however, my constituency can be broken down into a series of small communities linked together over history. Whether people are in the middle of my constituency, tootling up towards the moorlands and passing through Baddeley Green or Milton, or going towards Newcastle through Penkhill, they will pass a Co-operative store—I will constrain my remarks to those stores but, to cover all bases, other convenience stores are available.

Many community convenience stores are open from very early in the morning until very late at night. Normally, the ones in my constituency are the only shops open in a community at 10 o'clock at night, the only store open on a whole high street—everywhere else closes at teatime—and the only convenience store in the village that can still sell a pint of milk at 20 to 10 in the evening. Often, they are the place where people gravitate, because the light is on. In the winter, they are the only place that may be warm and, after a couple of drinks in the local pub, people may call in for a snack on the way home. At those times, the shop workers are most vulnerable.

Those times are not peak hours, so the workforce are not numerous and lots of people are not milling around in the streets outside, giving a sense of solidarity and community—the shop workers are on their own. If they are on the periphery of the city of Stoke-on-Trent, they will be far away from anyone else at work or from any on-duty police officer who will automatically be concentrating on the more densely populated urban areas in the city centre. That does not mean that crimes perpetrated against them should have any less value than those perpetrated against someone in the city centre.

As my hon. Friend the Member for Bradford South (Judith Cummins) said, we are asking for more and more of the laws that we pass in this place to be enforced by civilians, at the till and at the point of sale. We are asking them to check ID, whether for the purchase of cigarettes, alcohol, or a knife. I am glad that the Co-operative Group has said that it will stop selling knives in its stores to prevent them from being available and used for crime in communities. However, we are asking civilians—individuals who have gone into a relatively low-paid retail job—to enforce the laws that we create. At the same time, we are saying that if those civilians receive abuse or are the victim of aggressive behaviour as a result of enforcing those laws, they may not get the follow-through and the justice that they desire. That clearly needs to be rectified, which is why I was proud to support the amendments that my right hon. Friend the Member for Delyn tabled to the Offensive Weapons Bill, and why I am glad that constructive conversations are continuing between him and the Government.

There is another aspect of this issue that I am concerned about. I have been sent stories similar to those sent to my hon. Friend the Member for Clwyd South (Susan Elan Jones), and the individuals against whom those crimes are being perpetrated tend disproportionately to be women. They are disproportionately older women who

are working a low-paid job, and who disproportionately live in parts of the world where the sense of security has disappeared. I fear that there is a cultural issue in play as well: if people do not feel safe going to work in those shops, people will not feel safe shopping in them, and we cannot afford to lose those convenience stores from high streets. We cannot afford to lose those small shops from villages, because in most of those places they are the last shops standing, whether they are independent or part of a larger chain.

We need to start making examples of some of the perpetrators of these crimes, and demonstrate that their crimes will be taken seriously. As my right hon. Friend the Member for Delyn said, there need to be little signs that we can point to and say, “If you carry on with this, you are undertaking an aggravated offence. You will be prosecuted, and there will be a punishment for your actions.” There are obviously penalties for aggravated robbery and other crimes, but I feel that the sense among some consumers that they are entitled to take out their anger, wrath or frustration on somebody who is at work, serving them and their community, is not taken as seriously as crimes such as robbery.

I also want to touch on a statistic that has already been mentioned: according to USDAW's research, 280 retail staff are violently assaulted every day. Given that these isolated small shops will usually open from 6 am until 10 pm, a little bit of jiggery-pokery with the maths suggests that in the three hours this debate could go on for, up to 50 people will have been violently assaulted while we sit here discussing this issue. I do not think we should tolerate any violence, let alone up to 50 assaults; I stress that point not because I want to belabour it, but because I think it is important. These are relatively low-paid women workers who are serving their community through their roles, and it is simply unacceptable for them to be left in a situation in which they potentially face violence on a daily basis.

Like all Labour Members, I particularly enjoy setting six tests when it comes to any aspect of public policy, and I endorse the six tests that my right hon. Friend the Member for Delyn has laid out. I particularly want to talk about community penalties, because that is one area in which I have seen success in my own constituency and community. The perpetrators of aggressive behaviour in shops on little high streets are made to go back and tidy up those high streets; they are used as the labour to fix some of the problems that they have helped create. That restorative process demonstrates to the community that that sort of aggressive action is not tolerated. As has already been pointed out, most of the staff who work in those shops tend to live in those communities and know the people responsible, so community penalties restore a sense of faith that justice is being done.

[PHIL WILSON *in the Chair*]

Community penalties also allow networks to grow. I want to place on the record my thanks to the Stoke-on-Trent City Centre Partnership for the work it does through its Shopwatch scheme. It has successfully created a network of shops, mainly independent but also with the intu Potteries shopping centre, where anyone working alone in a shop knows that there is someone in a next-door shop who can come and help if there is a problem; they work through a network of radios and share intelligence about frequent perpetrators.

Intelligence networks are important not only for preventing crime, but so that people working alone in shop, perhaps around closing time, know that if there is a problem, there is somebody they can call—somebody who is looking out for them to whom they have recourse. That sort of community-based solution is important, but it should be done with Government, not in spite of Government. It should be the normal practice, not an ad hoc arrangement that arises from good practice in communities.

I want to leave as much time as possible for the Front Benchers, so I will end by asking the Minister to touch on or consider what role there might be for the future high streets fund and some of the town funds in funding some of these community-based improvements. We in Stoke-on-Trent do not want to see high fences or fortresses created around shopping areas, but a CCTV camera here and there can go a long way to making people feel safe, as can eliminating grotspots or dark spots where people can hide after committing a crime, and making sure there is help and support for individuals who may be going through tough times, leading them to commit these actions. I wonder whether treating retail crime not merely as a criminal justice issue but as a community and economic development issue could be a way to lever in money from other Government Departments. Small shops are valuable to our high streets. Although we should prosecute the perpetrators, we should also value these shops as integral elements of the communities we all serve.

3.6 pm

**Hugh Gaffney** (Coatbridge, Chryston and Bellshill) (Lab): Thank you for calling me to speak, Mr Wilson, and giving me the opportunity to repeat some of the statistics that may have already been mentioned.

I thank my right hon. Friend the Member for Delyn (David Hanson) for securing this important debate. The 2019 crime report produced by the Association of Convenience Stores illustrates the scale of retail crime in the UK. The association estimates that in 2018 retail crime cost the convenience sector more than £245 million. Through no fault of their own, shops across the UK are being subjected to a retail crime tax. It is estimated that local shops in my constituency lost more than £170,000 to retail crime last year. The businesses on Coatbridge and Bellshill Main Street provide jobs for the local community and contribute to the local economy, and it is frustrating to think that they are penalised by retail crime. If the rising costs of retail crime are not tackled, our communities will ultimately pay the price, with the loss of local business and jobs impacting on the local economy.

We often hear the Government talk about the importance of our high streets, but with no support, their shops are closing down. If the Government are serious about supporting high streets across the country, it is time they acted to prevent retail crime. The National Audit Office highlighted an 18% reduction in the police workforce. As the workload and pressure put on the police continue to increase, their ability to respond to retail crime is affected. That is why I call on this Government and the Scottish Government to invest in community policing. Retailers estimate that 79% of thefts against their business are carried out by repeat offenders, and that 50% of repeat offenders are addicted to drugs or alcohol. Perhaps

it is time for the Ministry of Justice to review how repeat offenders are dealt with and to look for ways to tackle the root causes of reoffending, such as addiction.

Retailers have also expressed concern about the introduction of section 22A of the Magistrates' Courts Act 1980. Unintended, that provision on low-value shoplifting—below the £200 threshold—may have helped to increase shoplifting, as it is no longer a police priority. I urge the Government to reflect on whether section 22A is helpful in the ongoing fight against retail crime.

When I was elected to the House, I said I would stand up and provide justice for workers, so I will talk about the impact of retail crime on shop workers. The ACS crime report estimated that there were almost 10,000 incidents of violence against shop workers last year; 41 of those incidents led to staff being injured. The Home Office commercial victimisation survey found that incidents of violence in the retail sector had more than doubled from 2016 to 2017. We know that shop theft is the No. 1 trigger of violence and abuse in the convenience sector. I pay tribute to my right hon. Friend for his work to secure legal protections for shop workers who are responsible for enforcing age restrictions on products, and I am disappointed that the Government opposed those measures.

We await the outcome of the Government's call for evidence on violence and abuse directed at shop workers. I am disappointed by the no-show of any other Tory Members; they must have a safe working environment, unlike shopkeepers. Anyone who wants justice for workers, vote Labour.

**The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins):** The Prime Minister is speaking in the House.

**Hugh Gaffney:** Sorry—does the Minister want to intervene?

**Victoria Atkins** *indicated dissent.*

**Hugh Gaffney:** I will continue my speech, then.

I pay tribute to USDAW, especially Jean Hession and her Scottish colleagues for their Freedom From Fear campaign, which seeks to ensure that shopworkers are not subjected to violence and abuse in their workplace. I commend USDAW for its Time for Better Pay campaign to achieve a living wage of £10 an hour for all workers regardless of age, and to end to zero-hours contracts and insecure work—all measures that could greatly benefit shop workers across the UK.

This Government have to do more to support businesses and communities who suffer the consequences of retail crime. It is time to introduce greater legal protections for shop workers, who should never have to face abuse and violence simply for doing their job.

3.12 pm

**David Linden** (Glasgow East) (SNP): It is, as always, a great pleasure to serve under your chairmanship, Mr Wilson. We also thank Mr Robertson, who chaired the first part of the debate.

As others have done, I start by thanking the right hon. Member for Delyn (David Hanson) for securing the debate and opening it with a powerful and passionate speech. I will come back to this, but I pay tribute to the work he did as a Home Office Minister.

[David Linden]

We have heard 15 Back-Bench contributions, which is particularly impressive on a Thursday afternoon. This debate is clearly not the highlight of business today and many of our colleagues are in the Chamber, so 15 Back-Bench speeches shows there is clearly an appetite for debate on the topic.

The right hon. Gentleman set the scene by reminding us of some of the stark data from the British Retail Consortium, and he had six asks for the Minister, which I have no difficulty endorsing. He was right to remind us that this is not a victimless crime; we should be reminded of that regularly.

The hon. Member for High Peak (Ruth George) spoke about her 20 years' experience in USDAW. I pay tribute to her for that. She talked about the police situation in England, as did a number of other Members; as a Scottish MP, I will not wade into that. She was absolutely right to place on the record the point about people working alone. The hon. Member for Birmingham, Selly Oak (Steve McCabe) reminded us that the loss in his constituency was £214,000, equivalent to a 7% tax, which is passed on to consumers. We need to take note of that.

The hon. Member for Strangford (Jim Shannon) spoke about the situation in Northern Ireland, particularly his home town, Newtownards, about which he always speaks passionately. The people of Strangford are very lucky to have such a diligent constituency MP speaking passionately about Northern Ireland. He was right to highlight a problem that seems to arise particularly in Northern Ireland of ATM thefts that cause great damage.

The hon. Member for Clwyd South (Susan Elan Jones) was rather controversial. In a largely consensual debate, she divided the Chamber by talking about the beauty of her constituency. She was right to remind us that, even in a close-knit community, retail crime remains an issue. She read out some powerful testimonies, which I think Members were quite moved by.

My hon. Friend the Member for Glasgow Central (Alison Thewliss) spoke passionately about shopping outlets in her constituency. She is of course my constituency neighbour, so I will have nothing said about shopping there. Go east! Shop in Glasgow East. But she is absolutely right to speak about small businesses and the impact of lone working. We also learnt of her experience as a retail worker in Next and about some of the issues she was exposed to there. The Chamber is richer for heeding the personal experience of Members.

The hon. Member for Bradford South (Judith Cummins) spoke about the underfunding of police forces in England. I was interested in what she said about the local Shopwatch scheme pilot. The Pubwatch scheme in my own constituency has been very successful, so I am interested in the Shopwatch pilot and whether we could adopt it.

The hon. Member for Stoke-on-Trent Central (Gareth Snell) spoke about the dangers of working in the evening. He also reminded us of our responsibilities as consumers. Far too often in shopping environments on a Saturday afternoon, people have a bunch of kids with them and they get quite stressed out, but as consumers we have a responsibility to act and behave in a certain way, which some people perhaps forget. Although people have spoken about some of the figures, I was struck by what he said:

up to 50 people will have been assaulted by the time this debate concludes. It reminds us of the danger that many people face just by going to work, so he was right to put that on the record.

My other constituency neighbour, the hon. Member for Coatbridge, Chryston and Bellshill (Hugh Gaffney), made a typically thoughtful speech. He was right to talk about the retail tax as well. He spoke about the situation in Bellshill Main Street and some of the costs for his constituency.

In Scotland there were 31,300 recorded offences of shoplifting in 2017-18, which equates to 58 per 10,000 inhabitants. The Scottish Government are acutely aware of how serious shop theft and physical and verbal abuse are in the retail sector. We are working closely with the Scottish Grocers Federation, Police Scotland and the Scottish Business Resilience Centre, and my colleague, Ash Denham, the relevant Minister, is progressing that.

This debate gives us the opportunity to pay tribute to the many retail workers who serve us every single day. We know that their work can be dangerous and often includes antisocial hours. First and foremost, today is an opportunity for us to acknowledge their hard work and place on the record the debt of gratitude that we owe every retail worker.

In my own constituency of Glasgow East we have vibrant retail outlets, including the small shops on Tollcross Road, Baillieston Main Street and Shettleston Road, and the much larger shopping centres such as the Lochs in Easterhouse, Glasgow Fort and the iconic Forge to name but a few. Each of those shopping centres provides significant employment opportunities in my constituency. I pay tribute to all of the staff, particularly the security guards who work tirelessly to ensure that those centres are enjoyable places for us to eat, shop and meet friends.

However, crime is prevalent in retail environments and many shopping centres have to undertake work to prevent shoplifting, which accounts for some 6% of recorded crime in Scotland. In advance of today's debate, I was in contact with Paul Wishart of Parkhead Forge and Phil Goodman of Glasgow Fort. Both of them told me about the challenges that their centres face in guarding against theft, which can lead to increased overheads. In the case of Glasgow Fort, the year 2018 saw a total of 279 incidents involving retail theft, attempted theft or fraud. That accounts for around 40% of all the incidents that Glasgow Fort's security team had to deal with.

In preparing for today's debate I was surprised to learn that security accounts for 25% of the total operating costs at the Fort: a significant overhead that is then passed on to the various retailers that occupy it. Although I am totally supportive of the security industry, I would much prefer to see retailers passing on savings to their hard-working shop staff who are so often, as Members have already said, underpaid. We know that retail is not one of the more handsomely paid roles.

Broadly speaking, retailers in the East End are hugely complimentary towards the local police, but I know from speaking to staff at the Forge that response times to shoplifting can vary. That is significant when there is no longer a community officer based in the centre. Longer response times put additional pressure on both security staff and shop staff. That means that some

retailers will not press charges, because they simply cannot afford to have members of staff tied up dealing with incidents.

One other frustration relates to the wider issue of deterrence and punishment. Sadly, in the case of Parkhead Forge, there are a number of repeat offenders who know exactly what kind of punishment they can expect to receive if caught shoplifting. One of the reasonable suggestions that Paul at the Forge made to me was that offenders should be asked to do their community service in the shopping centre where the crime was committed. Perhaps, if they did so, they would realise the impact that their actions had on the shop and, above all, on the staff.

However, I do not want to end on a negative note in what has been an excellent debate. I want to round off where I started, by thanking our hard-working retail staff, who consistently go above and beyond and ensure that the Fort, the Forge, the Lochs and all the small businesses in my constituency are places where we are proud to spend our money and support local jobs.

3.21 pm

**Carolyn Harris** (Swansea East) (Lab): It is a pleasure to serve under your chairmanship, Mr Wilson. First, I declare an interest as a very proud member of USDAW and the Co-op, both of which have featured quite heavily in the debate. I congratulate my very knowledgeable and right hon. Friend the Member for Delyn (David Hanson) on once again securing a really important debate. I will keep my remarks short to allow the Minister to answer the many varied and insightful questions that have been raised by all colleagues today.

For many years, I have been an ardent supporter of USDAW's Freedom From Fear campaign, and I am acutely aware of the prevalence of violence committed against shop workers who are simply doing their job. USDAW's 2018 survey showed that in the past year nearly two thirds of shop workers were verbally abused, just under half were threatened, and an average of 280 shop workers were assaulted every day. That abuse and violence stands at an unacceptably high level. It is essential that we take action to reduce instances of abuse.

Crime against retailers is detrimental to both the businesses and the workers. Theft places a financial burden on the shop, and there is a negative impact on employees who are forced to endure abuse. Retail crime costs the sector an estimated £246 million. In my Swansea constituency alone, a reported £190,000 was lost as a result of this type of crime.

There are numerous examples of police failing to prosecute cases of retail crime, not because they do not want to, but because their resources are so pared back.

**Ruth Jones** (Newport West) (Lab): Will my hon. Friend give way?

**Carolyn Harris:** It will be a pleasure to give way to our newest Member and a fellow Welsh MP.

**Ruth Jones:** I thank my hon. Friend for highlighting the current funding cuts that all police forces are facing. Does she agree that the £30 million that has been cut from the Gwent police budget has a direct impact on

the way the police in my area can carry out their role both reactively and, just as importantly, proactively, to prevent shop crime from happening in the first place?

**Carolyn Harris:** May I say that that point was very well made? The point that we are making is that the lack of action because of the lack of resources is causing a lack of reporting. USDAW says that 17% of those attacked do not report the crime.

I have always been clear, when I have spoken about the effects of antisocial behaviour and crime, whether it involves physical violence or verbal abuse, that those incidents cause emotional and psychological damage. We have to do more to demonstrate that we are protecting retailers and their staff, who are on the frontline. We need to send a clear message to those prepared to commit these crimes that they will not be tolerated, that they are not acceptable, and that those committing them will be punished. It is the responsibility of this Government to do more to ensure the safety of our citizens; they must listen to the very wise words of all the speakers here today. I shall end my remarks with that and just say to the Minister that I hope she has listened carefully to what all Members have had to say and will respond accordingly to as many points as possible.

3.24 pm

**The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins):** It is a pleasure to serve under your chairmanship, Mr Wilson. I am grateful to all right hon. and hon. Members for a really thoughtful and thought-provoking debate. I am particularly grateful to the shadow Minister, the hon. Member for Swansea East (Carolyn Harris), for such a brief response, because that gives me plenty of time to answer the many important points that have been raised.

I congratulate the right hon. Member for Delyn (David Hanson) on securing this debate on a matter that I know is of huge importance to him and his constituents. It has been a genuine pleasure to work with him and members of the all-party parliamentary group on retail crime, chaired by the hon. Member for Birmingham, Selly Oak (Steve McCabe) and my hon. Friend the Member for Gloucester (Richard Graham), particularly during the passage of the Offensive Weapons Bill, because we have made real progress. I hope we will make much more in future.

I will make a gentle point for *Hansard* regarding a comment that was made earlier. This debate is taking place alongside a very important statement by the Prime Minister in the main Chamber, about the European Council. I know that many hon. Members will have had real difficulty deciding which important debate they should take part in.

The importance of our local shops and convenience stores unites us all; every single constituency has such shops. I take this opportunity to thank the local shops in my wonderful Louth and Horncastle constituency. I may get into a battle with the hon. Member for Clwyd South (Susan Elan Jones) about whose constituency is more beautiful, but I have the pleasure of having some special market towns in my very rural constituency, as well as many independent shops on our high streets that we are keen to preserve. I hope that all the shops in all our constituencies will have a busy and profitable Easter period in week or two ahead.

[Victoria Atkins]

Right hon. and hon. Members have very powerfully made the point that crimes against our local shops and businesses are not victimless—everyone who spoke made that point strongly. I think that we were all struck by the examples given by the hon. Member for Clwyd South and indeed by the hon. Member for Glasgow Central (Alison Thewliss), who brought some of her own experiences to the Chamber. The hon. Member for Stoke-on-Trent Central (Gareth Snell) talked about the cultural impact of such crimes, not just on the immediate victims, but on the wider shop staff community and then on villages and small towns. I am grateful to him for making that important point.

Violence and abuse remain the biggest concern for retailers. That is the No. 1 priority for the National Retail Crime Steering Group, which I chair, and I am delighted to see members of the group in the Public Gallery. The group brings together retailers, trade bodies, police and others, to help to ensure that our response to tackling those crimes is as robust as it can be. Our last meeting, a month or so ago, was extraordinary and focused solely on the issue of violence. I am grateful to the members of the group for helping my officials to draft the call for evidence in such a way that we get the richest evidence we can from shop workers and others in the retail industry.

I am absolutely determined to tackle this problem. Every day, we ask shop workers to enforce the law, whether by refusing to sell age-restricted products to those whom they believe are below the legal age, or by confronting criminals who are trying to steal from their business. Shop workers, like all employees, have the right to feel safe at work, without fear of violence or intimidation. That is why, on 5 April, I launched a call for evidence to enable us to learn more about the scale and extent of the issue and inform our response.

We are seeking information in four key areas. First, information on prevalence and data will help to address gaps in our understanding and to build a more accurate picture of the nature of violence and abuse toward staff. Secondly, information on prevention and support will help us to gather evidence and information about what works in preventing such crimes, including how businesses can support their staff. Thirdly, information on enforcement and the criminal justice system will help to develop our understanding of the reporting of incidents, application of the current legislative framework, and the response by the police and wider criminal justice system. Fourthly, identifying further best practice will help to establish what works and to consider potential non-legislative solutions.

The call for evidence will run for 12 weeks, to ensure that those with an interest have sufficient time to respond. Obviously, we will consider the responses carefully and publish our response as swiftly as possible after the call for evidence closes.

**David Hanson:** The Minister has indicated that the closure for responses is June, but I would welcome some indication of when she expects to respond publicly. The Home Office has still not published a response to an outstanding consultation on air weapons, which closed in February 2018, so I would welcome some framework for her official response.

**Victoria Atkins:** My intention is to publish it in the autumn. I ask all right hon. and hon. Members to spread the word through their networks and encourage local shopkeepers to contribute to the consultation, because the richer the tapestry of evidence that we have, the better we will be able to respond.

The call for evidence is supported by a wider package of measures. The Home Office is providing £50,000 of funding for a targeted communication campaign, led by the Association of Convenience Stores, to raise awareness of the existing legislation to protect shop workers. We have published guidance on gov.uk about the use of impact statements for business, which provide victims with the opportunity to tell the courts about the impact a crime has had on their business. From my experience of working in the criminal courts, I know that those statements can make a huge difference and have a real impact on judges as they are considering how best to sentence offenders.

We have also worked with the police to develop guidance for staff and retailers to use when reporting emergency and violent incidents. As I say, I encourage everyone with an interest to respond to the call for evidence, including shop staff who have been directly affected by violence and abuse at work.

Interestingly, the hon. Member for Ogmore (Chris Elmore), who is sadly no longer in his place—he may be in the main Chamber—made a wider point about courtesy and the use of language. I am sure that we all consider that an important point that we will encourage people to remember as they visit our shops. Shop workers deserve politeness and courtesy, as does anyone else in this world. The example was given of an item of stock running low, which can be frustrating, but we should try to behave with courtesy.

I will quickly touch on the issue of police funding, which a couple of hon. Members raised. It has largely been a debate of great collaboration and agreement, but I must point out that police funding will increase by more than £1 billion in 2019-20, including, with the help of council tax, extra funding for pension costs and the serious violence fund. The Home Secretary has also stated that he will prioritise police funding at the next spending review.

**Steve McCabe:** Does the Minister accept that in the west midlands, the increase in the central grant for police funding will be entirely eaten up by dealing with the pension funds? That will mean that the same consumers who are paying the 7% tax on crime will also pay the council tax for any improvement in their policing position. In the west midlands, that is a standstill position.

**Victoria Atkins:** As the hon. Gentleman knows, we have given specific money to deal with the increase in pensions. I think he would agree that it is important to make sure that our police officers have their pension rights adhered to and honoured.

Furthermore, in the west midlands, we recently had a meeting with the police and crime commissioner and the chief constable to talk about measures to tackle serious violence, which is a particular problem. I was therefore delighted when the Chancellor granted an extra £100 million to deal specifically with serious violence. I am sure that the hon. Gentleman's area will benefit from some of that.

I am delighted that the new hon. Member for Newport West (Ruth Jones) joined us. I was most interested to hear her intervention. I hope she will urge her police and crime commissioner to spend some of his reserves, which stood at £56 million as of March last year, because that or just a bit of it could go some distance. I am sure she will do that as a good new Member of the House of Commons.

The national business crime centre is a significant step in tackling business crime more generally. We recognise the importance of ensuring a co-ordinated response to crimes against businesses. That is why we have supported the national business crime centre, which launched in October 2017 with the support of Home Office funding through the police transformation fund. The centre provides information for police forces and businesses, offers a targeted alert service to support businesses nationally and facilitates national consistency in the management of business crime. It has proved to be a valuable resource for all businesses, not just retailers, and continues to provide essential guidance and support nationally. The resources include advice, examples of things that retailers can do to prevent crimes and training for staff to defuse potentially violent situations to help protect businesses, staff and customers alike. I urge Members to see whether the centre can be of assistance to shops and businesses in their local areas. In addition, the Home Office runs its commercial victimisation survey, which is an important measure of business crime as well.

One of the six points that the right hon. Member for Delyn made was about gathering good practice. There is a great deal of good practice already in the system. For example, many business crime reduction partnerships operate across England and Wales and bring significant benefit to their members, the wider community and the police. We have heard about other schemes, such as Pubwatch and Shopwatch, which the hon. Member for Bradford South (Judith Cummins) mentioned. There is also BusinessWatch and Radio Link, which I saw for myself in the constituency of Erewash. I liken such schemes to a form of vaccination. If every shop in the local area participates, the whole community is strengthened and empowered through the scheme's operation, but if one or two businesses do not sign up, it weakens the overall strength of the community response to these crimes. We are keen to encourage such schemes. The hon. Member for Birmingham, Selly Oak challenged police and crime commissioners to make retail crime a priority. I agree with him; the point of police and crime commissioners is to set local policing priorities. I encourage Members to raise the issue with their PCCs.

The hon. Member for Strangford (Jim Shannon) highlighted the importance of the response of local businesses. Indeed, there is lots of good practice from individual businesses that shows a very positive impact, such as the use of CCTV, which he rightly mentioned. It is much cheaper than it used to be. One plea to everyone who uses CCTV is to maintain it and replace the tapes. I know that seems a small, practical point, but regrettably investigations sometimes show that the CCTV evidence is not there because the machines have not been kept up to date. As long as businesses are able to do that, it is of real benefit. Some stores have invested in body-worn cameras to help to reduce levels of violence and abuse towards staff.

The hon. Member for Stoke-on-Trent Central made a point about the future high streets fund, which is £675 million to support local areas in England to invest in town centre infrastructure and to support redevelopment. He made an interesting point about whether the fund could be used to help with security, and I am happy to look into that for him.

My hon. Friend the Member for Chichester (Gillian Keegan) is sitting behind me. She takes a keen interest in these issues, but because of her commitments cannot contribute verbally to the debate. She has reminded me that we have business improvement districts, which are business-led partnerships created through a ballot process to deliver additional services to local business. Improvements may include extra safety and security. In Chichester, all retail and other businesses contribute a 1% levy, and some of that money is used to fund walkie-talkies to act as a security system for support for workers. There are many examples out there of interesting schemes. They may differ in their applicability to different areas, but there are schemes out there that may help, if Members are interested.

The right hon. Member for Delyn rightly raised the issue of drugs and alcohol, as did other Members. We know that drugs can devastate lives, ruin families and damage communities. Our approach to drugs remains clear: we must prevent drug misuse in our communities and support people through treatment and recovery. Although drug misuse is at similar levels to a decade ago, we are absolutely committed to reducing it and the harm it causes. We have done that through, for example, the Psychoactive Substances Act 2016. Since it came into force, more than 300 retailers across the UK have either closed down or are no longer selling psychoactive substances. That has helped to remove the presence of such substances from our high streets. Of course, there is more to do. Our drugs strategy sets out our approach, bringing together the police, the health community and global partners to tackle the illicit drugs trade, protect the most vulnerable and help those with a drug dependency to recover and turn their lives around.

**Alison Thewliss:** I am glad the Minister has moved on to the impact of drugs. Many retailers in Glasgow tell me that they have people coming in to inject in their toilets or at the back of their shops, which puts retail staff at risk. People do that because they do not have anywhere else to go. Will the Minister look again at the proposals from Glasgow for a supervised drug consumption room, which would take away that risk for retail workers?

**Victoria Atkins:** A delegation from the Scottish Parliament—from Glasgow, specifically—came to see me about that and described the problems. It seems that there is more scope for precision policing in the local area. Policing in Scotland is now devolved, and where there are alleyways with drug paraphernalia, as the delegation described, I think there is a role for precision policing.

The hon. Lady will know that there is work ongoing with the local authorities to look at other ways of treating drug addiction, including more targeted heroin-assisted treatment. I am sure that, like me, she is pleased that more adults are leaving treatment successfully compared with 2009-10. The average waiting time in England and Wales to access treatment is now two days. On 2 October,

[Victoria Atkins]

we announced a major independent review of drugs as part of a package of measures to tackle serious violence. The review will look at a wide range of issues, including the system of support and enforcement around drug misuse, to inform our thinking about what more can be done to tackle drug harms.

Hon. Members raised the issue of alcohol dependency. The two phases of the local alcohol action areas programme, which works with a total of 52 areas across England and Wales, suggest that theft to support alcohol dependency is not as prevalent as one would imagine. Although many LAA areas have had problems with street drinking, none felt the need to take action to prevent alcohol-related thefts, interestingly. The reasons for that may be manifold, but I wanted to introduce that into the debate to ensure that hon. Members are satisfied that we have looked into it and will continue to do so.

Many hon. Members spoke about shoplifting of items with a value of less than £200. I will take a moment to clarify the law on that, because there appears to have been a misunderstanding. I am delighted that this debate gives us the opportunity to clarify the law. In 2014, we changed the law to enable cases of theft from a shop of goods of a value of £200 or less to be dealt with as swiftly and efficiently as possible. The changes enable certain cases to be dealt with as summary-only offences, so they can be prosecuted. The simple offence of theft is triable either way—in other words, in the magistrates court or the Crown court. We have said that shoplifting offences of values of less than £200 can be tried only in the magistrates court in order to speed up the process, in terms of defendants choosing trial by jury.

That procedural change was designed to improve proportionality and lay the groundwork for the police to prosecute uncontested cases in the future, much as they do with some driving offences. The change has had no bearing on the ability of the Crown Prosecution Service to prosecute a person for theft from a shop, or on the courts' powers to punish offenders. An offender convicted of theft in a magistrates court can still face a penalty of up to six months' imprisonment for a single offence. I am happy to discuss that further after the debate in order to clarify people's understanding. The value of shoplifting is irrelevant, because it can still be prosecuted even if it is under £200.

The hon. Member for Birmingham, Selly Oak raised the issue of banning orders. We introduced a range of powers through the Anti-social Behaviour, Crime and Policing Act 2014; these can be used by local agencies to redress antisocial behaviour that relates to retail crime, and can impose a range of conditions, such as banning an individual from entering a particular premises or area. Many of the powers are not limited to the police; some can also be enforced by local authorities. Again, if colleagues would like more information on how those powers can be used, I am very happy to share details after the debate. The more we can help our partners across local government and elsewhere to use those powers, the better I suspect it will be for our local communities.

I absolutely understand why the right hon. Member for Delyn and many others have asked the Government to consider introducing a new offence of attacks on shop staff. As he is aware from our previous discussions,

powers are already available to the police and the Crown Prosecution Service to deal with this type of offending and provide protection to retail staff. There are a number of criminal offences available to cover a wide variety of unacceptable behaviour, ranging from abusive and threatening language to offences against the person. In addition, the independent Sentencing Council is planning to consult on a revised guideline for assaults during the summer. The call for evidence presents us with another opportunity to understand how the current legislation is being applied. I am very keen to look at the efficacy of community schemes, which were mentioned by the hon. Member for Stoke-on-Trent Central and others. At the end of the call for evidence, I am very happy to see what it suggests.

I am very grateful to hon. Members for what has been an interesting and important debate on retail crime. As well as hearing concerns, we have heard about the positive work that is going on in response to retail crime. Although much more can be done to reduce such crime, there is much that we can take heart from in the efforts of a range of communities, organisations and partners to respond to this problem. I know that we all share a common aim to create safer communities for the public we serve, and that, once again, we all thank our local shops and convenience stores, which are open at all sorts of hours of the day and night in order to provide us with a pint of milk, our dinner after a late day at work or a bit of chocolate when we need cheering up. All shops play an incredibly important role in our local communities, and I join hon. Members in thanking them all.

3.48 pm

**David Hanson:** I thank you for chairing the second part of the debate, Mr Wilson, and your colleague Mr Robertson for chairing the earlier part.

I thank right hon. and hon. Members for attending on what has been a busy afternoon and for contributing. I particularly thank my hon. Friend the Member for Newport West (Ruth Jones). Can it be only last Thursday that real people in Newport put crosses on bits of paper to send her to this place? It is a great privilege to have her here. She may have made more, but I have seen her make at least two contributions already this week. I welcome her, and I am pleased that she is here. I thank my hon. Friend the Member for Swansea East (Carolyn Harris) and the hon. Member for Glasgow East (David Linden) for their contributions. The Minister responded, and I know that there is a working co-operation between us, but there are real issues about the level of theft and violence.

I have asked for the collection of statistics. I have asked for the consideration of legislation. I have asked for support for neighbourhood policing. I have asked for reviews of drug and alcohol work. I have asked for the prioritisation of retail crime. I have asked for a review of how the £200 threshold—I understand it, because I worked on the Bill at that time—is working in practice. I have asked for the Minister to disseminate good practice across communities, and the consultation that she graciously initiated will do that. When that consultation closes on 28 June and when it is responded to in the autumn, we as Members and we as in USDAW, the Co-op Group, the British Retail Consortium, the Association of Convenience Stores, the National Federation

of Retail Newsagents, the Co-operative party outside this building and every single person on the retail frontline will be looking at what solutions can be taken from the consultation to make a difference.

“Freedom from fear” should not be a slogan; it should be a reality for the day-to-day people who work on the shop floor. Freedom from losing business and profits because of theft, which can never be stopped completely but can be reduced by active government, is an objective we should all share. I thank you for chairing

the debate, Mr Wilson, and I thank my colleagues for their contributions. I look forward to the outcome of the consultation, which I will certainly hold the Minister to account for in due course.

*Question put and agreed to.*

*Resolved,*

That this House has considered prevention of retail crime.

3.51 pm

*Sitting adjourned.*



# Written Statements

## TREASURY

Thursday 11 April 2019

### CABINET OFFICE

#### Public Appointments Order in Council

**The Parliamentary Secretary, Cabinet Office (Oliver Dowden):** Today I wish to inform the House that the Privy Council has made a revised Order in Council that makes provision for an independent commissioner to monitor the procedures adopted by appointing authorities when making appointments to public bodies. This revokes the Order made in November 2017 and provides an amended schedule of bodies and offices to be regulated by the commissioner. Regulation by the commissioner in accordance with the governance code on public appointments is an important part of ensuring that those appointments made by Government Ministers which are subject to regulation are made in an open, fair and transparent manner.

The revised Order in Council has been gazetted in the Edinburgh, London and Belfast gazettes and published on the website of the Privy Council Office. Changes to the schedule reflect where public bodies have been created, renamed, dissolved or subject to machinery of Government changes since November 2017. A copy of the Order in Council has been placed in the Libraries of both houses.

We have only added bodies to the schedule where they legally exist as of the date of the Order being made. This means that two bodies previously announced by the Government have not been included in this revised order: the Holocaust Memorial Centre Ltd and the Trade Remedies Authority (TRA). The former is soon to be established as an arm's length body of Government. At that point, it can be treated as a regulated body by notification to the commissioner under section 2 (3) of the Order in Council. The TRA has already been notified to the commissioner under this section who has confirmed that it will be treated as a regulated body as soon as it exists. In the meantime, interim appointments to the TRA have been made in line with the governance code and principles on public appointments. The TRA will be the only arm's length body of the Department for International Trade and will appear as such on the schedule of the Order in Council when it is next updated.

We will conduct a comprehensive review of the Order in Council later this year to ensure consistency in the schedule and the types of bodies included. This will provide a further opportunity to add the two bodies above and any other newly created bodies to the schedule as appropriate, and the subsequent Order in Council will be published. Thereafter, we intend to undertake an annual refresh of the Order.

The attachment can be viewed online at: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-04-11/HCWS1510/>.

[HCWS1510]

#### Ministerial Equivalence and Exemption Directions in Financial Services: EU and EEA

**The Economic Secretary to the Treasury (John Glen):** The Equivalence Determinations for Financial Services and Miscellaneous Provisions (Amendment etc) (EU Exit) Regulations 2019 (S.I. 2019/541), includes a power for Ministers, for up to twelve months after exit day, to make equivalence directions and exemption directions for the European Union and EEA member states.

I have today laid before Parliament ministerial directions which exercise the power in four specific areas, to help ensure that the UK will have a functioning regulatory regime for financial services in all scenarios.

The first direction determines that the EU-adopted international financial reporting standards are equivalent to UK accounting standards and can continue to be used, for example, to prepare financial statements for requirements under the transparency directive, and to prepare a prospectus under the prospectus directive. This delivers on a commitment made by the Government in November 2018.

HM Treasury, the European Union and the EEA European Free Trade Association countries have decided to provide exemptions for central banks and certain public bodies under certain prudential regulations in the area of financial services in the event that the United Kingdom leaves the European Union without an agreement. Therefore, directions have been made exempting these EU and EEA bodies from certain requirements under UK law in force after exit.

These measures are important for avoiding disruption to the financial services sector, and the businesses and individuals relying on it, in the event that the United Kingdom withdraws from the European Union without an agreement.

Copies of the directions are available in the Vote Office and Printed Paper Office and will be published alongside the Equivalence Determinations for Financial Services and Miscellaneous Provisions (Amendment etc) (EU Exit) Regulations 2019 on [Legislation.gov.uk](http://Legislation.gov.uk).

[HCWS1512]

#### Counter-Terrorism Asset Freezing Regime: 1 October to 31 December 2018

**The Economic Secretary to the Treasury (John Glen):** Under the Terrorist Asset-Freezing etc. Act 2010 (TAF 2010), the Treasury is required to prepare a quarterly report regarding its exercise of the powers conferred on it by part 1 of TAF 2010. This written statement satisfies that requirement for the period 1 October 2018 to 31 December 2018.

This report also covers the UK's implementation of the UN's ISIL (Daesh) and al-Qaeda asset-freezing regime (ISIL-AQ), and the operation of the EU's asset-freezing regime under EU regulation (EC) 2580/2001 concerning external terrorist threats to the EU (also referred to as the CP 931 regime).

Under the ISIL-AQ asset-freezing regime, the UN has responsibility for designations and the Treasury, through the Office of Financial Sanctions Implementation (OFSI), has responsibility for licensing and compliance with the regime in the UK under the ISIL (Daesh) and Al-Qaida (Asset-Freezing) Regulations 2011.

Under EU regulation 2580/2001, the EU has responsibility for designations and OFSI has responsibility for licensing and compliance with the regime in the UK under part 1 of TAFAs 2010.

A new EU asset-freezing regime under EU regulation (2016/1686) was implemented on 22 September 2016. This permits the EU to make autonomous al-Qaeda and ISIL (Daesh) listings. One new designation under the regime was made during this quarter, and is recorded in the fifth column of the annexed table entitled “New Designations in this Quarter”.

The Sanctions and Anti-Money Laundering Act 2018 will help ensure that UK counter-terrorist sanctions powers remain a useful tool for law enforcement and intelligence agencies to consider utilising, while also meeting the UK’s international obligations.

Under the Act, a designation could be made where there are reasonable grounds to suspect that the person or group is or has been involved in a defined terrorist activity and that designation is appropriate. This approach is in line with the UK’s current approach under UN and EU sanctions and would be balanced by procedural protections such as the ability of designated persons to challenge the Government in court.

The annexed tables set out the key asset-freezing activity in the UK during the quarter.

Attachments can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2019-04-11/HCWS1509/>.

[HCWS1509]

## DEFENCE

### Service Complaints Ombudsman: Annual Report 2018

**The Parliamentary Under-Secretary of State for Defence (Mr Tobias Ellwood):** I am pleased to lay before Parliament today the service complaints ombudsman’s annual report for 2018 on the fairness, effectiveness and efficiency of the service complaints system.

This report is published by Nicola Williams and covers the third year of operation of the reformed service complaints system and the work of her office in 2018.

The findings of the report and the new recommendations made will now be fully considered by the Ministry of Defence, and a formal response to the ombudsman will follow once that work is complete.

[HCWS1507]

## DIGITAL, CULTURE, MEDIA AND SPORT

### The Times/Sunday Times

**The Secretary of State for Digital, Culture, Media and Sport (Jeremy Wright):** On 10 January 2019, News UK submitted an application to vary certain conditions put in place in 1981 by the then Secretary of State for Trade.

The changes proposed by News UK would allow The Times and The Sunday Times to share journalistic resources, subject to the agreement of each newspaper’s editor. The application proposed no other changes to the 1981 conditions. As set out in the invitation to comment which my department published on 18 January 2019, this was treated as an application by News UK to replace the 1981 conditions with new undertakings in accordance with schedule 18 to the Communications Act 2003.

I have considered this application in my quasi-judicial role regarding media merger cases. Having considered News UK’s application and the representations made to the invitation to comment, I have concluded that there has been a material change in circumstances since 1981 that warrants me considering the application. I have also concluded that the change of circumstances justifies the variation, as the effect of News UK’s proposed changes would not, in my view, materially impact on the public interest considerations contained in section 58 of the Enterprise Act 2002.

I am, therefore, minded to accept News UK’s application. However, in considering the proposed new undertakings as a whole, I have noted that the existing governance arrangements—agreed in 1981—lack clarity and certainty over roles and responsibilities. Before agreeing the application I am therefore of the view that these arrangements need to be suitably updated and enhanced to better reflect current corporate best practice.

I have asked DCMS officials to discuss these issues with News UK and to consider new proposals from News UK to update the proposed undertakings to address my concerns. I will update the House in due course on these discussions. Should News UK be able to offer revised undertakings which meet my concerns, I will, as required in legislation, consult on the final form of the undertakings before deciding whether or not to accept them.

[HCWS1505]

## EDUCATION

### Teacher Training Skills Test

**The Minister for School Standards (Nick Gibb):** I would like to set out for the House some actions my Department is taking to resolve an error we have identified in the marking scheme of one of the professional skills tests for prospective teachers.

The skills tests assess the core skills that teachers need to fulfil their professional role in schools. This is to ensure all teachers are competent in numeracy and literacy, regardless of their specialism.

All current and prospective trainee teachers must pass the skills tests in numeracy and literacy before they can be recommended for the award of qualified teacher status (QTS). Trainee teachers must pass the skills tests before they start their course of initial teacher training.

Since February 2018, candidates have been able to take unlimited test attempts, with the first three attempts offered free of charge.

The design of the skills tests is the responsibility of the Standards and Testing Agency (STA). The agency recently reviewed all marking schemes in operation for the skills tests and discovered an error in one test. This test was immediately taken out of use and the STA have confirmed that there are no errors in the remaining marking schemes that are in operation.

The error applies to a marking scheme for one of the literacy skills tests and has resulted in a small number of candidates failing their literacy test when they should have passed. The incorrect marking scheme for this test has been in operation for at least 10 years. We know that just over 200 candidates were affected by the error between September 2017 and November 2018, approximately 150 of whom went on to pass their literacy test.

We will offer a payment to compensate candidates affected for any expenses they may have incurred in having to retake the test. My Department will make best endeavours to contact candidates affected by the marking scheme error. Any candidates who think they may have been affected can also contact the skills test helpline by emailing support@sta.psonline.com.

It is regrettable that this error has prevented some candidates from progressing their applications to teacher training. My Department is taking swift action to make sure that those affected are supported to progress their applications.

The chief executive of the STA has assured me that there are no remaining marking scheme errors and that the schemes will be quality assured on a regular basis to prevent further errors.

[HCWS1511]

## ENVIRONMENT, FOOD AND RURAL AFFAIRS

### Agriculture and Fisheries Council

**The Minister for Agriculture, Fisheries and Food (Mr Robert Goodwill):** The Agriculture and Fisheries Council takes place in Luxembourg on 15 April.

As the provisional agenda stands, the primary focus for agriculture will be on the post-2020 common agricultural policy (CAP) reform package. Ministers will exchange views on the green architecture elements in the regulation on CAP strategic plans.

Council will also exchange views on the agricultural aspects of the Commission's strategic long-term vision for a climate neutral economy, the market situation, and the taskforce in rural Africa, an expert group set up by the European Commission.

There are currently four items scheduled for discussion under "any other business":

information from the presidency on research and agriculture.  
information from the Commission on the declaration on smart and sustainable digital future for European agriculture and rural areas.

information from the Slovakian delegation on the renewable energy directive post-2020.

information from the Netherlands delegation on the EU Action against deforestation and forest degradation.

[HCWS1506]

## HOME DEPARTMENT

### EU Settlement Scheme: Emails

**The Minister for Immigration (Caroline Nokes):** The EU settlement scheme is an integral part of protecting the rights of EU citizens who have made their homes here in the UK, giving them an easy way of demonstrating their status in this country so that in years to come we do not find ourselves in a position where people have issues making clear the rights that they have. The scheme, which is free of charge, is performing well and over 400,000 EU citizens have already applied, with over 50,000 applications received on the opening weekend.

The Home Office receives a large number of inquiries in relation to the scheme. When responding to generic enquiries, responses are sent in batches. The process for this is such that recipients would not normally be able to see the other email addresses. Regrettably, it has come to my attention that on Sunday 7 April three emails were sent that did not follow the appropriate procedure and 240 email addresses were made visible to other recipients. No other personal data was included in the communication.

We have written to all individuals who received this email to apologise. The departmental data protection officer has been informed and the Department has voluntarily notified the Information Commissioner's Office of the incident. An internal review is also underway to determine the details of what happened and the lessons that need to be learned.

The Home Office takes its data protection responsibilities very seriously and is committed to the continued improvement of its performance against the UK's high data protection standards. As a Department we have been taking steps to ensure we have the culture, processes and systems in place to treat the public's personal data appropriately.

As a further immediate step we have put in place strict controls on the use of bulk emails when communicating with members of the public to ensure this does not happen again as lessons are learned. An independent review of the Department's compliance with its data protection obligations has also been commissioned which will be led by non-executive director Sue Langley and will report in due course.

[HCWS1508]



# Ministerial Corrections

Thursday 11 April 2019

## JUSTICE

### Tax Paid: Reductions

*The following is an extract from Treasury questions on Tuesday 9 April 2019.*

6. **Stephen McPartland** (Stevenage) (Con): What progress he has made on reducing the total amount of tax that people pay. [910301]

**The Financial Secretary to the Treasury (Mel Stride):** This Government have made very significant progress in reducing the burden of taxation on the low paid, including by recently increasing the personal allowance to £12,500—thus taking 1.7 million of the lowest paid out of tax all together since 2017.

[Official Report, 9 April 2019, Vol. 658, c. 165.]

*Letter of correction from the Financial Secretary to the Treasury:*

An error has been identified in the response I gave to my hon. Friend the Member for Stevenage (Stephen McPartland).

The correct response should have been:

**The Financial Secretary to the Treasury (Mel Stride):** This Government have made very significant progress in reducing the burden of taxation on the low paid, including by recently increasing the personal allowance to £12,500—thus taking 1.7 million of the lowest paid out of tax all together **since 2015-16**.

## HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

### Homeless People: Death Rates

*The following is a Ministerial Correction made by the Under-Secretary of State for Housing, Communities and Local Government, the hon. Member for South Derbyshire (Mrs Wheeler), on 9 April 2019 to an answer given to the hon. Member for Harrow East (Bob Blackman) during Housing, Communities and Local Government Questions.*

*The following is an extract from Housing, Communities and Local Government Questions on Monday 8 April 2019.*

21. [910282] **Bob Blackman** (Harrow East) (Con): I thank my hon. Friend for her answers so far. Clearly, to prevent people from dying on our streets because they are homeless, it is far better to provide them with a home, or to prevent them becoming homeless in the first place. Will she update the House on what is being done in the Housing First trials, so that we can see that innovative scheme rolled out across the country and end homelessness for good?

**Mrs Wheeler:** I thank my hon. Friend for that question. The Housing First pilots are in the Greater Manchester, Greater Birmingham and Greater Liverpool areas, and **£38 million** has been put aside to assist with them. The Mayor of the Greater Birmingham area, Andy Street, phones me regularly to tell me about the progress on the Housing First pilots in the west midlands. The pilot in Liverpool is going quite well too but, sadly, the one in Manchester is not going as well, but I like a bit of competition between the three Mayors and I am sure they will all step up.

[Official Report, 8 April 2019, Vol. 658, c. 12.]

*Letter of correction from the Under-Secretary of State for Housing, Communities and Local Government (Mrs Wheeler):*

An error has been identified in the response I gave to my hon. Friend the Member for Harrow East (Bob Blackman).

The correct response should have been:

**Mrs Wheeler:** I thank my hon. Friend for that question. The Housing First pilots are in the Greater Manchester, Greater Birmingham and Greater Liverpool areas, and **£28 million** has been put aside to assist with them.

*Letter of correction from the Under-Secretary of State for Housing, Communities and Local Government:*

A further error has been identified in the answer I gave to my hon. Friend the Member for Harrow East.

The correct response should have been:

**Mrs Wheeler:** I thank my hon. Friend for that question. The Housing First pilots are in the Greater Manchester, Greater Birmingham and Greater Liverpool areas, and **£28 million** has been put aside to assist with them. The Mayor of the Greater Birmingham area, Andy Street, phones me regularly to tell me about the progress on the Housing First pilots in the west midlands. The pilot in **Manchester** is going quite well too but, sadly, the one in **Liverpool** is not going as well, but I like a bit of competition between the three Mayors and I am sure they will all step up.



# ORAL ANSWERS

Thursday 11 April 2019

	<i>Col. No.</i>		<i>Col. No.</i>
<b>ATTORNEY GENERAL</b> .....	451	<b>DIGITAL, CULTURE, MEDIA AND SPORT—continued</b>	
CPS: Mental Health.....	451	Historic Environment .....	437
EU Withdrawal: Protection of Human Rights.....	455	Leaving the EU: Creative Industries.....	443
Leaving the EU .....	456	Music Education in Schools.....	440
Sexual Offences.....	452	Online Disinformation .....	438
Social Media .....	454	Public Libraries.....	439
<b>DIGITAL, CULTURE, MEDIA AND SPORT</b> .....	435	Public Libraries.....	442
Digital Skills: Elderly in Rural Areas .....	444	Society Lottery Reform.....	445
Funding for Youth Services.....	435	Topical Questions .....	446
		Visitors to the UK.....	445

# WRITTEN STATEMENTS

Thursday 11 April 2019

	<i>Col. No.</i>		<i>Col. No.</i>
<b>CABINET OFFICE</b> .....	13WS	<b>ENVIRONMENT, FOOD AND RURAL AFFAIRS.</b>	17WS
Public Appointments Order in Council.....	13WS	Agriculture and Fisheries Council.....	17WS
<b>DEFENCE</b> .....	15WS	<b>HOME DEPARTMENT</b> .....	18WS
Service Complaints Ombudsman: Annual Report		EU Settlement Scheme: Emails .....	18WS
2018 .....	15WS		
<b>DIGITAL, CULTURE, MEDIA AND SPORT</b> .....	15WS	<b>TREASURY</b> .....	14WS
The Times/Sunday Times.....	15WS	Counter-Terrorism Asset Freezing Regime:	
<b>EDUCATION</b> .....	16WS	1 October to 31 December 2018 .....	14WS
Teacher Training Skills Test .....	16WS	Ministerial Equivalence and Exemption	
		Directions in Financial Services: EU and EEA..	14WS

# MINISTERIAL CORRECTIONS

Thursday 11 April 2019

	<i>Col. No.</i>		<i>Col. No.</i>
<b>HOUSING, COMMUNITIES AND LOCAL</b>		<b>JUSTICE</b> .....	5MC
<b>GOVERNMENT</b> .....	5MC	Tax Paid: Reductions .....	5MC
Homeless People: Death Rates.....	5MC		

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Thursday 18 April 2019**

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## CONTENTS

Thursday 11 April 2019

**Oral Answers to Questions [Col. 435] [see index inside back page]**

*Secretary of State for Digital, Culture, Media and Sport*  
*Attorney General*

**East Midlands Rail Franchise [Col. 459]**

*Answer to urgent question—(Andrew Jones)*

**Business of the House [Col. 471]**

*Statement—(Andrea Leadsom)*

**Discrimination in Football [Col. 498]**

*Statement—(Mims Davies)*

**European Council [Col. 510]**

*Statement—(Prime Minister)*

**Arrest of Julian Assange [Col. 543]**

*Statement—(Sajid Javid)*

**Legal Tender (Scottish Banknotes) [Col. 551]**

*Bill presented, and read the First time*

**Backbench Business**

**Loan Charge [Col. 552]**

*Motion—(Ross Thomson)—resumed debate*

**Police Complaints and Accountability [Col. 571]**

*Debate on motion for Adjournment*

**Westminster Hall**

**Retail Crime [Col. 169WH]**

*General Debate*

**Written Statements [Col. 13WS]**

**Ministerial Corrections [Col. 5MC]**

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

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